

EDITORIAL

This latest issue of the International Journal of Mental Health and Capacity Law has a commentary, two articles and a book review, but reflects a wide range of topics and jurisdictions. We open with a commentary in the form of advocacy by a number of authors, led by Lisa Brophy, calling for a review of the use of Community Treatment Orders in Australia. They outline their concern that the current position reflects a breach of the UN Convention on the Rights of Persons with Disabilities. We close with a book review by Eimear Muir-Cochrane of an edited collection on the use of restrictive practices in health care, which also includes a focus on the CRPD. This illustrates how the Convention provides a central framework for rights-compliance in the context of mental health and mental capacity law.

The first article, by Peter Beazley and Charlotte Emmett, seeks to provide a review of the approach adopted in various legal settings to the issue of malingering, the feigning of mental disorder. It appears that this is a somewhat under-researched area, and we would be happy to receive further articles that supplement what the authors have set out, which has a focus on England and Wales. The second article has a focus on another important practical area, namely the control of access to the courts by those against whom compulsory powers have been used in the form of a requirement to obtain leave: this provides a catch for lawyers, but also a hurdle for litigants. Urania Chiu examines this in the context of the legal system in Hong Kong, examining whether it can be justified.

All these pieces provide food for thought, and we are grateful to the authors, editors and peer reviewers. One thing I would like to add is that two members of our editorial team are co-authors of the commentary piece: naturally, they were not involved in the editorial and peer reviewing process for that piece. Thanks are also due to the staff at Northumbria University Newcastle who take the final steps in the open access publishing process.

Kris Gledhill

(for the editorial team for this issue: Kris Gledhill, Piers Gooding, Giles Newton-Howes, Kevin Stone, Penny Weller and Darius Whelan have worked on at least one of the items published)