

## **Prevalence, nature and criminal prosecution of aggressive incidents in psychiatry**

### **Summary**

In psychiatry health care workers have to cope with a lot of violence. These aggressive incidents have led to a large amount of research, which mainly focuses on the prediction and prevention of violence. Nevertheless, the number of aggressive incidents is high. It also appears that a relatively small group of patients cause a majority of the violent assaults on wards and that these patients are responsible for most of the serious injuries. Efforts in the aggression management in this group of patients might reduce the amount of aggression substantially.

Especially for these patients who repetitively cause violent incidents (the threat of) prosecution could result in the prevention of future violence. Firstly, prosecution might have a deterrent effect since the violent patients (as well as their fellow patients) are confronted with the consequences of violent behavior. Secondly, with a conviction it might be possible to place an aggressive patient in a more secure facility with more intensive treatment options.

Literature research, however, shows that hardly any studies have been published on the practice of the prosecution of the aggressive psychiatric patients. The effect of (the threat of) prosecution has only been discussed in a few case studies. A possible judicial reaction starts with the report of the victim. Case studies do show that victims seldom report incidents to the police. And if they do report an incident, the judicial authorities are reluctant in investigating the incident and in prosecuting and convicting the patients. Although the possibility of seeking legal action against violent patients has hardly been studied, it seems that there is a lack of clear guidelines and policy: incidents are handled in divergent ways.

As a first step in the development of guidelines about the possible involvement of criminal justice, a systematic research on the prevalence and nature of violent incidents in psychiatry was carried out in the Netherlands. By means of a nationwide campaign, health care workers in psychiatry were approached and requested to fill in a questionnaire on their personal experience with violent incidents caused by patients. Possible consequences of these incidents, like injuries, medical treatment and sick leave were registered, as well as possible judicial reactions, like reporting to the police, prosecution and conviction. In this presentation, the first results of this study are presented. The hypotheses that only a tiny amount of all incidents are tried in court and that the selection of these incidents is quite arbitrarily, are discussed.

Harte, J.M., Leeuwen, M.E., van & Theuws, R. (2011). Prevalence, nature and criminal prosecution of aggressive incidents in psychiatry. In I. Needham, P. Callaghan, T. Palmstierna, H. Nijman & N. Oud (eds), *Proceedings of the 7th European Congress on Violence in Clinical Psychiatry*. Dwingeloo: Kavanah (in press). Summary (English).