

# Defending Mentally Disordered Persons (Canada Practice Guide. Criminal)

Bloom, Hy

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# Defending Mentally Disordered Persons

**CL Gary**



## **Defending Mentally Disordered Persons:**

Defending Mentally Disordered Persons Kris Gledhill,2012     *Fitness to Plead* Ronnie Mackay,Warren Brookbanks,2018-06-20 The law relating to fitness to plead is an increasingly important area of the criminal law While criminalization may be justified whenever an offender commits a sufficiently serious moral wrong requiring that he or she be called to account the doctrine of fitness to plead calls this principle into question in the case of a person who lacks the capacity or ability to participate meaningfully in a criminal trial In light of the emerging focus on capacity based approaches to decision making and the international human rights requirement that the law should treat defendants fairly this volume offers a benchmark for the theory and practice of fitness to plead providing readers with a unique opportunity to consider differing perspectives and debate on the future development and direction of a doctrine which has up till now been under discussed and under researched The fitness to plead rules stand as an exception to notions of public accountability for criminal wrongdoing yet despite the doctrine s long standing function in criminal procedure it has proven complex to apply in practice and has given rise to many varied legislative models and considerable litigation in different jurisdictions Particularly troublesome is the question of what is to be done with someone who has been found unfit to stand trial Here the law is required to balance the need to protect those defendants who are unable to participate effectively in their own trial whether permanently or for a defined period and the need to protect the public from people who may have caused serious social harm as a result of their antisocial behaviour The challenge for law reformers legislators and judges is to create rules that ensure that everyone who can properly be tried is tried while seeking to preserve confidence in the fairness of the legal system by ensuring that people who cannot properly engage in the criminal trial process are not forced to endure it     **Protecting the Rights of Persons who are Mentally Ill** ,1999     *Preventive Justice* Andrew Ashworth,Lucia Zedner,2014 Preventative Justice looks at the use of coercive preventive measures by the state both within and beyond criminal law Examining preventive laws measures and institutions in and outside the criminal law it explores the justifications given for using coercion to protect the public from harm     **Criminalizing the Seriously Mentally Ill** Edwin Fuller Torrey,Joan Stieber,Jonathan Ezekiel,1998-04     **Insanity Defense in Federal Courts** United States. Congress. House. Committee on the Judiciary. Subcommittee on Criminal Justice,1983     California. Court of Appeal (4th Appellate District). Division 2. Records and Briefs California (State).,     **Reform of the Federal Insanity Defense** United States. Congress. House. Committee on the Judiciary. Subcommittee on Criminal Justice,1984     **California. Court of Appeal (1st Appellate District). Records and Briefs** California (State).,     **In Re Patrick** ,1974     **Cal Jur, III.** ,1972     Statutory Regulations New Zealand,1992     **People of the State of Illinois V. Herrin** ,1996     *Reprinted Statutes of New Zealand* New Zealand,1999     *People of the State of Illinois V. Palmer* ,1990     *People of the State of Illinois V. Mosley* ,2014     In Re Hernandez ,2009     **Mental Disorder and the Criminal Law** Sheldon Glueck,1925     *People v. Janek*, 287 MICH 563

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