



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 66
(2024, chapter 26)

**An Act to reinforce the supervision of
persons in respect of whom has been
rendered a verdict of not criminally
responsible by reason of mental
disorder or of unfit to stand trial**

**Introduced 30 May 2024
Passed in principle 6 June 2024
Passed 2 October 2024
Assented to 3 October 2024**

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EXPLANATORY NOTES

This Act enables a health and social services body to communicate to a police force information that is necessary for its interventions in relation to persons in respect of whom has been rendered a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial.

The Act also provides that the correctional services may be responsible for the assessment of such persons and for their supervision in the community.

Lastly, the Act aims to publish the names of these persons in the decisions of the Administrative Tribunal of Québec made in the exercise of its functions as a Review Board that are publicly accessible in the bank of jurisprudence of the Société québécoise d'information juridique.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting administrative justice (chapter J-3);
- Act respecting health and social services information (chapter R-22.1);
- Act respecting the Québec correctional system (chapter S-40.1).

Bill 66

AN ACT TO REINFORCE THE SUPERVISION OF PERSONS IN RESPECT OF WHOM HAS BEEN RENDERED A VERDICT OF NOT CRIMINALLY RESPONSIBLE BY REASON OF MENTAL DISORDER OR OF UNFIT TO STAND TRIAL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING HEALTH AND SOCIAL SERVICES INFORMATION

1. Section 76 of the Act respecting health and social services information (chapter R-22.1) is amended

(1) by replacing “either of the” in the introductory clause of the first paragraph by “the”;

(2) by adding the following paragraph at the end of the first paragraph:

“(3) the police force intervenes in the case of a person in respect of whom a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial has been rendered and who is under the body’s responsibility following a disposition made under Part XX.1 of the Criminal Code (R.S.C. 1985, c. C-46) by a court or a Review Board.”

ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM

2. Section 3 of the Act respecting the Québec correctional system (chapter S-40.1) is amended

(1) by replacing “the persons committed to their custody and facilitate the reintegration of offenders into the community” in the first paragraph by “the persons entrusted to them and facilitate their reintegration into the community”;

(2) by replacing “committed to their custody” in subparagraphs 2 and 3 of the second paragraph by “entrusted to them”.

3. The Act is amended by inserting the following section after section 3:

“3.1. The correctional services may also be responsible for the assessment of persons in respect of whom a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial has been rendered and for the supervision of those persons in the community. In such cases, the provisions

of this chapter concerning persons entrusted to the correctional services apply with the necessary modifications to take the status of those persons into account.”

4. Section 7 of the Act is amended, in the second paragraph,

(1) by replacing “offenders” by “persons entrusted to the correctional services”;

(2) by adding the following sentence at the end: “If probation officers exercise those functions in relation to persons in respect of whom a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial has been rendered, the probation officers are then designated as liaison officers.”

5. Section 16 of the Act is amended by replacing “committed to their custody” by “entrusted to them”.

6. Section 18 of the Act is amended by replacing “committed to their custody as is necessary for the provision of custody and” in the first paragraph by “entrusted to them as is necessary for the provision of”.

7. Section 25 of the Act is amended

(1) by replacing “offenders” in the first paragraph by “persons entrusted to the correctional services”;

(2) by replacing “offenders” in the second paragraph by “those persons”.

8. Section 26 of the Act is amended by replacing “that the person” and “person’s” in the first paragraph by “that an offender” and “offender’s”, respectively.

9. Section 32 of the Act is amended by replacing “committed to its custody” in subparagraphs 11 and 12 of the first paragraph by “entrusted to it”.

10. Section 174 of the Act is amended by replacing “in whose custody or care the person is placed” in the second paragraph by “to whom the care or support of the person is entrusted”.

11. The Act is amended

(1) by striking out “custody and” in the following provisions:

(a) the first paragraph of section 12;

(b) section 14;

(2) by replacing “committed to the custody of” by “entrusted to” in the following provisions:

- (a) the heading of Division III of Chapter II;
- (b) section 18.1, wherever it appears;
- (c) section 20.

ACT RESPECTING ADMINISTRATIVE JUSTICE

12. Section 90 of the Act respecting administrative justice (chapter J-3) is amended by inserting “, except in the case of decisions made in the exercise of its function as a Review Board within the meaning of sections 672.38 and following of the Criminal Code (R.S.C. 1985, c. C-46)” at the end of the second paragraph.

FINAL PROVISION

13. This Act comes into force on 3 October 2024.

