

Advising Mentally Disordered Offenders - A Practical Guide
by Deborah Postgate and Carolyn Taylor.

Published by Law Society Publishing 2000, £15.95

This book was commissioned by the Law Society, and, according to the Preface, the Legal Aid Board Duty Solicitor Committee will require all duty solicitors to have a copy. It covers law and procedures relating to the mentally disordered offender in police stations and magistrates court only; it does not deal with contested trials in the magistrates court or crown court procedures.

The book starts with a chapter on the appropriate terminology - i.e. definitions of some key legal terms such as presented in Section 1 of the 1983 Mental Health Act. It then examines the legal procedures which cover the offender in the police station, including the use of appropriate adults, the role and duties of the custody officer, the police surgeon etc, followed by a chapter giving advice on how to assist the mentally disordered client in the police station before the relevant interviews. There are then chapters on police interviews, on breaches of the Code of Practice, assistance after the interview and a final chapter on the first appearance of the mentally disordered suspect in the court. There are Appendices which *inter alia* give extracts from the influential Home Office Circular 66/90 and the PACE Codes of Practice.

It is difficult to know how to assess this book. It goes from the simple (“when acting for a client who is mentally disordered you may be required to consider your own personal safety” p.32) to the more complex relating to case law surrounding mental disorder. It covers many of the main points, but nothing in depth, and ignores many of the complexities surrounding say the role of the police surgeon or the appropriate adult. Occasionally the advice given is misleading: for example the authors say “you could agree that the appropriate adult will intervene [on the police interview] on issues related to your client’s health and welfare while you will intervene if necessary on legal issues” (p.49). That misunderstands the role of the appropriate adult who should also intervene on both. Also I am puzzled about who would want to buy the book. I can see that trainee lawyers might need it as an introductory guide but experienced lawyers should know all that is contained here. If they don’t, then one wonders what they have been doing all this time. As a practical guide it achieves what it set out to do but careful consultation of a good quality text such as Jones R. *Mental Health Act Manual*, (6th Edition; Sweet & Maxwell) would give a great deal more. Incidentally, the bibliography is weak ignoring many key texts on the subject, but the Appendices are useful.

Professor Philip Bean,
Midlands Centre for Criminology and Criminal Justice, Loughborough University