

Justice and Mental Health: Societal Issues

A special publication directed by
Anne Crocker, Douglas Institute Researcher

Montreal, Monday, March 1, 2010 – Anne Crocker, PhD, director of services, policies and population health Research at the Douglas Mental Health University Institute, edited an issue of The journal “Santé mentale au Québec” on justice and mental health.

“We hope that this special issue will lead not only to discussion and debate but also to action on mental health and justice while stimulating the development of new knowledge,” stated Anne Crocker in her editorial.

A new look at complex problems

Anne Crocker sought out contributions from authors working in various disciplines and professions. Their analyses shed new light on potential avenues for dealing with individuals who suffer from a mental health problem and come into contact with the justice system.

New themes are addressed (psychiatric advance directives (PAD), mental health courts) while other are revisited (patient rights, treatment in the prison environment).

Navigating mental illness and the legal system

Individuals living with a mental health problem and who come into contact with the law, as well as their families, understand the complexities of dealing with the criminal or civil legal system, which includes such components as consent to care, confidentiality of medical information, fitness to stand trial, service delivery in a prison environment, diversion programs, assessment, and violence risk management.

Hélène Fradet, Executive Director of the Fédération des familles et amis de la personne atteinte de maladie mentale and a contributing author to the issue, stated that, “According to the family equation, the more we adapt and develop services, the less often family members will have to resort to the courts and the less often those with mental illness will find themselves behind bars”

A context of legal frameworks and daily realities

According to the 2008 report from the Canadian Institute for Health Information entitled *Improving the Health of Canadians 2008: Mental Health, Delinquency and Criminal Activity*:

More than one in four Canadians hospitalized for mental illness have had brushes with the law. Furthermore, youth and adults diagnosed with mental illnesses are overrepresented in Canada's correctional facilities.

Over the past thirty years, reform to mental health policy, legislative amendments to the Criminal and Civil Codes, the adoption of Charters of Rights and Freedoms, and the advancement of knowledge in mental health have raised new ethical, organizational and scientific issues in various countries.

In Canada, these issues are situated in a context where the Criminal Code is under federal jurisdiction while mental health acts (or civil law in Québec) is the responsibility of each province or territory. Each province is also responsible for providing and regulating health care. It is therefore essential to pool together as many opinions and experiences as possible while harnessing existing expertise to find the best avenues for improving care and the quality of life for people with mental health problems, all while ensuring their own safety and the safety of those around them during highly difficult periods. This special issue of *Santé mentale au Québec* is therefore a source of enlightened enquiry into how we can best fulfill this mission.

-30-

Information

Marie France Coutu

Communications and Public Affairs

Phone: 514-761-6131, extension 2769. Cell: 514-835-3236

marie-france.coutu@douglas.mcgill.ca

About Justice and Mental Health - To better understand the issues

With the help of the Communications Department at the Douglas Institute, Anne Crocker and her team have developed an in-depth Web resource for the general public to better understand the various challenges and issues related to mental health and the legal system.

<http://www.douglas.qc.ca/mental-health-info/justice/index.asp?l=e&>

About *Santé mentale au Québec* - www.santementaleauquebec.ca

To obtain a copy, contact the journal:

Revue santé mentale au Québec SMQ

C.P. 548, Succ. Place d'Armes

Montréal (Québec), H2Y 3H3

Phone: 514-843-2015, extension 2840

About the Douglas – www.douglas.qc.ca

The Douglas is a world-class institute affiliated with McGill University and the World Health Organization. Its mission is to treat people suffering from mental illness and offer them both hope and healing. The Institute's teams of specialists and

researchers continually advance scientific knowledge, integrate it into patient care, and share it with the community to increase awareness and thus eliminate stigma around mental illness.