
Letter to the Editor

THE IMPORTANCE of CAMERA RECORDS IN THE FORENSIC PSYCHIATRIC EXPERT PRACTICES

Dear Editor,

One of the indicators for the extensive involvement of technology in daily life is hidden and visible cameras. These are used for security or other purposes in main and crossroads at the workplaces and houses. Scenes that are obtained from these cameras are beginning to be included in the files of lawsuits, which had a subject of a crime. In the assessments of criminal responsibility, the forensic psychiatric decision process absolutely requires the investigation of the case file (Soysal 2005). However, courts generally do not give sufficient care about sending a case file, and do not send camera records together with the case files. In the thirty second item of Turkish Criminal Law (TCL), No. 5237 of 01 June 2005 is amended as “significant reduction” and “reduction” of criminal responsibility and in item 33 “temporary causes, being under the influence of alcohol and drugs (Turkish Criminal Law Item 32, Turkish Criminal Law Item 33).

The Criminal Court of First Instance requested that we prepare a report within the scope of 32. Item of TCL in response to the crime of “theft about the protected goods” that was claimed to be committed by X.Y. at 01.15.2015, “the

photocopies of all of the case files to prepare a report about the related subject” was requested by a written document. X.Y applied to us at 06.26.2015 with the complete case files and her husband told the event of subject of the crime as: “that she entered the supermarket for shopping, that she put the products in the nylon bag as she didn’t take a basket, and also that she forgot to pay due both to the effect of her mother’s death anniversary and being absent-minded and forgetful because of psychiatric medications that she used.” Based on the taken history and medical records it was understood that X.Y. has been taking outpatient psychiatric service at a governmental clinic within 2011-2015 and she was using venlafaxine and mianserine at the time of the event. As a result of the completed examination, there is a clear need for a more detailed assessment within the scope of 33. Item of TCL was decided although X.Y was not found to have reduced responsibility about the subject of the crime due to her mental disorder. Thus, the need for the investigation of camera records that belong to the mentioned supermarket was reported to the related court. As a result of these, the court sent us the camera records. At the investigation, it was observed that X.Y. wandered around the supermarket and put some of the products in the nylon bag while checking for the people around and going to spaces where she couldn’t be seen. Thus, it was determined based on the scenes obtained from the security cameras that X.Y. was not absent-minded and/or forgetful due the effects of her medication. A report was prepared to the related court which indicates the opinions that “X.Y. was not found to have a mental illness or mental impairment at the date of the crime. That may influence her crime responsibility and show that she was not influenced by a temporary cause or taking a drug outside her purpose. Thus,

she had full responsibility for the crime of theft of goods protected in the building that she was claimed to commit at 01.15.2015.

This article was presented for the purposes of reporting the importance of investigation of case files at the time of forensic psychiatric assessment about crime responsibility. The requirements for the investigation of visual records that are the subject of the crime are needed.

Altan Eşizoğlu, Associate Professor of Psychiatry, Eskisehir Osmangazi University, Medical Faculty, Department of Psychiatry, Eskisehir, Turkey.

REFERENCES

- Soysal H (2005) Adli Psikiyatri El Kitabı. Roman's Yayınları, p. 58.
Turkish Criminal Law. Law Number: 5237, Accepted Date: 12.10.2004, Date of Published Official Newspaper: 01.06.2005, Number of Published Official Newspaper: 25611.