

Community Justice Centres

**Ministry of the Attorney General
Criminal Law Division
HSJCC Meeting - 2018**



Overview

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III. Community Justice Centres (CJCs): An Opportunity for Change

- Proposed Framework for Ontario CJs
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Background

- In April 2017, Cabinet directed the Ministry of the Attorney General (MAG) to explore the potential development of CJs in Ontario and report back with recommendations in Fall/Winter, 2017. In particular, Cabinet directed MAG to conduct community needs assessments in Kenora, Toronto's Moss Park and London to determine whether a CJ could help improve the experience of vulnerable populations within the justice system and fill any existing service gaps in those communities.
- The CJ model is premised on the **co-location and integrated service delivery** of justice, health and social services in a community setting. By providing holistic, wrap-around justice, health and social services for vulnerable accused people and their communities, CJs are designed to improve outcomes by addressing the individual and community factors underlying criminal behaviour.
- CJs originated in Midtown New York in 1993. Award winning model is found in Red Hook, Brooklyn (2000). Today, there are approximately 70 CJs around the world. Each one is unique and tailored to the community it serves.
- CJs have contributed to: (1) reducing recidivism rates, including reducing the rates of violent crimes, (2) improving public safety and community well-being, (3) improving access and uptake of social and healthcare services, and (4) increasing confidence and trust in the justice system.

Community Justice Centres – Proven Outcomes

- CJs around the world have been evaluated and shown to improve outcomes for individuals, communities and governments:
 - **Reduced Recidivism:** In 2012, defendants whose cases were disposed of in Washington, D.C.'s East of the River Community Court and who were linked to services had a **60 percent lower reoffending rate while their cases were pending**, as compared to those whose cases were disposed without connection to services. In the year after successfully completing diversion, they had a **42 percent lower reoffending rate**.
 - **Cost Savings:** A 2013 Independent Evaluation of the Red Hook Community Justice Center demonstrated an **estimated savings of \$4,756 per defendant** in avoided victimization costs relative to similar cases processed in a traditional misdemeanor court. This amounted to **a total of \$15 million in avoided victimization costs**. After factoring the upfront costs of operating the CJC, **total resource savings in 2008 were \$6,852,477 and savings outweighed program costs by a factor of nearly 2 to 1**.

Community Needs Assessment

A community needs assessment is the first step towards designing a successful CJC

July / Aug First Forums

Kenora, July 31: 70 attendees; preceded by meeting with 7 Chiefs of GT3 including Ogichidaa Frances Kavanaugh, Grand Chief of Grand Council Treaty #3

London, August 2: 60 attendees

Toronto, August 10: 110 attendees

Aug / Sept Interviews and Focus Groups

Service Providers (e.g. mental health, addictions, shelters, hospitals, peacebuilders, housing, education, and employment)

Justice Partners (e.g. police, probation, jail, Criminal Lawyers' Association (CLA), Legal Aid Ontario (LAO), defence bar, duty counsel, Advocates Society, Law Society of Upper Canada (LSUC), Public Prosecution Service of Canada (PPSC))

People with Lived Experience (Changes Recovery, Soundtimes, N'Amerind Friendship Centre)

Indigenous Leaders and Service Providers (e.g. Ne-chee, Friendship Centre, Kenora Fellowship Centre, Kenora Chiefs Advisory, GT3, Aboriginal Employment and Training, Aboriginal Legal Services, Nishnawbe Aski Nation Legal Service, London District Chiefs Council, N'Amerind Friendship Centre, Nishnawbe Aski Nation)

Victim Support and Advocacy (OVS, VWAP, Kenora Sexual Assault Centre, Sunset Area Victim Services, Elizabeth Fry Society)

Sept / Oct Second Forums

Kenora, Sept 18: 70 attendees; preceded by meeting with 7 Chiefs from Treaty 3 and Ogichidaa Frances Kavanaugh, Grand Chief of Grand Council Treaty #3

London, Oct 3: 60 attendees, including 2 First Nation Chiefs [Chief Henry and Chief Stonefish]

Toronto, Oct 5: 140 attendees

Oct / Dec Cont'd Dialogue

On-going discussions with partner ministries, the PPSC, and policing services

On-going engagement with stakeholders and First Nations leadership, including NAN

Research into existing Indigenous justice models across Canada

Data Collection, Reports, Online Surveys

KEY FINDINGS: ACUTE NEED FOR RESTORATIVE AND INTEGRATED APPROACH TO VULNERABLE OFFENDERS

- There is strong support in all three communities for a CJC. The communities all reported that a **CJC model offers an opportunity to improve the delivery and quality of justice** and program supports for marginalized and Indigenous offenders in Ontario.
- The justice system – on its own - cannot address the underlying contributing factors of criminality. →
- The criminal justice system in Ontario is **struggling to address the high needs of vulnerable and marginalized individuals repeatedly cycling through the system**. The justice system is currently unequipped to use entry into the criminal justice system as an opportunity to address the underlying contributing factors of criminal behaviour. Many vulnerable offenders are falling through the cracks.
- Justice sector participants acknowledged that **short and sharp provincial periods of incarceration** for certain offenders is not optimally serving public safety and promoting community wellbeing.
- **Targeted and culturally-appropriate services are needed** to better address the complex factors that contribute to chronic offending. Conditions of release that require abstinence from drinking, drugs and contact are viewed as setting vulnerable people up to fail.

“We can’t arrest our way out of this.”

-Kenora OPP
Officer at CJC
Forum

KEY FINDINGS CONT'D

There is a need for integration of restorative and therapeutic justice practices with holistic, wrap-around services:

- The criminal justice system in Ontario is **struggling to address the high needs of vulnerable and marginalized individuals repeatedly cycling through the system**. The justice system is currently unequipped to use entry into the criminal justice system as an opportunity to address the underlying contributing factors of criminal behaviour. Many vulnerable offenders are falling through the cracks.
- Justice sector participants acknowledged that **short and sharp provincial periods of incarceration** for certain offenders is not optimally serving public safety and promoting community wellbeing.
- **Targeted and culturally-appropriate services are needed** to better address the complex factors that contribute to chronic offending. Conditions of release that require abstinence from drinking, drugs and contact can set up vulnerable people to fail.
- The community needs assessments found that a **CJC model could improve the delivery and quality of justice** and program supports for marginalized and Indigenous offenders in Ontario.

Snapshot of Moss Park's Needs Assessment

Poverty— Moss Park, in which less than 1% of Toronto's population resides, has:

- A median household income 28% less than the Toronto median;
- The highest number of shelter beds of any neighbourhood in Toronto; and,
- 2100 rent-geared-to-income housing units.

Police Activity— 51 Division has:

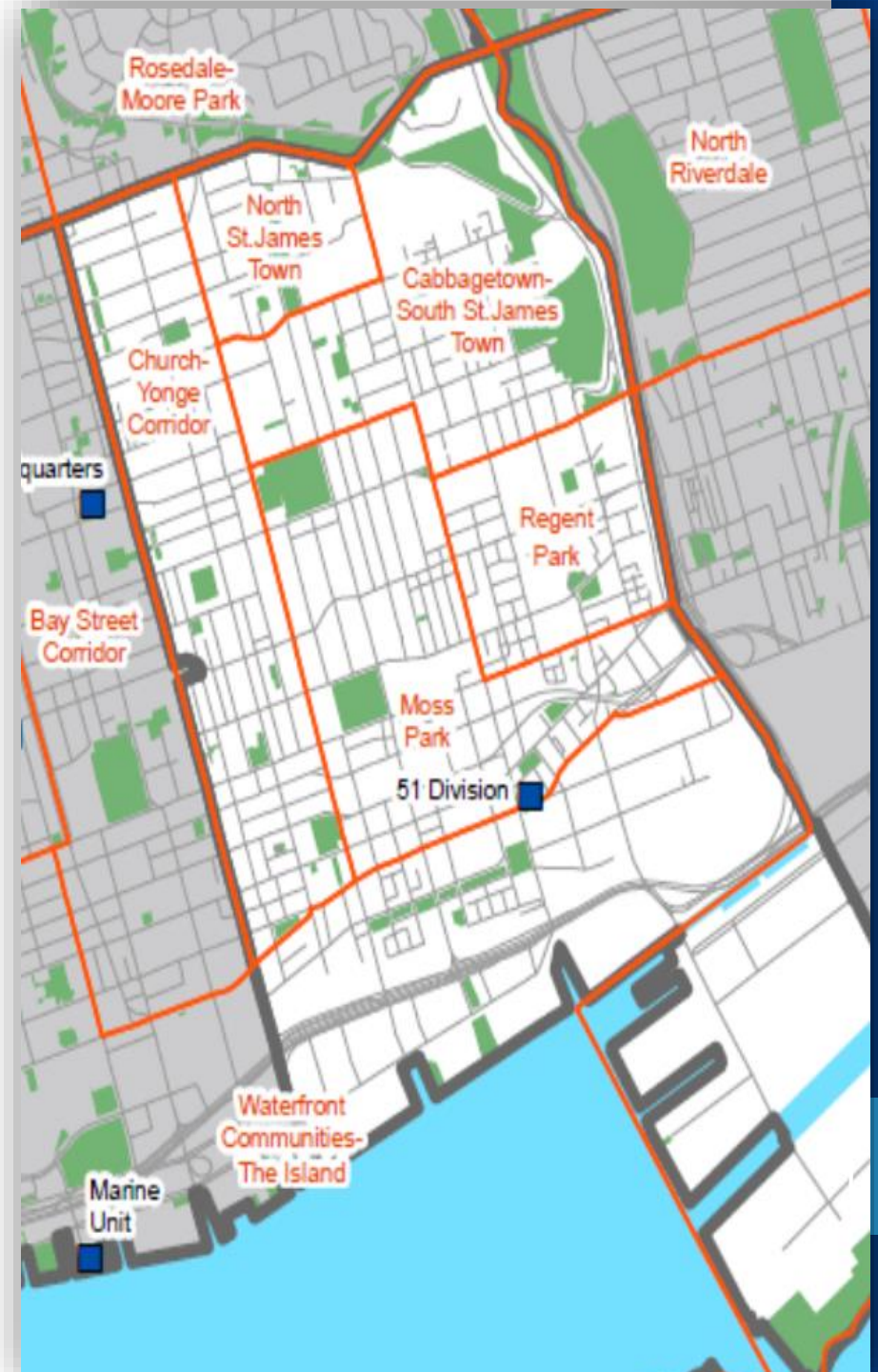
- An average of 37,000 calls for service annually, the highest of any TPS division (city average is 25,000);
- An average of 18,500 high priority calls for service annually, the highest of any TPS division (city average is 10,500); and,
- The highest rate of population adjusted major crime in the city.
- 63% of those arrested in 51 Division are held for bail (city average is 46%).

Mental Health & Addiction [MHA] Needs

- ED visits for MHA issues are 4x higher for residents of Moss Park than city average.
- Of those visits, 24% were by people living in homeless shelters in Moss Park.
- People with MHA issues often lose access to prescribed medications following arrest; rapid access to an on-site health care provider would assist in preventing decompensation.

Housing and Homelessness

- Approx. 10, 500 people currently on a waitlist for the 5000 units of MOHLTC-funded long-term supportive housing for those with MHA issues.
- Approx. 25% of those on the waitlist have current or recent involvement in criminal justice system.
- The lack of transitional and long-term supportive housing creates challenges upstream as persons using short-term mental health crisis beds (which have a maximum stay of 30 days) and detox beds are discharged into the emergency shelter system rather than supportive housing.



Snapshot of London's Needs Assessment

The City of London's criminal justice system is overburdened with a large number of low-level offences that arise within the city's Central London Area:

Within London, the focus area is a small, 9km² area in the downtown core that accounts for 48% of all arrests and 25% of all mental health/addictions service calls.

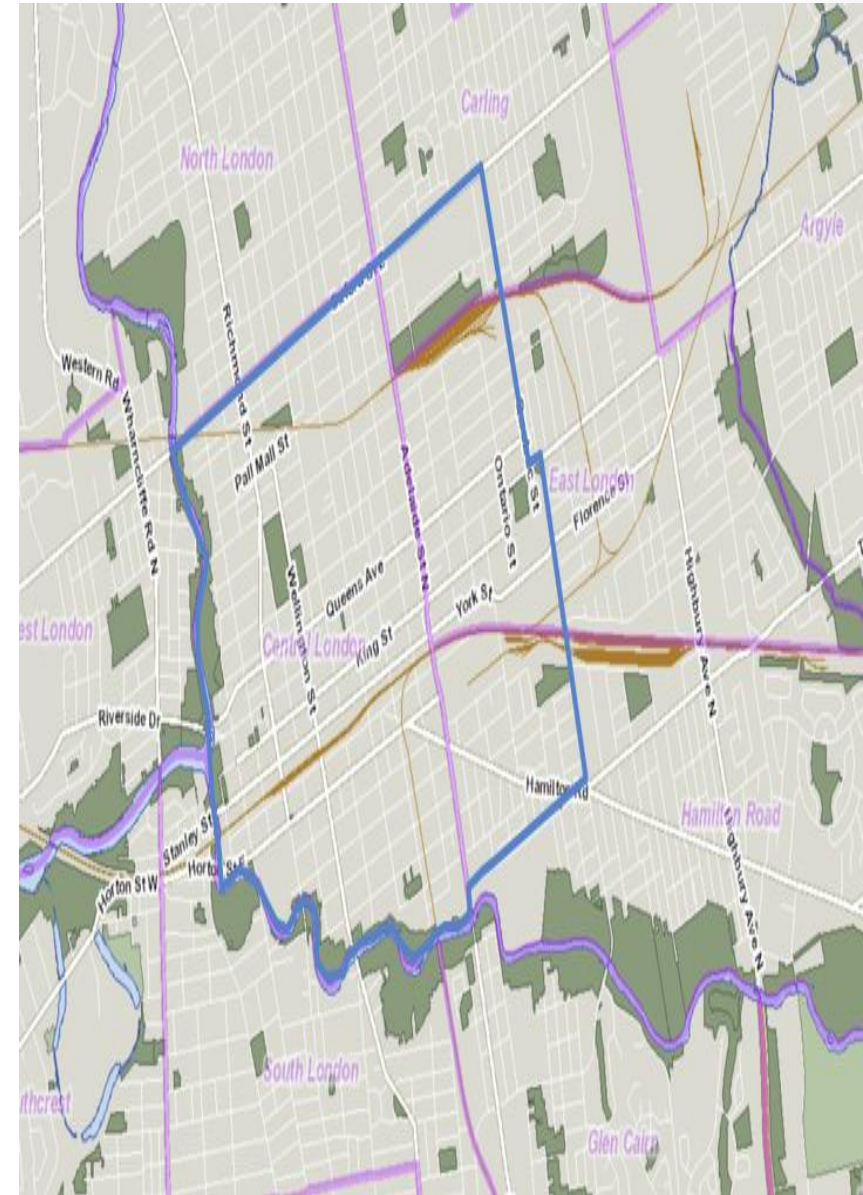
London has one of the highest rates of administration of justice offences in Ontario, which account for 58% of all charges laid.

Transitioned-aged youth between 18-25 years of age account for nearly one-third of all criminal arrests and charges in London.

Central London is facing critical challenges in providing access to affordable and appropriate housing, as well as mental health and addictions support services:

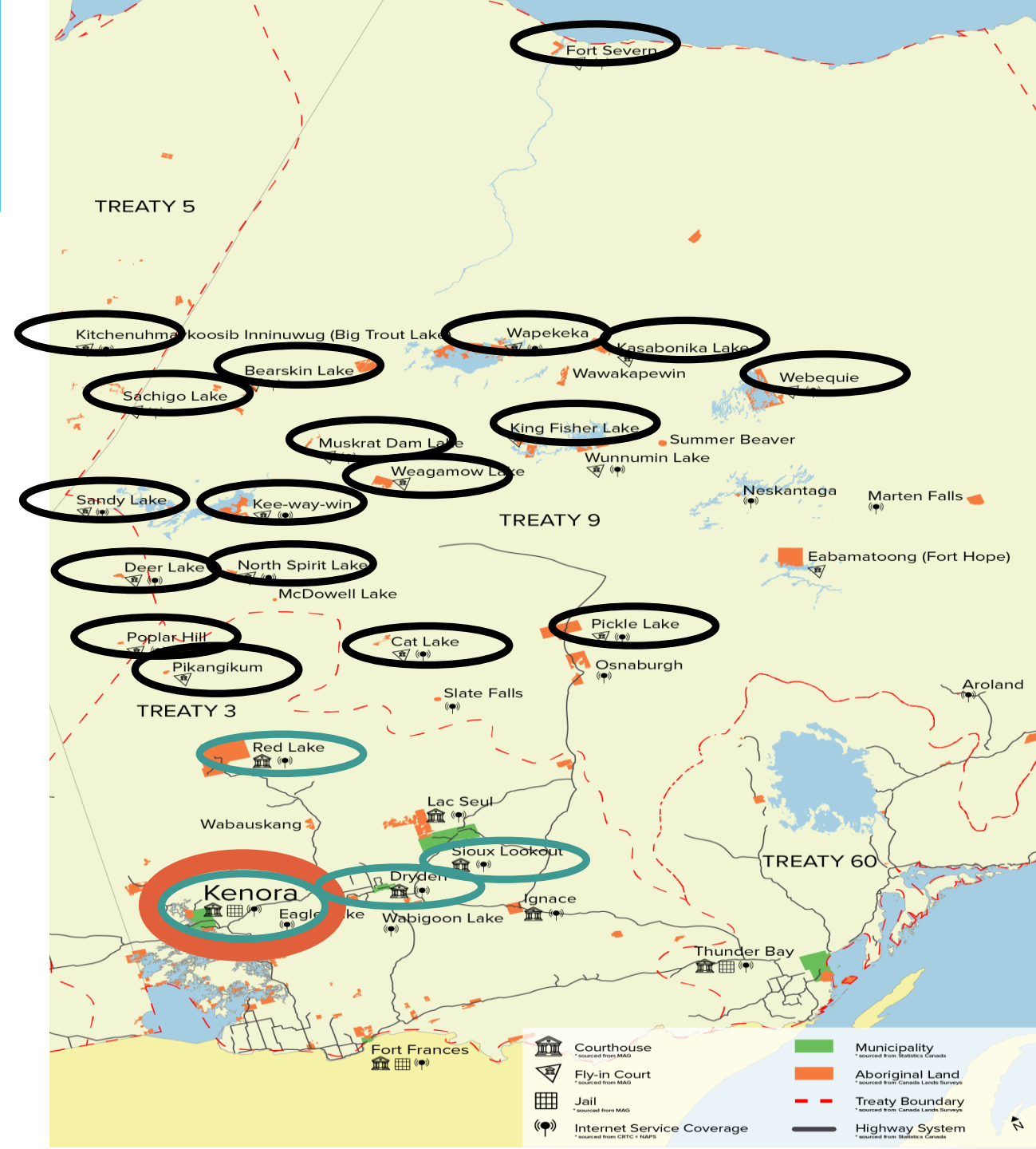
Poverty and Homelessness: London's 330 emergency shelter beds operated at 98% occupancy in 2016. Currently, 2400 people are on the waitlist for rent-geared-to-income housing. In addition, while only 7% of London's population resides in the focus area, it has 87% of London's emergency shelter beds, 15% of London's rent-geared-to-income housing, and a median household income that is 25% less than the city average.

Mental Health and Addictions Services: London lacks sufficient community services to address the significant and growing need for mental health and addiction services. Currently, London is facing a drug crisis. The number of opioid-related deaths is twice the provincial average. Despite this addiction crisis, London has no medically supervised detox beds and the Salvation Army's Centre of Hope non-medical detox facility often turns individuals away as it frequently operates at full capacity.



Snapshot of Kenora's Needs Assessment

- In 2016-2017, the Kenora courthouse received about 3,116 cases with only 507 representing serious crimes against the person (murder, major assault, sexual assault, robbery) and 1,057 administration of justice charges (fail to comply with order, breach of probation, fail to appear).
- In 2016, approx. 89.9% of individuals admitted to the Kenora jail self-identified as Indigenous.
- Young adults aged 20-24 years receive the highest number of charges.
- Flying people out of their communities to attend court in Kenora is costly. Improved access to video technology and developing a satellite hub in Sioux Lookout could help to reduce the transportation costs.
- Police see a lot of domestic violence, aggravated assaults, alcohol related crimes, and substance abuse. There has been an increase in property crime and violent crime in the last 18 months which may be attributed increased use of crystal meth in Kenora.
- Legal Aid is desperate for lawyers in Kenora.



CJCs – AN OPPORTUNITY FOR CHANGE

CJCs can help improve access to restorative, therapeutic and integrated justice in Ontario by:

- responding to some of the **TRC Calls to Action** through innovative, trauma-informed and culturally-appropriate approaches to criminal justice for Indigenous offenders;
- addressing the underlying social determinants of health that contribute to criminal behaviour;
- supporting marginalized victims of violent crime and ensuring improved access to **effective and survivor-centered supports when dealing with the justice system**;
- providing an **effective, efficient and rights-compliant approach** to concrete integration of justice, social and health services in one community location;
- promoting culturally-appropriate **healing and violence prevention programs**;
- building off the **therapeutic, restorative and integrated service strategies currently operating in justice and health contexts across Canada**.

Building on Success of Situation Tables

CJCs are a natural extension of the movement across Ontario and Canada towards integrated responses to community risk through Situation Tables, as well as the focus on integrated service delivery in provincial and local health planning.

Situation Tables have been evaluated and shown to positively contribute to community safety, access to services, reduction in crime rates/costs of crime and increased confidence in the administration of justice.



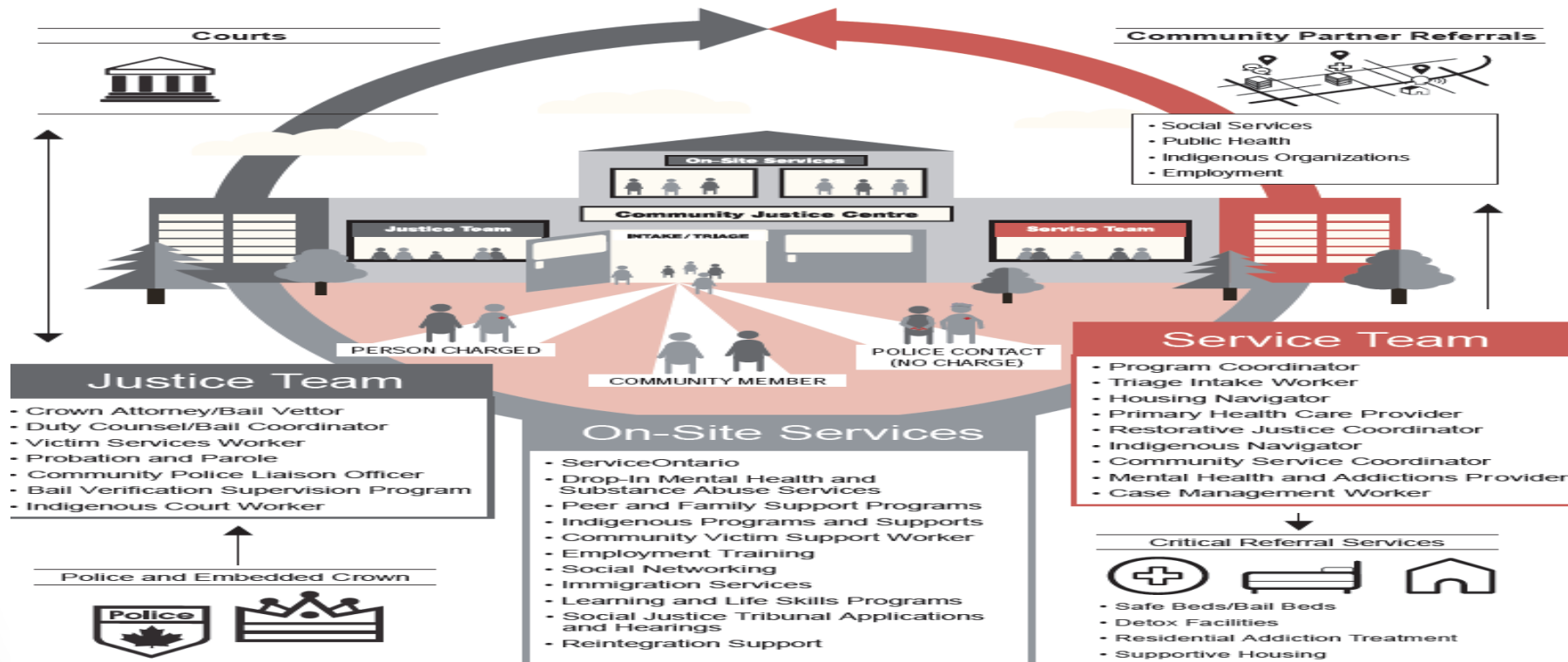
- **Prince Albert Situation Table:** Following creation of the Prince Albert Situation Table, violent crime rate was reduced by 37% between 2010-2014. **6 months after its creation, the Table was associated with** cost savings of crime in Prince Albert of \$400, 000/month beginning 6 months post-implementation.
- **Lanark County Situation Table:** Lanark County saw a substantial reduction in client calls to the OPP post-referral. For example, one individual called the OPP for non-criminal issues 32 times in 9 months – which included two months of incarceration. Police dispatch to these calls represents approximately \$10,000 in municipal costs. Post-referral, he made only 6 calls between December 2015 and early September 2016.

A Vision for Ontario

CHART 1.4

Community Justice Centres

A long-term vision for a community justice hub that provides:



Community Justice Centres: Vision for Ontario

- **Toronto-Moss Park – An Urban Community Health and Justice Centre** that focuses on improving the social determinants of health by promoting continuity of care. The CJC will focus on improving the social determinants of health through a therapeutic and harm-reduction approach and promote social cohesion through open access to on-site services by all community members.
- **London: A Youth-in-Transition Community Justice Hub (18-25)** that focuses on young adults entering the criminal justice system. It will respond to recent research that supports the use of tailored approaches for transitioned-aged youth - a priority population in system transformation activities. Investment in preventative interventions aimed at addressing mental health, substance use, education and employment for transitioned-aged youth provide greater impacts than at any other time during one's lifespan. London's transitioned-aged youth are in particular need.
- **Kenora: A Bi-Cultural Community Justice Centre** with parallel Criminal and Indigenous restorative justice processes – the first of its kind in Ontario. It will offer co-located Indigenous services/programs, and Indigenous Supports and Program Navigators and in so doing respond to the Truth and Reconciliation Commission's (TRCC) Call to Action to reduce the overrepresentation of Indigenous Peoples in custody. Opportunities to establish satellite hubs in Sioux Lookout and Timmins that would work with the Kenora justice centre to enhance services and access to restorative justice for Indigenous people in Ontario's far north will also be explored.

Cross-Government Support Central to CJC Initiative

- This shift towards a restorative and therapeutic approach for vulnerable offenders will increase the use of community-based and non-custodial dispositions that are shaped through shared information and expertise with partner health, mental health, addictions and social service providers.
- Given the likely increase in client referrals to and access of mental health, health and social service support in each of the communities, a systems planning approach is required across government to manage impacts on the funding, planning and delivery of affected services.
- MAG is working with partner ministries and local health authorities to:
 - Identify the concrete programs, services and funding mechanisms required to innovatively provide wrap-around services, targeted case management and sustainable off-ramps to vulnerable populations in contact with Ontario's criminal justice system;
 - Learn from local expertise in the service delivery standards and requirements for health, mental health, addictions and housing supports in order to determine human resource, facility and programming costs; and
 - Ensure cross-government support for the policy and associated fiscal requirements that will be critical to the success of the CJs going forward.

Key Policy Alignments with the CJC Model

MAG has consulted with the MOHLTC and MCSCS on numerous occasions throughout the needs assessment process and has received support in principle for the continued collaboration to develop an integrated service delivery model.

The Ministry of Health and Long-Term Care (MOHLTC) multi-year plan to fulfill the direction set out in ***Open Minds, Healthy Minds: Ontario's Comprehensive Mental Health and Addictions Strategy*** to transform the MOHLTC-funded mental health and addictions service system across the lifespan.

- Initiatives planned include implementing a core set of services to be available to all Ontarians, implementing data and quality initiatives and creating a funding allocation model.

New funding for mental health court support workers to a number of communities including Toronto, London and Kenora. The role and outcomes expected of the mental health court support workers aligns with the purpose of the CJs

The Ministry of Community Safety and Correctional Services (MCSCS) initiatives on Corrections Transformation and Community Safety and Well-being similarly align with the objectives and goals of CJs.

Project Status and Next Steps

Cabinet Decision

MAG directed to conduct community needs assessment in 3 sites
April 25, 2017

Inter-ministerial Collaboration
Oct – Dec. 2017

Ontario Budget Released (see: pgs. 47-49)
March 28, 2018

Local design and planning
Fall 2018-2020

June – Sept 2017
Community Needs Assessment

Completed in Kenora, Toronto and London. MAG worked with communities and consultants to develop tailored models.

Winter 2018
Report back to Cabinet

Report Back to Communities & Next Steps
April/May 2018