

The Right Honourable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2



December 13, 2011

Dear Prime Minister:

Re: Safer Streets and Communities Act (Bill C-10)

We are writing to you on behalf of the clients and partner organizations of the Provincial Human Services and Justice Coordinating Committee (HSJCC) in Ontario. The Provincial HSJCC is mandated by the *Provincial Strategy to Coordinate Human Services and Criminal Justice Systems in Ontario (1997)* and established to coordinate resources and services, and plan more effectively for people who are in conflict with the law. Priority consideration is for people with a serious mental illness, developmental disability, acquired brain injury, drug and alcohol addiction, and/or fetal alcohol spectrum disorder. Our role is to facilitate the exchange of information and promising practices, identify provincial level challenges and work collaboratively with government to resolve challenges within the human services and justice sectors.

The Provincial HSJCC commends the Prime Minister and the Government of Canada for your commitment to improving the safety and security of all Canadians. Although we understand that the intention of the proposed Safer Streets and Communities Act (Bill C-10) is to promote greater protection to the most vulnerable members of our society, we strongly believe that Bill C-10 will negatively impact on the lives of individuals with mental health disabilities, including people with a serious mental illness, developmental disability, acquired brain injury, drug and alcohol addiction, and/or fetal alcohol spectrum disorder.

Individuals with mental health disabilities and human service needs face multiple barriers to accessing the social determinants of health, such as housing, employment and education, and are often vulnerable to criminalization. Incarceration can be a double-edged sword for individuals with mental health disabilities. On the one hand, research indicates that the correctional environment can aggravate pre-existing mental health conditions, and impede recovery and successful transition back into the community. Within the justice system, these individuals are often victimized and face stigma and discrimination due to their illnesses. Yet, the justice system sometimes provides the first point of contact for accessing mental health and human services that can have a positive impact on the lives of those with mental health disabilities.

The Provincial HSJCC is concerned about the provisions under Bill C-10 that propose mandatory minimum sentences for offenders. We strongly believe that, when determining penalties, persons with mental health disabilities should be assessed individually and their life circumstances be taken into consideration.

Across Canada, there are various mental health diversion programs in effect that help to divert some individuals with mental health disabilities away from correctional facilities and into appropriate care within the health care system. In Ontario, there are multiple mental health courts and court support programs that provide specialized court support services to individuals with mental health disabilities to ensure that these individuals are receiving the one-on-one support they require to navigate through the complex criminal justice process. We believe that mandatory minimum sentences for offenders would undermine these tremendous efforts underway to direct individuals with mental health disabilities into appropriate care within the community. Therefore, we recommend that Bill C-10 be amended so that the individual circumstances of persons with mental health

disabilities and other human service needs, including those with mental illnesses, developmental disabilities, acquired brain injuries, drug and alcohol addictions, and fetal alcohol spectrum disorder, are taken into consideration when determining penalties.

With the implementation of this new legislation, we hope that the Government of Canada will also provide new investments for the community mental health and addictions sector. New investments would increase access to health care services for Canadians with mental health disabilities and would allow for earlier identification, intervention and treatment. Moreover, research studies have indicated that investing in mental health and addictions is more cost effective than incarceration. Therefore, we recommend that the Government of Canada increase investments and resources into the community mental health and addictions sector to meet the needs of Canadians with mental health disabilities, including those with mental illnesses, developmental disabilities, acquired brain injuries, drug and alcohol addictions, and fetal alcohol spectrum disorder.

About the Human Services and Justice Coordinating Committees in Ontario

The Human Services and Justice Coordinating Committee (HSJCC) network is comprised of fourteen Regional HSJCCs, 32 Local HSJCCs and one Provincial HSJCC. Each HSJCC is a voluntary collaboration between health and social service organizations, community mental health and addictions organizations and partners from the justice sector including crown attorneys, judges, police services and correctional service providers. The Regional and Local HSJCCs coordinate communication and service integration planning among health, social services and criminal justice organizations within specific regions. Structurally, the Local HSJCCs provide input to the fourteen Regional HSJCCs which in turn provide input to the Provincial HSJCC. As well, the entire network of 47 committees supports knowledge transfer across the province.

The Provincial HSJCC consists of regional chairs representing their Regions and ex-officio members from important stakeholder groups such as Corrections Services Canada, the Ontario Provincial Police and the Ontario Association of Chiefs of Police. There are also ex-officio representatives from the Ontario Provincial Ministries of the Attorney General, Community and Social Services, Health and Long-Term Care, Community Safety and Correctional Services and Children and Youth Services.

For more information about the HSJCCs, please visit: <http://www.hsjcc.on.ca/>

Thank you for your attention to this matter. We look forward to your response.

For further discussion, please feel free to contact us directly at the information below.

Sincerely,



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Cc: The Honourable Robert Nicholson, Minister of Justice and Attorney General of Canada
The Honourable Vic Toews, Minister of Public Safety