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Michael L. Perlin
New York Law School

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CRIMINOLOGY AROUND THE WORLD

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CRIMINOLOGY AND A DISABILITY RIGHTS TRIBUNAL

Prof. Michael L. Perlin, Director, International Mental Disability Law Reform Project
New York Law School
michael.perlin@nyls.edu

I have devoted a significant amount of time in recent years to the proposed creation of a Disability Rights Tribunal for Asia and the Pacific (see Perlin, 2012; Perlin & Ikehara, 2011; Ikehara, 2013). This Tribunal would provide a forum for the resolution of legal disputes (focusing on, but not limited to, alleged violations of the UN Convention on the Rights of Persons with Disabilities) in the one area of the world that does not have a regional human rights court or commission (see Perlin, 2011). While this Tribunal would be legal in nature, it is contemplated that other professions involved in the justice system -- including, specifically, criminology -- would be involved in its creation and in its staffing.

The “fit” between criminology and this project should be clear. Persons with mental disabilities are disproportionately represented in the correctional system (Perlin, 2013b); such persons are disproportionately the victims of crime (Blitz et al, 2008); in many jurisdictions, county jails are de facto the most populated mental health facilities (Perlin, 2013a). Although the Tribunal is civil in nature (it is not conceived of to prosecute crimes), it is inevitable that persons with some involvement with the criminal process and/or the correctional system will frequently come before it. We expect it will address, among other topics, the treatment of forensic patients, the relationship between mental disability and enforcement of the criminal law, the connection between mental disability and criminal procedure (Perlin, Cucolo & Ikehara, 2013, p. 16).

With this in mind, I have presented to regional criminology conferences in Asia and in Europe in recent years and have taught in university criminology and law departments (in Taiwan, at the Graduate School of Criminology of National Taipei University and Indonesia, at the Islamic University of Yogyakarta [the latter as part of a Fulbright Senior Specialist designation]), seeking to “recruit” criminologists (and criminology graduate students) to join in this effort. I have presented papers at these conferences on, among other topics, “Online Mental Disability Law Education, a Disability Rights Tribunal, and the Creation of an Asian Disability Law Database: Their Impact on Research, Training and Teaching of Criminology and Criminal Justice in Asia” (see Perlin, Cucolo & Ikehara, 2014).
I will be returning to Taiwan this summer, where I will speak at the Judicial Academy and at several universities and NGOs, and teach about the relationship between international human rights law and mental disability law. One of the topics I will focus on will be this Tribunal, and I will emphasize to the criminologists and criminology students in my audience the importance of inter-professional collaboration if this proposal is to be given meaning and life.

References


