

The appropriate care in Garda custody of people suffering from acute mental health conditions.

The caring culture, where Gardai display genuine sympathy for people suffering from mental health conditions, should be encouraged. The provision of appropriate care for people suffering from acute mental illness, while in Garda custody, deserves fresh thinking in a contemporary context. Crisis episodes, associated with mental illness, impact on the individual, their family, and the wider community. The person is seriously ill and can be resistant to medical intervention. The onset of acute mental illness can result in the Gardai taking a person, suffering from psychosis, into custody, arising from a breach of the peace, etc. The Gardai appreciate the need to secure medical attention, for a person in custody, where the person is suffering from an acute physical illness and are aware that they can be accused of negligence, by denying or delaying the provision of appropriate medical attention. People suffering from acute mental illness deserve the same right of access, to appropriate and urgent medical attention, while in custody. The behaviour of a person suffering from an acute mental illness will be attributed to diminished responsibility. The fact that a person suffering from an acute mental illness is taken into Garda custody, for whatever reason, can be seen as a positive intervention. A new protocol should be introduced to look beyond the offence committed and to view the opportunity presented, in custody, to secure appropriate medical care for the person suffering a mental health crisis. Families are faced with the daunting challenge of the need to restrain the person, while a doctor visits the family home, when committing a family member, on an involuntarily basis, to an acute psychiatric service. Gardai could promote the option, to the next of kin, to have a doctor assess a person, in the secure environment of the Garda station, while in custody having committed an offence. Gardai could then transfer that person into the care of the psychiatric services, on an involuntary basis, where the doctor and the family or a HSE officer have approved. This procedure will overcome the difficulties, faced by families, associated with conveying an uncooperative mentally ill person to hospital. Gardai with skills in this area might receive training and be designated with a role in the management of people in custody suffering from acute mental illness.


Submitted in a personal capacity.