



VIA EMAIL

13 March 2017

The Honourable Jane Philpott, P.C., M.P.
Minister of Health
House of Commons
Ottawa, ON K1A 0A2
Hon.Jane.Philpott@Canada.ca

Dear Minister:

Re: National Dementia Strategy - Criminal Justice

On behalf of the Dementia Justice Society of Canada, I am writing in regard to the establishment and development of a National Dementia Strategy. While encouraged by the progress of Bill C-233 and other initiatives, we are concerned that the challenge of dementia as a criminal justice system issue continues to receive insufficient attention.

Dementia Justice is a federally incorporated non-profit society dedicated to advancing the rights, needs and dignity of people with dementia who are, or are at risk of becoming, involved with the criminal justice system. We strive to achieve our objectives through advocacy, awareness-raising, education and research.

As you know, most people with dementia will not commit a crime. However, encounters with the criminal justice system among this population are not uncommon. Transgressions in the community may be relatively minor, such as shoplifting from the local pharmacy. Indeed, research shows that impulsive and disinhibited behaviour may be an early sign of dementia, namely, behavioural variant frontotemporal dementia.

At the other end of the spectrum, individuals with dementia may be charged with a serious crime, such as murder. While rare, several high-profile cases in recent years have captured the public's attention. To-date, these tragedies have most often occurred in care homes as incidents of resident-to-resident aggression. A smaller number occur in the community, and sometimes

include violence by a person with Alzheimer's disease toward a lifelong spouse.

As aging-in-place becomes the dominant policy response to the aging population, people with dementia are living at home longer and it is reasonable to expect that these domestic incidents may increase.

As you know, the responsive behaviours associated with dementia can often be managed with appropriate supports. But we cannot prevent every incident of disinhibition or aggression.

Despite best efforts, people with dementia will become entangled with the criminal law. It is therefore imperative that we have a criminal justice system which is prepared to deal with this vulnerable population.

Yet, this group has received very little attention. For instance, while we commend the Standing Senate Committee on Social Affairs, Science and Technology on its 2016 report, *Dementia in Canada*, we are concerned that its recommendations overlooked criminal justice matters.

Further, Bill C-233, as currently worded, states that the National Dementia Strategy advisory board's role would be to advise "on any matter related to the health care" of persons with dementia. But in our view, this scope is too limited. As you know, dementia has the potential to affect every aspect of people's lives, including their relationship with the criminal law.

Therefore, as Canada develops and implements a National Dementia Strategy, we urge the government to include a criminal justice perspective. In particular, we encourage you to include people with knowledge in both dementia and criminal justice at the development conference and on the strategy's advisory board.

We welcome the opportunity to meet with you and continue the conversation about this important matter.

Yours sincerely,

[original signed]

Heather Campbell, BA (Hons.), LLB, LLM
Director

cc: The Honourable Ralph Goodale, P.C., M.P.
The Honourable Jody Wilson-Raybould, P.C., M.P.
The Honourable Rob Nicholson, P.C., M.P.
The Honourable Art Eggleton, Senator
The Honourable Kelvin Kenneth Ogilvie, Senator