

Abstract

This report concerns the number and length of psychiatric measures resulting from convictions handed out in 2023.

Number of convictions leading to psychiatric measures and the proportion of these psychiatric measures with no maximum time period

- 689 convictions leading to psychiatric measures were handed out in 2023. The convictions were imposed on 687 persons as two persons received convictions leading to psychiatric measures more than once.
- In 2023, the number of convictions leading to psychiatric measures was at its lowest since year 2009.
- In 2023, about half of the convictions leading to psychiatric measures (52 per cent) was without a maximum time period specified.

Mental state of persons convicted and maximum time of the psychiatric measures

- 67 per cent of the convictions leading to psychiatric measures handed out in 2023 were imposed on persons with a mental illness, as described in section 16(1)(i) and section 68 of the Danish Criminal Code (*straffeloven*). 20 per cent of the convictions were imposed on persons with an intellectual disability, as described in section 16(1)(ii) or section 16(2) and section 68 of the Criminal Code, and 13 per cent were imposed on *intellectually or mentally inadequately* developed persons, etc., see section 69 of the Criminal Code. Furthermore, one case concerned a temporary abnormal mental condition due to the consumption of alcohol or other intoxicants, see section 16(1)(iii) and section 68 of the Criminal Code.

Maximum time and nature of psychiatric measures

- Of the psychiatric measures involving or providing an opportunity for e.g. hospitalisation or admission to an institution, no maximum period of the measure was specified in 53 per cent (persons with a mental illness), 56 per cent (persons with an intellectual disability) and 49 per cent (intellectually or mentally inadequately developed persons, etc.) of the cases.

Maximum period of retention of intellectually or mentally inadequately developed persons, etc.

- Convictions leading to psychiatric measures imposed on intellectually or mentally inadequately developed persons, etc., which involve or provide opportunity for e.g., hospitalisation or admission to an institution, must specify a maximum period of the residence, in general not exceeding one year. This is the case in 89 per cent of these convictions leading to psychiatric measures. Such requirement of a maximum period does not apply to persons with a mental illness and persons with an intellectual disability.



Nature of offence and mental state of persons convicted

- Convictions leading to psychiatric measures most frequently concern violence and threats against public officials followed by threats, simple assault and aggravated assault.

Convictions leading to psychiatric measures that are ongoing

- As of 31 December 2023, 3,830 convictions leading to psychiatric measures handed out after 1 July 2000 were ongoing. About two-thirds of these convictions concerned persons with a mental illness, about one-fifth concerned persons with an intellectual disability and about every tenth concerned intellectually or mentally inadequately developed persons, etc.

Length and type of termination of psychiatric measures

- There are certain indications that the length of convictions leading to psychiatric measures handed out in recent years has increased compared with those handed out during the first years of the period in question. However, there is greater uncertainty of the results in the beginning of the period. Convictions terminated after no more than five years are more frequently terminated by a court order than by a new sentence or due to expiry of the maximum period.

Convictions leading to psychiatric measures in Greenland and on the Faroe Islands

- In Greenland, nine convictions leading to psychiatric measures were handed out in 2023. The convictions were imposed on five persons with a mental illness and four persons with an intellectual disability.
- On the Faroe Islands, five convictions leading to psychiatric measures were handed out in 2023. The convictions were imposed on three persons with a mental illness, one person with an intellectual disability and one person who is intellectually or mentally inadequately developed.

