



Physical Anthropology Section - 2013

114 Emerging Topics in Italian Forensic Psychopathology: Foreign Criminality and Cross-Cultural Assessment

Jutta Birkhoff, MD, PhD, Davide Torri, MD, and Laura Re, Univ of Insubria, Dept. of Bio-Technologies and Life Sciences, Section of Forensic Psychiatry, Via. Rossi 9, Padiglione Antonini, Varese, ITALY; and Rosa Taratufolo, MD, and Felice F. Carabellese, MD*, Univ of Bari, Section of Criminology and Forensic Psychiatry, Piazza Giulio Cesare, Bari, ITALY

After attending this presentation, attendees will be able to understand the full importance of developing a model of cross-cultural approaches to the forensic evaluation of mental disease.

This presentation will impact the forensic science community by examining the difficulty recently arising in Italian forensic psychopathology regarding the assessment of foreigners from different cultures.

Italy, located in the center of the Mediterranean Sea and close to the Balkans, represents from a geopolitical point of view, a natural gateway to Europe and which it has historically played this role for a long time.

Nevertheless in recent centuries, Italy has primarily originated emigration flows, while maintaining a homogeneously autochthonous internal population. These circumstances have changed radically over the past two decades, during which political and economic transformation globally, involving Eurasia and Africa—and also South America—has led to significant levels of immigration to Italy. Today Italy has a strong presence of foreign citizens in its own territory, both resident and transit to other European countries. This is a population with a specific age and gender constitution, according to different nations of origin, mostly consisting of workers seeking employment. Italy must now find a way to integrate both Italians and foreigners and migrants of different origins.

This presentation briefly describes quantitative and qualitative features of the foreign population living in Italy. The presentation also deals with this issue in terms of criminological survey, giving statistical information about the number and countries of origin of foreign people imprisoned in Italian jails.

According to Italian law, a judge or a lawyer can request a forensic psychiatric assessment of an offender, if there is reasonable suspicion that he/she is mentally ill. Usually the court asks the expert if the criminal is liable for his actions (“Imputabilità”), if he/she is a danger to society because of his mental disorder (“Pericolosità sociale”), and if he/she is able to participate in the criminal trial (“Capacità di stare in giudizio”). As the number of foreigners living in Italy has increased in recent years, there are currently a significant percentage of forensic psychiatric assessments being performed on criminals from very different cultures. This is new for the Italian forensic psychiatrists, who are facing new assessment difficulties and do not always have available the scientific instruments needed for a reliable cross-cultural assessment.

Case Report: This presentation is of a case concerning a double homicide committed by a foreign citizen residing in Italy as an example of the difficulty of the forensic psychiatric evaluation on persons from different cultures. The man came from sub-Saharan Africa, and had lived in Italy for about ten years before committing the crime. He killed his wife and another woman who lived with him with a sledgehammer, then went to his neighbors to report his crime. The genesis and dynamics of crime were influenced by religious and mystical beliefs which are maybe difficult to analyze and understand for a European citizen, but rather widespread and accepted in some rural areas of the country of origin of the offender. In order to answer to the judge's requests, the experts had to distinguish between physiologically different beliefs merely due to the offender's different cultural context, and possible psychopathological convictions.

This presentation highlights the critical issues facing the forensic psychiatrist and points to the need to develop a model of cross-cultural approach to forensic evaluation of mental disease.

Conclusion: Italian training for psychiatrists and psychologists does not include compulsory academic courses in cross-cultural assessment. Migrants' anamnesis is mostly unknown, as it is very difficult to reach healthcare services in their country of origin. Versions of psychological tests validated for the countries of origin of the subjects to be examined are not always available. Intercultural mediators are few and are frequently not available for all migrants' ethnicities. Translation warps the content of the psychiatric interview.

Today in Italy, there are no guidelines for forensic psychiatric assessment of migrants. Experts' reliability depends on skills they have possibly acquired outside of their compulsory academic career. There is a need to develop national quality standards to ensure the individuals' equality of treatment under the law.

Foreign, Assessment, Criminality