

EDITORIAL

This issue of the International Journal of Mental Health and Capacity Law opens with a call to explore the possibility of reducing the use of coercion made from the perspective of experience of being coerced and also of working for a mental health watchdog and sitting on a review of mental health law in Scotland. Graham Morgan MBE's speech to a 2023 conference reflects his experience and expertise, and considers also the value of a healthy home life.

We move then to an exploration by Shippesides and colleagues of an interesting question discussed in the context of the Mental Capacity Act 2005 in England and Wales but with implications in other jurisdictions, namely the relationship between the assessment of mental capacity and risk. The approach under the 2005 Act is that capacity is issue-specific, such that people with relevant impairments that affect their ability to make or communicate a decision may have capacity in relation to some decisions (which can be followed) but not in relation to others (such that support or some other form of decision-making is put in place). But how does the level of risk of what happens pursuant to the decision get factored into the process? They argue that the issue-specific approach to capacity will incorporate a reflection of the risk in the decision because higher-risk situations tend to have more information to be weighed and information of higher difficulty, such that enhanced cognitive capacity is needed. I hope that readers will agree that this article provides a useful addition to the debate.

The third piece outlines a project that has commenced in New Zealand, which is increasingly referred to also by its Māori name, Aotearoa, to explore what a process of supported decision-making will look like if it is designed from a Māori perspective. In particular, it explores how Mental Health Advance Preference Statements, used to allow those affected to have a voice in how they are treated, can be designed and operated so as to be culturally appropriate, relevant and hopefully successful. Since I am involved in this research, I would like to thank Professor Jill Stavert of Edinburgh Napier University for carrying out all the editorial work on this piece, most importantly the peer reviewing process, so that I was insulated from it.

In addition, the issue contains four book reviews by the indefatigable Alex Ruck Keene: he sets out why *Advance Directives Across Asia: A Comparative Socio-Legal Analysis*, edited by Daisy Cheung and Michael Dunn is a "joy" because it "goes substantially further" than what is promised in the title; why Kartina Choong's *The Medico-Legal Development of Neurological Death in the UK* presents "an extremely useful overview" of death being viewed as a cardio-respiratory but also neurological matters, and the results of that; why *Suicide and the Law* by Elizabeth Wicks is a "stimulating and elegantly written work"; and why *The Future of Mental Health, Disability and Criminal Law*, edited by Kay Wilson, Yvette Maker, Piers Gooding and Jamie Walvisch, is a "very stimulating book" that is "a fitting tribute" to the "hugely significant" contribution of Professor Bernadette McSherry.

As always, I'd like to express my thanks to authors who submit their articles and those who provide assistance to keep this journal as a wholly open access publication, including peer reviewers and the great supporting team at the University of

Northumbria. The editorial team welcome contributions from all perspectives, whether in the form of research articles, notes about developments in statutes, policies or jurisprudence, accounts of research in progress, reviews of books, or any other output that might be of interest to readers.

Kris Gledhill