

## Identification of Compensable Psychiatric Injuries in English and Iranian Law

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### Abstract

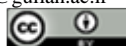
Psychiatric injury is any harm to the health of individuals that causes their mental illness. The extent of such trauma can range from simple grief to mental disorders. Given that a large number of people are at risk of Psychiatric injury, compensating Psychiatric harm without any criteria will lead to numerous claims and will cause problems for the country's judiciary. Are there any rules in the Iranian and English legal systems that limit compensation of Psychiatric damages? Is that rule effective and can it achieve justice? The British courts have held only "recognized mental illnesses" in psychiatry liable and have not found the rest of the mental harms to be compensable. In Iranian law, despite the fact that some Iranian courts have ruled in favor of compensating for mere emotional distress, but from Article 1 of the Civil Liability code and Article 676 of the Islamic Penal Code the necessity of "mental illness" can be inferred. This article will show that the application of this rule will reduce the number of fraudulent lawsuits in the courts and prevent the huge costs of compensating for mental disorders that are temporary and does not disrupt normal life.

**Keywords:** Civil Liability; Psychiatric Injury; Psychiatric Illness; Moral Damage; Arsh.

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