

## **A new epidemic or overdiagnosis? The Brain Overclaim Syndrome**

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With the advent of DSM-V in May 2013 it has been argued by many critics that this new diagnostic manual of psychiatry will lead to a new epidemic of psychiatric diagnoses as it lowers criteria for existing diseases, e.g. allows to diagnose depression in a state of grief, or introduces new diagnostic entities, such as disruptive mood dysregulation disorder. Although the BOS (Brain Overclaim Syndrome), first described by Stephen Morse in 2006, but certainly existing long before, has not made it into DSM-V, it is now increasingly diagnosed in the context of neurolaw. In fact, it appears that almost everyone who relates criminal behavior to brain science in one or the other way suffers from BOS. As with any diagnosis it has to be asked what the core of the disease is, severe cases have to be distinguished from mild forms and, more fundamentally, the question is if constellations that look like a BOS should not be regarded as part of normal life, and more, even as a healthy behavior making sense for a rational being. In this talk I will critically examine the concept of BOS. On the one hand, I will argue that it is a real entity that should and in fact can be treated easily for severe cases. On the other hand, I will make the case that there is the danger of overdiagnosis that will, if not corrected, impede progress in understanding the causes of human criminal behavior and develop an appropriate attitude to it. We have to save normal also in the case of forensic brain science.