

# PEER REVIEW SUMMARY

**Journal:** Scottish Science Society Periodical      **Article:** 2  
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**Manuscript:** Criminal Liability for Psychiatric Deaths: A Comparative Analysis of Caregiver Accountability in England and Wales, Portugal, and Brazil

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**VERDICT: ACCEPT WITH MINOR REVISIONS**

## Summary of Findings

This manuscript presents a rigorous comparative legal analysis examining criminal accountability for informal caregivers whose gross negligence contributes to preventable deaths of psychiatric patients. The analysis spans three jurisdictions representing distinct legal traditions: England and Wales (common law), Portugal (Continental European civil law), and Brazil (Latin American civil law). The work makes a genuine contribution to an underexplored area at the intersection of criminal law, medical law, and human rights.

## Principal Strengths

1. Careful normative framing with four limiting principles that pre-empt overcriminalisation objections
2. Genuine comparative methodology using standardised six-element analytical framework
3. Nuanced integration of supranational jurisprudence (Fernandes de Oliveira, Ximenes Lopes)
4. Honest acknowledgment of methodological limitations and gaps in case law
5. High-quality academic prose appropriate for the subject matter

## Required Revisions

1. Update epidemiological citations where more recent data exist (post-2017)
2. Provide specific statutory citation for Portuguese Mental Health Act 2023
3. Verify Brazilian doctrinal position on suicide causation via leading treatises
4. Add comparative gloss for 'preterdoloso' structure for common law readers
5. Reduce length by 10-15% through consolidation of redundant material
6. Add required front matter (word count, conflict of interest, funding statement)

## Assessment Summary

Criterion	Rating
Originality	Good
Significance	Good
Methodology	Good
Clarity of presentation	Very Good
Quality of argumentation	Very Good
Appropriate use of sources	Good

## **Conclusion**

This manuscript addresses a genuine lacuna in comparative criminal law scholarship with appropriate rigour and restraint. The core argument—that legal mechanisms for caregiver accountability exist but remain underutilised—is persuasively advanced. With minor revisions as specified above, the manuscript is suitable for publication in a quality general legal periodical.