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Published in:

Abstracts of the XXXIst International Congress on Law and Mental Health

Publication date:

2009

[Link to publication in Tilburg University Research Portal](#)

Citation for published version (APA):

Bleeker, C., & Oei, T. I. (2009). Mental disorder in elderly offenders in the Netherlands. In *Abstracts of the XXXIst International Congress on Law and Mental Health* (pp. 24-24). Unknown Publisher.

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6.2. Mental Disorder in Elderly Offenders in the Netherlands

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Introduction: In the Netherlands, criminality in the elderly used to be low, with few first offenders or recidivists. Punishments tended to be alternative or light prison sentences, resulting in very few elderly persons in detention. Over the last decade, the aging of the population coincided with a more than expected increase of elderly perpetrators. This study looks at the contribution of impaired mental functioning to this increase.

Materials and methods: In the Netherlands, persons with suspected or apparent mental disorder, who are under pre-trial investigation or in prison, are assessed by the national Institute for Forensic Psychiatry and Psychology. Assessments of all 2962 elderly offenders and 57 elderly patients of the national crisis intervention facility in the period 2000-2007 were analysed based on age, sex, type of crime, mental disturbance, DSM-IV classification, and ability to stand trial.

Results and conclusions: In the Netherlands, the number of elderly offenders assessed increased gradually over the last 8 years. There are strong associations between age, sex, and type of crime. The prevalence of mental disorder is high, as it is in younger criminals. The great majority of the elderly offenders assessed are found fit to stand trial, but often the judge is advised about treatment and alternatives to imprisonment in case the defendant is found guilty. Organic mental disorder results in being transferred to mental healthcare facilities.