

THE ALBERTA NCR PROJECT

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Background Regarding the Not Criminally Responsible (NCR or NCRMD) Population in Canada (Latimer & Lawrence 2006)

- Mental disorder is defined in the Canadian Criminal Code as ***a disease of the mind***
- This does not imply that if one has been charged with a criminal offence and one also suffers from a mental disorder that one is necessarily exempt from criminal responsibility

Section 16 of the Canadian Criminal Code:

- *No person is criminally responsible for an act committed or an omission made while suffering from a mental disorder that rendered the person incapable of appreciating the nature and quality of the act or omission or of knowing that it was wrong.*

Criminal Code, R.S.C 1985, c. C-46, s. 16(1)

NCRMD Background (Latimer & Lawrence 2006)

- People found to be NCR are not “guilty” in the typical sense; rather, the NCR verdict is a unique third option in Canadian sentencing.
- The person who is found to be NCR is diverted to a provincial or territorial Review Board pursuant to section 672.38 of the Criminal Code.
- The court that renders the NCR finding can order a disposition if that court is satisfied that it is able to and that a disposition should be made without delay.

NCR Background (Latimer & Lawrence 2006)

- Under section 672.54 of the Criminal Code, there are three dispositions available to a court or Review Board:
 - **an absolute discharge,**
 - **a conditional discharge, or**
 - **detention in custody in a hospital.**
- In the event of a conditional discharge, the person found to be NCR would be supervised in the community with restrictions imposed on their liberty
- Section 672.54 (b) of the criminal code provides the board with the authority to give any conditions the court or Review Board considers appropriate

NCR Background (Latimer & Lawrence 2006)

- Since 1992, it has been observed that there has been a steady increase in the number of individuals found NCR across the country.
- Key Supreme Court Decisions:
 - *Swain & Winko*

R v Swain (1991)

- This was a constitutional challenge of the law rule permitting the Crown to adduce evidence of an accused's insanity and subsequently allow for the indeterminate detention of an accused who was found not guilty by reason of "insanity."
- The Court found that the common law rule and the relevant section of the Criminal Code, at the time, were unconstitutional.
- This led to the creation of "Not Criminally Responsible By Reason of Mental Disorder"

R v Swain (1991)

- There is no longer a requirement for automatic detention of an NCR person.
- The court can issue their own disposition or refer the person to the independent Review Board for disposition.
- The then revised legislation, at the time, required that the least restrictive or onerous disposition be imposed, bearing in mind public safety, the mental condition of the accused, and the goal of reintegration into society.
- The Lieutenant Governor no longer had any role in decisions of the review board.

Winko v. British Columbia (Forensic Psychiatric Institute) [1999]

From the decision:

- *The appellant has a long history of mental illness and hospitalization, and has been diagnosed with chronic residual schizophrenia. In 1983 he was arrested for attacking two pedestrians on the street with a knife and stabbing one of them behind the ear. Prior to this incident he had been hearing voices. He was charged with aggravated assault, assault with a weapon, and possession of a weapon for purposes dangerous to the public peace. He was tried and found not criminally responsible (“NCR”).*

Winko v. British Columbia (Forensic Psychiatric Institute) [1999]

From the court:

- *s. 672.54 does not create a presumption of dangerousness and does not, in its effect, impose a burden of proving lack of dangerousness on the NCR accused.*
- *The introductory part of s. 672.54 requires the court or Review Board to consider the need to protect the public from dangerous persons, together with the mental condition of the accused, his or her reintegration into society, and his or her other needs.*
- *The court or Review Board must then make the disposition “that is the least onerous and least restrictive to the accused”.*
- *Under s. 672.54(a), the court or Review Board must direct that the accused be discharged absolutely if it is of the opinion that “the accused is not a significant threat to the safety of the public”.*

NCR Background (Latimer & Lawrence 2006)

- Only a small group of criminally accused persons in Canada raise the issue of mental illness and/or meet NCR legal threshold.

Canadian NCR* Criminal Court Case Statistics Fiscal Years 2005/2006 - 2011/2012

Note: Taken from Statistics Canada 2014.

Data from Quebec, Yukon, and the Northwest Territories unavailable. Additionally, superior court data unavailable for Prince Edward Island, Ontario, Manitoba, and Saskatchewan.

*Not Criminally Responsible on Account of Mental Disorder

NCR Adult Criminal Court Cases (Stats Can, 2014)

Adult NCR Population

- From the fiscal year 2005/2006 to 2011/2012, there were a total of 1,908 recorded adult NCR cases with an average of 252 to 292 cases completed per year (Chart 1)
- Overall, NCR adult cases in Canada are reasonably stable with variations of approximately **7.5 to 9.1 cases per 10,000 completed adult criminal court cases per year**
 - In other words, the NCR adult cases accounted for under 1% of the total adult criminal court cases processed per year

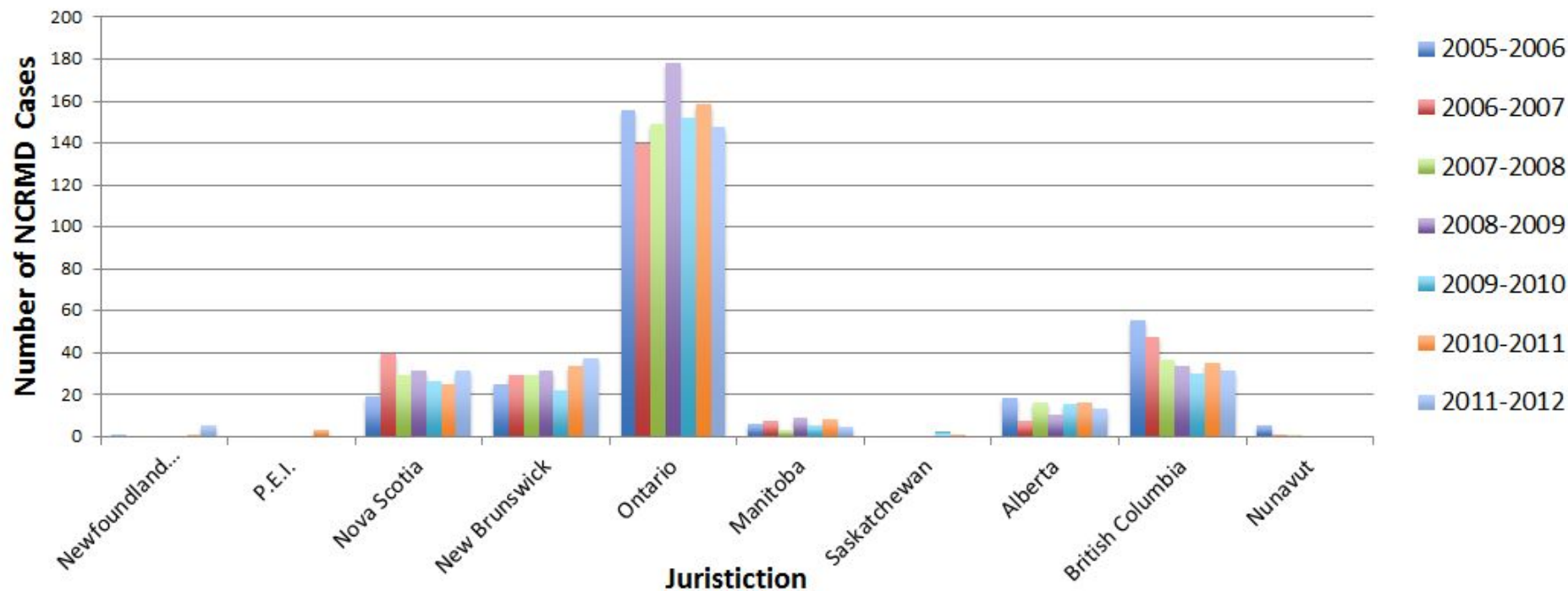
NCR Youth Criminal Court Cases (Stats Can, 2014)

Youth NCR Population and Demographics

- For youth NCR cases in the fiscal year 2005/2006 to 2011/2012, there were a total of 69 cases with yearly variations of approximately **1.4 to 4 cases per 10,000 completed youth criminal court cases**
- a median age of 16 years and a greater proportion of males accused (73%)
 - Male accused statistics lower than adult court cases (87%)

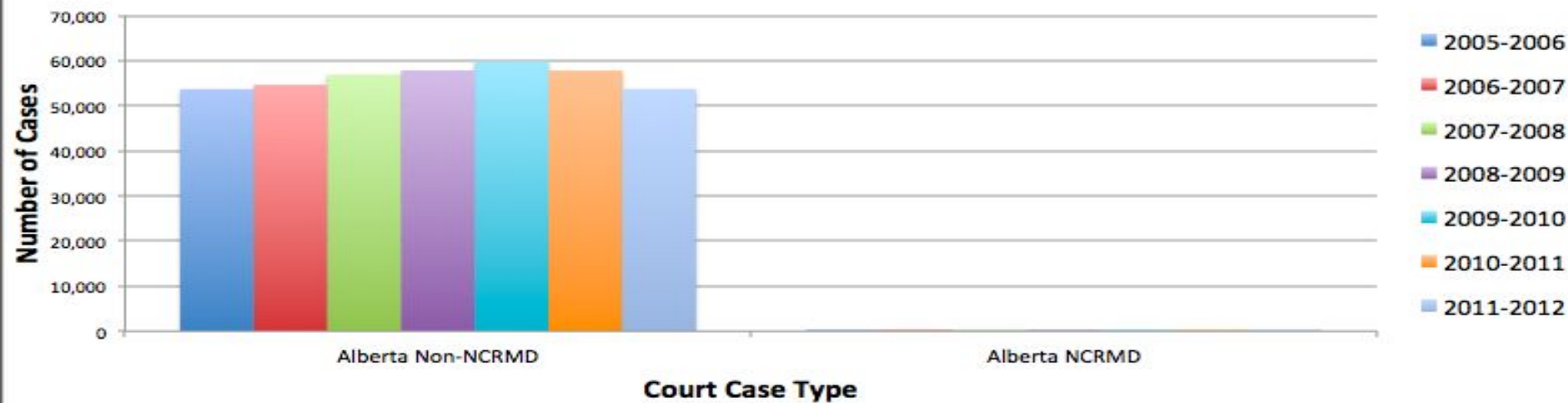
Chart 1

Not criminally responsible on account of mental disorder (NCRMD) cases completed in adult criminal courts, selected jurisdictions, 2005/2006-2011/2012



*Data taken from Statistics Canada 2014

Not criminally responsible on account of mental disorder (NCRMD) cases and non-NCRMD cases completed in adult criminal courts, Alberta, 2005/2006-2011/2012



*Data taken from Statistics Canada 2014

NCR Adult Criminal Court Cases (Stats Can, 2014)

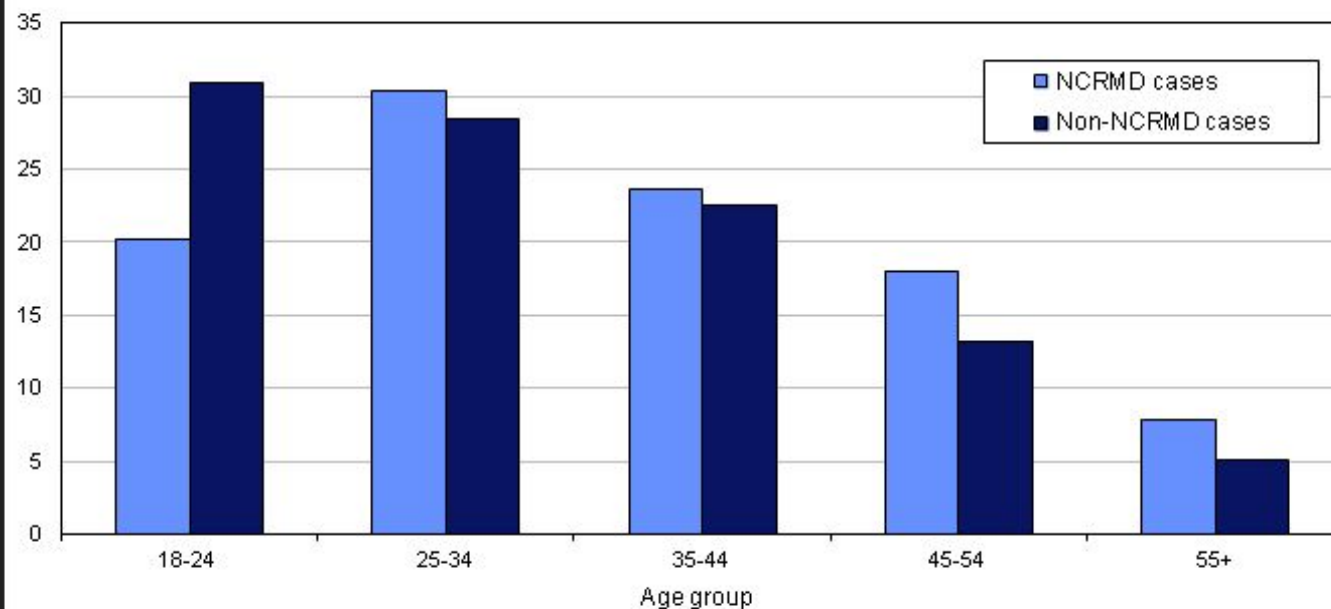
Adult Index Offense and Age

- In approximately **two-thirds (63%)** of all NCR adult cases, the most serious offenses involved crimes against persons.
 - major assault (20%)
 - uttering threats (11%)
 - weapons offenses (7%)
 - common assault (7%)
 - other crimes against the person (6%)
- Adult NCR persons appear to be ***slightly older*** than non-NCR criminal cases, with the median age at time of offense being 34 years.
 - The most common age group for NCR cases ranged from 25-34 years, and involved more male accused (87%) than female accused (13%) (Chart 2)

Chart 2

Not criminally responsible on account of mental disorder (NCRMD)^{1,2} cases completed in adult criminal courts, by age of the accused, 2005/2006-2011/2012 combined

percent



1. There were a total of 1,899 completed cases where at least one charge received a final decision of NCRMD. Excludes 9 cases in which the age of the accused was unknown.

2. There were a total of 2,217,284 completed non-NCRMD cases.

Note: Excludes cases from Quebec, the Northwest Territories, and Yukon, as well as superior court data from PEI, Ontario, Manitoba, and Saskatchewan, which were unavailable. Includes information on accused persons aged 18 or over at the time of offence.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

NCR Adult Criminal Court Cases (Stats Can, 2014)

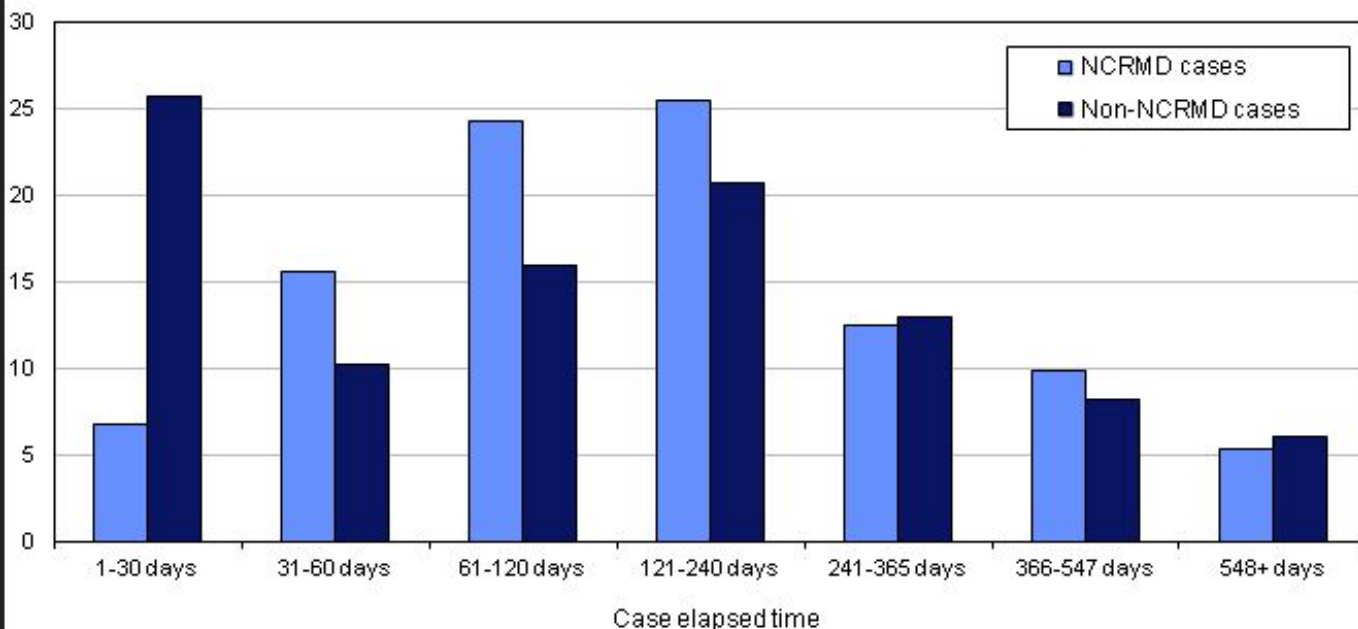
Adult NCR Case Duration

- The **median duration** of time from court appearance to case completion for adult criminal court cases were longer in NCR verdicts (132 days), than non-NCR verdicts (113 days) (Chart 3)
- Adult NCR cases were typically completed within 121-240 days (26%), with a minority of cases taking more than 240 days (28%) and an even greater minority concluding within 30 days or less (7%) (Chart 3)

Chart 3

Distribution of not criminally responsible on account of mental disorder (NCRMD)^{1,2} cases completed in adult criminal courts, by length of elapsed time, selected jurisdictions, 2005/2006-2011/2012 combined

percent



1. There were a total of 1,908 completed cases where at least one charge received a final decision of NCRMD.

2. There were a total of 2,260,453 completed non-NCRMD cases.

Note: Excludes cases from Quebec, the Northwest Territories, and Yukon, as well as superior court data from PEI, Ontario, Manitoba, and Saskatchewan, which were unavailable.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

*Chart taken from Statistics Canada 2014

NCR Youth Criminal Court Cases (Stats Can, 2014)

Youth Index Offense

- Offenses for youth NCR cases included
 - major assault (36%)
 - uttering threats (12%)
 - weapon offences (10%)
 - common assault (10%)
 - Youth Criminal Justice Act offences (10%)
- The majority of offenses were crimes against persons, similar to adult criminal court cases

NCR Youth Criminal Court Cases (Stats Can, 2014)

Youth NCR Case Duration

- The median duration of time from court appearance to case completion was 84 days
- Far shorter than adult NCR cases (132 days)

National Trajectory Project Demographics: NCR Demographics From B.C., ON, & Que (Crocker et al., 2015)

Sex (%):

- Males (84.4)
- Female (15.6)

Age (Years):

- 36.56

Education (High School Completion) (%):

- Yes (49.2)
- No (50.8)

Marital Status (%):

- In a relationship (16.4)
- Single (83.6)

Residential Status (%):

- Living alone (31.5)
- Living with spouse, family, or friends (43.9)
- Supervised setting (8.4)
- Homeless (9.2)
- Other (12.7)

Primary Language (%):

- English (61.4)
- French (27.0)
- Other (11.6)

Country of Birth (%):

- Canada (66.0)
- Other (34.0)

Employment Status (%):

- Own paid work (15.8)
- Pension and (or) welfare (71.5)
- Other (12.7)

National Trajectory Project NCR Demographics (Nicholls et al., 2015)

Age (Years):

- Men (35.8)
- Women (40.6)

High School Completed (%):

- **Men**
 - Yes (47.3)
 - No (52.7)
- **Women**
 - Yes (60.1)
 - No (39.9)

Relationship Status (%):

- **Men**
 - In a relationship (14.3)
 - Single (85.7)
- **Women**
 - In a relationship (27.6)
 - Single (72.4)

Residential Status (%):

- **Men**
 - Living Alone (30.3)
 - Spouse/Family/Friend (43.5)
 - Supervised Setting (8.6)
 - Homeless (10.1)
 - Other (7.5)
- **Women**
 - Living Alone (38.2)
 - Spouse/Family/Friend (46.1)
 - Supervised Setting (6.9)
 - Homeless (4.5)
 - Other (4.1)

National Trajectory Project NCR Demographics (Nicholls et al., 2015)

Language (%):

- **Men**
 - English (61.1)
 - French (26.9)
 - Other: (12.1)
- **Women**
 - English (63.6)
 - French (27.7)
 - Other (8.7)

Employment Status (%):

- **Men**
 - Own Paid Work (16.2)
 - Pension and (or) Welfare (70.8)
 - Other (13.1)
- **Women**
 - Own Paid Work (13.9)
 - Pension and (or) Welfare (76.2)
 - Other (9.9)

Country of Birth (%):

- **Men**
 - Canada (67.5)
 - Other (34.3)
- **Women**
 - Canada (68.1)
 - Other (31.9)

Bill C-14 (2014): The Not Criminally Responsible Reform Act

Effective: July 11th, 2014

Four Key Amendments

1. Increased participation or Consideration of Victims Involved
2. Public Safety is paramount to Review Board Decisions
3. New statutory definition for “Significant threat to the safety of the public”
4. Creation of the “high risk accused” designation.

“Significant threat to the safety of the public” means...

a risk of serious physical or psychological harm to members of the public — including any victim of or witness to the offence, or any person under the age of 18 years — resulting from conduct that is criminal in nature but not necessarily violent.

Description of the Alberta NCR Project

The Alberta NCR Project

- The ultimate goal of the research project is to further the understanding of those found NCR in Alberta.
- There is a particular interest in demographics, risk (within hospital and outside of hospital), and predictors of review board decision making.
- This project is not examining those found unfit by the court.

The Alberta NCR Project

- Currently, chart information has been gathered on ***all persons found NCR and/or insane in Alberta's history*** (i.e., the entire population)
 - The project has involved multiple students from the U of A, Ph.D. Residents, Medical Residents, etc.
- This project will be ongoing for the next decade (and perhaps longer)

Sources of information

Forensic file information

- For each individual, the Alberta Review Board dispositions were reviewed to determine the index offences, date of earliest index offence, date of NCR verdict, location of offence, etc.
- Information was acquired from AHE, FACS, and the ARB directly
- Dr. Haag has **access to a complete list of current NCR dispositions** that are stored and maintained at Alberta Hospital in the event of an NCR person in Alberta is flagged by a police officer on CPIC
- Other file/chart information (still processing)
 - Psychiatric assessments
 - Psychological assessments
 - Discharge summaries

Current Alberta NCR Project Data

- **As of Oct 15, 2015**, there have been **549 cases** in Alberta's history that were found to be either NCR or insane and were under Alberta's Review Board
- **Note: it is possible that someone in Alberta's history may have received an absolute discharge at the time of sentencing for an infraction; hence, such a case would have never come before the Alberta Review Board at all. The current data set only considers NCR persons that have come under the attention of the ARB.**

Importance of Viewing the Current Data From The Perspective of Criminogenic Needs: “The Central Eight” (Andrews & Bonta, 2010)

- History of Antisocial Behavior (Criminal History)
- Antisocial Personality Pattern
- Antisocial Cognition
- Antisocial Associates
- Family/marital circumstances
- School/Work
- Leisure/Recreation
- Substance Abuse

How Old Are People When They Become NCR in Alberta?

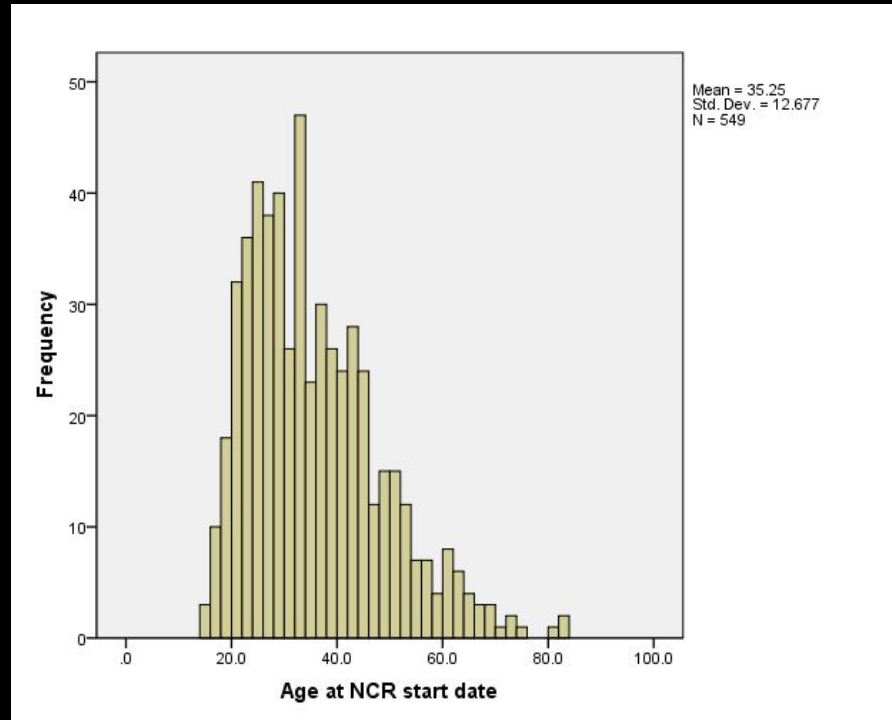
Age of NCR Initiation For Total Population

	mean	median	<i>SD</i>	Min	Max	Q ₁	Q ₂	Q ₃	<i>n</i> (% of pop)
Total Population	35.251	33	12.677	15	83	25	33	43	549 (100 %)
Males	34.798	33	12.85	15	83	25	33	42	461 (84%)
Females	37.625	38	11.506	16	71	29.25	38	44	88 (16 %)

Age of NCR Initiation For Total Population

- It was noted that the mean age of NCR initiation was not statistically different by gender in the [$F(1, 547) = 3.692, p = .055$].
- Of the 549 cases, 13 (2.37%) were below the age of 17.99 years at the time of NCR initiation.

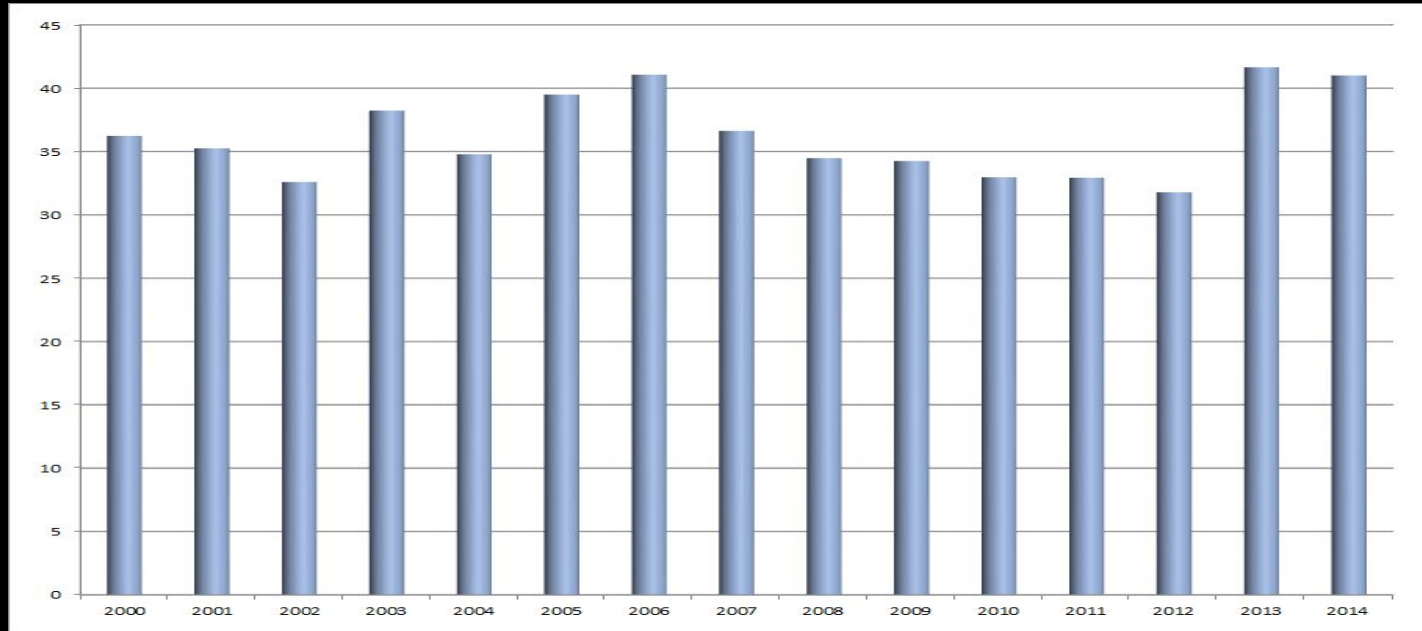
Age NCR Initiation From The Total NCR Population



For NCR patients under the ARB in 2014, how old were they in years when they became NCR?

$n = 178$
$\bar{x} = 33.97$
$SD = 11.46$
Minimum = 16
Maximum = 83

Mean Age of NCRs by Year Made NCR



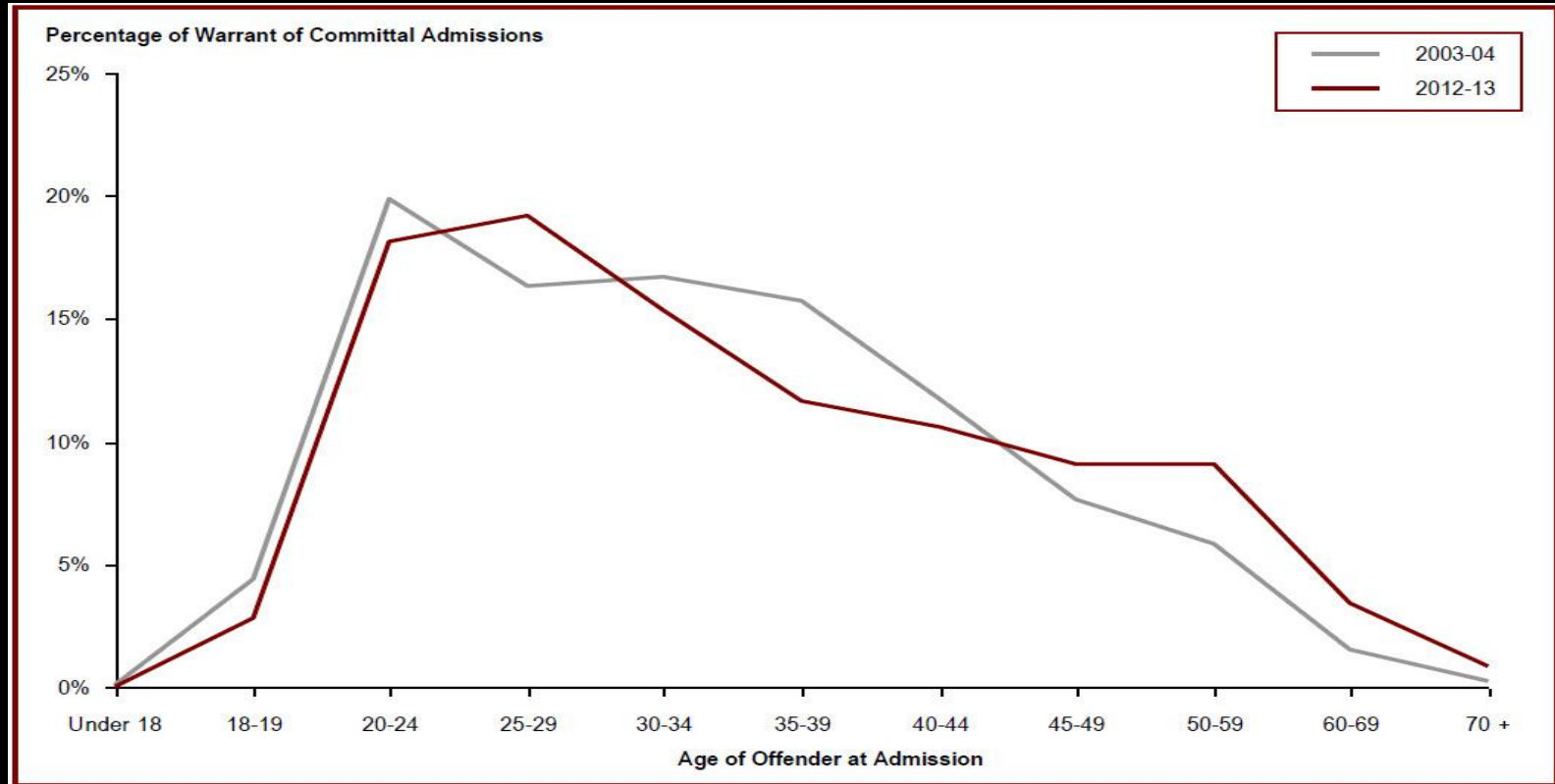
Correctional Service of Canada Data: Public Safety Data For Federal Corrections (Public Safety, 2013)

The median age of the federal prison population upon admission:

- 2012-13 was 33 years of age
- 2003-04 it was 32 years of age.

The distribution of age upon admission is similar for both men and women.

Public Safety Data For Federal Corrections (Public Safety, 2013)



What Are Alberta NCRs Convicted Of?

What are people who have been found to be NCR convicted of?

- For this data, every offence type was counted for every NCR patient
- If an NCR patient had more than one offence for the same offence type, it was only counted once as meeting that offence type
 - For instance, if a person was convicted of two assaults and one weapons offence, then this would should up as meeting the violence and weapons categories

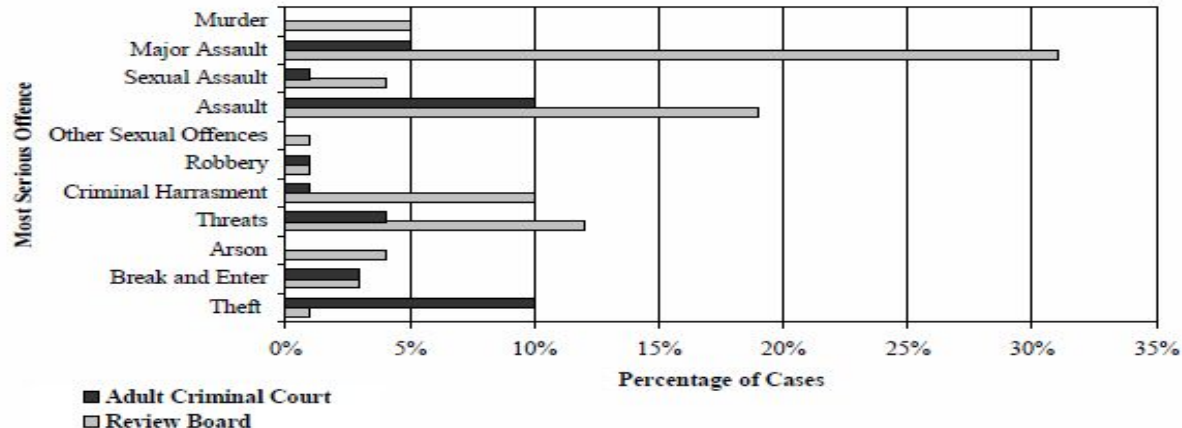
What are people who have been found to be NCR convicted of?

Type Of Offence	n (%)
Homicide	102 (18.6)
Attempted Homicide	59 (10.7)
Counsel To Commit Murder	1 (.2)
Conspiracy To Commit Murder	1 (.2)
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Sexual Offences	34 (6.2)
Direct Violence (excluding sexual offences, homicide, and attempted homicide)	257 (46.8)
Weapons	92 (16.8)
Arson	36 (6.56)
Robbery	32 (5.8)
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Criminal Harassment	17 (3.1)
Drug possession/trafficking	2 (.4)
Offenses directly related to intoxicants	4 (.7)
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All other offences	179 (32.6)

What were NCR patients under the ARB in 2013 & 2014 convicted of?

Type of Offence	2013 % of Total Cases (n)	2014 % of Total Cases (n)
Homicide	16.2 (29)	17.8 (31)
Attempted Homicide	7.8 (14)	9.8 (17)
Sexual Offences	4.5 (8)	4.6 (8)
Direct Violence (excluding sexual, homicide, and attempted homicide)	58.7 (105)	56.3 (98)
Weapons	17.9 (32)	18.4 (32)
Arson	5 (9)	4.6 (8)
Robbery	4.5 (8)	4 (7)
All other crimes	35.2 (63)	31.6 (55)

FIGURE 2:
OFFENCE COMPARISON BETWEEN REVIEW BOARD CASES (2003 COHORT) AND ADULT CRIMINAL COURT CASES (2003/04)



1. The NCRMD/UST data are drawn from those accused who were transferred to a Review Board in the calendar year 2003; the ACCS data are drawn from the 2003/2004 Adult Criminal Court Survey managed by the Canadian Centre for Justice Statistics, Statistics Canada.
2. Approximately 9% of the offences committed by accused within NCRMD/UST cases and 64% of offences committed by accused within ACCS cases were not used in this comparison.

Table from Latimer & Lawrence (2006)

Age At Most Serious Offence

For NCR patients under the ARB in 2013, how old were they in years when they became NCR by most serious offence?

Type of index offence	Age at verdict (Alberta NCRs)	Comparison Sample**
	Mean (n, SD)	Mean (SD)
Homicide	32.66 (29, 9.47)	38.7 (15.9)
Attempted murder	33.92 (12, 9.32)	35.8 (12.6)
Sexual offence	32.14 (7, 8.78)	32.5 (10.9)
All other NCRs	33.6 (131, 11.03)	36.5 (12.4)

The above represents the most serious offence for any one patient

No significant differences between groups $F(3, 175) = .105, n.s.$

** Comparison: Age of people at time of NCR verdict in Quebec, Ontario, and British Columbia (Crocker, Seto, Nicholls, & Côté, 2013)

Future research question: Given the age at which people are receiving their NCR verdict, what was going on in their lives prior to becoming NCR?

Other data suggesting there is prior involvement with the legal system among NCRs In Canada (Latimer & Lawrence 2006)

Legal Status Prior to Involvement With Review Board

Number of prior convictions	N (%)
No prior convictions	1451 (42)
One prior conviction	406 (11.8)
Two to five prior convictions	825 (24.1)
Six to ten prior convictions	554 (16.2)
More than ten prior convictions	189 (5.5)

*This sample considered NCRs from PEI, Quebec, Ontario, Alberta, B.C., Nunavut, and the Yukon

How long does it take to process an
NCR?

How long has it taken to process an NCR in months from the time of the earliest offence?

	mean	Male/F	<i>SD</i>	Min	Max	Q ₁	Q ₂	Q ₃	<i>n</i> (% of pop)
Total Population	10.262	461/88	10.975	<1	114	4	7	12	546 (99.45)
Homicide	13.33*	84/18	10.829	1	58	6	10	17.75	100 (18.32)
Attempted Murder	11.037	47/7	13.409	<1	83	4	7.5	12	54 (9.89)
Sexual/Direct Violence	8.706*	213/40	8.816	<1	75	4	6	10.75	252 (46.15)
All Other Crimes	10.571	117/23	12.975	1	114	3	6.5	13	140 (25.64)

* The difference between time to process homicide charges and direct violence charges was significant $p = 0.002$

Length of time in months until NCR finding by year found NCR

2008 = 12.44

2009 = 10.58

2010 = 14.39

2011 = 11.89

2012 = 10.78

2013 = 17.95

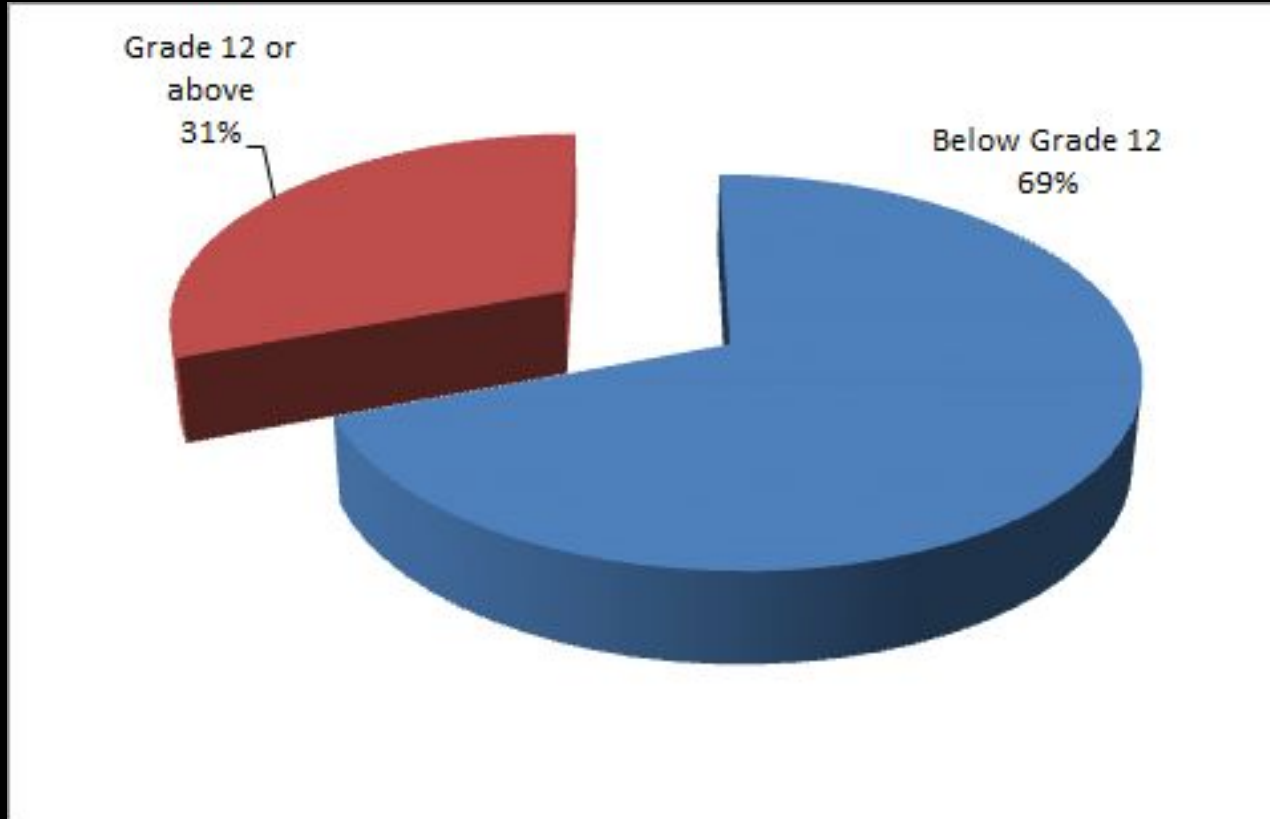
2014 = 17.64

Level of Education

Level of Education For the Entire NCR Population

	Total Population		Males		Females	
	n	%	n	%	n	%
Special Needs	2	.4	2	.4	0	0
No education	2	.4	2	.4	0	0
Grades 0-6	27	4.9	26	5.6	1	1.1
Grades 7-9	95	17.3	86	18.7	9	10.2
Grades 10-12	243	44.3	202	43.8	41	46.6
Finished Grade 12	40	7.3	35	7.6	5	5.7
GED	2	.4	1	.2	1	1.1
Tech School	13	2.4	12	2.6	1	1.1
Some Undergrad	70	12.8	56	12.1	14	15.9
Finished Undergrad	28	5.1	17	3.7	11	12.5
Graduate and beyond	7	1.3	4	.9	3	3.4
Vocational school	4	.7	3	.7	1	1.1
Missing data	16		15		1	

Level of Education For the Entire NCR Population



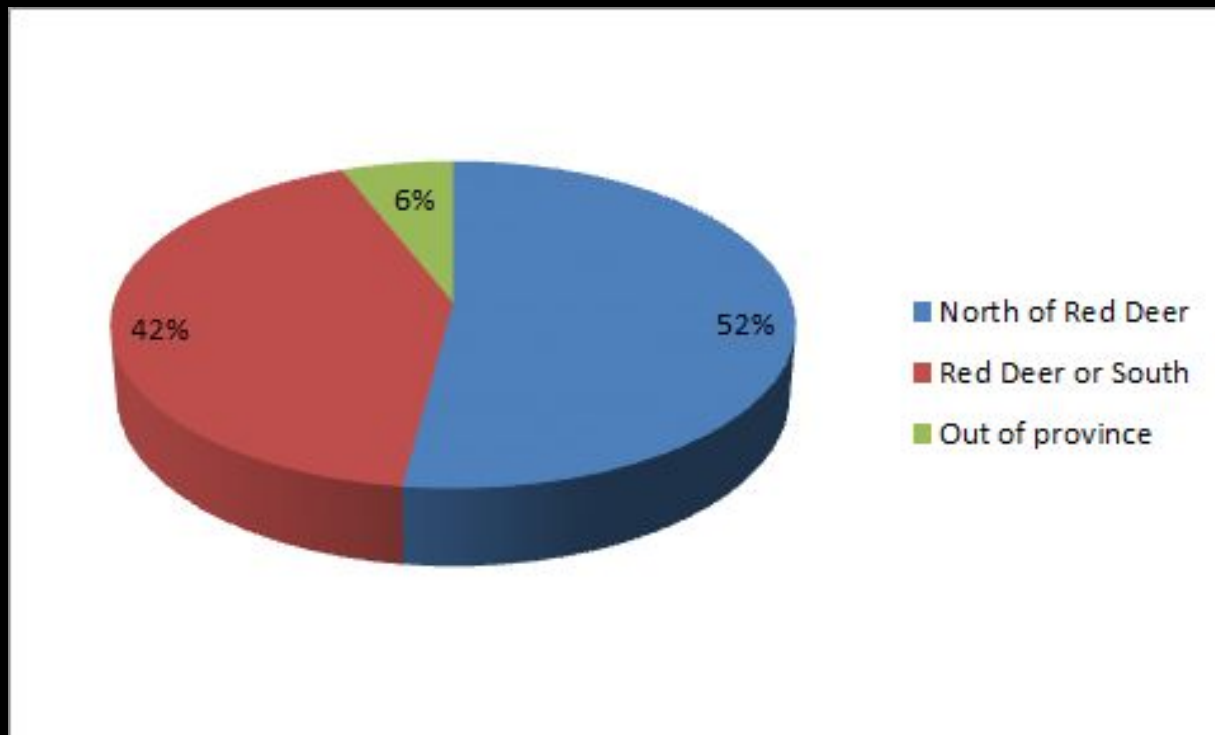
Geographic Area of NCR Offences

Area Where The Index Offence Was Committed In Alberta (Based on 530 NCRS)

Area Where Index Offence Was Committed,
Relative To Red Deer Alberta

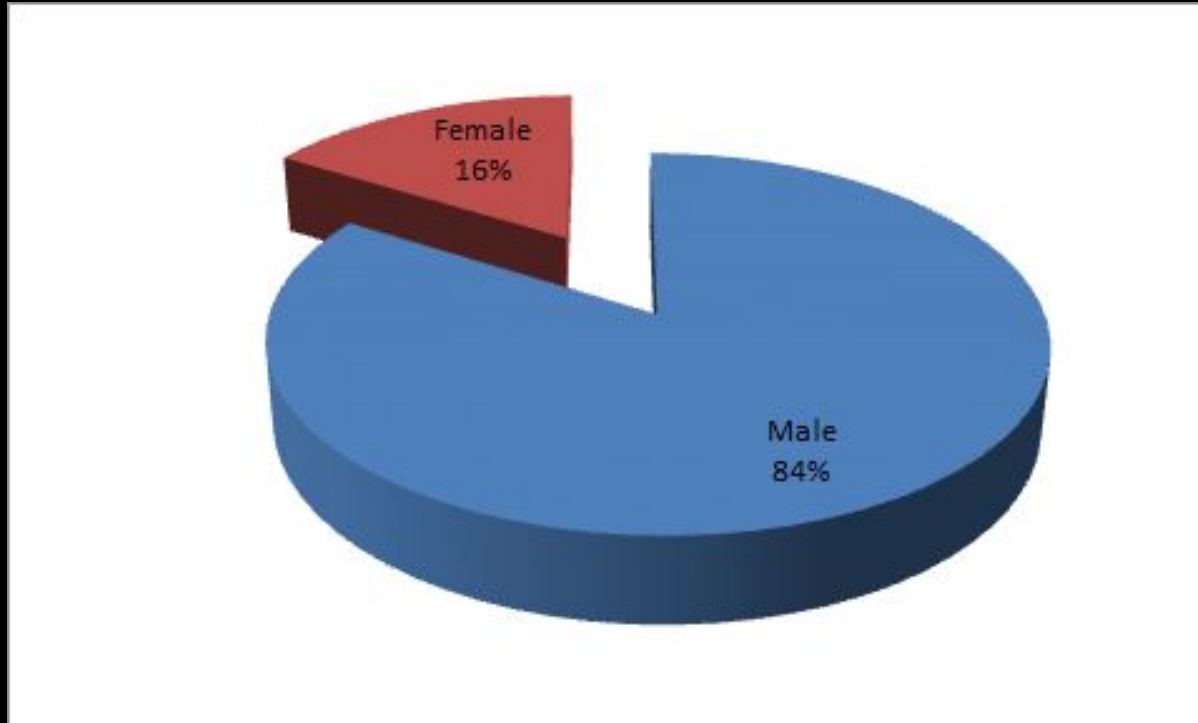
	Frequency	Percentage
North of Red Deer	289	52.6
Red Deer or South	228	41.5
Out of province	32	5.8
Missing Data	16	

Area Where The Index Offence Was Committed



Gender of NCR Patients Throughout History

Gender of Alberta NCR Patients Over History

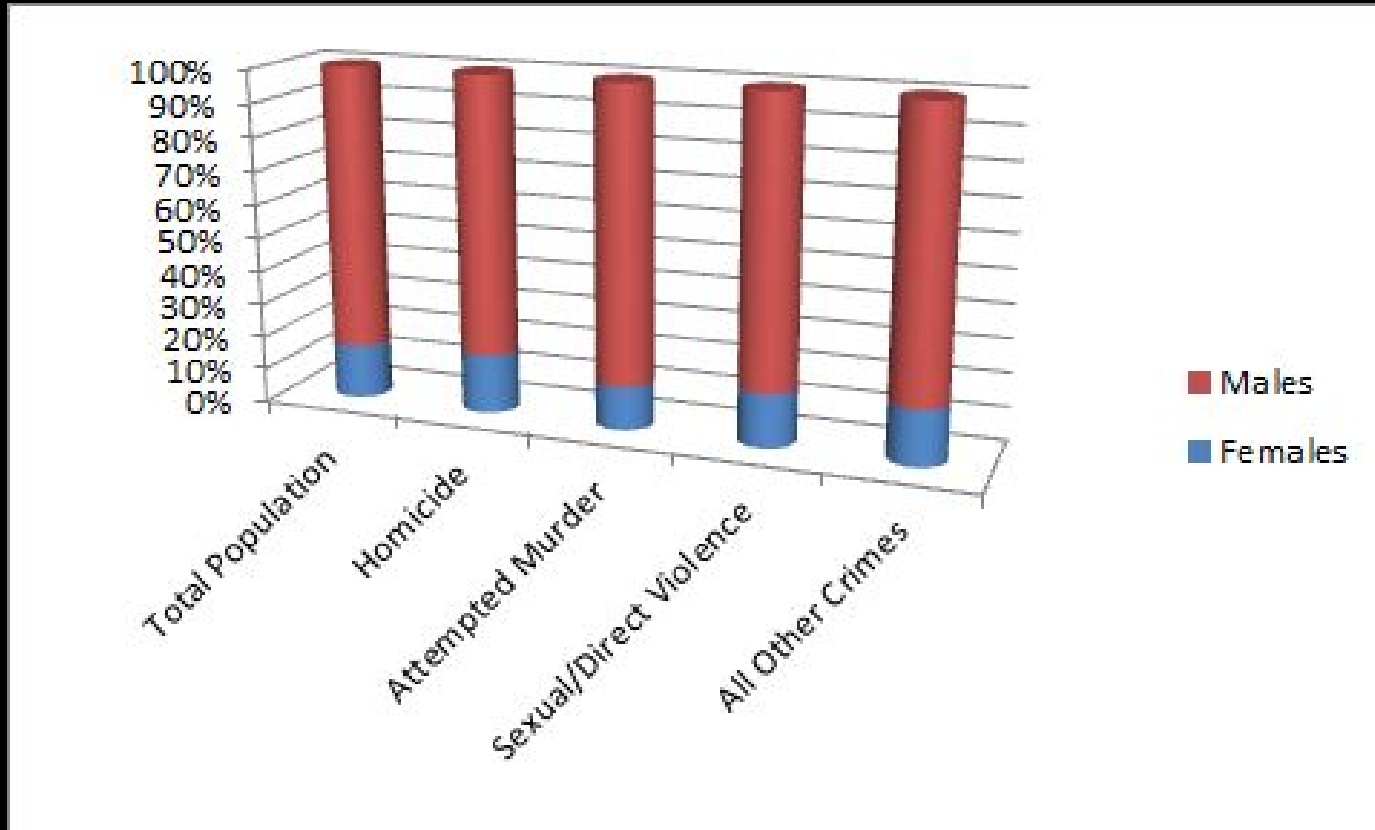


Other Canadian Findings with Demographics (Latimer & Lawrence 2006)

NCR Gender	Frequency	Percentage
Male	5716	84
Female	1086	16

*This sample considered NCRs from PEI, Quebec, Ontario, Alberta, B.C., Nunavut, and the Yukon

Gender of NCRs by Crime For the Entire Population



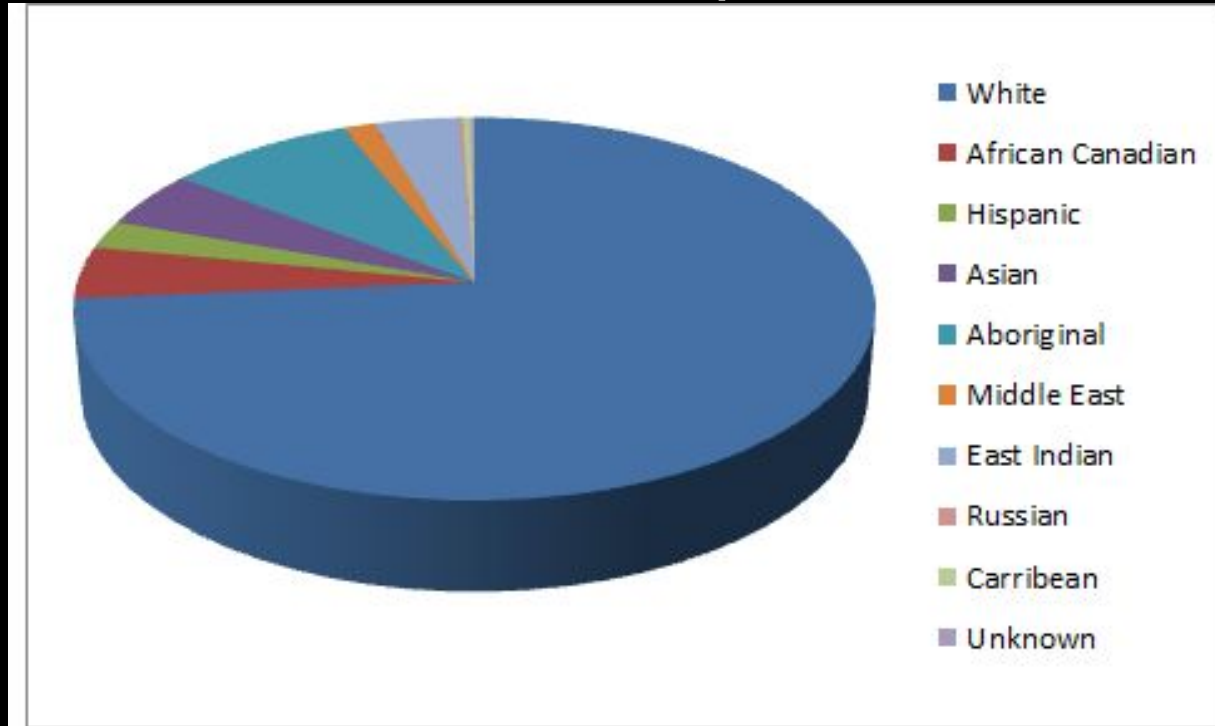
Gender Distribution of NCRs in Quebec, Ontario, and British Columbia by Type of SVO (Crocker, Seto, Nicholls, & Côté, 2013)

Figure 3. Gender distribution by type of SVO



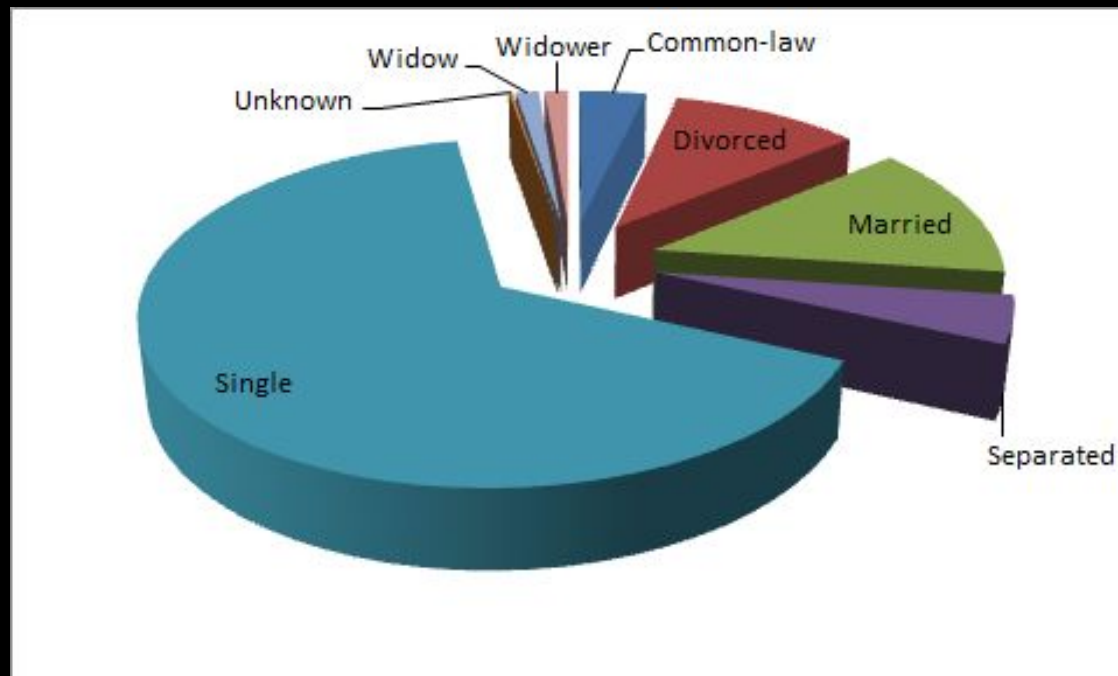
Race Of Patients Over Time

Race of the Alberta NCRs Population



Marital Status of NCR Patients

Marital Status Of Alberta NCR Population Over History



How Long Are NCRs Subject To a Warrant?

Time to Absolute Discharge in Months From NCR Start For Those Receiving an Absolute Discharge

	mean	n	<i>SD</i>
Homicide	123.29 ^{AB} (10.27 years)	45	84.374
Attempted Murder	84.92 ^C (7.08 years)	24	71.507
Sexual/Direct Violence	63.27 ^A (5.27 years)	120	61.982
All Other Crimes	44.53 ^{BC} (3.71 years)	89	44.53
Total	68.85 (5.74 years)	278	68.85

Difference between pairs A & B were significant at $p = .000$;
 Difference of C pair was significant at $p = .036$

For those receiving an absolute discharge, by year of absolute discharge, how long have persons spent under the Alberta Review Board

2014 = 43 (3.58 years)

2013 = 52 (4.33 years)

2012 = 87 (7.25 years)

2011 = 102 (8.5 years)

2010 = 99 (8.25 years)

For those NCRs that have received a Conditional Discharge:
How many months did this take to acquire?

n = 186

Mean (Months) = 56.68 (i.e., 4.72 years)

Standard Deviation = 57

Minimum = <1

Maximum = 316

How Long Have NCRs Currently Under the
Alberta Review Board Been Under The
Board?

How Long Have NCRs Currently Under the ARB Been Under the ARB as of Oct 15, 2016

mean	<i>SD</i>	Min	Max	Q_1	Q_2	Q_3	<i>n</i>
102.81 (8.57 Years)	109.22	0	887	38	71	129	191

Rate of Incoming NCRs vs Absolute Discharges Since 2000

Rate of Incoming NCRs vs Absolute Discharges Since 2000

Year	New NCRs	Absolute Discharges	Difference
2000	17	20	-3
2001	16	18	-2
2002	19	17	2
2003	17	10	7
2004	13	13	0
2005	20	17	3
2006	17	12	5

Rate of Incoming NCRs vs Absolute Discharges Since 2000

Year	New NCRs	Absolute Discharges	Difference
2007	21	10	11
2008	23	12	11
2009	12	9	3
2010	23	4	19
2011	26	5	21
2012	18	12	6

Rate of Incoming NCRs vs Absolute Discharges Since 2000

Year	New NCR	Absolute Discharges	Difference
2013	20	9	11
2014	11	4	7
Total			101

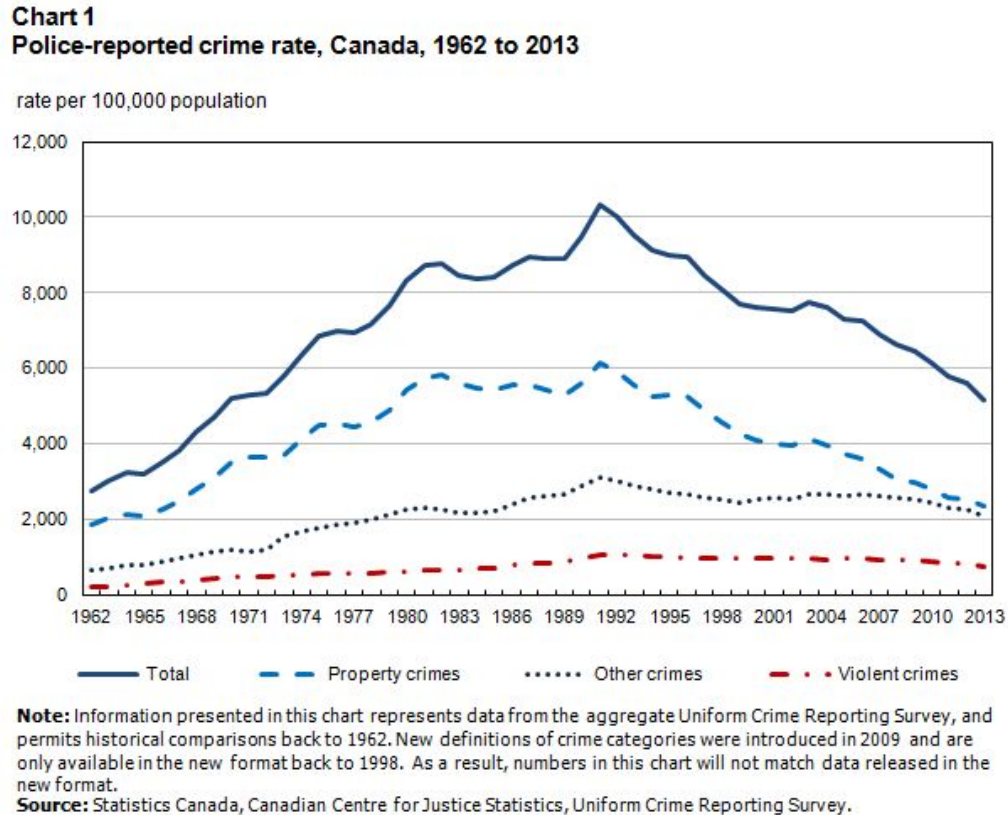
Plus/Minus Projection From 2015-2020

Assuming Average Rates of new NCRs and Absolute Discharges	There would be an increase NCR population by about 40 persons by the end of 2020
Assuming “worst case” scenario (increase of one standard deviation in new cases and a decrease by one standard deviation in absolute discharges)	There would be an increase in NCR population by about 95 persons
Assuming “best case” scenario (decrease of one standard deviation in new cases and a increase by one standard deviation in absolute discharges)	There would be a decrease in the NCR population by about 15 persons

The Impact of the *R v Swain* (1991) 1 S.C.R. 933 decision in Alberta

Mean number of cases per year prior to <i>Swain</i> (1992 and backward in years)	5
Mean number of cases per year after <i>Swain</i> (1993 and forward in years)	17
It is noted that the above data suggests that the <i>Swain</i> decision did make a statistically significant impact on the rate at which NCR persons were admitted under the Alberta Review Board ($t(49)=11.843$, $p = .000$; $d = -3.19$).	
It should be noted that this significance test did assume equal variances in the groups.	

Police Reported Crime Rate in Canada from 1962 until 2013



How long did an absolute discharge take prior to *Swain* (for those that did receive an absolute discharge)?

	Mean Length of Time Under the Board
Pre <i>Swain</i> (i.e., found insane prior to the <i>Swain</i> decision)	110.95 Months (9.25 Years)
Post <i>Swain</i> (i.e., found NCR after the <i>Swain</i> decision)	44.56 Months (3.71 years)

It is noted that the above data suggests that the *Swain* decision did make a statistically significant impact on the length of time that insane/NCR persons spent under the Alberta Review Board prior to absolute discharge ($t(117.069)=7.275, p = .000; d = 1.03$).

It should be noted that this significance test **did not** assume equal variances in the groups.

The Impact of the *Winko v British Columbia (Forensic Psychiatric Institute)* (1999) decision in Alberta

Mean number of cases per year prior to <i>Winko</i> (1999 and backward in years) that received an absolute discharge from the Alberta Review Board	3.85
Mean number of cases per year after <i>Winko</i> (2000 and forward in years) that received an absolute discharge from the Alberta Review Board	11.47

It is noted that the above data suggests that the *Winko* decision did make a statistically significant impact on the rate at which NCR persons were absolutely discharged under the Alberta Review Board ($t(19.425)=5.414, p = .000; d = -1.62$).

It should be noted that this significance test **did not** assume equal variances in the groups.

Infrequent Events For The NCR Population in Alberta

- First NCR start date in the database so far was in **1941**
- From the data collected, **nine** cases found NCR in Alberta's history have overturned on appeal (i.e., this is very rare)
- 34 patients have died while on the warrant (about six percent of the total)
 - Dr. Haag ***was not given permission to use Netcare*** to acquire information on patients for research purposes; hence, Dr. Haag will not be able to acquire complete information on rehospitalization rates for the entire NCR population. Moreover, this is an obstacle to acquiring vital statistics in terms of acquiring date of death. However, of the dates of death known to Dr. Haag for the total sample thus far...
 - Dr. Haag is aware of **54** people who have been found NCR that have died and Dr. Haag has become aware of their date of death through hospital information (this number is thought to be higher than this)
 - Mean age of death for persons known to have died was **56.56** years (SD=17)
 - It is quite possible that there is a systematic bias

Future Questions and Considerations

Future Research Questions for the Data Set

1. Does the crime one is found NCR for make a difference in terms of how long they spend under the warrant?
2. How many prior violent and total convictions did persons found NCR have?
3. What is the mean age of death for people that have been declared NCR?
4. Recidivism rates of NCR offenders
5. Validation of numerous risk measures with the Alberta NCR population
6. To determine the impact of the July 2014 changes to the NCR legislation on ARB decision making