

Title

Severe mental illness and crime: An analysis of dispositions for individuals declared not criminally responsible on account of mental disorder

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Summary

Severe mental illnesses (SMI) have complex associations to many social problems such as violence and criminality. Certain individuals with a SMI find themselves in contact with the criminal justice system and are declared non criminally responsible on account of mental disorders (NCRMD). In 1992, Part XX.1 of the Canadian criminal code dealing with mental disorders was significantly changed. Since this new legislation, there has been a significant increase in the number of individuals found NCRMD and under provincial review board remands. Decisions concerning custody of individuals declared NCRMD have significant consequences in terms of ethical considerations (individual rights and freedom vs. public safety) as well as service provision (mental health and risk management). However, few studies have focused in the factors associated with review board decisions following the implementation of Bill C-30.

Objective : The main objective of the present study is to better understand the relative contribution of individual and contextual factors on decisions regarding the custody of individuals declared NCRMD: 1) identify implicit and explicit factors brought forth by clinicians when presenting their report to the Review Board; 2) identify criteria used by the Review Board for deciding dispositions; 3) establish the concordance between these factors and those identified in the scientific literature, operationalized in instruments such as the HCR-20 and the PCL-R ; 4) explore re-hospitalization and recidivism among those NCRMD individuals unconditionally released.

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