

Ministry of the Attorney General

Justice Centres

West Toronto & North York Human Services and Justice Coordinating Committee

Spring 2020 & COVID Update

Context for Today's Conversation: COVID-19

- The team at Justice Centres would like to recognize the frontline workers and agencies working tirelessly to meet the urgent needs of our communities during the COVID-19 crisis.
- We thank you for giving us your time today, and hope we can work with you to be part of recovery efforts that meet the needs of all.
- We are modifying our pilot ideas with community and agency input (subject to Court approval) so that they can be implemented effectively under these new circumstances.
- **Today we want to provide you with background on our work designing a Justice Centre for Northwest Toronto, and hear your thoughts on the impact of the COVID-19 crisis on this project.**

Context for Today's Conversation: COVID-19

- **We recognize COVID is making life harder for the marginalized populations Justice Centres are designed to assist.** They are experiencing growing financial hardship, confinement to unsafe living environments, the closure of schools, services, and community spaces, increased stress, and declining mental health.
- **We are available to help develop responses to new gaps** that emerge in how we collectively support justice-involved people.
- **Those without access to computers, smartphones, and private spaces will experience new barriers when seeking access to justice and to critical services and supports.** Justice Centres are well-placed to help develop new virtual or hybrid court models that are tailored to the needs of those who have offended, their families as well as victims, and to help facilitate access to critical services.
- **Finding safe and effective alternatives to incarceration** is an important policy goal that we hope Justice Centres can help achieve.

Today

Context

- COVID-19

Overview of Justice Centres and Pilot Models

- Background: Ontario's Guns, Gangs and Violence Reduction Strategy and Justice Centres
- What is a Justice Centre?
- Building Toward Full-Scale Justice Centres
- Vision for Ontario's Justice Centres
 - Unique Justice Centre Model for Each Community
 - Implementation Plan and Timelines
 - TNW: Impact of Community Violence
 - TNW: Context for Action
 - TNW: Education Background
 - TNW Pilots
- Discussion Questions

Appendices

- A: Additional Resources
- B: Justice Centres: Vehicle for Reduction of Guns and Gangs
- C: International Justice Innovations for Young Adults

Background: Ontario's Guns, Gangs, and Violence Reduction Strategy and Justice Centres

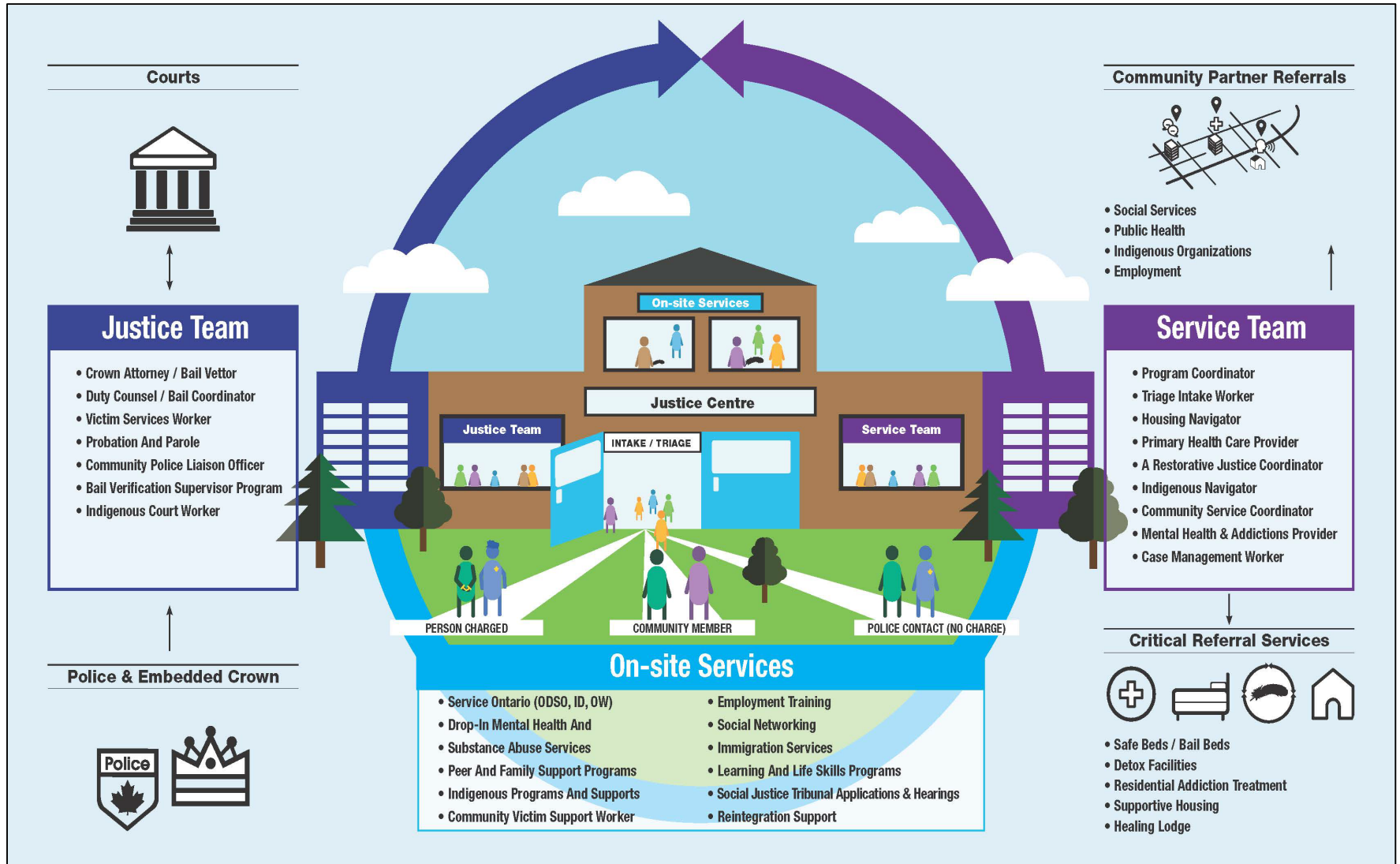
- On March 26, 2019, the Government announced Phase 2 of Ontario's Guns, Gangs, and Violence Reduction Strategy. The Strategy takes a comprehensive approach to community safety by delivering (1) strong enforcement and prosecution, (2) proactive gang disruption and intervention, and (3) tailored youth and adult violence prevention.
- One of the signature initiatives under the Strategy is to establish Justice Centres in 4 communities across the province (1. Toronto-Northwest, 2. Toronto-Downtown East, 3. Kenora, and 4. London).
- On August 28, 2019, the Government announced Phase 3 of the Strategy, which commits additional funding to extend Phase 2 initiatives, as well as investments in new initiatives to combat guns and gangs on all fronts.

*Long-term and sustainable **reduction** of guns, gangs and violence requires a **cross-sectoral approach** that works collectively on enforcement, intervention and prevention, to achieve **shared goals**.*

What is a Justice Centre?

- Introduced in over 70 communities around the world, Justice Centres **move justice out of the traditional courtroom and into a community setting**. These centres bring together justice, health, employment, education and social services to collectively address the root causes of crime, break the cycle of offending, and improve public safety and community well-being.
- **Tailored to the unique needs of local communities**, these centres co-locate justice facilities (e.g. courtrooms) with front-end supports (e.g. primary healthcare, mental health supports), prevention services (e.g. employment and skills training) and community re-integration supports (e.g. peer counselling).
- Bringing different sector together, the Justice Centre model has been proven to improve outcomes for offenders, victims and communities by holding individuals accountable for their offences while connecting them to services that reduce the risk of re-offending. Central to the approach is a commitment to better support victims and communities harmed by crime.
- Justice Centres are well-suited to house intervention initiatives that provide exit strategies for youth and young adults already involved in gang activity and prevention programming to support at-risk youth with alternatives to entering gangs.

Building Toward Full-Scale Justice Centres



Unique Justice Centre Model for Each Community

- Each Justice Centre will be designed by and for the community it serves. Through a participatory design process, MAG is collaborating with local communities, service providers, law enforcement and justice system participants, municipalities, Indigenous leadership and organizations, Ontario Court of Justice and partner ministries.
- Informed by the community needs assessments in Toronto-Downtown East, Kenora and London (completed in 2018), and informed by the community needs review process in Toronto-Northwest (ongoing), MAG is working with local communities to design and implement Justice Centres to address each community's needs.

Toronto-Downtown East – Community Health Focus

Toronto's downtown East neighbourhood is hard at work in breaking the cycles of offending and victimization for Ontarians affected by homelessness, poverty, and mental health and addiction issues.

To help local justice, health and social service partners, the government will work with the local community on a Justice Centre approach that seeks to improve both urban community health and criminal justice. The focus will be on breaking the cycle of offending by addressing both criminogenic factors and social determinants of health.

Toronto-Northwest – Community Violence Reduction Focus

Neighbourhoods in Toronto's Northwest are experiencing escalating gun crime and violence that often involve youth and young adults. As a first step towards establishing a Justice Centre in the Northwest, the government has undertaken a crime response scan and community assessment.

The government will work with the local community to explore gun violence intervention and prevention strategies, as well as programs that provide employment, education and skills training, so that at-risk youth have new alternatives to criminal activity and better opportunities to improve their social and economic futures.

Unique Justice Centre Model for Each Community

Kenora – Indigenous Justice Focus

The Kenora Justice Centre will include parallel criminal and Indigenous restorative justice processes. Through a participatory design process with the local community, Indigenous leadership, and Kenora Justice Centre Advisory Council, MAG is exploring a number of pilot opportunities to reduce bail and remand populations in Kenora and to increase the use of diversion to Indigenous Restorative Justice Programs, including:

- Enhancing and encouraging the use of post-charge diversion, while police work with Indigenous organizations and MAG to enhance the use of pre-charge diversion
- Implementing a small-scale pilot court outside of the traditional courthouse and introducing a new judicially-led pre-trial court day at the Kenora Courthouse, in order to reduce overreliance on short sharp dispositions, in appropriate cases, in favour of community-based solutions and restorative processes
- Enhancing the existing Indigenous Bail Verification and Supervision Programs and Indigenous Bail Bed Programs by increasing the availability of multi-sectoral programs to inform meaningful bail solutions and reduce number of cases in remand
- Improving discharge planning, re-integration supports and transportation post-release on bail or from the Kenora Jail
- Expanding opportunities to advocate for transitional housing and supportive housing
- Exploring enhanced assessment supports and training for the Mental Health Court in Pikangikum.

London – Young Adult Focus

Many young adults in London are falling through the cracks once they age out of child protection or teenage social and health services. For example, young adults aged 18-24 account for a disproportionate share of criminal charges and *Mental Health Act* apprehensions in London, and young adults in London are much more likely to not be in employment, education, or training when compared to young adults in other communities in Ontario.

The government will work with the local community to explore approaches that address the relationship between the adult criminal justice system, the child protection system, and the youth justice system. The focus will be on helping young people avoid and exit the adult criminal justice system through stronger collaboration with justice, health, education, child protection, and social service providers.

Implementation Plan

Phased Approach: Pilots → Full-Scale Centres

- MAG is taking a phased approach, with all locations beginning with **pilots** (i.e. smaller-scale initiative that incorporates some elements of a Justice Centre model at select points of the justice process).
- Pilots will be a first step in the participatory design process that builds, with communities, towards **full-scale Justice Centres** (i.e. dedicated facility with comprehensive co-located services).
- With the support of external consultants, pilots will be evaluated to inform full-scale Justice Centres.

Timelines Subject to Change Based on Evolving COVID-19 Response

- 1-2 pilots will be operational by Summer/Fall 2020. Additional pilots will be operational as soon as possible thereafter. Full-Scale Justice Centres will be established 2022+.
- Community COVID recovery planning and OCJ re-opening will further inform the pilot timelines (subject to the approval of the Ontario Court of Justice).
- Each pilot is tracking through the phases outlined below:

Phase 1 - Design and Operationalize Pilots

- Participatory design process launched
- Local working groups / advisory councils to be established
- Inter-ministerial and cross-sectoral engagement to harness investments, resources, programs and services
- Partnerships confirmed (e.g. judiciary and police involvement; municipal partnerships; service provider agreements)
- Pilot facility secured
- Operational funding strategy developed
- Evaluation frameworks developed

Phase 2 - Implement, Evaluate and Scale-Up Pilots

- Explore integrated triage and case management systems, as well as culturally-appropriate healing and restorative justice solutions
- Test information sharing systems and protocols
- Track multi-sectoral performance measures

Phase 3 - Project and Capital Design of Full-Scale Local Justice Centres

- Capital and cross-sector funding planning with key partner ministries/community
- Facilities planning

TNW Needs Review: The Impact of Community Violence

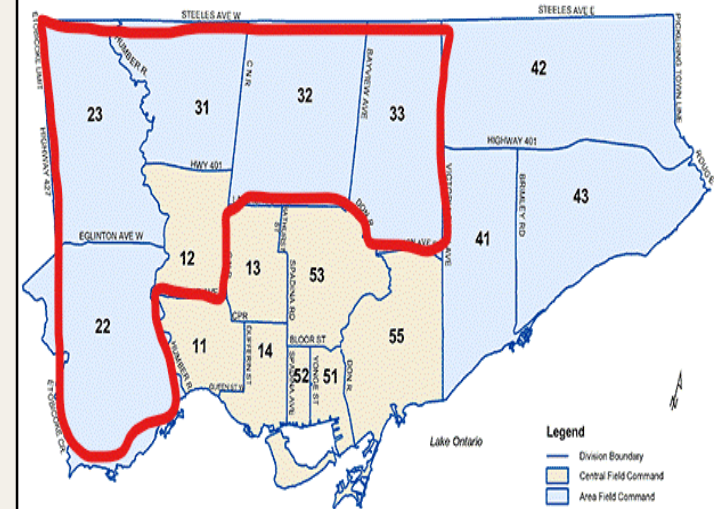
Racial Discrimination and Inequality

- TNW has one of the highest percentage of Black residents in Toronto (*Statistics Canada*).
- In Toronto, poverty and unemployment disproportionately affect racialized people – in particular Black people.
 - Black residents have an unemployment rate of **12%**, nearly **double** the provincial rate.
 - Black residents are overrepresented in the child welfare system and in suspensions, academic streaming and dropping out of high school (*City of Toronto, 2019*).
- The combination of racial discrimination and social and economic inequality increases the likelihood of community violence.

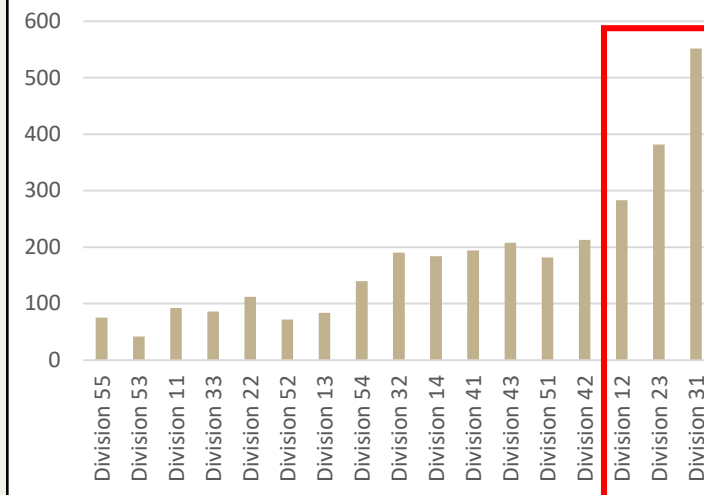
Adverse Childhood Experiences (ACEs) and the Impact of Trauma

- Adverse Childhood Experiences (ACEs) negatively affect brain development and are correlated with negative life outcomes during adulthood, including increased risk of criminal involvement, substance abuse, anti-social relationships, depression, anxiety and PTSD (*City of Toronto, 2019*).
 - ACEs include material deprivation, exposure to violence in the home and **repeated exposure to community violence**.
- Over the last decade, 12, 23 and 31 divisions have experienced a significantly higher number of shootings than the rest of Toronto, **totalling 1121 shootings** (*TPS, 2018*).
 - This community violence disproportionately impacts children and youth in Toronto's Northwest, increasing the likelihood of a continued cycle of violence and victimization.

Toronto-Northwest's Police Divisions



Shootings by TPS Division (2009-2018)



Toronto-Northwest Context for Action

Firearms and Young People

- For the last 10 years, 12, 23 and 31 division have experienced a significantly higher number of shootings than the rest of Toronto (*Toronto Police Service, Public Safety Data Portal*).
- Firearm related offences have also been rising specifically among young people. Between 2013 and 2017, the rate of firearm related crime more than doubled among youth. (*City of Toronto: A Public Health Approach*, Oct 2019, Attachment 1).
- In addition, between 2009 and 2017, the rate of firearm related violent crime was consistently higher for youth aged 12-17 compared to adults. For example, in 2017, the rate of firearm of related crime among youth was four times as high as the adult rate. (*City of Toronto: A Public Health Approach*, Oct 2019, Attachment 1).

Violent Offending and Youth

- Across Toronto, young people are more likely to be charged with robbery than adults. In 2018, youth aged 12-25 accounted for approximately 70% of all robbery charges. However, in Toronto's Northwest, this rate is even higher. Between 2015 and 2018, youth aged 12-15 accounted for 85% of all robbery charges. (*Toronto Police Service, Data Summary, Dec. 17, 2019*)
- Robbery is the number one offence committed by youth at the Etobicoke Courthouse. In 2019 it accounted 32% of all charges. (www.ontariocourts.ca)

Youth Cases Disposed - Selected Offences (2019)		
Offence Type	2201 Finch	Ontario
Crimes Against the Person	58.5%	46.1%
• Robbery	31.9%	11.1%
• Major Assault	10.6%	10%
• Weapons	2.5%	2.8%

www.ontariocourts.ca

Toronto NW: Education Background

- There is a relationship between poor academic achievement and broader negative life outcomes (e.g., employment, physical and emotional well-being; Moffitt, Caspi, Harrington, & Milne, 2002; Odgers et al., 2007),
- A high percentage of youth receiving s. 34 assessments are diagnosed with learning disabilities, low literacy and/or ADHD for the first time. Many of these young people have no formalized accommodations or learning plans (IEPs) in place at their high school.
 - S. 34 assessments are court-ordered assessments (conducted by CAMH in Toronto), which assess a young person's mental health and can include a cognitive/academic assessment.
- Of **721 youth who received s. 34 reports, only 27% had graduated from high school after 3 years** and on average, those youth had obtained only 13/30 credits. (*Hanqanee, 2019, CAMH*)
- Self-identified Black and Aboriginal Students are over-represented in the applied and essential pathways in high schools. **Students in non academic streams are also more likely to come from lower income families as compared to those in academic streams.** (*Social Planning Toronto, 2017*)
- “Income is a strong predictor of high-school graduation rates, with a student in a family in the **bottom 10% of income three times as likely to drop out of high school as one in the top 10%.** They are also three times more likely to require more years to complete school. Those in sole-parent families, those with lower parental education, and those from the many racialized groups were also less likely to graduate from high school”. (*Toronto Vital Signs, 2019/20*)

Toronto-Northwest: Vision and Pilot Model

Vision for TNW Justice Centre

The Justice Centre will aim to **decrease the high level of community violence and its traumatic impact** on young people and their families living in TNW neighbourhoods. Many justice involved young people in the TNW are living in family and community contexts with complex needs and vulnerabilities (low education attainment, poverty and adverse health impacts). They are also resilient, innovative and the key to sustainable solutions. The TNW Justice Centre will create an environment for knowledge building and data sharing between community voices, local organizations and subject matter experts on youth and young adult offending. Service delivery will reflect the over-representation of Black people in the criminal justice system and the negative impact of systemic racism on Black youth and their families. This will be accomplished through intentional staffing, training and culturally relevant program planning.

Pilot Description

Focus Population

Youth aged 12-17 in Police Divisions 12, 22, 23, 31, 32 & 33.

Pilot Opportunities

The **Enhanced First Appearance Pilot** is designed to ensure a young person understands the legal process, obtains counsel, gets a system navigator, receives a needs-based assessment and appropriate culturally relevant **referrals 1-2 weeks post charge**. Participation is not tied to an admission of guilt. The embedded crown will also review bail conditions and breach charges to ensure they continue to be appropriate.

A **Robbery Pilot** would introduce an enhanced case management model specific to youth charged with robberies to expediate legal issues (e.g. disclosure, retainer, etc.) and facilitate a wrap-around needs based disposition plan, in accordance with YCJA principles. Enhanced use of s. 34 reports and s. 19 case conferences is envisioned to convene key stakeholders for collective action. Young persons and their families (as defined by the young person) will be given the opportunity to have meaningful participation in the plan. Where appropriate, the victim will be contacted for input and an opportunity to participate in restorative justice programming. To improve community safety and reduce recidivism we will ensure the programming and services youth receive are culturally relevant, meet their needs and are community based.

Discussion/Questions

- Design and implementation of a Justice Centre Pilot in Toronto's Northwest must adapt to the changing realities under COVID-19.
 - Are there any new challenges that you have witnessed for targeted clients since emergency measures were put in place?
 - In particular, are there new barriers to access to justice for individuals in Toronto's Northwest?
 - What is the state of cross-sector release and resolution planning since COVID-19?
- What are your biggest concerns for the administration of criminal justice in Toronto's Northwest following reopening of courts?

Appendix A: Additional Resources

- Ontario's News Release on Guns, Gangs and Violence Reduction Strategy – Phase 3 (August 26, 2019), available at: <https://news.ontario.ca/mag/en/2019/8/ontario-supporting-more-communities-in-their-fight-against-guns-and-gangs.html>
- Ontario's News Release on Guns, Gangs and Violence Reduction Strategy – Phase 2 (March 26, 2019), available at: <https://news.ontario.ca/mag/en/2019/03/ontario-supporting-the-local-fight-against-gun-and-gang-violence.html>
- Ontario's Backgrounder on Guns, Gangs and Violence Reduction Strategy – Phase 2 (March 26, 2019), available at: <https://news.ontario.ca/mag/en/2019/03/ontarios-guns-and-gangs-strategy-phase-two-initiatives.html>
- Ministry of the Attorney General's website on Justice Centres, available at: <https://www.attorneygeneral.jus.gov.on.ca/english/justice-centres/>
- Toronto-Downtown East Community Needs Assessment, available at: <https://toronto.cjc-ccj.ca/>
- Kenora Community Needs Assessment, available at: <https://kenora.cjc-ccj.ca/english>
- London Community Needs Assessment, available at: <https://london.cjc-ccj.ca/>

Appendix B: Justice Centres: Vehicle for Reduction of Guns and Gangs

- A Justice Centre in Ontario (particularly for Toronto-Northwest) can be a vehicle for housing and delivering gun and gang strategies:
 - **Intervention initiatives** that provide exit strategies for youth and young adults already involved in gang activity and support at-risk youth with alternatives to entering gangs;
 - **Prevention initiatives that invest in youth and young adults** to improve their social and economic futures, such as employment and social enterprise opportunities, skills training, and peer/community mentoring; and
 - Enhanced **coordinated case management strategy** and **multi-agency collaboration/data-sharing**.
- Best practices from other jurisdictions regarding violence intervention strategies include:
 - **Chicago's "CeaseFire" / Cure Violence model:** Prevention, intervention and community-mobilization strategies to reduce shootings and killings. Demonstrated positive outcomes, such as a 41-73% reduction in shootings in target neighbourhoods.
 - **Massachusetts ROCA Inc initiative:** 2-year program providing access to employment and life skills training as a means of exiting gangs. Demonstrated positive results, such as 84% of participants had no new arrests after completion and 63% had transitioned to unsubsidized employment for one year+.
 - **Glasgow Community Initiative to Reduce Violence (CIRV):** Based on a public health approach to violence on the premise that crime is preventable. Delivered through zero tolerance framework combined with supports including housing, education, counselling and job finding. Among 500 gang members engaged, violent offending fell by 46% and weapons possession was reduced by 85%.

Appendix C: International Justice Innovations for Young Adults

ROCA, Baltimore

ROCA is a **high-touch intervention model** to get young adults “not ready, willing or able” to participate in other programming into jobs while reducing offending.

In 2019, **91%** of ROCA participants were connected with employment, education and life skills supports. Over two years, **97%** of participants did not return to jail.



The **Lockport Young Adult Court** (Lockport City) is dedicated to handling criminal cases involving young adults between the ages of 16 to 21.

- The program includes Court supervised curfews, education/vocational training, evaluations for substance abuse and mental health issues, drug testing, group/individual/family counseling, first offender type programs, as well as sanctions and incentives.
- The Judge has much more involvement in supervising Young Adult Court offenders as compared to a traditional probationary or diversionary Court setting.

Brownsville Community Justice Centre, NY

Focused on **youth and young adults aged 14-24**, the Brownsville Community Justice Center provides judges with new alternatives to incarceration, supervised by **dedicated probation officers and supported by an in-house clinic of social workers and case managers**. After 12 months of programming, participants were 23% less likely to report carrying or using a gun.

In 2018, 55 youth were connected to jobs, 26 more youth completed offsite internships

