

[Sample letter to Minister for Justice]

**[Insert your own
address]**

Mr Brian Lenihan TD
Minister for Justice, Equality and Law Reform
94 St. Stephen's Green
Dublin 2

[Insert date]

Dear Minister,

I am writing to you to express my concern at the lack of progress in implementing the new national mental health policy framework, *A Vision for Change*.

As you know, the European Committee for the Prevention of Torture (CPT) published the report its fourth visit to Ireland on October 10th. Coincidentally, this was World Mental Health Day. The CPT report confirms that Ireland's criminal justice system is failing to identify and deal appropriately with people with mental health problems.

The high level of mental health problems in the prison population and the use of prisons as "psychiatric waiting rooms" were documented in a 2006 study by a team led by the Clinical Director of the Central Mental Hospital. A survey published in 2005 by your Department and the Probation and Welfare Service found that a quarter (25%) of people in prison were homeless when entering prison, and over half (54%) had at least one previous experience of homelessness. Just over one-third of those homeless in prison had a previous diagnosis as having a mental illness, two-thirds of whom had been hospitalised in a mental health facility. A study of young male offenders in detention schools was published by University College Dublin in May which found that 83% had at least one form of mental illness, the vast majority of whom did not receive any treatment. That Ireland **unnecessarily imprisons people with mental health problems**, and then fails to provide adequate mental health services to prisoners is a serious indictment of our penal policy.

[Insert specific concerns in your own community, or use your experience as an example of your concern, related to the monthly question(s)]

The CPT advised that Ireland's law and practice in relation to custody pending trial and sentencing should be reviewed, and possibilities for alternative, non-custodial, sanctions should be developed.

I believe that a significant area for beginning to address the overuse of imprisonment is by diverting people with mental health problems away from the penal system to mental health services. Legislation to facilitate the diversion of persons with mental illness from the criminal justice system, including the courts and the prisons, has been recommended since as far back as the 1978 Henchy Report. Court diversion services were again recommended in *A Vision for Change*, and it recommended that legislation should be designed to facilitate this process.

I would be grateful for an answer to the following question:

What new legislation or other measures are planned, or have been adopted, by your Department, to facilitate the diversion of persons with mental illness from the criminal justice system to mental health services, as recommended in *A Vision for Change*?

I would be grateful for a comprehensive response to this question as this a matter that greatly concerns me. I also call on you to discuss this issue with your party colleagues and raise it with the Minister for Health and Children.

I look forward to hearing from you.

Yours sincerely,

[Insert your name]

Cc:

Ms. Mary Harney T.D, Minister for Health and Children, Department of Health and Children, Hawkins House, Dublin 2

Dr. Jimmy Devins T.D., Minister of State with responsibility for Disability and Mental Health, Department of Health and Children, Hawkins House, Dublin 2