

**WELCOME  
to our sixth issue  
of the  
"NGO JUSTICE  
SUMMIT  
NEWSLETTER"**

Our goal is to promote awareness among NGOs about the opportunities arising from the Alberta Summit on Justice. This newsletter is intended to inform NGOs about what is happening with the implementation of Summit recommendations and how to get involved.

## What is an NGO?

Non-government organizations, also known as community agencies or non-profits, provide a variety of services and activities in the community and at various stages of the justice system. They are governed by volunteer boards of directors and make extensive use of volunteers in providing programs.

Many of these organizations work on the front lines, witnessing daily the impact of poverty, unemployment, substance abuse and violence.

They have come to understand how these factors relate to involvement in crime. This is one of the many reasons why NGOs have an interest in the Justice Summit.

## JUSTICE AND MENTAL HEALTH

In recent years, the need to promote alternatives to imprisonment has become increasingly pressing. Canada's adult incarceration rate is currently one of the highest in the world, and we imprison more young people than any other industrialized nation. Among those that we incarcerate are people with mental health issues.

Although some people with a mental illness commit serious offences requiring a traditional criminal justice response, a large proportion of police contacts with and arrests of this community are for minor offences such as trespassing, disorderly conduct or other non-serious offences. People with a mental illness may also have substance use problems and this can lead to an even greater risk for arrest, particularly when they are not taking their psychiatric medications as prescribed.

In these circumstances, the most reasonable policy response to reduce recidivism and improve the treatment of persons with mental illness is to divert them away from jails and into the mental health treatment system. This policy is generally known as "diversion." The term "diversion" in this setting refers to specific programs which keep people with mental illnesses in the community, instead of placing them in jail. This intervention can occur through police not laying criminal charges, by deferring prosecution, or by courts imposing conditions or treatment as part of a person's bail or probation. The two most common diversion strategies are:

Pre-booking diversion:

- Occurs at the point of contact with law enforcement officers;
- Occurs before formal charges are brought; and
- Relies heavily on effective teamwork between police, mental health providers, substance abuse services, and community

support mechanisms.

Post-booking diversion programs are established in first appearance courts and jails where program staff negotiate with the prosecution and the defence lawyer and support agencies to:

- Evaluate a person's eligibility for diversion;
- Develop and implement a plan that produces a result that does not include incarceration. (This is done either as a condition of reduction in charges or in lieu of prosecution.); and
- Link the individual to community-based services which provide for both the physical treatment of the person's mental illness and their associated social needs such as housing, welfare support programs, development of support networks, etc.

Successful diversion programs require more than simply diverting an individual with mental illness away from jail; they also direct the person toward adequate treatment services. The success or failure of pre-booking diversion largely depends upon the degree of co-operation between law enforcement and the mental health system. In pre-booking diversion the police officer is the primary decision-maker. His or her role has been described as the "gatekeeper" to the mental health system. In post-booking diversion, the critical factors appear to be the coordination and implementation of diversion policy, and the supplementary support mechanisms provided to the individual.

The best diversion programs see participants as members of the community who require a broad range of services, including mental health and substance abuse treatment, housing and social services. Diversion programs can effectively integrate a range of mental health, substance abuse and other support services to break the cycle of people with mental health concerns who repeatedly enter the criminal justice system.

However, in order to ensure an effective diversion program, it is critical that:

- Police officers, who serve as the first line of response to mental health crisis in the community, are provided with intensive mental health training;
- Mental health professionals are employed by the police department to provide consultations to officers in the field; and
- A crisis intervention strategy is developed that integrates mental health and substance abuse treatment, housing and social services provision alongside the guidelines for disposing of the offence by the criminal justice system.

## **RESPONSIBILITY FOR DIVERSION IN ALBERTA**

The Provincial Forensic Psychiatry Program of Alberta (PFP Program) provides services for individuals with mental health concerns who are in conflict with the law. It has to provide expert and specialized inpatient and community assessment, treatment, rehabilitation, follow-up, consultation and education-research services for adults and adolescents with mental health problems who are in conflict with the law. Alberta has recently adopted a unique approach; it has chosen to promote the shared responsibility between government ministries and the community in mental health and justice related issues by establishing the Mental Health and Justice Partnering Deputies Committee. This Committee was brought together to blend mental health and justice programs by:

- Developing a consistent direction and policy framework that would apply to mental health and justice initiatives across Alberta.

- Planning, developing and implementing an integrated and coordinated service delivery approach in the field.

The Committee's commitment was to improve services and support to Albertans with mental illness involved in the justice system. The key to the success of the work of the Committee has been the development of a partnership between government departments, community organizations and the Alberta Mental Health Board (AMHB). The AMHB has taken a lead in much of the work that has been done in this field recently. The AMHB governs the PFP Program which consists of Southern Alberta Services, based in Calgary serving health regions 1- 6, and Northern Alberta Services, based in Edmonton serving health regions 7 - 17.

As part of their task to develop an integrated service delivery model, the AMHB has coordinated the development of a Provincial Diversion Program Framework. The basis of this framework is that: "whenever appropriate, adults and adolescents with mental illness who are in conflict with the law receive appropriate care, support and treatment from mental health, social and support services thereby reducing reliance on the criminal justice system."

The draft framework has gone through various stages of consultation both internally and with outside stakeholders including the John Howard Society, Elizabeth Fry Society, the Schizophrenia Society of Alberta, and the Canadian Mental Health Association. Now that the consultations are complete, a phased in provincial program on diversion is proposed. The phased program has approval for year one of a three year plan. We welcome the development of this integrated approach to the issues of justice and mental health, and the resulting policy framework that is being proposed. The framework will provide the opportunity to:

- Give a more suitable response to people with mental health concerns who find themselves in conflict with the criminal justice system.
- Give mentally ill people in conflict with the law the opportunity to gain the necessary treatment and support they need.
- Reduce the negative effects of incarceration.
- Increase the opportunity for community based treatment.

In the submissions to the Alberta Summit on Justice in 1999, the NGO sector included a submission called: Reducing Barriers to Accessing Justice - Mentally Disabled Persons. This brief was prepared and submitted by Alberta Civil Liberties Research Centre and it included 12 recommendations on diversion and 11 recommendations on prisons and jails regarding mentally disabled people within the justice system. In addition, the four NGO sector delegates to the Summit itself were from agencies that work with forensic clients. NGOs working on the front lines of justice, social services and mental health see clearly:

- How clients need better integration between the systems and services provided.
- How many individuals with mental health concerns often become involved in the justice process when other supports are not there.

An effective diversion program's benefits are, among many others, relief of prison overcrowding, avoidance of repeat hospitalization and ER visits, reduction in rearrests, improved functioning and productivity for the individual involved, crime reduction, and reduction in arrest, prosecution and incarceration costs. However, the key to an effective diversion policy and program is partnership- a partnership that is heavily dependant upon the services and skills of the NGO sector. Much of the responsibility of integrating people with a mental health concern into the community falls upon the

shoulders of NGOs. Therefore, your support and commitment to this strategy is critical for its potential success. **For further information please contact: Mike Pietrus, Communications Director, AMHB, 1-780-917-4107.**

## NGO Voices Making a Difference

### CALGARY DIVERSION PROJECT

This diversion project is the first of its kind in Alberta. It is a 3 year pilot project sponsored by the Alberta Mental Health Board to help seriously mentally ill (SMI) adults involved in low risk offences receive immediate care and treatment as an alternative to being jailed repeatedly.

The project is a partnership between the Salvation Army, Alberta Solicitor General, Alberta Justice, Calgary Health Region, Calgary Police Service, Provincial Court, Alberta Alcohol and Drug Abuse Commission, Alberta Human Resources, Calgary Remand Centre and the Community Mental Health Services Planning Committee. This program is coordinated through the AMHB PFF Program and was funded for \$1.4 million from the Alberta Health and Wellness' Health Innovation Fund.

The project is run from the Salvation Army Centre of Hope in Calgary, which is also near downtown community services such as Calgary Urban Projects Society and the Central Clinic of the AMHB. Over 300 people with SMI have been identified as possible beneficiaries of this project. The aim of the project is to redirect individuals from the justice system and assess their medical needs, provide treatment and counselling, and link them to social services and support agencies, while keeping the individuals rooted in their community.

This project will redirect low-risk, non-violent, adult minor offenders who have a mental disorder away from the justice system into appropriate and supportive community-based health services. The project is expected to provide significant savings both in financial terms for the justice system and in human terms for the individuals who are participants in the program. The success of this project will feed into the diversion framework and hopefully lead to the establishment of similar programs in Alberta.

### FORENSIC ADOLESCENT PROGRAM

The Forensic Adolescent Program is part of the Southern Alberta Forensic Psychiatry Program and it provides specialized mental health assessments and treatments to young people. Under the provisions of the Young Offenders Act, a young person can be required to undergo a court ordered assessment. The program also offers services to young people who are currently or potentially involved with the criminal justice system and/or experiencing emotional or behavioral difficulties.

The program's treatment includes:

- therapy and counselling;
- involving the family in the therapy for the young person; and
- helping the young person through psychiatric and recreation management skills.

By offering a young person early assessment and treatment of mental illness, programs such as FAP can help to alleviate the pressure on the criminal justice system and, more importantly, help the young person to develop a viable alternative to criminal activity.

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*One of our goals is to ensure that information about the Justice Summit is shared with Alberta NGOs. We encourage you to pass the word. Please circulate this newsletter, promote these Summit related opportunities in your own publication, and/or let us know what other organizations might like to receive our newsletter.*

## **WE APPRECIATE YOUR ASSISTANCE IN SPREADING THE WORD**

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