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June 3, 2008

The Honourable Rob Nicholson  
Minister of Justice  
284 Wellington Street  
Ottawa, ON  
K1A 0H8

Dear Minister:

We are very concerned with the recent stabbing in Toronto of Nicole MacDonald by an offender given an absolute discharge by the Ontario Review Board just six months earlier because, they said, "we cannot say that the accused continues to represent a significant risk to public safety."

We must ask you how it is that people, like Dabiri, who continue to endorse their persecutory delusions (he consistently maintained that he had been followed by Iranian and Canadian intelligence services and by the RCMP and CSIS and that these services were against him) and who also continually state they do not have a mental problem, can be deemed to no longer pose a significant threat to the safety of the public?

It is problematic that an absolute discharge was given to this offender instead of a conditional discharge. We believe that persons with serious, mental illnesses, especially those who have caused serious harm or death, must be closely monitored in the community for the remainder of their lives. Dabiri has proven again and again that he should not be a free man with no restrictions on him whatsoever.

We also question why the police cannot access information about this type of offender. We do not believe that it is appropriate for offenders given an absolute discharge to have nothing on their record.

Lastly, we do not believe it is appropriate that an accused cannot be ordered to submit to treatment over his or her objection. Why should someone who is not under the guidance of sound reason hold the power to refuse to consent to treatment? It is both illogical and dangerous.

We respectfully request that you consider reviewing Part XX.1 of the *Criminal Code* in order to better monitor any accused in respect of whom a verdict of not criminally responsible by reason of mental disorder or unfit to stand trial is rendered and the threat they may continue to pose to public safety.

Sincerely,

Heidi Illingworth  
Executive Director