



CLOSED QUARTERS

Challenges and Opportunities in Stabilizing Housing and
Mental Health Across the Justice Sector

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Challenges and Opportunities in Stabilizing Housing and

PURPOSE OF THE REPORT

- 1) Illustrate **intersections between the housing, mental health and criminal justice systems** in order to guide the development of “**justice-informed**” **housing solutions** for justice-involved people with mental health and addictions problems.
- 2) Articulate the **findings and priorities** identified by Col members and other attendees of a Think Tank Day.
- 3) Provide the Government of Ontario and decision-makers with **recommendations** on how to best meet the housing needs of justice-involved people with mental health and addictions problems.



Homelessness

Mental health &
addiction
problems

Justice system
involvement





A PREVIEW ON THE JOURNEY

Each person arrives in the CJS with their own unique set of life experiences.

- Victimization rates of homeless people with severe MI are between 74% and 87%
- Homeless less likely to call the police
- Cycle between homelessness & incarceration
- Justice-informed lens on MH & housing
 - Not always a linear journey



POLICE INTERACTION

- Homelessness & mental illness are independently risk factors
- 2 to 2.5% of all police dispatches due to mental health crisis
- Homeless under greater surveillance
- Criminalization/penalization of homelessness (e.g., Safe Streets Act)
- Police as “forensic gatekeepers”
 - Formal vs. informal
 - MH system vs. CJS



BAIL

Being held in custody is stressful & traumatic, can produce or exacerbate mental health issues

- Held in custody > promise to appear
- Risk-averse culture
 - People with NFA more likely to be denied bail
- Bail conditions set people up to fail
 - Strict residency conditions
 - Conditions unconnected to offence
 - Abstain from alcohol or illicit drugs



INCARCERATION

Being incarcerated is bad for a person's mental health, even briefly.

- 41% of Ontario prisoners have at least 1 current severe symptom of a MH issue
- Compromise employment, housing, and community ties
- 286 people entered provincial facilities in Toronto with NFA – often repeat clients (04/05)
- Solitary confinement, lack of services, poor conditions can create/exacerbate MH issues



PHYSICAL HEALTH IN CORRECTIONAL FACILITIES

Physical health care issues can further compound mental health, housing & justice issues.

- Fractured nature of care
- Higher rates of Hep C and HIV in incarcerated populations
- Aging population & aging-related illness in federal institutions



DISCHARGE

Obtaining & maintaining secure housing is a challenge for anyone, but especially for those with MH concerns.

- Study showed 1/3 third of all incarcerated people in Canada would have no home upon their release
- Homeless before incarceration --> homeless upon discharge
- No access to quality discharge planning
 - Only 5 of 26 provincial jails have a staff member for discharge planning
 - Plan doesn't have to extend past incarceration
 - No planning for pre-trial population



Northern Ontario & Indigenous Peoples' Housing Needs

- Indigenous over-represented in homeless & CJ population
- Limited resources & shortage of housing in Northern Ontario
 - Many forced to stay in Kenora, many in shelters
- Intergenerational trauma negatively impacts person's ability to secure housing

CALL TO ACTION:

RECOMMENDATIONS TO GOVERNMENT

1

Allocate some
of added
supportive
housing to
justice-
involved
people

2

Continue
ODSP and
OW longer
during
incarceration

3

Change
policy/
practice to
reduce
housing
discriminatio
n re: criminal
records



MOVING FORWARD





New Challenges

- Stable and secure housing that is responsive to the needs of people who are justice involved and/or have mental health and addictions issues
- Currently, rent geared to income housing is often the only affordable housing option
- Amendments to the *Housing Services Act* negatively affect people who find themselves at the intersections of the mental health and justice systems

RECENT AMENDMENTS TO THE *HOUSING SERVICES ACT*

- Effective September 23, 2019
- Applies to housing that is governed by the *HSA* (Public Housing, Co-Ops, etc)
- Refuse an offer housing if member of the household has previously been evicted from *HSA housing*
- Specific criteria must be satisfied

CRITERIA FOR REFUSAL

- 1. Member of household was evicted pursuant to section 61 or 94.2 (illegal act or business) of the *Residential Tenancies Act*
- 2. Member of household was evicted from housing governed by *HSA*
- 3. Eviction under section(s) 61 or 94.2 was for one of six specific illegal acts/business
 - 4. Eviction occurred in previous five (5) years and was not overturned on appeal
- 5. No reasonable grounds to believe that accommodating the household would pose a risk to the safety of one or more other persons at the housing project.





Implications for Re-entry & Community Safety

- Securing stable and supportive housing is essential for re-integration
- Public housing is often housing of last resort - limit housing options
- Exclusion from public housing would negatively impact reintegration
- Fairness issue – no requirement for conviction
- Other members of household may experience homelessness

CIVIL LEGAL NEEDS PROJECT



**LEGAL
EDUCATION**



**ACCESS TO
LEGAL
SERVICES**



**SYSTEMS
NAVIGATION**

