

view regarding its usefulness in the courtroom. It is important for forensic psychiatrists to be familiar with this subject. It is also necessary to cast a critical eye on current research and some assertions that enough is now known to assist the legal system in getting at the truth. There's a long road ahead, and neurolaw is not yet ready for prime time.

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Canadian Landmark Cases in Forensic Mental Health

By Graham Glancy and Cheryl Regehr. Toronto, ON, Canada: University of Toronto Press, 2020. 272 pp. \$39.95.

Reviewed by Floyd Wood, MD, and Brad D. Booth, MD

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Key words: forensic psychiatry; criminal law; mental health; Canada; landmark cases

While doing forensic psychiatry training in Canada, it is difficult not to notice that landmark cases from the United States and other countries often dominate the conversation. These landmark cases have also made it into multiple books and chapters in easy-to-access compendiums. To date, however, there has not been a single comprehensive equivalent for Canadian landmark cases.

Drs. Graham Glancy and Cheryl Regehr have addressed this gap in their seminal book, *Canadian Landmark Cases in Forensic Mental Health*, providing an easily readable and logically formatted book allowing for optimal learning. Dr. Glancy comes with a wealth of experience, having played an instrumental role in the development of some of the case law mentioned in this book, including *R. v. Swain*, which led to new criminal responsibility laws in Canada. Dr. Glancy is also the past president of both the Canadian and the American Academies of Psychiatry and the Law (CAPL and AAPL), where he played a major role in developing the bylaws and ethics guidelines for Canadian psychiatrists practicing in forensic

mental health. Dr. Regehr also has an illustrious career in administration and leadership in the fields of emergency medicine, mental health, law, and social work with multiple publications to her name, including seven books. She was the director of the Crisis Response Team at Toronto's Pearson International Airport and served on the mental health advisory board for the Department of National Defense and Veteran's Affairs Canada. Currently, Dr. Regehr is the Vice President and Provost at the University of Toronto.

Drs. Glancy and Regehr structured *Canadian Landmark Cases in Forensic Mental Health* into eleven parts, and each chapter contains a succinct review of the relevant case law. The chapters are clear and provide the reader with a deeper understanding of the underpinnings of the Canadian legal system and how it relates to forensic mental health. When applicable, the authors highlight critiques resulting from case law and how it should be applied. In addition, the chapters often conveniently conclude with a summary table useful to the trained forensic expert for a quick review of the key points highlighted.

The first chapter provides the reader with an understanding of Canadian law and how various landmark cases relevant to forensic mental health practice were developed across Canada. Chapter 2 considers the matter of expert testimony in the courtroom. Chapters 3 through 7 focus on the landmark cases related to various mental health defenses. Each chapter provides an excellent review of the Canadian landmark cases that any forensic mental health practitioner would need to know when practicing as a forensic professional in Canada. Although nothing is particularly new in the chapters, it was a good refresher and can serve as a ready resource for even well-experienced forensic professionals.

While the first seven chapters focus on topics that mainly pertain to psychiatrists and psychologists engaging in forensic mental health, chapters 8 through 10 are applicable to all mental health professionals, and chapter 11 focuses on professionals involved in civil law. Chapter 8 focuses on the evolving topic of access to treatment records, specifically as it relates to production orders and the implications in a mental health practice. Chapter 9 highlights the duty to warn and protect, including the *Tarasoff* decision in the United States and the Canadian case law that followed. Chapter 10 summarizes the relevant case law concerning consent to treatment, which

is an excellent chapter that we recommend as core learning for all Canadian residents and medical students. This chapter would be particularly helpful in preparing trainees for tribunals in which patients contest their involuntary hospitalization or the finding of incapacity for treatment. The final chapter focuses on assessing damages, which is an excellent resource for professionals starting out in civil law assessments or as a refresher for a more established expert.

Ultimately, *Canadian Landmark Cases in Forensic Mental Health* is a book that we wish we had during our forensic training and when preparing for the licensing exam. It provides a foundation and easily summarizes complex topics in such a way that is very readable for any beginner in the field of forensic mental health in Canada. It also serves as a great refresher for those working in the field, particularly around nuanced topics that we don't encounter often. Given its comprehensive review of the topic, American and international readers would also benefit and gain further insights on these topics as they pertain to their own jurisdictions.

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Mental Health and Offending: Care, Coercion and Control

By Julie D. Trebilock and Samantha K. Weston. New York: Routledge, 2020. 312 pp. \$44.95.

Reviewed by Brian Holoyda, MD, MPH, MBA

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Key words: forensic psychiatry; forensic mental health; forensic hospitalization; criminal justice system; mental illness and violence

With *Mental Health and Offending*, authors Dr. Julie Trebilock and Dr. Samantha Weston endeavor to survey the relationship between mental illness and criminal behavior and the various mechanisms by which the United Kingdom manages patients in the criminal justice system. Purporting to provide a

“much-needed criminological approach to the field of forensic mental health” (opening page), the text primarily outlines the policies and processes related to the various players and stakeholders in the arena. Though the authors hail from the United Kingdom and the text therefore reflects the English situation, many of the concerns and criticisms apply similarly to the management of offenders with mental illness in the United States.

Dr. Julie Trebilock is a senior lecturer in the Department of Criminology and Sociology at Middlesex University in London. Her main research interests pertain to imprisonment, forensic mental health, and legal decision-making, and she has published work on the dangerous and severe personality disorder services in the United Kingdom. Dr. Samantha Weston is a senior lecturer in Criminology at University of Keele in Staffordshire. Her research has focused on substance abuse treatment programs for offenders.

The authors indicate that a criminological perspective is a useful addition to our understanding of the relationship between mental illness and offending, and the ways in which we care for, coerce, and control patients in the criminal justice system. Their book, however, does not provide sufficient evidence to support their assertion. Rather, the text vacillates between an acronym-laden recapitulation of mental health law and procedure without meaningful analysis, and a finger-pointing diatribe against the systems charged with managing mentally ill offenders.

The first two chapters set the stage for the remainder of the text and clearly establish the authors' stance toward forensic psychiatry. The opening chapter, entitled “The Controversial Relationship between Mental Health and Offending,” provides a brief overview of some of the challenges relevant to the field of forensic mental health, including public attitudes toward those with mental illness, legal and clinical definitions, and challenges related to risk assessment. Unfortunately, the chapter's review of the research exploring the relationship between mental health and offending, totaling five pages, lacks sufficient depth even to begin to summarize the literature in this area. The second chapter, “Key Perspectives Surrounding Mental Health and Offending,” provides comparatively ample space for the authors to delineate the viewpoints of several controversial writers, including postmodernist Michel Foucault's views on social control and mental