

TERMS OF REFERENCE

NOVA SCOTIA DEPARTMENT OF JUSTICE,

DEPARTMENT OF HEALTH AND WELLNESS AND CAPITAL DISTRICT HEALTH AUTHORITY

JOINT REVIEW OF EAST COAST FORENSICS' COMMUNITY ACCESS PRIVILEGES

MAY 17, 2012

PURPOSE

- On April 16, 2012, a patient of the East Coast Forensic Hospital (ECFH) failed to return following the provision of community access privileges. In light of this event, the Departments of Justice and Health and Wellness and the Capital District Health Authority (CDHA) shall conduct a joint review of the community access privileges granted to Not Criminally Responsible (NCR) persons who are the patients at ECFH and who are subject to the jurisdiction and processes of the Nova Scotia Criminal Code Review Board.
- The joint review will focus on community access privileges, notification of the public in the event of a failure to return, and patient surveillance.
- This review shall focus on the system as a whole and not any individual case.
- This review shall not impact the criminal process related to the April 16, 2012 incident.

RESPONSIBILITIES

The parties shall carry out the following:

The **Department of Justice** shall:

- Engage in a review of the policies and procedures of the NS Criminal Code Review Board.
- Compare the policies and procedures of the NS Criminal Code Review Board with other jurisdictions in Canada.

The **Department of Health and Wellness** shall:

- Compare the policies and procedures of Capital District Health Authority with the Department of Health and Wellness's Standards for Mental Health Services.
- Engage an out-of-province expert in the area of forensic mental health to conduct a review of:
 - Department of Health and Wellness's standards related to forensic services.
 - CHDA's policies and procedures related to community access privileges, notification of the public in the event of a failure to return, and patient surveillance.
 - Compare the standards, policies and procedures against best practices both nationally and internationally.

The **Capital District Health Authority** shall:

- Create a Review Committee reporting to CDHA's District Quality and Patient Safety Council (who will report to CDHA's CEO) to:
 - review of the current policies, procedures, processes, practices, legislative requirements and their application by staff and physicians of ECFH in relation to granting community access privileges for patients of ECFH who have been found to be Not Criminally Responsible (NCR);
 - assess ECFH compliance with the current policies and procedures through a de-identified patient chart review;
 - determine a mechanism for obtaining, and seeking out, input and feedback from the CDHA's forensic mental health community including but not necessarily limited to front-line staff and physicians working within CDHA's forensic service.
- The Review Committee shall retain an expert in the area of forensic mental health who is external to Capital Health to assist the Committee in conducting its work and to prepare such relevant written advice as may be required by the Committee.

REPORTING

- All parties shall report any recommendations based on their analysis and findings for system-level improvements in the application of community access privileges to NCR patients, notification of the public in the event of a failure to return, and patient surveillance at ECFH.
- These findings will be compiled into a joint report, some or all of which may be made available to the public.
- The joint report shall be released during the summer of 2012.