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The need of establishing a Special Medical
Institution for Forensic Patients in Albania

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|---|----|
| Addressing Forensic Psychiatric Care: CPT Review and Recommendations on the Closure of Zaharia Facility in Albania | 03 |
| <hr/> | |
| Toward Forensic Mental Health Reform in Albania: Aligning with EU Standards and Addressing Human Rights Concerns | 04 |
| <hr/> | |
| Comparative Analysis: Implementing Forensic Mental Health Reforms in Albania Through the Lens of the Italian Model | 07 |
| <hr/> | |
| Conclusions | 10 |
| <hr/> | |
| References | 12 |

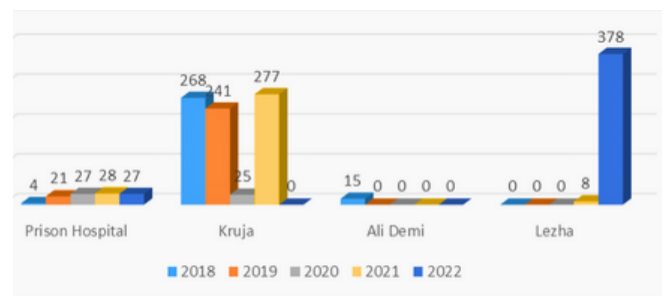
Addressing Forensic Psychiatric Care: CPT Review and Recommendations on the Closure of Zaharia Facility in Albania

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereafter referred to as CPT) carried out the latest periodic visit to Albania from 4 to 15 May 2023, with the primary reason on reviewing Albania's progress in implementing recommendations previously issued by the Committee following prior visits. Particular attention was paid to the treatment and conditions of detention of persons in police custody and of inmates in several prison establishments. The CPT delegation also reviewed the situation of forensic psychiatric patients and prisoners with a mental disorder and examined, for the first time in Albania, the treatment of adult residents with intellectual disabilities in social care institutions.[1]

CPT's long-standing recommendation on the transfer of all forensic patients to a proper forensic psychiatric facility[2] were reiterated again. After more than 20 years of recommendations and remarks, the closure of a facility long criticized and deemed obsolete, namely the Penitentiary Institution of Zahari, Kruja, was finally executed by virtue of the Decision of the Minister of Justice. After the fulfilment of international recommendations, but also in pursuit of the obligations of the

Albanian state, the General Directorate of Prisons cooperated with the Ministry of Defense regarding the transfer of 307 citizens under medical measures of "Compulsory treatment" from the Penitentiary Institution of Kruja to the Penitentiary Institution of Lezha on 27.11.2021-28.11.2021 as a transitional phase, preceding their eventual placement within an institution fully equipped to the specific needs of these individuals, under auspices of the Ministry of Health and Social Protection.[3] However, it remains overcrowded and conditions in its forensic psychiatric facility need to be brought up to a satisfactory standard. Efforts are also needed to increase the number of staff and their competence.[4]

Graphic 1 - Number of forensic patients in each institution from 2018-2022[5]



Statistics, on the other hand, depict a continual annual increase in the number of forensic patients, yet no analysis has been conducted to investigate this surge. The question at hand persists to be whether the prevalence of mental health and other disorders is increasing within the population, or are the court decisions failing to be appropriately issued? These phenomena need to be studied further and analyzed by the institutions.

Albania has taken measures for the closure of Zaharia and transferring the forensic patients in Lezha sections dedicated to them, but this is a transitory phase. Adequate and final solution have to be undertaken to overcome this long stand problem.

Toward Forensic Mental Health Reform in Albania: Aligning with EU Standards and Addressing Human Rights Concerns

Recently, an event akin to force majeure has emerged: the starting of the negotiations and the screening process, as Albania aims to become part of the EU family. The government needs to fulfill their duties foreseen in the roadmap and priorities, including “the obligation for the establishment of a special medical institution for forensic patient”, which originates from long standing CoE /CPT recommendations and EU Commission recommendations for Chapter 23 “Judiciary and Fundamental Right”, part of Cluster 1 - Fundamentals. Albania started the process of negotiations on 19 July 2022, immediately after the Intergovernmental Conference, and negotiations on the fundamentals will be opened first and closed last, following a specific procedural protocol.

With the opening of the negotiations, the screening process has been carried out jointly by the Commission and Albania, a process that allows the latter to familiarize itself with the acquis and, subsequently, to indicate its level of alignment with EU legislation and outline plans for further alignment. As a precondition to be part of the big European family, specifically for

the rights of detainees, including here the forensic patients, Albania must align its proper legislation with the relevant EU acquis as follows[6]:

- Article 4, Charter of Fundamental Rights of the European Union "Prohibition of torture and inhuman or degrading treatment or punishment “is fully aligned with Albanian legislation through the Article 25 of the Constitution; Articles 86, 87, 250 and 252 of the Criminal Code; the Criminal Justice for Children Code.
- European Convention on Human Rights and its supplementary protocols is ratified with Law No. 8137, dated 31.7.1996 “The Convention for the Protection of Human Rights and Fundamental Freedom”.
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is ratified with Law. No. 7727, dated 30/06/1993 “European Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”, Law No. 9094, dated 03.07.2003 “On the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)”, Law no. 78/2020, “On Organization and Functioning of the Probation Service”, Law no. 79/2020, “On the Execution of Criminal Decisions”, Law no. 80/2020, “On Prison Police”, Law no. 81/2020, “On the Rights and Treatment of Convicts with Imprisonment and Pretrial Detainees”.
- The Optional Protocol of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is ratified with Law. No. 7727, dated

30/06/1993 “European Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”, Law No. 9094, dated 03.07.2003 “On the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)”, Law no. 78/2020, “On Organization and Functioning of the Probation Service”, Law no. 79/2020, “On the Execution of Criminal Decisions”, Law no. 80/2020, “On Prison Police”, Law no. 81/2020, “On the Rights and Treatment of Convicts with Imprisonment and Pretrial Detainees”.

- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment is ratified with Law no. 8135, dated 31.07.1996, “On the Accession to the ‘European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment”, Law no. 81/2020, “On the Rights and Treatment of Prisoners and Detainees”, Law no. 7895, dated 27.01.1995, “Criminal Code of the Republic of Albania”, as amended, Law no. 9887, dated 10.03.2008, “On Personal Data Protection”, Law no. 80/2020, “On Prison Police, Law no. 79/2020, “On the Execution of Criminal Decisions”, Council of Ministers’ Decision no. 209, dated 06.04.2022 “On the Approval of Prisons’ General Regulation”, Law no. 9069 dated 15.05.2003, “On the Military Police in the Armed Forces”, Law no. 8432, dated 14.12.1998, “On Asylum in the Republic of Albania”, Law no. 79/2021 “On Foreigners”

- Rec (2006)13 of the Council of Europe on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse is fully aligned with Albanian legislation through the Law no. 37/2017, “Criminal Justice for Children Code”, Law no. 44/2012 “On Mental Health” (Articles 28 and 29), Law no. 7895, dated 27.1.1995, “Criminal Code of the Republic of Albania”, as amended, Law no. 79/2020, “On the Execution of Criminal Decisions”, Law no. 80/2020, “On Prison Police”, Law no. 81/2020, “On the Rights and Treatment of Convicts with Imprisonment Sanctions and Pretrial Detainees”, Decision of the Council of Ministers no. 233, dated 17.04.2019, “On the determination of special regulations related to the functioning of environments, their security level and the standards of education and rehabilitation programs, in cases of restriction of the freedom of minors”, Decision of the Council of Ministers no. 209, dated 06.04.2022 “On the Approval of Prisons’ General Regulation” (Articles 2 and 84), Decision of the Council of Ministers no. 201, dated 13.03.2017, “On the Salary Scheme of Prison Police Staff”, Order of the Minister of Justice no. 519, dated 08.09.2021, “On the Approval of the Disciplinary Scheme of the Prison Police”, Order of the Minister of Justice no. 409, dated 19.07.2021, “On the Approval of the Code of Ethics and Professional Conduct for the Prison Police”, Order no. 457 of the Minister of Justice, dated 31.12.2020 “On detailed Rules on the Design, Development and

Implementation of the Individual Treatment Plan", Order of the Minister of Justice no. 458, dated on 31.12.2020, "On detailed Rules regarding Criteria, Procedure and the Evaluation Report".

- Rec (2006)2 of Council of Europe on the European Prison Rules (49-101) is partially aligned with Albanian legislation through the Law no. 10 019, dated 29.12.2008, "Electoral Code" as amended (Article 44), Law no. 37/2017 "Criminal Justice for Children Code", Law no. 44/2012 "On Mental Health" (Articles 28 and 29), Law no. 79/2020, "On the Execution of Criminal Decisions", Law no. 80/2020, "On Prison Police", Law no. 81/2020, "On the Rights and Treatment of Convicts with Imprisonment Sanctions and Pretrial Detainees" Law no. 10 019, dated 29.12.2008, "Electoral Code", as amended, (Article 44), Law no.37/2017, "Criminal Justice for Children Code", Law no. 44/2012 "On Mental Health" (Articles 28 and 29), Law no. 79/2020, "On the Execution of Criminal Decisions", Law no. 80/2020, "On Prison Police", Law no. 81/2020, "On the Rights and Treatment of Convicts with Imprisonment Sanctions and Pretrial Detainees".

The necessity of establishing a special medical institution for forensic patients in Albania is not only linked with the fundamental rights principles and procedural requirements, but is also underscored by a European Court of Human Rights decision, case of Strazimiri vs. Albania (application no. 34602/16) that the judges held, unanimously, that there had been violation of Article 3 (inhuman and degrading treatment) of the European Convention on Human Rights (ECHR) "due to the cumulative effect of the deterioration of the living

conditions in the Prison Hospital [...] and the insufficient psychiatric and therapeutic treatment administered to the applicant at the Prison Hospital", as well as a violation of Article 5 § 1 (unlawful deprivation of liberty) of the ECHR, due to a number of deficiencies (such as the failure to consider alternative means of placement outside of penal facilities, for example, in a civilian mental health facility; lack of an individualized treatment plan; lack of therapeutic treatment other than pharmacotherapy; lack of a therapeutic environment). The Court further indicated, under Article 46 of the ECHR, that the Albanian authorities "should expeditiously take the necessary measures of a general character in order to secure appropriate living conditions and the provision of adequate health care services to mentally ill persons who are subject to deprivation of liberty on the basis of a court-ordered compulsory medical treatment", and that they "should create an 'appropriate institution' by refurbishing existing facilities or building a new specialized facility for housing persons like the applicant with a view to improving their living conditions.[7]

The case concerned the detention of the applicant, Arben Strazimiri, who had been exempted from criminal responsibility on account of mental illness, instead of placement in a medical institution, he was detained in prison. According to the both the courts and prosecuting authorities, it was not unlawful to house individuals like Strazimiri in facilities adapted to their needs, such as the special wing of Tirana Prison Hospital, until specialized facilities for mentally ill individuals exempt from criminal responsibility were established and court-ordered medical treatment was provided. The Court found in particular that there had been a longstanding failure by the Albanian

authorities to set up a special medical institution for the mentally ill who were deprived of their liberty on the strength of court-ordered compulsory treatment. That was in breach of its domestic statutory obligations, and pointed to a structural problem.

Particular attention needs to be paid also to the rise of detention, not only finding and offering appropriate solutions and services to the forensic patients, but also the causes that rise detention, where different studies show that is related with socio-economic factors, economic hardship, reduced social support, demographic change, job loss, increasing psychiatric morbidity, and increasing drug and alcohol use in the population. Studies indicate that offenders with a mental disorder have a higher risk of recidivism than individuals who commit an offense but do not suffer from a mental disorder [8]. Thus, the management of offenders with a mental disorder following their release from prison is of importance to society. There are, moreover, cogent reasons for making use of outpatient forensic mental health facilities; these include safeguarding the population from future crimes, reducing the need for inpatient psychiatric beds and reducing financial and social costs [9]. Because the rates of mental illness may vary between different countries [10], country-specific research is necessary.[11]

Comparative Analysis: Implementing Forensic Mental Health Reforms in Albania Through the Lens of the Italian Model

In Albania, insufficient research has been conducted over the years, leading us to consider and reference the Italian model for our research due to the lack of local sources and studies available. Italy, a neighboring country, did not have an easy transition, since the closure of Psychiatric hospitals in 1978.

Referring to the historical context in 2014, the Italian government approved a law to definitively close the prisons (OPG, Ospedale Psichiatrico Giudiziario, meaning Judiciary Psychiatric Hospital) that were used to host and treat psychiatric patients who had committed crimes and were considered “Not Guilty by Reason of Insanity”. New facilities, the REMS, were built for the patients who were discharged by the forensic hospitals and the new patients who were sentenced to a security measure by the Criminal Code.

The Law no. 81, approved by the parliament concluded a legislative reform which aimed to change the treatment of mentally ill people, who had committed a crime and, during or after the trial, had been judged to be Not Guilty by Reason of Insanity (NGRI) and considered socially dangerous [12]. According to the Criminal Code, a person NGRI cannot be sentenced to prison but the Judge can apply, on the degree of dangerousness, a security measure to be served inside an Ospedale Psichiatrico Giudiziario (OPG). The Criminal Code states that a person who has committed a crime must be free in his/her will; therefore, only mental illness can cause a person the loss, or a reduction of, the freedom of understanding and choice of the best opportunity for him/her.[13]

The specific mental illness should be defined inside the text of psychiatric classification as, for example, the ICD-9CM or DSM referred to Psychosis 290- 299, and organic psychotic conditions. As such, this means that a behavior by itself, such as “dominant behavior”, cannot be used as an entry criterion for receiving a security measure or forensic treatment by the Court. Instead, a mental disorder has to be diagnosed according to the aforementioned internationally accepted standards, and the institutions in Albania have to adopt such standards if they want to progress on this issue. It is necessary to remember that in Italy all the psychiatric hospitals for the mentally ill were closed after the Law no. 180/78. This law led to the complete abolition of asylums at the end of 1999. The first step of the reform of the forensic system was a bill that was approved in 2008, aiming to attribute the care for detainees inside all the prisons to the National Health System.

The main changes that the Italian Law 81–2014 defined:

I. 2015-03-31 was the last day for closing all the OPGs in the country, after this date admissions were stopped in the OPG and gradually determined the discharge of all the patients. The government had the obligation to build new facilities for the treatment of NGRI, provided by the National Health System, called Residence for Execution of Security Measures (REMS);

II. the security measure inside the REMS cannot last longer than the maximum prison time provided in the Criminal Code for the same crime;

III. the judge can apply a security measure outside the REMS (freedom under prescription) if the General Psychiatrist Service processes a therapeutic and rehabilitative individual plan.

IV. government approved the Law no. 09–2012 that planned the building of a system of therapeutic residences, managed by health and psychiatric personnel, and overseen by the Ministry of Health, without guards or police from the Ministry of Justice.

Since 2014, the administrative districts of Italian countries, the Regioni, planned to build new facilities for Not Guilty by Reason of Insanity patients and in these residences in which the security measures can be applied. It is important here to state that the REMS have mainly health personnel, which are qualified according to the specificities of the patients and categories of the ICD-9CM or DSM as international standards indicate, and the security is limited to the perimetric border of the residence, and mostly is recommended nonphysical security but making use of technological systems and tools. Referring to the Italian reform the shift of the practices, laws and the institution for forensic patients should be under the authority and management of the Ministry of Health and Social Protection, as the main aim of these institutions is to provide health care and treat the mentally ill patients and not just isolate them from the society. Furthermore, this must not be the only solution and approach for forensic patients. Community facilities, therapeutic residences or centers, familiar or domiciliary treatments must be taken in consideration while undergoing this reform, like decentralization process and rehabilitation of them into the society.

The process for the construction of REMS in Italy was slow but progressively steadfast, and there are more than 30 REMS distributed throughout Italy. Through a ministerial decree one REMS must provide 20 beds as maximum number and a mandatory therapeutic and rehabilitative plan for each patient. The general psychiatry has the obligation to take care of their patient and work for a quick discharge so the patients can be treated in the community services. Coming back to Albanian opportunities, a deep SWOT analysis can be done through a comparative study with the Italian reform in order to overcome the deficiencies of the system, which the Italian government faced.

A complete report about REMS was published in the Italian Criminology Review which showed that at the end of 2018 there were 629 people inside the REMS, 357 of them had a definitive security measure and 249 a temporary measure waiting the trial, 46,2% had an Individual Therapeutic and Rehabilitative plan, defined as acronym PTRI. From April 2015 to June 2019, 1580 patients have been admitted to the REMS and 65% of them were discharged[14]. The study presents that a large number of therapeutic measures for these patients were successful, leading to their discharge from the REMS and the option to continue the treatment inside a community service. On the other hand, over 400 patients, who have been subjected to a security measure by the Judge, are still awaiting admission to a REMS, as they are fully occupied and unable to accept more individuals beyond the maximum capacity of 20 beds. To prevent future bed capacity shortages, it is essential to ensure that the planned new forensic facility in Albania has a satisfactory number of beds.

There could be different explanations for this, including:

I. the initial bed allocation within the REMS was inaccurate, highlighting the requirement for additional beds to prevent individuals classified as socially dangerous from awaiting admission to the REMS;

II. there is an increased number of security measures applied by the Judges;

III. the discharge of the patients by the REMS is too slow and the patients stay inside the REMS longer than the actual time they need;

IV. the facilities of general psychiatry do not accept individuals, who have been sentenced to a security measure of “libertà vigilata”, a special measure provided inside the Criminal Code; it means “freedom under prescriptions”, given by the judge. In this way, these patients, who are deemed to not be highly dangerous, are consequently sent to the REMS;

V. the main principles of the reform detected by the Law 81–2014 have not been completely accepted and included in their goals by the mission of the general psychiatric services.

All the prisoners are vulnerable to a certain degree and certain prisoners could be more vulnerable as while suffering their sentence, experience lack of social, mental and rehabilitative services offered in prisons. This could affect them mentally and cause further disorders. All the conventions, international principles and European standards state that the imprisonment should be the last resort for all offenders, and ensuring the protection of human rights of vulnerable prisoners is a requirement of universally accepted standards. It is the responsibility of the state to guarantee such standards and create safe environments and provide necessary service for its citizens.

A new law should be adopted on protecting the health condition of persons with intellectual physical or mental disabilities and the new forensic institution should be established urgently to fulfill the international and European standards regard the treatment of mentally ill persons in conflict with the law.

The Italian reform had both pros and cons but it can be a good lesson for us. Through the reform, the system of REMS could be considered a breakthrough in different aspects, mindset, norms, laws, and the way of treatment from OPG to REMS was a positive shift and change. REMS provided better treatment for patient and they could also benefit from holistic psychiatric care (proper therapies, methods, programs and specific treatment for each patient through an individual plan).

Individual and group psychotherapy, psycho-education, recovery oriented programs and, last but not least, they benefit from better living conditions inside a sanitary environment[15].

In summary, Italy arranged that the same system is adopted for the treatment of mentally ill people, whether or not they have committed a crime. This means one system for all citizens who suffer psychiatric illnesses or disorders.

As per the deinstitutionalization process it was almost achieved as the REMS are locked facilities but they do not have the same characteristics of the psychiatric hospitals or the prisons, like it was before the Law no. 81/2014. Different reports and studies showed that REMS did not foresee enough capacity, so when all the REMS are full and cannot admit new patients, they are transferred inside a prison, sometimes they stay inside non-forensic general psychiatric units, sometimes they stay free at their home, or finally, in some cases, they cannot be found because they have run away or are missing. In all of these situations, the cases are a threat as no proper medication or treatment is offered in these units and sometimes, they are a threat for themselves and society in general. While establishing a special unit/institute for forensic patient in Albania, the accommodating capacity need to be taken in consideration.

The REMS are facilities for psychiatric treatments, parallel as would be here the forensic institute and the personnel, the internal staff, would be responsible for their treatment, but as for the patient's social dangerousness degree, the police agencies should be responsible as it is a judicial concept and the public security agencies should deal with it. So, the cooperation is fundamental even in Albania once the institute will be established. The personnel, internal staff has to be from the Ministry of Health and just the security perimeter can be under the

responsibility of the Ministry of Justice or Ministry of Interior.

One lesson learnt from Italy could be the need of a full synergy of the forensic expert, who has expertise about the capability and dangerousness and the cooperation with general psychiatrist, to provide a detailed and specific clinical file, because in different countries these two professionals provide different clinical files which may create conflict while implementing the judicial order.

Establishing the "full integration between the mental health services in the territory and the judicial order" is fundamental and, in particular, for the judicial bodies to have a thorough knowledge of the therapeutic and rehabilitative units/institutions that offer these services in the territory, ensuring the judicial body, from the first moment of contact with the mentally ill offender to make decisions – a useful and aware choice of the measures that can be concretely adopted to deal with the social danger giving priority importance to the needs of care and social inclusion.

Albania, an aspiring country and in the mid process of EU negotiations need to respect the constitutional relevance of the ECHR in domestic law, as the position of ECHR in national legal orders have a clear impact on domestic law, as they impose obligations on States parties and deal with the relations between the State (and its public authorities) and private actors and individuals.

We have made reference here to the case of *Strazimiri vs. Albania* where Chamber judgment[16] in the case the European Court of Human Rights held, unanimously, has concluded that there had been: a violation of Article 3 (prohibition of inhuman or degrading

treatment) of the European Convention on Human Rights because of inadequate living conditions in the prison hospital where Mr. Strazimiri was detained and insufficient psychiatric care, and violations of Article 5 §§ 1, 4 and 5 (right to liberty and security/ right to have the lawfulness of detention decided speedily by a court/enforceable right to compensation), in particular because of his continued deprivation of liberty in a prison rather than a medical institution and because his appeal against his detention had been pending before the Supreme Court since 2016. The Court found in particular that there had been a longstanding failure by the Albanian authorities to set up a special medical institution for the mentally ill, who were deprived of their liberty on the strength of court-ordered compulsory treatment. That was in breach of its domestic statutory obligations, and pointed to a structural problem. It also held under Article 46 (binding force and implementation) that the authorities should not only ensure that Mr. Strazimiri received psychotherapy, not just drugs, but also create an appropriate institution for those in his situation.[17] Particular attention also needs to be paid to the detainees, re-evaluated as mentally ill in order to benefit in achieving a milder sentence. Could this be the main cause of the increased number of forensic patients in the last years in Albania, where Judges re-evaluate the case? Deeper analysis and investigation are advisable.

These are some of the views put forward about this topic and the future direction of the Albania regarding forensic patients and the general reform that needs to be undertaken starting from the amendment of the internal laws and strategies, with an urgent call to establish the forensic institute with no more delay.

- [1] <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-cpt-carries-out-a-visit-to-albania>
- [2] See CPT recommendations 2018-2021
- [3] Response of the Albanian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its ad hoc visit to Albania from 23 to 26 November 2021
- [4] COMMISSION STAFF WORKING DOCUMENT Albania 2022 Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2022 Communication on EU Enlargement policy
- [5] Insights sourced from data collected by the General Directorate of Prisons
- [6] CONSTITUTION (article regulating the subject matter) LAW (+ no. of Official Gazette including any amendments with date of adoption and date of entering into force) DECISION OF COUNCIL OF MINISTERS (+ date of adoption and date of entering into force) ORDINANCE (+ date of adoption, date of entering into force and the name of the body that adopted the act) OTHER (Decisions, Instructions, Acts of Association and similar acts of different bodies regulating services with the date of adoption or publication in an official organ, the name of the organ, the date of entering into force and the name of the body that adopted the act) RESOURCE INSTRUMENT: Chap 23 Screening list analysis.
- [7] Report to the Albanian Government on the ad hoc visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 23 to 26 November 2021
- [8] For more see: Maier, Hauth, Berger, & Sass, 2016; See Wald & Fazel, 2012)
- [9] Nedopil & Banzer, 1996
- [10] See for example Maercker, Forstmeier, Wagner, Glaesmer, & Braehler, 2008, and Kessler, Sonnega, & Bromet, 1995 regarding the prevalence rate of PTSD
- [11] Effectiveness of forensic outpatients' psychiatric treatment and recidivism rates: A comparison study. Sandy Krammer, Alex Gamma, Hansjorg Znoj, Dorothee Klecha, Paola Signorini, Michael Liebrezn. 2020, page 1-2.
- [12] C. Di Lorito, L. Castelletti, I. Lega, B. Gualco, F. Scarpa, "The closing of forensic psychiatric hospitals in Italy: Determinants, current status and future perspectives. A scoping review", *Di Lorito et al., 2017, International Journal of Law and Psychiatry*, 55 (2017).
- [13] *Forensic Science International: Mind and Law*, 1 (2020), page 1-2
- [14] P. Pellegrini, C. Visentini, L. Tadonio, C. Pellegrini. *Residenze per la Esecuzione delle Misure di Sicurezza (R.E.M.S.) - AUSL Parma 2018*
- [15] L. Castelletti, F. Scarpa, F. Carabellese "Il trattamento comunitario del malato di mente non imputabile socialmente pericoloso: la prospettiva italiana", *Rassegna Italiana di Criminologia - 3/2018* (2018), pp. 182-189.
- [16] Under Articles 43 and 44 of the Convention, this Chamber judgment is not final. During the three-month period following its delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution.
- [17] ECHR Press release, issued by the Registrar of the Court ECHR 028 (2020) 21.01.2020