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COERCIVE MEASURES AND LEGAL ASPECTS

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This presentation will highlight some findings from the EC-funded project “European evaluation of coercion in psychiatry and harmonization of best clinical practice” (acronym: EUNOMIA) carried out in 11 European countries (Dresden, Germany; Sofia, Bulgaria; Prague, Czech Republic; Thessaloniki, Greece; Naples, Italy; Vilnius, Lithuania; Wroclaw, Poland; Michalovce, Slovakia; Granada/Malaga, Spain; Örebro, Sweden; London, United Kingdom) and in Israel (Tel Aviv).

In detail two issues will be addressed:

The analysis of standardized reports on the national legal situations on involuntary admission to psychiatric hospitals. This work revealed major cross-national differences, e.g. for basic conditions as well as for additional criteria for involuntary admission, time periods for making decisions, the association between involuntary placement and treatment, patients' rights to register complaints, roles of relatives, and safeguard procedures of these processes.

One of the clinical results (established by the assessment of 2326 legally involuntary patients) was that in the different countries, between 39% and 71% of the patients found the admission right after one month, and between 46% and 86% after three months. Female patients, those living alone and those with a diagnosis of schizophrenia had more negative views. Adjusting for confounding factors, differences between countries were significant. The presentation will outline that a potential explanation of these differences is the extent to which national mental health legislation protects the rights and interests of the patients concerned.

Thus, the important, but complex link between coercive measures and legal aspects will be demonstrated. Further, the discussion section of this presentation will focus on legal issues which could be (cross-nationally) harmonized in the sensitive field of coercive treatment.