



inspektionen för vård och omsorg

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Comments from the Health and Social Care Inspectorate on the working document to the Additional Protocol to the Convention on Human Rights and Biomedicine

Given the opportunity to comment the above titled document the Health and Social Care Inspectorate will hereby give the following comments.

After reading the working document DH-BIO/INF (2015) 7 concerning the protection of human rights and dignity of persons with mental disorder with regard to involuntary placement and involuntary treatment the Inspectorate understands that article 2 paragraph 3 (page 2 line 57) excludes the application of the protocol on placement and treatment for mental disorder imposed in the context of a criminal law procedure.

It is the Inspectorates opinion that Swedish legislation is in conformity with the requirements and considerations that emerges in the above mentioned document

What appears somewhat strange to the Inspectorate however, is that role a person of trust might be given in connection with involuntary placement and treatment of a person with mental disorder and in connection with appeals (Line 140-141 and 186-187). As this role is not a requirement the Inspectorate sees nothing that prevents that the regulation is given the proposed form.

Decision on this matter has been taken by acting chief legal officer Linda Almqvist. The legal adviser Marie Hansson has presented the matter.

On behalf of the Health and Social Care Inspectorate

Linda Almqvist

Marie Hansson