

# Frequently Asked Questions

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## **What is the goal of this specialty court?**

We want our Justice system to treat Nova Scotians with mental disorders, who commit criminal offences, fairly and compassionately and one of the goals is to help them improve their mental health and reduce the risk to public safety.

## **Who will this help?**

Nova Scotians with mental disorders who come into conflict with the law. For this program, a mental disorder means a recognized mental illness including schizophrenia, mood disorders, anxiety disorders, developmental delay, brain injury or head trauma.

## **What are the requirements to appear in this court?**

The individual has been charged with an offence under the Criminal Code of Canada or the Controlled Drugs and Substances Act, within the jurisdiction of the provincial court, and accepts responsibility for their criminal actions.

## **How is someone referred to the Mental Health Court?**

The accused will appear in arraignment court where either police, lawyers, Sheriffs, family members, or the accused themselves can recommend that they be referred to the Mental Health Court. The presiding Judge will make the referral.

## **What happens when an individual is referred?**

An individual participates in the Mental Health Court on a voluntary basis and agrees to undergo a clinical screening to determine if their mental disorder is contributing to their criminal actions.

If accepted into the Mental Health Court, an assessment will be completed and a support plan developed. This support plan, agreed to by the individual, will include requirements such as participating in programs and attending clinical appointments. Ideally, it should take 6 weeks from referral to acceptance into the Mental Health Court.

## **Who makes up the court?**

The Court has a dedicated team comprised of a nurse, a social worker, a Probation Officer, a Crown Attorney, and a Legal Aid lawyer. There is also a Provincial Court Judge assigned to preside in the Mental Health Court.

## *Nova Scotia's Mental Health Court Program*

### **What types of sentences will there be?**

This is not a trial court; if the individual does not accept responsibility for their criminal actions they will not be eligible for the Mental Health Court. Accountability for criminal behaviour is important and outcomes may include:

- Withdrawal of the charges
- Absolute or Conditional Discharge
- Probation
- Community Service
- Fine
- Peace Bond
- Conditional Sentence
- Detention