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精従懇特別フォーラム「精神保健福祉の変革」

シンポジウム II (日本における患者の人権と精神医療)

4. An International Perspective on Japanese Mental Health Law : Ethics and Policy

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The challenge remains in international mental health legislation trends to find appropriate balances between specific cultural norms and appropriate international mental health standards for assessment, treatment, and release of persons suffering from mental disorders.

It is important that cultural norms not be used as an excuse for inaction or substandard delivery of services. Furthermore, the international community of experts must agree upon a course of action to produce a set of guidelines which can become the point of reference for accelerating a timely delivery of improved services both in and outside hospital. Criteria for admission and release should not be compromised by short-term economic considerations nor by the local limitations imposed by the accepted corporate structures in place. It may be necessary for major re-thinking to occur, in order to link the hospital and the community in an interchange of services that will be to the benefit of patients and their families. To this end community treatment orders, intensive community treatment teams, and special follow-up procedures of care have to be applied and then monitored by responsible government agencies.

After years of questionable applications of law reform in Japan it is imperative that critical self-assessment be done to give proper meaning to both the spirit and rule of mental health law in Japan.

Literature References

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