

A New Instrument to Guide and Support Insanity Evaluations

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Insanity evaluations are among the most complex and controversial mental health assessments that psychiatrist and psychologists are asked to perform. Depending on the jurisdiction, insanity definition and the threshold for satisfying its legal criteria vary. In the majority of Western countries, the legal standards for insanity rely on the presence of cognitive and/or volitional impairment of the defendant at the time of crime. Theoretical models, tools and guidelines have been proposed to guide the insanity evaluation, yet a valid instrument that could be useful to guide forensic psychiatrists' criminal responsibility assessments in different jurisdictions, is lacking. This is a lacuna that needs to be addressed, considering the significant forensic and procedural implications of psychiatric evaluations. In addition, differences in methodology used in insanity assessments may also have consequences for the principle of equal rights for all citizens before the law, which should be guaranteed in the European Union. We developed an instrument, the Defendant's Insanity Assessment Support Scale (DIASS), which can be useful to support, structure and guide the insanity assessment across different jurisdictions, in order to improve reliability and consistency of such evaluations.