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## Forensic mental health

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### Summary

- Forensic mental health services provide assessment and treatment of people with a mental disorder and a history of criminal offending, or those who are at risk of offending.
  - There are services available to support people found not guilty of an offence on the grounds of mental impairment, mentally ill offenders and people at risk of offending.
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People in the criminal justice system have significantly higher rates of mental illness and mental disorders than people in the general community. People with a mental illness are also more likely to be detained in custody, sentenced to imprisonment, or to become a victim of crime. Young men are overrepresented in Australia's prison population and are therefore more likely than others to be referred to forensic mental health specialists or services.

'Forensic' means related to, or associated with, legal issues. Forensic mental health services provide assessment and treatment of people with a mental disorder and a history of criminal offending, or those who are at risk of offending.

People may be referred for assessment by the police, courts, prison, other health or mental health services, or justice agencies, and may have a mental illness or mental disorder. Treatment may be provided in the community, in hospital or in prison.

The mental state of some offenders, or alleged offenders, may need to be assessed for a variety of reasons, including:

- Whether or not they are capable of making a plea in court
- Their state of mind at the time of the offence
- Their current need for mental health treatment.

### Mental illness

Mental illness is an umbrella term that refers to many different illnesses that affect the mind. Around one in five Australians will experience some form of mental illness – mild, moderate or severe – at some time in their lives.

Mental illnesses can be divided into two main groups:

- Non-psychotic illness – symptoms include overwhelming feelings of sadness, tension or anxiety, and difficulties coping with everyday life. Depression and anxiety disorders like phobias and obsessive compulsive disorders are examples of non-psychotic illnesses.
- Psychotic illness – symptoms include delusions, hallucinations and a distorted view of reality. Schizophrenia and bipolar disorder (manic depression) are examples of psychotic illnesses.

### Mental disorders

Mental disorders include:

- Organic brain disorders – damage to brain tissue caused by diseases such as alcoholism or dementia
- Personality disorders – enduring disturbances in the way in which a person interacts with others
- Intellectual disability – caused by problems with brain development.

### Support for people with forensic mental health issues

The type of person seen by forensic mental health clinicians may include:

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- Prisoners who need inpatient treatment
- Prisoners requiring assessment or management of a mental illness
- People who are accused of crimes, but are considered unfit to plead because of their mental impairment
- People who are found not guilty of crimes because of mental impairment
- Offenders or alleged offenders who are referred by courts or other agencies (for example, the Adult Parole Board) for assessment
- People unable to be managed safely in mainstream mental health services
- People living in the community who have a serious mental illness and have offended, or are at high risk of offending.

### **Forensic mental health referral agencies**

Offenders or alleged offenders may be referred to a forensic mental health service or practitioner by a range of organisations, including:

- Police
- Courts
- Prisons
- Community corrections
- Other justice and mental health services.

### **Treatment for offenders with mental health issues**

Treatment options for people with forensic mental health issues may include:

- Medication – such as antidepressants, antipsychotics and other medications to control some of the symptoms of particular mental illnesses or mental disorders
- Counselling – one-on-one or group therapy
- Rehabilitation – involvement in a program directed at enabling people to live safely within the community.

There are services available to support offenders with mental health issues. The Department of Health funds a range of public general and forensic mental health services. The Department of Justice funds prison-based mental health services, court-based assessment and diversion programs, and community-based support programs. Private forensic psychologists and psychiatrists offer treatment and counselling services.

### **Where to get help**

- Your doctor

### **Things to remember**

- Forensic mental health services provide assessment and treatment of people with a mental disorder and a history of criminal offending, or those who are at risk of offending.
- There are services available to support people found not guilty of an offence on the grounds of mental impairment, mentally ill offenders and people at risk of offending.

**This page has been produced in consultation with and approved by:**

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