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## Legal, ethical and professional issues in mental health nursing

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### Main points

- In addition to the legal and ethical issues of the broader nursing profession, there are specific issues relevant to mental health nursing.
- Each state and territory of Australia has a *Mental Health Act*, which sets out the legal requirements and framework for mental health service provision.
- The potential for treatment being given against the will of the person concerned creates significant ethical issues for nurses.
- The practice of mental health nursing is expected to conform to professional standards.

### Definitions

**Ethics:** The philosophical consideration of what makes specific actions morally correct.

**Legislation:** An Act of parliament that provides legal regulation for specific activities or behaviours. It may specify what can be done, what cannot be done or a combination of both.

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### INTRODUCTION

There are similarities between mental health nursing and other specialties with respect to legal, ethical and professional issues. For example, from a legal perspective, the mental health nurse is subject to the same regulation as a nurse employed in an intensive care unit in relation to practices such as the administration of medication. However, the

# The Mental Health Professional And The Legal System

**Joacim Rocklöv**



## **The Mental Health Professional And The Legal System:**

**The Mental Health Professional in Court** Thomas G. Gutheil, Eric York Drogin, 2013 The Mental Health Professional in Court A Survival Guide is designed to help mental health professionals become more knowledgeable about the settings assumptions personnel issues and techniques involved in going to court with the aim of demystifying the legal process and reducing anxiety about this inherently stressful experience A revised and expanded version of The Psychiatrist in Court A Survival Guide published more than 10 years ago this volume was written with three goals in mind to soothe support and educate through use of an informal and at times even lighthearted tone to offer a consistent focus on practical rather than theoretical issues and to present the necessary material succinctly and efficiently so that readers can assimilate it quickly and under pressure of an impending court appearance The book puts the topic in context by presenting the basics of the legal process and roles then follows the chronology of responding to a subpoena determining the kind of witness the reader may be asked to be working with an attorney preparing for a courtroom appearance and identifying specific strategies for testifying Well written astute and supportive this is the book mental health professionals should rely on when facing this potentially unnerving challenge

*Ethical Reasoning in the Mental Health Professions* Gary G. Ford, 2000-09-19 The ability to reason ethically is an extraordinarily important aspect of professionalism in any field Indeed the greatest challenge in ethical professional practice involves resolving the conflict that arises when the professional is required to choose between two competing ethical principles Ethical Reasoning in the Mental Health Professions explores how to develop the ability to reason ethically in difficult situations Other books merely present ethical and legal issues one at a time along with case examples involving right and wrong answers In dramatic contrast Ethical Reasoning in the Mental Health Professions provides you with the needed background in methods of ethical reasoning and introduces an innovative nine step model of ethical decision making for resolving ethical dilemmas Ethical Reasoning in the Mental Health Profession discusses the ethical codes of both psychology and counseling This interdisciplinary approach promotes a better understanding of the similarities and differences in the points of emphasis in the two codes which in turn enriches your understanding of the range of ethical considerations relevant to the practice of the mental health professions

*Ethics in Psychology and the Mental Health Professions* Gerald P. Koocher, Patricia Keith-Spiegel, 2008-01-16 Most mental health professionals and behavioral scientists enter the field with a strong desire to help others but clinical practice and research endeavors often involve decision making in the context of ethical ambiguity Good intentions are important but unfortunately they do not always protect the practitioner and client from breaches in ethical conduct Academics researchers and students also face a range of ethical challenges from the classroom to the laboratory Now in a new expanded edition Ethics in Psychology and the Mental Health Professions the most widely read and cited ethics textbook in psychology has emerged with a broadened scope extending across the mental health and behavioral science fields The revised volume considers many of the ethical questions

and dilemmas that mental health professionals encounter in their everyday practice research and teaching The book has been completely updated and is now also relevant for counselors marriage and family therapists social workers and psychiatrists and includes the ethics codes of those groups as appendices Providing both a critical assessment and elucidation of key topics in the APA s guidelines this comprehensive volume takes a practical approach to ethics and offers constructive means for both preventing problems recognizing approaching and resolving ethical predicaments Written in a highly readable and accessible style this new edition retains the key features which have contributed to its popularity including hundreds of case studies that provide illustrative guidance on a wide variety of topics including fee setting advertising for clients research ethics sexual attraction how to confront observed unethical conduct in others and confidentiality among others Ethics in Psychology and the Mental Health Professions will be important reading for practitioners and students in training An instructors manual is available for professors on <http://www.oup.com/us/companionwebsites/9780195149111>

**Adoption Resources for Mental Health Professionals** Pamela V. Grabe, This text is designed to support mental health professionals who work with aspecific group of children those who have lived in foster care those who have moved from one substitute home to another and those who must survive repeated loss of contact with people they trust and love Because of increased efforts to find permanent homes for these children many more have been brought to the attention of clinicians The background and problems of these children differ significantly from those of children who have not experienced separation and loss This book is intended to provide guidance to professionals who are trying to assess and treat children in foster care or adoptive situations The editors provide an overview of how the child welfare system DEGREEsaffects the children and parents therapy that can be used and basic definition of terms The 23 contributors include professionals with extensive teaching and practical experience in the field This book will be a basic source for mental health professionals In the field of adoption **The Lancet** ,1946 Solutions to Ethical and Legal Problems in Social Research Robert F. Boruch,Joe S. Cecil,1983 **The Criminal Justice System and Its Psychology** Alfred Cohn,Roy Udolf,1979 The Cohn and Udolf manuscript deals with the criminal justice system and its psychology The Mental Health Professional and the Legal System Group for the Advancement of Psychiatry. Committee on Psychiatry and Law,1991 **Cases and Materials on Children in the Legal System** Walter Wadlington,Charles H. Whitebread,Samuel M. Davis,1983 *Global Journal on Crime and Criminal Law* ,1993 **The Play Therapy Primer** Kevin J. O'Connor,2000-05-22 The clinically indispensable guide to using play in therapy revised and updated Featuring new approaches developed since the publication of the successful first edition The Play Therapy Primer Second Edition offers health care professionals and students a balance of fundamentals theory and practical techniques for using play in therapy Providing an ecosystemic perspective the book defines distinctive approaches to the practice of play therapy that readers can integrate into a personalized and internally consistent theory and practice of their own This timely resource also includes

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Report ,1984      **Sentencing, Sanctions, and Corrections** Nicholas N. Kittrie,Elyce H. Zenoff,Vincent A. Eng,2002  
The editors of Sentencing Sanctions and Corrections have tested and modified the materials of the casebook through several years of class room use New as well as experienced instructors can be assured that the broad range of these materials perm its several and diverse ways for the utilization of the text The scope and contents of the book offer as well many opportunities for instructor innovations and enhancements      Psychology Christopher Peterson,1997 This text outlines Christopher Peterson s biopsychosocial approach to psychology giving full coverage of evolutionary psychology The emphasis of the book is on human diversity and applications of psychology Features of this edition include Doing Research sections chapter opening vignettes stop and think questions and a special chapter on industrial organizational and applied psychology      **The English Legal System** Ronald Jack Walker,Michael George Walker,1985      *Canadian Journal of Psychiatry* ,1997      **The American Journal of Forensic Psychiatry** ,2002      **The University of New South Wales Law Journal** ,1989  
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