SEVENTH SCHEDULE. DIVORCE ON THE GROUND OF INCURABLE INSANITY

The Council of the Association have not previously made representations concerning the need for amendments in this connection, because it was understood that the matter was being examined by the Minister. It is hoped that it is not too late at this stage to secure amendments to Schedule 7 without which it is felt that the intentions of the Divorce (Insanity and Desertion) Act will be to some extent frustrated. The suggested amendents and the reasons for their recommendation are as follows:

Divorce (Insanity and Desertion) Act. Clause 1. (1) (*a*).

(1) The use of the term "resident" may (and has already) been held not to include periods of leave from hospital or of absence without leave. Previous to the passing of the Act such periods did not break the continuity of "treatment" in the case of detained patients who were the only ones covered by the original Matrimonial Causes Act. It was the intention of the Royal Commsision on Marriage and Divorce that the principle should apply to all patients (Report, p. 60, para. 200), and the further provision in para. 201 regarding a break in care and treatment of up to 28 days was meant to be in addition and not in substitution for this.

It is recommended that the term used in the Royal Commission's Report "entered as an in-patient in the hospital records" should be substituted for "resident".

(2) The use in the same clause of the words "receiving treatment for mental illness" appears to exclude residence in a "residential home for mentally disordered persons", since such establishments are defined in Clause 19 (2) of the Bill as being provided for the "accommodation", as distinct from the treatment, of persons suffering from mental disorder. This is contrary to the recommendation of the Royal Commission on Mental Health Law (p. 296, p. 863), that care in, for example, an after-care home ought to be included. In the Second Reading debate on the Divorce (Insanity and Desertion) Bill, one of the principal supporters of the Bill quoted this recommendation and said that she assumed that the draftsmen were satisfied that the point was covered, but it does not now appear to be so.

It is recommended that the words "or suffering from mental illness and is resident in a residential home for mentally disordered persons" should be added at the end of Clause 1 (1).

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8. All communications should be addressed to "The Librarian, Royal Medico-Psychological Association, 11 Chandos Street, Cavendish Square, W.1."

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Acta Psychiatrica et Neurologica.
American Journal of Mental Deficiency.
American Journal of Orthopsychiatry.
American Journal of Psychiatry.
Annales Médico-Psychologiques.
Archives of Neurology and Psychiatry.
Brain.
British Journal of Addiction.
British Journal of Delinquency.
British Journal of Medical Psychology.
British Journal of Psychiatric Social Work.
Bulletin of World Federation of Mental Health.
Digest of Neurology and Psychiatry.
Excerpta Medica, Neurology and Psychiatry.
Howard Journal.
International Journal of Psycho-Analysis.
International Journal of Social Psychiatry.
Journal of Abnormal and Social Psychology.
Journal of Nervous and Mental Disease.
Journal of Neurology, Neurosurgery and Psychiatry.
Journal of Psychology.
Mental Health.
Occupational Therapy (*London*).
Psychiatric Quarterly.
Psychological Abstracts.

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