

Eleventh Report of the Joint Select Committee on Social Services and Public Administration on a Follow-up Inquiry into the effectiveness of the State's intervention directed to Socially Displaced Persons

xvii. There appears to be a lack of consensus on the authority of Mental Health Officers to directly intervene in the dispensation of care to unhoused socially displaced persons and suggests that further amendments may be needed to the Mental Health Act, Chap.28:02 to vest such officers with the necessary authority to act a literal interpretation of the Act suggests.

Amendments do not need to be made to the Mental Health Act for the purpose of involuntary removal of street dwellers. As the following provision already exists

The Mental Health Act of Trinidad and Tobago, Chapter 28:08, has a provision for admission on application of a Mental Health Officer that states:

15. (1) A person found wandering at large on a highway or on any public place and who by reason of his appearance, conduct or conversation a mental health officer has reason to believe is mentally ill and in need of care and treatment in a psychiatric hospital or ward may be taken into custody and conveyed to such hospital or ward for admission for observation in accordance with this section

It should be noted that the swearing in of Mental Health Officers is a long outstanding matter, which is presently receiving the attention of the Office of the Attorney General and needs to be urgently resolved to allow for Mental Health Officers to carry out their roles and functions effectively.