

Oral presentation

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Differences of legal regulations concerning involuntary psychiatric hospitalization in twelve European countries: implications for clinical practice

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Background

To compare important civil law issues of twelve European countries affiliated with involuntary hospitalization in psychiatric establishments, comment on identified differences important for clinical practice, and outline options for cross-national harmonization.

Methods

For gathering information on sensitive issues of interest, a cross-validated methodology based on the original legal texts was used.

Results

Major cross-national differences of legal regulations with relevance for clinical practice appeared for the following issues: basic conditions as well as additional criteria for involuntary admission, time periods of decision-taking, patients' right to lodge a complaint, the association between involuntary placement and treatment, regulations referring to specific involuntary treatment measures during hospitalization, roles of relatives, professional standard of the physicians involved in the legally defined decision processes, safeguard procedures of these processes, and inclusion and specification of outpatient commitment.

Conclusion

Suggestions for cross-national harmonization focus on: simplification of the legal decision basis, subdivision and

assignment of powers of decision to different professional roles, standardization of time periods for judicial decisions, simplification and transparency of regulations to lodge appeals and to involve persons from the patient's environment into the judicial procedures, and establishment of permanent and active monitoring of safeguard measures.