

DELHI JUDICIAL ACADEMY

Programme name: Orientation Course on the Mental Healthcare Act, 2017

Duration: 01 day (16.11.2019)

Participants: ACMMs/MMs (half of the total strength)

Venue : Conference Hall, 3rd Floor, Delhi Judicial Academy, Sector-14, Dwarka, New Delhi

Date & Day	10.15 am – 11.30 am	11.30 11.45 am	11.45 am – 01.00 pm	01.00 01.45 pm	01.45 pm – 03.00 pm	03.00 03.15 pm	03.15 pm – 04.30 pm
16.11.19 (Saturday)	<p style="text-align: center;"><u>Session-I</u></p> <p>Sensitization of Mental Health Issues An Overview of the Legal Framework</p> <ul style="list-style-type: none"> • National Regime <ul style="list-style-type: none"> ○ Legislative Framework: paradigm shift in Mental Healthcare Act, 2017 ○ Judicial Approach <p>Mental Disability: Legal and Ethical Issues</p> <ul style="list-style-type: none"> • Ethical Conundrums: <ul style="list-style-type: none"> ○ Patient Autonomy ○ Freedom of Choice ○ Consent to Treatment: Voluntary or involuntary institutionalization <p>Mental HealthCare Act, 2017:</p> <ul style="list-style-type: none"> • Rights of Persons with Mental Illness • Informed Consent • Prohibited Procedures • Advance Directive • Destigmatizing Mental-Health Care <p style="text-align: center;"><i>(Joint Session with Prosecutors)</i></p>	T E A B R E A K	<p style="text-align: center;"><u>Session-II</u></p> <p>Responsibilities of the Duty Holders:</p> <ul style="list-style-type: none"> • Duty towards: <ul style="list-style-type: none"> ○ persons of mental illness found wandering ○ persons of mental illness being ill treated in private residence • Requirement under Section 100 and sec 102 Mental Healthcare Act, 2017 • Duties of Jail Superintendent: <ul style="list-style-type: none"> ○ to refer prisoners with mental illness to Mental Health Establishment • Vulnerability of mentally ill persons to sexual offences • Reproductive rights of mentally ill person <p style="text-align: center;"><i>(Joint Session with Prosecutors)</i></p>	L U N C H B R E A K	<p style="text-align: center;"><u>Session-III</u></p> <p>Dealing with Persons of Unsound Mind by Magistrates during Judicial process</p> <ul style="list-style-type: none"> • Procedure for dealing with accused of unsound mind : <ul style="list-style-type: none"> ○ At the stage of inquiry (Sec.328 Cr.P.C) ○ At the time of Trial (Sec. 329 Cr.P.C.) • Release of persons of Unsound Mind pending Investigations (Sec.330 Cr.P.C.) • Resumption of inquiry/trial (Sec. 331 Cr.P.C.) • Challenges and way forward <p style="text-align: center;"><i>(Joint Session with Prosecutors)</i></p>	T E A B R E A K	<p style="text-align: center;"><u>Session-IV</u></p> <p>Determination and Treatment Decisions for Mental Illness</p> <ul style="list-style-type: none"> • Understanding differences between <ul style="list-style-type: none"> ○ Mental illness ○ Disability ○ Mental retardation • Capacity to make treatment decisions • Duties of nominated representatives • Rights of mentally ill persons to confidentiality of treatment <p style="text-align: center;"><i>(Joint Session with Prosecutors)</i></p>