



**West Toronto Human Services and Justice
Coordinating Committee (WT-HSJCC)**

Meeting Minutes

May 8, 2018

1:00 p.m. to 2:30 p.m.

Metro West Courthouse, 2201 Finch Avenue West, Courtroom 212

Present: Patricia Pagnani (Co-chair), Toronto Bail Program; Debbie Lynch (Co-chair), CTYS; Elana Glass, Duty Counsel; Domenica Dileo, HSJCC; Saleha Saleem, T.A. Patterson & Associates; Ainsley Lamond, Springboard-YCAPP; Diana Filici, Métis Nation of Ontario,

Regrets: Amber Kellen (Co-chair), John Howard Society of Toronto; Fatima Senra, LAO Daniel O'Driscoll, Community Head Injury Resource Services; Mary Ross-Hendriks, Judiciary; Lisette Fernandez, Jean Tweed

Welcome and Introductions

Everyone introduced themselves.

Review of March 6, 2018 minutes

The minutes of the March 6, 2018 meeting were approved.

Review Action Items:

Action items were reviewed and completed.

Presentation: Diana Filici from the Métis Nation of Ontario (MNO)

- Presentation slide decks will be circulated.
- Discussed the context of the RV Gladue 1999 decision. It states that in sentencing an aboriginal offender, the judge must consider the unique systemic or background factors and the types of sentencing procedures and sanctions which may be appropriate because of his or her aboriginal heritage or connection. Not applied consistently across the province and Canada.
- RV IPPEELEE 2012 decision states that courts must take judicial notice of such matters as the history of colonialism, displacement, and residential schools
- Researching and Developing a Restorative Justice pilot program at MNO. Would like to offer the service to the MH courts and youth.
- Themes discussed: Identification and how to make 'categorization' as it has not been done before, Métis history and identity has been suppressed, looking at traditional sentencing circles, create a community roster, lack of services for Métis people, include more pathways for indigenous people. Self-identification is challenging. Gaude report can create more stigma. Diana Filici will share the final report with the committee.

- Diana Filici was thanked for the informative presentation.

Lunch and Learns:

Domenica Dileo reported that Julia Chao from WoodGreen Centre and Vivian Ropchan, Defence Counsel are available for a presentation on the Psychosocial and Legal Perspectives on Dementia. Possible dates September 20th or 27th. More information to follow. Committee approved the speakers and topic for the next Lunch and Learn.

Agency/Organization Updates

- It was reported that Sue MacLennan is continuing as the Aboriginal court worker at the courthouse.
- Ainsley Lamond reported that Springboard has a new- part-time staff.
- There was discussion that some of the court programs are working with the NYG Justice and Mental Health Program and they would benefit to learn more about it. Domenica Dileo to follow-up for next meeting presentation.
- Elana Glass reported on the response she received from Duty Counsel at College Park re: Video Recording (VR)

Positive:

- Trans woman really prefer to appear by VR because they do not have to go through all the security of being transported
- Some clients also prefer to have a bail by VR to avoid having to get up early for the ride in
- The clients can collect their belongings if they get released by VR. This is a very big deal because many of our clients never make it back to the jail to collect their belongings
- BP is at the TSDC now. Our BP worker has to do the brief and court work but the worker at the jail actually sees the client
- the DC at the TSDC and Vanier are outstanding, so that really helps when you have difficult clients or clients with MH concerns

Negative:

- No MH workers at all for bail for both men and women at the jails and No Aboriginal workers for bail at either jail. This means if a client needs to meet with the MH worker or the Aboriginal worker they have to come in person.
- Women from Toronto are released in Milton if they get released by a video bail which is terrible for women with MH issues.
- it's very difficult to get instructions by VR. especially if the surety is at our courthouse and the client is at the jail. It's a lot of back and forth with the DC at the jail. It takes much longer than if the client was just in the building.
- Scanning the files is another huge issue. Clients routinely have 30+page records and when you have so many clients and machines that work very poorly this just doesn't get done. We have to scan every file that goes over to VR court so the DC at the jail can see what's happening.
- bail program is not yet at Vanier for the women.
- Personal connection is lost when a client appears by VR. Clients with MH issues can feel removed from the process. The way our court is set up the client only sees the judge and not me or the Crown and we are the ones talking. Many times are screen is broken and we can only hear them and they have to talk to a black screen.

VR bails are used predominantly for adjournments. All clients come in person first. We only have clients come back by VR if they are looking for a surety or are considering their options. We do not have many people come by VR and this is also the same for private counsel. Their request is almost always in person.

Clients with MH issues are much better when they come in person. We can look into their legal aid, get maybe a special appointment of counsel who can meet with them that day, make referrals to MH workers that can meet with them that day. None of this can happen if they appear by VR. In fact, many clients get lost this way. Many of the judges feel this way too and if there is a MH concern will also ask they come back in person.

College Park is unique because we have this video process, but they started it with the courthouse that has all the females and the most transient and mentally ill population in the GTA. I go to the bail meetings with the stakeholders and it's been discussed to get resources at the jail for bail, but this has not happened yet. And the stats on women in Vanier with MH issues is somewhere in the 70-80 percent range. We get on average about 10-15 new woman a day and because many of them need MH help they have to come in person. We also can't in good faith release a female with severe MH concerns on her own in Milton. I've been told that she is given a GO voucher but that's about it.

- It was agreed to add video bail updates as an ongoing agenda item.

Service Coordination Issues/Service Resolution

No update

Updates from the T-HSJCC and Provincial HSJCC

- Domenica Dileo reported that the next T-HSJCC meeting is on June 11, 2018

Action Items

- Domenica Dileo will oversee logistics for the next Lunch and Learn on Dementia.
- Video bail updates will be added as an ongoing agenda item.
- Domenica Dileo will contact Tammy Tinney, Social Worker at North York General Hospital in the Justice Mental Health Program to find out if she can present at the next WT-HSJCC meeting.

Presenter for next meeting: Tammy Tinney from North York General Hospital

Next Meeting

- Tuesday, September 25, 2018 Metro West Courthouse, 2201 Finch Avenue West, in Courtroom 212 from 1-2:30.