

The Youth Criminal Justice Act's

Intensive Rehabilitative Custody and Supervision Sentence

PROVINCE OF ALBERTA PROCESS

A Collaborative Cross-Ministry Initiative

Young Offender Branch Correctional Services Division
Alberta Solicitor General and Public Security
&
Provincial Forensic Psychiatry Program

YCJA's Intensive Rehabilitative Custody and Supervision Sentence

Section 42(2)(r) of the Youth Criminal Justice Act provides for an optional sentence designed to provide an alternative choice for youth who are found guilty of offences that are subject to adult sentences. This type of sentence is referred to as the Intensive Rehabilitative Custody and Supervision Sentence (IRCS)

YCJA's Intensive Rehabilitative Custody and Supervision Sentence (cont.)

Distinguishing feature of the IRCS sentence is the inclusion of a specifically designed and individualized treatment and supervision plan as part of the actual sentence. Such sentences have a *mandatory* custody portion and a community portion. Treatment and supervision planning must cover both aspects of the youth sentence.

Criteria for IRCS

- ♦ The young person must be convicted of 1st or 2nd Degree Murder, Attempt to Commit Murder, Manslaughter, Aggravated Sexual Assault or a 3rd Serious Violent Offence.

Criteria for IRCS (cont)

- ♦ The young person must be suffering from a mental illness or disorder, a psychological disorder or an emotional disturbance. (Section 42(7) (b), YCJA)
- ♦ A plan can be developed where there are reasonable grounds to believe that it might reduce the risk of the youth repeating the offence or committing other serious offences. (Section 42(7)(c), YCJA)

Criteria for IRCS (cont)

- ♦ The Executive Director of the Young Offender Branch (*in consultation with the Provincial Forensic Psychiatry Program Directors*) determines a program is available and agrees the young person can appropriately participate (Section 42(7)(d), YCJA) and that the youth consents to participate as per the IRCS plan (Section 42 (8) YCJA).

IRCS Treatment Phases

- ◆ Stabilization Phase
- ◆ Intensive Treatment Phase
- ◆ Transition Phase
- ◆ Reintegration Phase

Phase I: STABILIZATION

- ◆ Young Offender Centre – Secure Custody
- ◆ Goals:
 - Assist with sentence adjustment and stabilization.
 - Stabilize primary mental health concerns.
 - Facilitate the progression along the change continuum, thereby increasing motivation to change.
 - Progress through the pre-contemplation and contemplation stages.

Phase II: INTENSIVE TREATMENT

- ◆ PFPP Inpatient Program – Secure/Open Custody
- ◆ Goals:
 - Address factors related to youth's antisocial behaviour and attitudes that place them at increased risk of re-offending.
 - Focus on skill development and self-risk management.

Phase II: INTENSIVE TREATMENT (cont.)

- Increased emotional and mental health stability.
- Demonstrate stable pro-social behaviour and attitudes with peers and staff, family/supports.
- Increase ability to assume more responsibility and independence.

Phase III: TRANSITION

- ♦ Supervised community residential placement – Open Custody
- ♦ Goals:
 - Successfully ease transition into the community.
 - Develop and strengthen independent living skills.

Phase III: TRANSITION (cont.)

- Develop coping strategies sufficiently by the end of Phase 3 that the youth can effectively function with minimal support and with reduced risk of recidivism.
- Implement steps to further vocational and educational goals (e.g. work placements, further education, training, etc.)
- Begin integration into community.

Phase IV: REINTEGRATION

- ◆ Personal residence, home, Semi-Independent Living placement
- ◆ Goals:
 - Maintain successful independence with greater self-sufficiency.
 - Effectively utilize pro-social community supports.

Phase IV: REINTEGRATION (cont.)

- Engage in meaningful forms of leisure activities.
- Continue to engage in self-risk management.
- By the end of Phase 4 the youth is:
 - Actively and independently pursuing vocational/educational goals (e.g. can independently maintain employment or career direction).
 - Able to deal with life stressors effectively.

Phase IV: REINTEGRATION (cont.)

- Aware of and able to access supports when needed.

Unique Collaboration in an Albertan Context

- ◆ History of IRCS Development in Alberta

Unique Collaboration (cont.)

- ◆ Maintenance of IRCS Process

Co-Case Coordinator Roles

- ◆ In collaboration with stakeholders determine the viability of an IRCS Plan and develop the plan where possible
- ◆ Assure adherence to the IRCS process and principles as per the Alberta Process Model
- ◆ Responsible for monitoring adherence to the IRCS plan as provided to the courts
- ◆ Attend to the needs and services of the youth via a case-management model

Co-Case Coordinator Roles (cont)

- ♦ Monitor accountability and treatment integrity
- ♦ Fiscal accountability as per federal/provincial agreement

Stakeholders

- ♦ Local and Provincial Police Services
- ♦ Cultural Specific Programs (for example Aboriginal Services)
- ♦ Adult and Youth Correctional/Probation Services
- ♦ Adult and Youth Service and Treatment Providers

Funded Program and Services

- ♦ Treatment programs targeting types of offenders such as sex offenders or violent offenders
- ♦ Psychiatric/psychological programs
- ♦ Specialized educational programs
- ♦ Social skills programs
- ♦ Substance abuse assessment and treatment
- ♦ Cognitive behavioral programs

Funded Program and Services (cont)

- ♦ Anger management and /or Personal Awareness therapy
- ♦ Pastoral counseling
- ♦ Vocational/Educational and employment programs
- ♦ Community-based residential treatment
- ♦ Specialized care home i.e. Semi-independent living programs

Funded Program and Services (cont)

- ♦ Other possible treatment approaches are considered if these are regarded as reasonably reducing risk such as mentoring programs, art therapy, recreational programs

Elements Consistent Across Phases

- ♦ Standardized risk/needs assessment tool
- ♦ Overarching case management and collaboration with stakeholders
- ♦ Annual Court Review of progress and update/revision of IRCS Plan
- ♦ Transition planning
- ♦ Consistency in service provision.

Supervision / Risk Management

- ♦ The IRCS treatment and supervision plan
- ♦ Accountability and responsibility are clearly defined
- ♦ Continuity in service provision and service coordination
- ♦ Collaboration involving stakeholders, community and family members
- ♦ Promote gradual transitioning between stages and evaluating risks factors

...After 4 Years (Since April 2003)

- ♦ 21 cases across Canada (March 2007)
 - 2 Nova Scotia
 - 1 New Brunswick
 - 12 Ontario
 - 1 Manitoba
 - 2 Saskatchewan
 - 4 British Columbia
 - 3 Alberta

Alberta charge break down

	Remand	Sentenced
♦ 1 st /2 nd Degree Murder	9 (M) 3 (F)	1(M)
♦ Attempted Murder	1 (F)	
♦ Manslaughter	1 (M)	5(M)
♦ Total in Custody	230	

June 18, 2007

Results in Alberta

June 18, 2007

Fiscal Year	IRCS Assessment & Plan Ordered	IRCS Sentence Handed Down
2003/2004	1	1
2004/2005	1	0
2005/2006	4	2
2006/2007	2	0

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http://www.solgen.gov.ab.ca/corrections/downloads/ircs_process_alberta.pdf

Questions?
