

# DRUG TREATMENT COURTS IN CANADA





# agenda

- ▶ What is the CADTCP?
- ▶ History of DTC
- ▶ Key Principles and Models
- ▶ Evaluations
- ▶ Funding
- ▶ Community Partnerships
- ▶ The program – ins and outs
- ▶ Stigma & Cultural Competency
- ▶ Client Feedback
- ▶ Questions/Discussion



What are drug  
treatment  
courts?

WHY SHOULD THE JUSTICE  
SYSTEM BE INVOLVED?

# History of DTCs

- ▶ Strong need to slow down the revolving door
  - ▶ First court in Canada established in 1998 by Justice Bentley and Justice Barnes
  - ▶ Based on international models, principles established in Canada
  - ▶ Currently six federally-funded DTCs in Canada with many non-funded programs
- ▶ What are DTCs?
  - ▶ Why should justice be involved in treatment?



# Canadian Association of Drug Treatment Court Professionals

- ▶ The CADTCP is dedicated to the development of Drug Treatment Courts and the support of alternative Justice Models in Canada.
- ▶ Bringing together experienced professionals, the CADTCP works to raise public awareness and impact public policy to reflect the importance and necessity of Drug Treatment Courts. Our members know firsthand that Drug Treatment Courts save lives and save the health and justice system money. Our goal is to ensure that all Canadian Communities have access to effective and accountable Drug Treatment Courts. To achieve that goal, the CADTCP provides information and education that advances evidence-based standards and principles for Drug Treatment Courts.



# 13 KEY PRINCIPLES

1. Marriage of Treatment Services with the Court
2. Non-adversarial Approach to Decisions
3. Eligible Offenders are Identified Early
4. Treatment Services
5. Urine Testing
6. Incentives and Sanctions



# 13 KEY PRINCIPLES

7. Ongoing Judicial Supervision
8. Evaluation
9. Interdisciplinary Training
10. Partnerships with the Community
11. Importance of Case Management
12. Program Must be Flexible
13. Planning for After-Care

# Evaluations

- ▶ Critical piece to DTC program success
- ▶ If funding is being sought, evidence can be used to support those applications
- ▶ The lack of program funding for many DTCs nation-wide has created a challenge for upholding that particular principle
- ▶ Client feedback integral to program evaluation and improvement



# FUNDING

- ▶ Only six programs across Canada have been approved for federal funding.
- ▶ The issue of funding effects primarily the service providers and community partners

# Community Partners

## Case Worker

- Manages urine screens
- Assists with housing search
- Supports client for non-counselling issues

## Counsellor

- Addiction counselling
- Concurrent counselling

## Other

- Housing
- Worship
- Therapy dog

# Application Documents

Required application forms consists of:

- ▶ Waiver Form
- ▶ Application Form
- ▶ Crown Questionnaire
- ▶ After Plea Consent Form

# Process To Enter

The *DTC* receives applications from clients who have been charged with eligible criminal offences as previously mentioned

1. Referral
2. Crown screening
3. Preliminary DTC assessment
4. Pre-Meeting
5. In- Court Interview with the Presiding Justice
6. Meetings for the Week
7. 30 Day Probation

# Eligibility

The program cannot accept clients facing charges relating to:

- Break & Enter, into a residence, with the intention of committing an indictable offence;
- Other significant crimes of violence;
- Offences involving an intimate partner
- Offences alleging the Impaired operation of a motor vehicle;
- Trafficking in controlled drugs or substances, for a commercial gain
- Crimes against children

# Program Expectations

Specific expectations required of ALL participants:

- ▶ Honesty, Honesty, and Honesty
- ▶ Court Appearances
- ▶ Appointments
- ▶ Urinalysis

# Graduation Criteria

Typically, clients will exit the program as graduates, when they can demonstrate:

- Abstinence from ALL problematic substances, for a period of 90 days consecutive (as confirmed by regular urinalysis results, submitted in compliance with requirements)
- A stable and safe living environment, as approved by the program team;
- Regular participation in community-based civic engagement; for example,
  - paid or volunteer employment, attendance at support group meetings or other pro-social activities, to the satisfaction of the committee.
- No new charges in the three months prior to graduation

# Graduation

The criteria to graduate are as follows:

- ▶ At least three (3) months of urine screens that are negative for illegal substances;
- ▶ Successful participation and completion in the treatments, counseling and therapies recommended by the treatment providers;
- ▶ Stable housing; and,
- ▶ Stable employment or other form of social engagement



# Stigma

- ▶ A real concern for the clients
- ▶ Professional stigma through education
- ▶ Reducing stigma should be a priority for all participants in the program

# Culturally-Competent Counselling & Case Management

- ▶ Colonialism has created a distrust between mainstream service providers and the Indigenous community (residential schools, Indian hospitals, CAS apprehensions, etc.)
- ▶ There are certain cultural therapeutic practices that are not used by mainstream service providers (smudging, 4 medicines, circles, sweat lodge, cedar baths, etc.)
- ▶ Many Indigenous people feel a loss of identity or a disconnection from their culture due to intergenerational trauma and/or geographical displacement. Reconnecting with culture helps Indigenous people move forward and encourages community involvement.

# Client comments

- ▶ “Their approach to the whole situation is different... I think it was great that there was a program available to me that had people in that genuinely cared to see me do good.”
- ▶ “To have someone who cared to see me do well was the turning point. “
- ▶ “It is hard work, it’s extremely hard work, but the pay-off is incredible. You get your life back.”
- ▶ “You lose everybody. You don’t have anybody that trusts you, you don’t have anybody that cares about you... These total strangers that just know me from a piece of paper actually care to rewrite what’s written”
- ▶ “People actually care about you.”
- ▶ “I can do time standing on my head...this program is way harder but the payoff is much sweeter”
- ▶ “I’ve got my life back”
- ▶ “The judges actually believe in you even when you don’t believe in yourself”

Thank you

