Contents

List of Figures page viii
List of Tables ix
List of Boxes x
List of Contributors xi
Preface xxxi
Foreword by António Guterres, The Secretary-General, United Nations xxxvii

Introduction: A “Paradigm Shift” in Mental Health Care
Faraaz Mahomed, Michael Ashley Stein, Vikram Patel, and Charlene Sunkel 1

1 The Alchemy of Agency: Reflections on Supported Decision-Making, the Right to Health and Health Systems as Democratic Institutions
Alicia Ely Yamin 17

2 Redefining International Mental Health Care in the Wake of the COVID-19 Pandemic
Benjamin A. Barsky, Julie Hannah, and Dainius Pūras 29

3 Reparation for Psychiatric Violence: A Call to Justice
Tina Minkowitz 44

4 Divergent Human Rights Approaches to Capacity and Consent
Gerald L. Neuman 56

5 From Pipe Dream to Reality: A Practical Legal Approach Towards the Global Abolition of Psychiatric Coercion
Laura Davidson 70
Contents

6  The ‘Fusion Law’ Proposals and the CRPD
   John Dawson and George Szmukler 95

7  Contextualising Legal Capacity and Supported Decision Making
   in the Global South: Experiences of Homeless Women with
   Mental Health Issues from Chennai, India
   Mrinalini Ravi, Barbara Regeer, Archana Padmakar,
   Vandana Gopikumar, and Joske Bunders 109

8  The Potential of the Legal Capacity Law Reform
   in Peru to Transform Mental Health Provision
   Alberto Vásquez Encalada 124

9  Advancing Disability Equality Through Supported Decision
   Making: The CRPD and the Canadian Constitution
   Faisal Bhabha 140

10 Decisional Autonomy and India’s Mental Healthcare Act,
    2017: A Comment on Emerging Jurisprudence
    Soumitra Pathare and Arjun Kapoor 155

11 Towards Resolving Damaging Uncertainties: Progress in the United
    Kingdom and Elsewhere
    Adrian D. Ward 171

12 ‘The Revolution Will Not Be Televised’: Recent Developments
    in Mental Health Law Reform in Zambia and Ghana
    Hélène Combrinck and Enoch Chilomba 184

13 Supported Decision-Making and Legal Capacity in Kenya
    Elizabeth Kamundia and Ilze Grobbelaar-du Plessis 199

14 Seher’s “Circle of Care” Model in Advancing Supported
    Decision Making in India
    Bhargavi V. Davar, Kavita Pillai, and Kimberly LaCroix 213

15 The Swedish Personal Ombudsman: Support in Decision-Making
    and Accessing Human Rights
    Ulrika Järkestig Berggren 230

16 Strategies to Achieve a Rights-Based Approach through WHO
    Quality Rights
    Michelle Funk, Natalie Drew Bold, Joana Ansung,
    Daniel Chisholm, Melita Murko, Joyce Nato, Sally-Ann
    Ohene, Jasmine Vergara and Edwina Zoghbi 244
Contents

17 The Clubhouse Model: A Framework for Naturally Occurring Supported Decision Making
Joel D. Corcoran, Cindy Hamersma, and Steven Manning

18 Mind the Gap: Researching ‘Alternatives to Coercion’ in Mental Health Care
Piers Gooding

19 Psychiatric Advance Directives and Supported Decision-Making: Preliminary Developments and Pilot Studies in California
Christopher Schneiders, Elyn R. Saks, Jonathan Martinis, and Peter Blanck

20 Community-Based Mental Health Care Delivery with Partners In Health: A Framework for Putting the CRPD into Practice
Stephanie L. Smith

21 Lived Experience Perspectives from Australia, Canada, Kenya, Cameroon and South Africa – Conceptualising the Realities
Charlene Sunkel, Andrew Turtle, Sylvio A. Gravel, Iregi Mwenja and Marie Angele Abanga

22 In the Pursuit of Justice: Advocacy by and for Hyper-marginalized People with Psychosocial Disabilities through the Law and Beyond
Lydia X. Z. Brown and Shain M. Neumeier

23 The Danish Experience of Transforming Decision-Making Models
Dorrit Cato Christensen

24 The Use of Patient Advocates in Supporting People with Psychosocial Disabilities
Aikaterini Nomidou

25 Users’ Involvement in Decision-Making: Lessons from Primary Research in India and Japan
Kanna Sugiura

26 Involvement of People with Lived Experience of Mental Health Conditions in Decision-Making to Improve Care in Rural Ethiopia
Sally Souraya, Sisay Abyaneh, Charlotte Hanlon, and Laura Asher