

Oral presentation

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Involuntary hospitalization – German court proceedings 1992–2005

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from WPA Thematic Conference. Coercive Treatment in Psychiatry: A Comprehensive Review
Dresden, Germany. 6–8 June 2007

Published: 19 December 2007

BMC Psychiatry 2007, **7**(Suppl 1):S25 doi:10.1186/1471-244X-7-S1-S25

This abstract is available from: <http://www.biomedcentral.com/1471-244X/7/S1/S25>

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Background

An overview of compulsory admission and civil commitment in Germany is presented. Legal, administrative, and methodological aspects are described. The expiry of compulsory admission or retention in a closed psychiatric ward is not strictly identical to legal commitment. In Germany, civil commitment (a form of guardianship) is regulated on a nationwide basis. Public commitment (through the civil authorities) is defined by federal laws, and is usually used for emergency admission.

Methods

The official court proceedings in all German federal states from 1992 to 2003 were statistically investigated. Admission data from psychiatric hospitals are reported.

Results

Total civil commitment rates, excluding those allowing physical restraint, increased from 24 to 55 per 100,000 inhabitants, being rarely applied in East Germany. Public commitment rates increased from 64 to 75. They remained stable in the old West German states with 80 (range 76 to 89), and increased in the new states (15 to 26). Summarizing, the total of all commitments increased by 38 per cent. Some clinical statistics showed a moderate decrease in compulsory admissions, and an increase in civil commitments, which reached a plateau on a high level. Independent of compulsory admission, court decision rates with regard to physical restriction, which have been obligatory since 1992, increased markedly from 12 to 90.

Conclusion

There is no evidence for a strong rise of compulsory admissions in Germany. The actual number of compulsory admissions shows a tendency to stabilize on a high level, reflecting an increasing legal orientation and chang-

ing clinical practice with shorter treatments and more placements in hostels. In the period observed, total psychiatric admissions increased by 68 per cent, indicating more voluntary admissions to hospital.