Current status of forensic psychiatry in Iceland

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Law and psychiatry

• The population of Iceland is appr. 300,000
• Iceland does not have a mental health act

• Psychiatry and forensic psychiatry are regulated through other laws:
  • Act on legal competance
  • Act on general penal code
General psychiatry

• Act on health care regulates the psychiatric health care as all other types of health care
• Most psychiatric patients are treated voluntarily
• Two general psychiatric hospitals (Reykjavik 85% and Akureyri 15%)
• Outpatient psychiatric treatment is available in polyclinics at these hospitals and in private practices given by psychiatrists and psychologists, mostly in cities and towns
Involuntary psychiatric treatment

- Act on legal competence (1997) governs involuntary commitment and involuntary treatment
- 48 hours rule: Mentally ill persons can be admitted and detained in psychiatric hospitals for 48 hours
- After evaluation at the hospital and if the patient does not want psychiatric treatment it is possible to ask the Ministry of Justice for involuntary commitment for 21 days
Involuntary commitment

- Conditions are
- Serious mental illness (mostly psychosis)
- The patient presents a danger to himself or others
- The patient’s life or health is endangered
Involuntary commitment and treatment

• It is only possible to give involuntary treatment for persons committed involuntarily
• Conditions are: the patient presents danger for himself or others and/or if the patient’s life or health is endangered
• Evaluation performed by the chief psychiatrist but in an emergency the phycisian on duty can make the decision to treat involuntarily
General psychiatry

• If a patient is estimated to need treatment for more than 21 (+2) days the next of kin can start a process of deprivation of legal competence

• Legal competence; personal competence alone or financial competence or both

• Court trial and decision

• Shortest period of time is 6 months but it can be longer
Legal competence

• Legal guardian is appointed
• If nobody starts case procedures, asking for longer deprivation of legal competence the person regains her legal competence after the determined period
• Otherwise a new court trial
Legal competence

• Persons deprived of their legal competance can be treated within and outside of psychiatric hospitals

• The groups of persons where deprivation of legal competance can be considered are persons with serious dementia, mental debility, serious drug or alcohol dependence and serious mental diseases (mostly psychosis)
Psychiatric evaluations

• In cases where involuntary treatment for 21 days is to be decided by the Ministry of Justice a psychiatrist is appointed to evaluate the person prior to decisionmaking by the Ministry

• In cases where legal competence is in question it is mandatory to have a psychiatric evaluation prior to court case procedures
Forensic psychiatry

• Act of general penal code
• Decides that persons with psychosis, mental debility, or dementia at the time of a criminal act shall not be punished
• If they are considered to be at risk for later dangerous acts they can be sentenced to institutions for mandatory care and treatment
• Each change of the conditions of mandatory care /treatment is decided by the court
Forensic psychiatry

• After criminal act and before court case:
  • the patient is prisoned, in usual psychiatric hospital, at home or in other types of institutions
  • the patient must undergo psychiatric evaluation
  • One psychiatrist is appointed by the judge to do the evaluation
  • In difficult cases the patient can be admitted to forensic psychiatric hospital for psychiatric evaluation
Forensic Psychiatry

- There is only one forensic psychiatric hospital in Iceland – Sogn - in the southern part of the country, approx. 50 km outside Reykjavík.
- It has the capacity of 7 beds.
- It has recently been administratively incorporated in the general psychiatric hospital in Reykjavík, Landsspitalinn.
- Sogn must admit all patients where the court decides on mandatory treatment within secure psychiatric ward / hospital.
- The length of stay at the hospital is determined by the patient’s psychiatric status.
The patient is not allowed to stay outside the hospital premises without health care personell.

It is possible to appeal to the court for a change in the conditions, such as weekend visit to their families.

The court decides on discharge of the patients to their homes.

When the patient becomes better he or the psychiatrist can appeal to the court for a release from mandatory care.
Forensic hospital - Sogn

• Psychiatric evaluation is mandatory before court cases where changes in the patients status are to be decided
• But the chief physician at the hospital must continue the treatment and make sure the patient is readmitted to the hospital in case of relapse.
Forensic hospital - Sogn

- August 13th, 2009
- 7 persons admitted at Sogn
- 4 patients in ambulatory treatment
Forensic psychiatry

• The psychiatric hospital at Kleppur in Reykjavík has for the last year tried to bridge the gap between the forensic hospital and general psychiatry by establishing a closed ward with 8 beds to evaluate and treat psychiatric patients who have aggressive and violent behaviour.

• It is possible that this ward may be able to operate as a low security ward for the patients from Sogn.
Forensic psychiatry - training

- There are appr. 80 psychiatrists in Iceland
- Low crime rate in Iceland
- Only 15-20 psychiatrists do forensic psychiatric evaluations for the court from time to time
- There is not a big market for formal training or education for forensic psychiatric evaluations
- This has been compensated for by giving courses organized by the psychiatric hospitals, and the associations of psychiatrists and psychologists in Iceland and by attending courses and seminars in other countries
Forensic psychiatry - training

- The psychiatrists and psychologists working in Iceland, who have a formal training or education in forensic psychiatry or psychology have got their education or speciality from abroad
Psychiatric treatment in prisons

• The Forensic hospital at Sogn has until recently given psychiatric treatment to prisoners at the biggest prison in Iceland which is located nearby.
• This has been provided by psychiatrists and psychologists working at Sogn
• However, treatment of psychiatric problems in prison populations is mostly given by general practiconers
• Treatment for alcohol and drug dependencies is in some cases provided by the general psychiatric services while the prisoners are still in prisons