

*Liberty of the Lunatic.*

The public from time to time is sadly distressed by the occurrence of crimes committed by lunatics whose lunacy has in many cases been known and recognised prior to the criminal acts. Unless, however, the lunatic has previously inhabited an asylum, the occurrence is accepted as in the natural course of things, and in no way regarded as an avoidable event.

This JOURNAL has frequently had occasion to comment on this subject, and there can be little doubt that some at least of these cases might be prevented by an alternative to the present legal procedure in putting an insane person under control.

Lunacy certification rests on the fact of a medical man being able to put into writing a description of facts indicating insanity observed at the time of the interview, and this at present is the essential evidence on which a lunatic can be restrained.

Lunatics, however, may, and often do, decline to be interviewed by a medical man; they may decline to speak or do anything in his presence, or may control all expression of their insanity. Moreover, a continuous or occasional insanity of conduct may exist which does not show itself sufficiently during an interview to form the basis of a certificate.

Such lunatics, although their insanity is manifest to their friends and relatives, may remain uncontrolled for days, weeks, or months, and not infrequently prove their insanity by their criminal acts, thus shocking the community and furnishing startling head-lines for the newspapers.

The law has surely a hiatus here. Ample evidence of continuous insanity might be obtained from lay persons, and (apart from the certification interview) from medical men. Without the certificate, however, no restraint is possible in private cases, but amongst the poor, by stretching the law, the patient is often taken to the workhouse.

This difficulty is an additional argument in favour of reception-houses. If these were established, power might be given to the magistrates to order the detention therein of persons in regard to whom satisfactory *primâ facie* evidence of insanity had been adduced (apart from medical certificates). Some such provision would save many lives and much suffering.

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