**Supplementary material**

**Supplementary Table 1: Jurisdictions without gender specific provision in their mental health law**

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| **Country (Jurisdiction)** | **Legislation** |
| Antigua and Barbuda | Mental Treatment Act, 1957 |
| Australia (Western Australia) | Mental Health Act, 2014 |
| The Bahamas | Mental health Act, 1969 |
| Barbados | Mental Health Act, 1989 |
| Canada (Ontario) | Mental Health Act, 1990 |
| Canada (Prince Edward Island) | Mental Health Act, 1988 |
| Canada (Newfoundland & Labrador) | Mental Health Care and Treatment Act, 2009 |
| Canada (New Brunswick) | Mental Health Act, 2010 |
| Canada (Nova Scotia) | Involuntary Psychiatric Treatment Act, 2005 |
| Canada (Nunavut) | 2020 Consolidation of Mental Health Act, 1988 |
| Canada (Quebec) | Act respecting the protection of persons whose mental state presents a danger to themselves or to others, 1997; Mental Patients Protections Act, 1997 |
| Canada (Saskatchewan) | Mental health Services Regulations, 1986 |
| Dominica | Mental Health Act, 1987 |
| The Gambia | Lunatic detention Act, 1917 |
| Grenada | Mental Hospitals Act, 1895 |
| Guyana | Ordinance no 9, 1930 |
| Liberia | Public Health Law, 2019 |
| Mauritius | Mental Health Care Act, 1999 |
| Micronesia | Judicial Procedure- Mental Illness, 1989 |
| Nauru | Mentally Disordered Persons Act, 1963 |
| Palau | Palau National Code, Title 34, Chapter 5, 2014 |
| Saint Christopher and Nevis | Lunacy and Mental Treatment Act, 1956 |
| Samoa | Mental Health Act, 2007 |
| Seychelles | Mental Health Care Act, 2020 |
| Sierra Leone | Lunacy Act, 1902 |
| Singapore | Mental Health Care and Treatment Act, 2008 |
| South Africa | Mental Healthcare Act, 2002 |
| Sri Lanka | Mental Health Ordinance, 1956 |
| Tanzania | Mental Health Act, 2008 |
| Tonga | Mental Health Act, 2001 |
| Trinidad and Tobago | Mental Health Act, 1975 |
| Tuvalu | Mental Treatment Act, 1927 |
| Vanuatu | Mental Hospital Act 1965 |

**Supplementary Table 2: Mental health legislation with gender specific provisions**

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| **Country (jurisdiction if separate)** | **Legislation** | **Relevant sections** | **Summary of provision** |
| Australia (New South Wales) | Mental Health Act, 2007 | 68(g) | Any special needs related to gender recognised |
| 141(3) | Female representation on Mental Health Review Tribunals |
| Australia (Queensland) | Mental Health Act, 2016 | 5(f) | Any gender related needs recognised and taken into account. |
| 384 | Searches must not place direct pressure on genital or anal areas or the person’s breasts in the case of a female |
| 399(2)(a) | A person receiving treatment can only be searched by a professional of the same gender |
| 400(2) | If removal of clothing during search is required it must be carried out by person of same gender |
| 707(5)(a) | balanced gender representation on mental health review tribunals |
| Australia (South Australia) | Mental Health Act, 2009 | 7(ca)(ii) | mental health services should take into account the gender or gender identity of persons |
| Australia (Tasmania) | Mental Health Act, 2013 | 6(2)(b) | Treatment under the act does not extend to termination of pregnancy |
| 6(2)(c) | Treatment under the act does not extend to a procedure that could render a person permanently infertile |
| 111(11)(a) | a search that involves any touching or undressing must be carried out by a person of the same gender as that person and only in the presence of persons of that gender |
| Schedule 1 (1)(d) | Service should be sensitive and responsive to gender based needs |
| Part 2 Schedule 2 | Frisk searches when practicable should be conducted by a person of the same gender |
| Australia (Victoria) | Mental Health Act, 2014 | 4(b) | Gender identity is not grounds for diagnosing a mental illness |
| 11(g) | Gender needs have to be recognised and responded to |
| 214 | Gender balance for community visitors |
| 355(6) | Searches conducted by person of same gender only |
| Belize | Medical service and institutions Act, Chapter 39, Sections 31-68, 2011 | 58(d) | Prohibition on allowing individuals ‘of unsound mind’ to enter the apartment of another individual ‘of unsound minds’ who is of the opposite sex. |
| 59(a) & (b) | Prohibition on indecency to female inmates of Mental Hospital by males. |
| Botswana | Mental Disorders Act, 1969 | 45 | Male staff cannot be employed to detain or restrain female patients, except on ‘occasions of urgency’ |
| Canada (Alberta) | Mental Health Act, 2000 | 1(i)(i) | No preference given to gender in establishing ‘nearest relative’ |
| Canada (British Columbia) | Mental Health Act, 1996 | 19 | A female patient must be accompanied by a ‘near relative or a female person’ between application for admission and admission |
| Canada (Manitoba) | Mental Health Act, 1998 | 1 | No preference given to gender in establishing ‘nearest relative’ |
| Canada (Northwest Territories) | Mental Health Act, 2018 | 60(3) | Gender balance on the Review Board |
| Canada (Yukon) | Mental Health Act, 2002 | 28(2) | Gender balance on the Review Board |
| Eswatini | Mental Health Order, 1978 | 18 | Male staff cannot be employed to detain or restrain female patients, except on ‘occasions of urgency’ |
| Fiji | Mental Health Decree, 2010 | 34(h) | Gender related needs must be recognised during care and treatment of people with a mental disorder |
| 83(7) | Mothers of children under 2, who are admitted to hospital, have a right to have their child accommodated at the facility and have access to their children at all times, unless a risk is posed to the child |
| 86(1)(e) | Gender related needs must be recognised during care and treatment of persons in custody and in prisoners with a mental disorder |
| 95(4) | Review Boards must include one woman and one man at least |
| 101(6) | Gender balance on the Board of Visitors |
| 116(1) & (2) | Male and female inpatients kept separate, unless their ‘mental condition is sufficiently stable’ and then they can mix for the purpose of rehabilitation and group work |
| 116(3) | No male staff member can attend on a female patient unless a female staff member is present. |
| Ghana | Mental Health Act, 2012 | 4(1)(h) | Female inclusion on the Mental Health Authority |
| 18(1)(f) | Female representation on regional sub committee |
| 21(1)(f) | Female representation on district sub committee |
| 25(1)(c) | Inclusion of at least one woman in tribunals |
| 64(1) | Sleeping areas segregated by gender |
| 64(2-3) | Equality for females in terms of treatment and protection form discrimination |
| 64(4) | Special provision for the accommodation of females whose conduct may be harmful from themselves or others |
| 71(4) | Mental illness not grounds for an abortion |
| India | Mental Healthcare Act, 2017 | 18(2) | Prohibition on discrimination on the basis of gender |
| 20(2)(h) | Provisions for women’s personal hygiene |
| 21(a) | Prohibition on discrimination on the basis of gender |
| 21(2-3) | Protection for a mother from separation from a child during admission |
| 87(6) | Minor girls to have a female attendant |
| 89(9)(a) | More prompt notification relating to female involuntary admissions |
| Ireland | Mental Health Act, 2001 | 35(1)(i) | Gender quotas for the mental health commission |
| Jamaica | Mental Health Act, 1997 | 3(3) | No preference given to gender in establishing ‘nearest relative’ |
| 4(b) | Mothers who are under 18, are not treated as minors, if their child is a patient. |
| 4(d) | A person who how has an order against them relating to seduction or prostitution of a ‘girl under the age of 16’ will not be treated as that persons nearest relative. |
| Kenya | Mental Health Act, 1989 | 37 | Protections for women who due to ‘custom or religion’ ‘ought not to be compelled to appear in public’ |
| Kiribati | Mental Health Wing Management regulation, 1972 | 16 | Provision for patients to have attendants of the same gender during admission and search |
| 17 | Male and female patients kept separately |
| Lesotho | Mental Health Law, 1964 | 49 | Prohibition of anyone (besides a husband) from having sex with a female with a mental illness |
| 50(1) | Prohibition of staff having sex with patients who are receiving treatment |
| Malawi | Mental Treatment Act, 1948 | 4 | There must be female representation on the visiting committee |
| 44 | Protection for women who ‘according to the customs and manners’, ‘ought not to be compelled to appear in public’ do not have to attend Court. |
| Malaysa | Mental Health Act, 2001 | 40 (3&4) | Inspectors (visitors) of mental health establishments must include at least one woman |
| Malta | Mental Health Act,2012 | 3(1)(a) | Protections from discrimination on the basis of gender |
| Namibia | Mental Health Act, 1973 | 46(3) | Limitations of each admitting institution on total numbers of patients based on ‘sex’ |
| 65 | Males are not to take personal custody or restrain female patients, except under supervision of a female nurse and at the instruction of the superintendent. |
| 66 | Criminalises sex with a female detained under the Act even if on leave, and invalidates her ability to consent to sex |
| New Zealand | Mental Health (Compulsory Assessment and Treatment) Act, 1992 | 103(1) & (2) | Review tribunals must include a person of the same gender if no member of the tribunal is of that gender |
| Pakistan (Balochistan) | Mental Health Act, 2019 | 3(3)(C) | Female psychologist and psychiatrist to be included on the Mental Health Authority |
| 4(2)(d) | One of the medical practitioners on the Board of Inspectors must be female |
| 30(1)(f) | Women permitted not to appear before the Court of Protection if it is against the ‘customs of the country’ |
| Pakistan (Khyber Pakhtunkhwa) | Mental Health Act, 2017 | 4(2) | Facilities may organise separate units for males and females |
| 4(3) | Units treating drug dependence must be set up separately for both genders. |
| 26(e) | Provisions regulating women appearing in court |
| Pakistan (Punjab) | Mental Health Ordinance, 2001 | 30(1)(f) | Provision for women who according to customs ought not be compelled appear in public. |
| Pakistan (Sindh) | Mental Health Act, 2013 | 3(1) | Protected female representation on the Mental Health Authority |
| 30(1)(f) | Women permitted not to appear before the Court of Protection if it is against the ‘customs of the country’ |
| Papua New Guinea | Mental Health Act, 2015 | 48(2) | Separate patient units for male and female patients |
| Republic of the Philippines | Mental Health Act, 2017 | 5(b) | Protections of all rights for individuals with mental illness from discrimination on the basis of gender |
| 5(c) | Protections for equal access to treatment regardless of sex |
| 14(b) | Mental health services have to be responsive to gender |
| 17 | Routine data includes information on gender |
| 26 | Staff and stakeholders to undergo training to deliver gender sensitive healthcare |
| 30(c) | Routine mental health data disaggregated by sex |
| Solomon Islands | Mental Treatment Act, 1996 | 62(1)(c) | Penalties for staff who have ‘unlawful sexual intercourse or attempt to have ‘unlawful sexual intercourse’ with female patients. |
| Uganda | Mental Health Act, 2018 | 6(5) | Need to consider equal gender representation on the Mental Health Advisory Board |
| United Kingdom (England and Wales) | Mental Health Act, 1983 | 26(2) | Protection for mothers to be recognised as the nearest relative in cases where the child is ‘illegitimate’ and protection for the father provided he has parenting responsibility. |
| 26(3) | Defines "nearest relative" and stipulates is regardless of sex |
| United Kingdom (Scotland) | Mental Health Act, 2015 | 24 (1&2) | Gives a legal right to a place in a Mother and baby Unit, for mothers (including adoptive mothers) where the baby is less than 1 year old. Different health boards must collaborate to realise this. Protections for the child included |
| 328(2)(c) | Transsexualism cannot be grounds for determining a mental disorder. |
| Zambia | Mental Health Act, 2019 | 6(2) | Protection for ‘mental patients’ from abuse or violence or degrading treatment on the basis of gender |
| Zimbabwe | Mental Health Act, 1996 | 110A | Application may be made by a woman’s substitute decision maker, to the High Court, to sterilise ‘a mentally disordered or intellectually handicapped female person’ |