

COURT ORDER FOR A PSR WITH A PSYCHOLOGICAL/PSYCHIATRIC ASSESSMENT AS PART OF THE PSR

Community Corrections office

Receiving and Providing Information

Community Corrections receives a copy of a PSR & P/PA form, the Information or Indictment and the Record of Proceedings from the Court Registry. The PSR & P/PA form will indicate that an assessment has been ordered as part of the PSR.

Community Corrections informs the FPSC Clinic that a psychological/psychiatric assessment was ordered as part of the PSR and advises it who the assigned probation officer is.

Community Corrections obtains a copy of the RCC, Information or Indictment and Victim Impact Statements. *

Community Corrections provides a criminal history of the accused to the FPSC Clinic consisting of a CORNET Client History, a summary of any additional record from the CPIC record (not the CPIC print out), and any other file information relevant to the preparation of the psychological/psychiatric assessment (i.e. recent PSR).

Assisting an Offender in Scheduling an Appointment at an FPSC Clinic:

If the offender is out of custody, the probation officer assists in scheduling an appointment for the offender to see an assessor at the FPSC Clinic and provides the offender with verbal and written reporting instructions to attend. Otherwise, if the offender is in custody, the FPSC Clinic arranges for an appointment directly with the correctional centre and the offender. When the probation officer assists in scheduling an appointment, he or she will advise the FPSC Clinic whether or not the offender intends to attend and participate in the psychological/psychiatric assessment.

Receiving a Psychological/Psychiatric Assessment and processing it as part of the PSR-Timing:

Community Corrections obtains the completion date of the psychological/psychiatric assessment from the FPSC Clinic.

The Community Corrections receives a copy of the psychological/psychiatric assessment from the FPSC Clinic at least five business days prior to the sentence hearing date. It considers the psychological/psychiatric assessment and attaches a copy of it to the PSR, making a combined document. It files the original and three copies of the combined document at the Court Registry at least two business days prior to the sentence hearing date. The Court Registry distributes filed copies of the PSR with the attached copy of the psychological/psychiatric assessment to the Judge, the Crown counsel and the defence counsel.

Short Delay in receiving Psychological/Psychiatric Assessment – Late but received prior to the Sentencing Hearing Date

If the FPSC Clinic completes the psychological/psychiatric assessment before the sentence hearing date, but cannot submit it to the Court and a copy to Community Corrections at least five business days prior to the sentence hearing date, it sends it to the Court and a copy to Community Corrections as soon as possible. If Community Corrections does not have sufficient time to review the copy of the psychological/psychiatric assessment before filing the PSR or if the PSR has already been filed, Community Corrections does not attach the psychological/psychiatric assessment to the PSR. The Court Registry, which has received the original PSR from Community Corrections and the psychological/psychiatric assessment from the FPSC Clinic, distributes filed copies of each document to the Judge, the Crown counsel and the defence counsel.

Long Delay in receiving Psychological/Psychiatric Assessment – Late and unavailable until after the original Sentencing Hearing Date

If the FPSC Clinic cannot complete the psychological/psychiatric assessment before the sentence hearing date, Community Corrections receives a copy of a letter from the FPSC Clinic, addressed to the Judge, seeking more time, at least five business days prior to the sentence hearing date. Unless the Court directs otherwise, Community Corrections continues to complete the PSR without the psychological/psychiatric assessment attached, for the original sentence hearing date. Community Corrections attaches a copy of the FPSC Clinic letter to their PSR and files the original and three copies of the PSR with the attached letter at the Court Registry at least two business days prior to the sentence hearing date. The Crown or the defence may apply to adjourn the sentence hearing and if the Court decides to adjourn, Community Corrections receives a message from the Court Registry advising them of the new sentence hearing date. The FPSC clinic will produce the psychological/psychiatric assessment before the new sentence hearing date and file it at the Court Registry and send a copy to Community Corrections. Filed copies of the psychological/psychiatric assessment are distributed by the Court Registry to the Judge, the Crown counsel and the defence counsel on or before the new sentence hearing date.

Delay in producing PSR – Late and unavailable until after the original Sentencing Hearing Date

If the probation officer is unable to complete the PSR by the sentence hearing date, Community Corrections sends a letter to the Court Registry, addressed to the Judge, seeking more time, at least two business days prior to the sentence hearing date. The Court Registry sends a copy of the letter to the Judge, the Crown counsel and the defence counsel. The Crown or the defence may apply to adjourn the sentence hearing and if the Court decides to adjourn, Community Corrections receives a message from the Court Registry advising them of the new sentence hearing date. Community Corrections files the PSR with the copy of the psychological/psychiatric assessment attached at the Court Registry on or before the new sentence hearing date.

Use of the Psychological/Psychiatric Assessment in the PSR by the Probation Officer:

The probation officer considers the findings in the psychological/psychiatric assessment in accordance with the Community Corrections policy for psychological and psychiatric assessments in Pre Sentence Reports, which requires that the Pre Sentence Report does not interpret or summarise the assessment report.

*Practices for the provision of Crown information to Community Corrections vary. In some locations it is received from the Crown Counsel Office. In other locations, Community Corrections obtains it on their own by reviewing files at the Crown Counsel Office or by accessing JUSTIN.