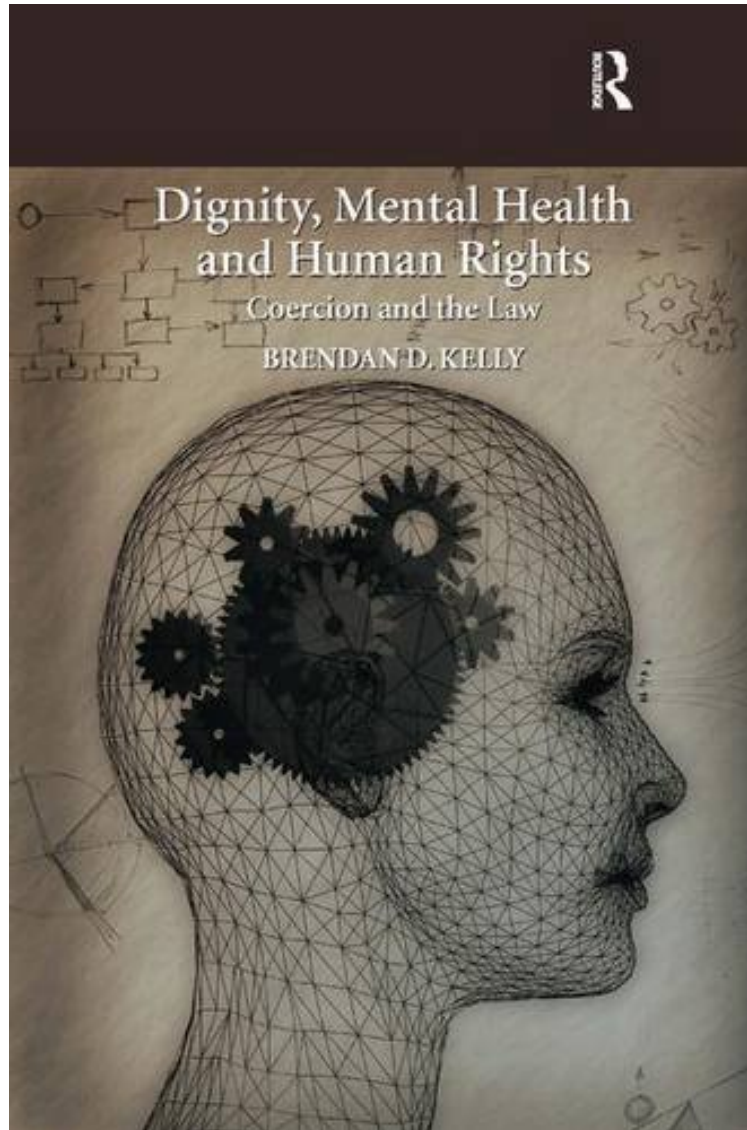


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# Dignity, Mental Health and Human Rights: Coercion and the Law

*Brendan D. Kelly*

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**Brendan D. Kelly : Dignity, Mental Health and Human Rights: Coercion and the Law** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Dignity, Mental Health and Human Rights: Coercion and the Law:

This book explores the human rights consequences of recent and ongoing revisions of mental health legislation in England and Ireland. Presenting a critical discussion of the World Health Organization's 'Checklist on Mental Health

Legislation' from its Resource Book on Mental Health, Human Rights and Legislation, the author uses this checklist as a frame-work for analysis to examine the extent to which mental health legislation complies with the WHO human rights standards. The author also examines recent case-law from the European Court of Human Rights, and looks in depth at the implications of the United Nations Convention on the Rights of Persons with Disabilities for mental health law in England and Ireland. Focusing on dignity, human rights and mental health law, the work sets out to determine to what extent, if any, human rights concerns have influenced recent revisions of mental health legislation, and to what extent recent developments in mental health law have assisted in protecting and promoting the human rights of the mentally ill. The author seeks to articulate better, clearer and more connected ways to protect and promote the rights of the mentally ill through both law and policy.

'This carefully crafted work elevates the discussion of "rights", "capabilities", "empowerment" and "dignity" to a new level. Drawing on law, philosophy and clinical practice, while recognising the tensions that exist between these various constructs, Brendan Kelly has done the profession an immense service in penning this volume. We can be confident that this book will have a significant impact upon those in society whom we psychiatrists have the privilege of assisting on their journey through mental illness.' Patricia Casey, University College Dublin, Ireland 'Brendan Kelly's book skilfully analyses the interplay between human rights principles and mental health legislation. Written in an accessible manner and full of sharp analysis, it is a significant addition to the literature.' Jose Miola, University of Leicester, UK 'Professor Kelly's book is essential for all practitioners in mental health. By scholarly comparisons across jurisdictions and decades he explains controversies in human rights, mental health and capacity law, and in policy development. This is an excellent starting point for seminar teaching and a resource for private study.' Harry Kennedy, Trinity College Dublin, Ireland 'Respect for human rights and individual dignity is emphasised in international developments in relation to mental health law and mental health policy over the last few decades. This new book is important in that it provides the first detailed comparative analysis of how these themes impact on the law and policy in two jurisdictions, UK and Ireland, which have been both subject to extensive mental health legislation reform over the last 15 years. The book explores the international legal frameworks and how human rights has impacted upon new legislative structures at domestic level. The book provides critical and incisive analysis as to the role played by human rights and mental health law in the jurisdictions examined. It explores the interface between civil and political and economic and social rights. It highlights the limits of mental health law itself as a means for safeguarding the rights and interests of those with mental disorder and the gaps in the system and the need for further research. It will be a book of real interest to scholars of human rights law, mental health law and policy and health law in general.' Jean V. McHale, University of Birmingham, UK

About the Author  
Brendan Kelly is Associate Clinical Professor of Psychiatry at University College Dublin and Consultant Psychiatrist at the Mater Misericordiae University Hospital, Dublin. In addition to his medical degree (MB BCh BAO), he holds master's degrees in epidemiology (MSc), healthcare management (MA) and Buddhist studies (MA), as well as doctorates in medicine (MD), history (PhD), governance (DGov) and law (PhD). He is editor-in-chief of the Irish Journal of Psychological Medicine and has published over 200 papers in peer-reviewed journals, nationally and internationally, on topics including mental health law and human rights. In 2011 he was appointed by Ireland's Minister for Disability, Equality and Mental Health to represent the College of Psychiatrists of Ireland on the Expert Group on the Mental Health Act 2001 and he chaired the Law Committee of the College of Psychiatrists of Ireland (2012-2014). He has written various book chapters and books, chiefly relating to the history of mental health law in England and Ireland.