

seeming to treat psychiatrists as villains who incarcerate vulnerable patients.

- 10 Further, whereas most doctors are concerned about making patients better, psychiatrists seem over-preoccupied with the issue of risk rather than the idea of actually making patients better. It seems that they accept the blame when their attempts to treat patients fail, whereas no other specialty seems to hold such unscientific beliefs or take responsibility for natural outcomes of illnesses they treat. Similarly, in no other specialty are negative outcomes so widely publicised. The risk of adverse publicity discourages students from choosing psychiatry. It is more appealing to be viewed as a saver.

Overall, we might improve interest in and recruitment into psychiatry by posting medical students in psychiatry earlier in

their training, offering longer postings, exposing them to specialties which interact most with medicine (e.g. old age psychiatry), giving them an opportunity to see patients on acute hospital wards and in crisis (e.g. A&E, crisis teams), and to follow-up patients into recovery.

- 1 Curtis-Barton MT, Eagles JM. Factors that discourage medical students from pursuing a career in psychiatry. *Psychiatrist* 2011; **35**: 425-9.

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## Review

### Mental Health: Law and Practice

Phil Fennell

Jordan Publishing, 2011, £55.00, pb, 625 pp.  
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This book is primarily about the provisions of the Mental Health Act 1983. The Deprivation of Liberty Safeguards of the Mental Capacity Act 2005, the Human Rights Act 1998 and other legislation related to mentally disordered offenders (the insanity defence, diminished responsibility, infanticide and fitness to plead) are also discussed. The Mental Health Act is printed, in full, as an appendix (accounting for 170 of the book's 625 pages).

There are many available texts on the Mental Health Act. The Act, the Codes of Practice (two for the Mental Health Act (England and Wales), one for the Mental Capacity Act and another for the Deprivation of Liberty Safeguards) and the much underused and underrated, in my opinion, the Department of Health's *Reference Guide to the Mental Health Act 1983*, are all available online and can be downloaded for free. Does this book add anything?

Unlike some publications on the subject, this book can be read (I write here as a doctor rather than a lawyer). It is not as easy reading, for most clinicians, as the Codes of Practice but it is certainly comprehensible. Matters are dealt with by subject; what is mental disorder, deprivation of liberty, consent to treatment, powers and responsibilities of staff and so on, rather than by section. All material relevant to the subject, from the Acts, case law, the Codes and other sources, is included and discussed. This makes it much easier to gain an

overview and understanding of the Act's provisions than reading the Act itself (even with legal annotations) and, for clinicians with an interest in the law, certainly adds to that which is offered by the Codes.

The author has had a long involvement with mental health law reform and acted as a special advisor to the Joint Committee of both Houses of Parliament which scrutinised the 2004 draft of the Mental Health Bill. This is evident not only from the 'background' chapter but also in the number of occasions when he describes the provisions before and after the 2008 changes and rehearses the arguments put forward at various stages in the reform process. Readers who worked with the original 1983 Act (and, indeed, the 1959 Act) or wish to understand the amendments will find this material interesting. Others, particularly those who have to use the Act, and wish to do so correctly, but whose primary interest is clinical, may just find it confusing. The chapter on defining mental disorder is a good example of this. The subject may be considered to be difficult enough without reference to terms and expressions (e.g. psychopathic disorder and the previous 'treatability' test) that are now irrelevant.

The publishers say the book is 'essential reading' for (among others) 'Tribunal judges and mental health professionals'. For the latter group, I would say it is good, if you are interested, but not essential.

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