§ Law in context

# Reconstructing Mental Health Law and Policy

Nicola Glover-Thomas



# **Reconstructing Mental Health Law And Policy**

**Carol Harlow, Richard Rawlings** 

#### **Reconstructing Mental Health Law And Policy:**

Reconstructing Mental Health Law and Policy Nicola Glover-Thomas, 2002 Mental Health Law: Policy and Practice Peter Bartlett, Ralph Sandland, 2013-10 This text provides a detailed overview of mental health law and the socio legal historical sociological and cultural issues related to them The role of the law and medical treatments in regulating and controlling deviance are explored alongside the fundamental rights and liberties of some of society s most vulnerable people

Rethinking Rights-Based Mental Health Laws Bernadette McSherry, Penny Weller, 2010-08-16 Mental health laws exist in many countries to regulate the involuntary detention and treatment of individuals with serious mental illnesses Rights based legalism is a term used to describe mental health laws that refer to the rights of individuals with mental illnesses somewhere in their provisions The advent of the United Nations Convention on the Rights of Persons with Disabilities makes it timely to rethink the way in which the rights of individuals to autonomy and liberty are balanced against state interests in protecting individuals from harm to self or others This collection addresses some of the current issues and problems arising from rights based mental health laws The chapters have been grouped in five parts as follows Historical Foundations The International Human Rights Framework and the United Nations Convention on the Rights of Persons with Disabilities Gaps Between Law and Practice Review Processes and the Role of Tribunals Access to Mental Health Services Many of the chapters in this collection emphasise the importance of moving away from the limitations of a negative rights approach to mental health laws towards more positive rights of social participation While the law may not always be the best way through which to alleviate social and personal predicaments legislation is paramount for the functioning of the mental health system. The aim of this collection is to encourage the enactment of legal provisions governing treatment detention and care that are workable and conform to international human rights documents Moffat's Trusts Law Jonathan Garton, Graham Moffat, Gerard M. D. Bean, Rebecca Probert, 2015-08-13 Detailed thorough and authoritative new edition of Moffat's Trusts Law Administration Carol Harlow, Richard Rawlings, 2021-07-22 Contains a full account of administrative law in the context of social political and economic forces shaping the law New Medicalism and the Mental Health Act John Fanning, 2018-08-09 Ten years have passed since the Mental Health Act MHA 2007 came into force in England An amending statute the Act reformed the MHA 1983 and reshaped the law governing the compulsory care and treatment of people suffering from mental disorders Primarily driven by concerns about risk it sought to remove legalistic obstacles to civil commitment and extend the law's coercive reach into the community At the time of its introduction the 2007 Act was written off as a retrograde step and a missed opportunity for radical rights focused reform Despite this little attention has been paid to its impact in the years since Published to coincide with the tenth anniversary of the 2007 Act this book offers a timely evaluation of mental health law and policy in England It argues that the current MHA defies easy categorisation within any of the descriptive models which have customarily narrated the mechanics of civil commitment namely legalism new legalism

and medicalism It therefore makes the case for a new model new medicalism to account for the 2007 Act s enhancement of the discretion of mental health professionals for the express purposes of facilitating the management of situations of risk In doing so the book critically examines the problems inherent in civil commitment frameworks organised around the concept of risk explores the theoretical foundations of new medicalism considers the challenges facing proponents of future reform in the era of the UN Convention on the Rights of Persons with Disabilities and reflects on the 2007 Act s practical impact

**Legalized Identities** Lucas Lixinski, 2021-04-08 Cultural heritage is a feature of transitioning societies from museums commemorating the end of a dictatorship to adding places like the Auschwitz Birkenau concentration camp to the World Heritage List These processes are governed by specific laws and yet transitional justice discourses tend to ignore law s role assuming that memory in transition emerges organically This book debunks this assumption showing how cultural heritage law is integral to what memory and cultural identity is possible in transition Lixinski attempts to reengage with the original promise of transitional justice to pragmatically advance societies towards a future where atrocities will no longer happen The promise in the UNESCO Constitution of lasting peace through cultural understanding is possible through focusing on the intersection of cultural heritage law and transitional justice as Lixinski shows in this ground breaking book **Medical Law** and Ethics Jonathan Herring, 2020 Medical Law and Ethics covers the core legal principles key cases and statutes that govern medical law alongside the key ethical debates and dilemmas that exist in the field Carefully constructed features highlight these debates drawing out the European angles religious beliefs and feminist perspectives which influence legal regulations Other features such as a shock to the system public opinion and reality check introduce further socio legal discussion and contribute to the lively and engaging manner in which the subject is approached Online resources This book is accompanied by the following online resources Complete bibliography and list of further reading Links to the key cases mentioned in the book A video from the author which introduces the book and sets the scene for your studies Links to key sites with information on medical law and ethics Answer guidance to one guestion per chapter Making Commercial Law Through Practice 1830-1970 Ross Cranston, 2021-05-27 Making Commercial Law Through Practice 1830 1970 adds a new dimension to the history of Britain's commerce trade manufacturing and financial services by showing how they have operated in law over the last one hundred and forty years In the main law and lawyers were not the driving force regulation was largely absent and judges tended to accommodate commercial needs so that market actors were able to shape the law through their practices Using legal and historical scholarship the author draws on archival sources previously unexploited for the study of commercial practice and the law s role in it This book will stimulate parallel research in other subject areas of law Modern commercial lawyers will learn a great deal about the current law from the story of its evolution and economic and business historians will see how the world of commerce and trade operated in a legal context Caring for Cultural Heritage Charlotte Woodhead, 2023-11-23 This book explores how cultural heritage and its care are translated in UK law and

non law instruments It analyses how communities of care look after cultural heritage because they care about it These communities include the international and national community national and local governments courts professional bodies institutions such as museums as well as community groups Care refers to the varied ways in which communities engage with cultural heritage to maintain it sustain relationships about it and with it use it and provide access to it with a view to passing it on to future generations. The book also assesses how far these nested practices of care assist communities of care in providing respectful empathetic and dialogical care to navigate harm to cultural heritage. It will be of interest to scholars of cultural heritage studies across disciplines including law sociology and anthropology as well as policymakers and practitioners in cultural heritage management.

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