

Ryan Fritsch
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February 28, 2014

Dear Ryan Fritsch:

RE: Legal Aid Ontario's Mental Health Strategy consultation paper

Please accept this letter as a formal written submission from the Human Services and Justice Coordinating Committee (HSJCC) to inform Legal Aid Ontario's (LAO) Mental Health Strategy. Thank you for taking the time to conduct an in-person consultation with us. We appreciate the opportunity to share our ideas on how LAO can better serve our populations of interest which includes individuals with a serious mental illness, developmental disability, acquired brain injury, drug and alcohol addiction, and/or fetal alcohol syndrome who have come into contact with the law (henceforth referred to as individuals with mental health, addictions and/or related issues).

About the HSJCC Network

The HSJCC Network, which has over 1,500 members, includes 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 HSJCC Network consists of a provincial committee, 14 regional committees and 42 local committees. 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. The committees were generated as a cooperative effort between the Ministries of the Attorney General, Community and Social Services, Children and Youth Services, Health and Long-Term Care, and Community Safety and Correctional Services.

The two primary areas of emphasis for the HSJCCs are:

1. to bring together service providers to find solutions to the problem of the criminalization of people with defined unique needs, and;
2. to develop a model of shared responsibility and accountability in dealing with this group of individuals at points of intersection between the human services and justice systems.

The following letter provides a summary of the in-person HSJCC consultation that was held at the Canadian Mental Health Association Ontario on January 31st, 2014 and includes feedback from email correspondence with HSJCC members who were unable to attend.

Consultation Summary

The HSJCC commends LAO for embarking on the creation of a Mental Health Strategy to better serve its clients with mental health, addictions and/or related issues. Below are some of the key recommendations and themes that were raised at the in-person consultations and through email correspondence with HSJCC members with key ideas listed in bullet points. Detailed responses received via email are

appended.

Recommendation 1: Training should be offered for lawyers on mental health, addictions and/or related issues, available services, and supportive practice techniques to be adopted when working with clients.

- Lawyers should be trained in reducing the stigma around mental health, addictions and/or related issues
- Clients should be given the option of meeting their lawyer or case support worker at a neutral location such as a community centre
- Legal aid services should be accessible at all points in the justice system including for inmates with mental health, addictions and/or related issues
- Culture change within LAO and amongst lawyers as well as providing incentives for lawyers to make this vulnerable population a priority are needed
- Legal aid staff need to be informed about local services and be able to effectively refer individuals who need housing, medication and/or other supports to community based services

In order to put this recommendation to action, LAO could encourage its employees to attend Local HSJCC meetings in order to leverage their expertise and develop local training programs.

Recommendation 2: Clients with mental health, addictions and/or related issues would benefit from having a consistent legal aid lawyer or a multidisciplinary team of lawyers and mental health workers, including social workers and case managers, who are familiar with the client's case.

- Improved coordination is needed to build capacity in the system to provide consistent care and support to clients
- Looking at Health Links criteria may help to identify clients who are high-users of legal aid services
- Dedicated justice court workers are not available everywhere in Ontario and legal aid staff need to help bridge the gap in areas that are lacking this resource
- Developing a case management system that includes both legal aid staff and mental health, addictions and/or related community organizations will likely improve system coordination

Recommendation 3: Clients with mental health addictions and/or related issues should be provided with guidance to navigate the justice and mental health systems from the beginning of their encounter with legal aid staff.

- The point of first contact for individuals with mental health, addictions and/or related issues does not need to be a lawyer but could be a case manager or social worker
- Diversion criteria is often too narrow and better access to justice at all points in the system is needed for clients with mental health, addictions and/or related issues
- Clients participating in the Ontario Disability Support Program should automatically qualify for legal aid services
- Establish a legal aid first aid training program for the general public so they can be better informed and help to prevent future legal issues they may encounter
- Provide more transparent information about specialized courts and where mental health, addictions and/or related court services are available across the province

We are also enclosing for you a letter which we provided to LAO in 2011, expressing our concerns regarding the closure of several local LAO offices and the move to a web-based and toll-free telephone-based client services system.

The HSJCC looks forward to LAO's continued support at our Provincial HSJCC table and we are excited to collaborate with you in implementing the next stages of your Mental Health Strategy. Please feel free to contact us with any questions regarding this submission. Thank you again for taking the time to consult with us.

Sincerely,



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