

## **'Ethical Issues in Psychiatric Practice in Prisons'**

### **Report of a Working Group of the Special Committee on Unethical Psychiatric Practices**

An interim report on this topic was published in the *Psychiatric Bulletin* in April 1992. The final report provides a more extensive discussion and contains, as appendices, declarations on medical ethics by the United Nations (1981); the World Medical Association – 'The Declaration of Tokyo' (1975); and the World Psychiatric Association – 'The Declaration of Hawaii' (1977). Most members of the College will probably not be familiar with these, and they make interesting reading.

Topics which are discussed include: the prison environment; specific psychiatric tasks (assessment and treatment); consent; confidentiality; whistle-blowing; audit and research; training; the psychiatrist as an agent of change, and collective responsibility.

The overriding ethical consideration is that of 'equivalence'. Prisoners, as citizens, lose certain rights as a result of their detention and containment, but they retain other citizen's rights. 'A prisoner', to quote one well-known judicial opinion, 'retains all

*civil rights which are not taken away expressly or by necessary implication*'. In the United Kingdom, this principle needs to be emphasised now, for two reasons. The first is that plans are being made to provide prison medical and psychiatric care by contracting for services from the National Health Service. The second is the publication of the Patient's Charter (1991), which applies to prisoners as much as to other citizens, and is included as an appendix to the Report.

The membership of the Working Group was Dr J. L. T. Birley (Chairman); Dr D. Chiswick; Dr R. Cope; Professor R. Daly; Professor T. Harding; Dr J. MacKeith; Dr J. Quinn (Collegiate Trainees' Representative)

*The full Report is available on request from the College's Publications Department, at a cost of £2-50. Please quote CR15.*

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of clinical psychology and behavioural medicine. It covers the period 1980 to the present.

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