



Out of the Silos: Implementing Solutions Together

JUSTICE SUMMIT – OVERVIEW

March 2019

Over the last year, the Department of Justice and Public Safety has organized five Justice Summits across the province. The theme for these Summits was “Out of the Silos: Implementing Solutions Together”. These forums provided a space where various stakeholders could participate in an open dialogue and express their thoughts on how they believe the criminal justice system is currently operating in each region and how challenges can be overcome through collaboration. These forums have helped inform strategies on improving the criminal justice system in Newfoundland and Labrador.

The Justice Summits took place in St. John's, Happy Valley-Goose Bay, Gander, Corner Brook, and Marystown. Participants included judiciary and administrators from the Supreme Court of Canada, Supreme Court of Newfoundland and Labrador, the Court of Appeal, and the Provincial Court of Newfoundland and Labrador, as well as representatives from Indigenous groups, Corrections Services Canada, Corrections and Community Safety, RNC, RCMP, Provincial and Federal Crown, Office of the High Sheriff, members of the legal community, community organizations, and others.

Participants were asked to identify what they believe to be challenges in the criminal justice system within each respective region. The following is a summary of the perceived challenges and solutions as identified by participants during the five Justice Summits.

Top three issues across each region as identified by participants

Participants engaged in facilitated small table discussions and were asked to identify the top issues that they believed needed to be addressed in the criminal justice system for each region. Participants then voted on the top three issues to discuss for the remainder of the day. The top three areas noted by participants as issues are outlined below for each region.

St. John's

1. Offender's underlying issues
2. Lack of alternative processes
3. Court related delays

Labrador

1. Lack of alternative processes
2. Court related delays
3. Issues regarding staffing

Corner Brook

1. Court related delays
2. Lack of victim support services
3. Lack of alternative processes

Gander

1. Resource issues (including staffing, transportation, and infrastructure)
2. Lack of appropriate services for mental health and addiction issues
3. Access to Legal Aid and geographical distances

Marystown

1. Issues regarding staffing
2. Lack of appropriate services for mental health and addiction issues
3. Geography and transportation issues



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Five universal provincial challenges as identified by participants

There were five issues that participants identified as challenges at each Justice Summit.

1. Lack of Alternatives Processes:

Lack of alternative processes within the current justice system, such as dispute resolution, restorative justice programs, adult diversion, and healing circles.

2. Transportation and Geography Issues:

Transportation to court appearances; transportation issues for victims and witnesses; and difficulty accessing services and criminal justice supports.

3. Court Related Delays:

Issues with court scheduling; processing and receiving disclosures; and individuals left in custody for lengthy periods.

4. Lack of Mental Health and Addictions Services:

Lack of appropriate services for persons with mental health issues; availability of local treatment programs and after hours support.

5. Issues Regarding Staffing:

Lack of staff for courts, police, lawyers, and clerks; issues with staff retention and recruitment; and overworked staff due to shortages.

While some issues identified were region specific, issues with lack of alternative processes and staffing were identified in all five regions. It is important to note that these challenges and solutions were put forth by the stakeholders and participants of the Justice Summits and may not be reflective of all opinions or agreed upon by all those in attendance.

The following summary outlines the challenges and possible solutions as identified by participants during the Justice Summits.



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Issue 1: Lack of alternative processes

(St. John's, Labrador, Western Region, Central Region, Marystown)

Challenges identified by participants

- Lack of adult diversion programs and services, including Indigenous sentencing circles
- Lack of resources:
 - To develop alternative process
 - For youth diversion
 - For high-risk offenders and alternatives to current justice process
- Lack of awareness and education for communities in understanding benefits of restorative justice programs
- Limited options available for policing organizations and prosecutors for alternative justice practices
- Lack of specialized courts to help with alternatives to the justice process

Possible solutions identified by participants

- Invest in the creation of alternative justice practices, including diversion and restorative justice programs
- Implementation of accessible alternative courts, including Drug Treatment Court, sexual assault, family violence, and mental health courts
- Public education and awareness of the public on alternative processes
- Incentives for accused to go through alternative dispute resolution
- Use of community partners to develop and implement alternatives
- Begin restorative justice pilots for small and minor offences
- Use evidence based and best practice models from other jurisdictions and Indigenous communities
- Cultural sensitivity training for all criminal justice staff



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Issue 2: Transportation and geography issues

(Labrador, Western Region, Central Region, Marystown)

Challenges identified by participants

- Isolation impacts staffing retention
- Services for individuals are too spread out, including circuit courts
- Difficulty for staff to meet with clients who are not local (Legal Aid)
- Use of technology to alleviate geographical issues is costly
- Issues with prisoner transportation:
 - Staffing shortages
 - Costly
 - Not efficient use of RCMP resources
 - Heightened security risk
- Jury duty travel costs are expensive and only cover individuals selected
- Witness and victim transportation:
 - Costly
 - Limited means of transportation

Possible solutions identified by participants

- Create hiring incentives and compensation to encourage recruitment
- Partner with airlines for travel and accommodations
- Video calls and conferencing:
 - Utilize and increase access for court appearances for both victims and accused
 - Explore cheaper and more cost effective options for video conferencing
 - Establish conference calling for RCMP and court
- Assist witnesses in going to court, including financial compensations and transportation opportunities
- Increase number of Sherriff Officers to assist with prisoner transport and court security
- Establish province-wide uniform practices with respects to courts
- Provide education and awareness around subpoenas



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Issue 3: Court related delays

(St. John's, Labrador, Western Region)

Challenges identified by participants

- Delays in obtaining and accessing legal counsel:
 - Issues with Legal Aid application process
 - Communication between Legal Aid and inmates limited
- Delays with disclosure:
 - Delays in defence counsel receiving disclosure and pre-sentence report
 - No deadlines for disclosures, leading to delays in first appearances
- Issues with scheduling court hearings
- Minor infractions and lack of diversion programs clogging court systems
- Lack of staffing (i.e., judges, lawyers, Legal Aid, etc.) impacts delays in cases being heard
- Limited use of technology to help expedite court process
- Limitations with infrastructure and physical space:
 - Lack of physical space for jury trials
 - Limited space for client lawyer meetings
 - Infrastructure issues with court rooms
- Lack of dedicated bail court (Labrador)
- Lack of knowledge of language and culture (Labrador)
- Lack of persons to write Gladue Reports (Labrador)
- Infrequent and geographically spread out circuit courts

Possible solutions identified by participants

- Expediting disclosures:
 - Electronic disclosures
 - Setting deadlines for disclosures
 - Providing disclosure clerks to help expedite disclosure process
 - No charges or court dates until disclosures are received and vetted
- Establishing specialized courts and services:
 - Need for Drug Treatment Court to alleviate burden on justice system and players involved
 - Need for interpretation and Gladue report services full-time in courts
 - Dedicated bail court
 - Afterhours court services
- Greater use of technology for:
 - Court appearances
 - Disclosures
 - Scheduling system
 - Interpreters
- Legal support for individuals
 - Increase Legal Aid certificates
 - Access to walk-in legal clinics
 - Integrate Legal Aid offices with courts for better and more efficient system
 - Stronger partnerships between Legal Aid and Indigenous groups to help offenders
- Address physical infrastructure issues of the courts
- Increased circuit courts in rural areas



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Issue 4: Lack of appropriate services for people with mental health and addiction issues

(St. John's, Western Region, Central Region, Marystown)

Challenges identified by participants

- Lack of access to:
 - Services in rural areas
 - Addiction services
 - Treatment programs and facility
 - Psychiatrist
 - Mental health services
 - Mental health court outside St. John's
- Limited afterhours mental health or crisis services (after 5:00 p.m.)
- Difficulty in accessing prescription medication
- Lack of training for staff to identify mental health and addiction issues
- Lack of information sharing between organizations regarding health needs of offenders
- Complexity of issues of offenders (e.g., mental illness, addiction, homelessness) impacts service delivery

Possible solutions identified by participants

- Greater access to and creation of services to be established for mental health and addiction needs
- Establish a Mobile Crisis Unit with plain clothes officers
- Create a mental health treatment center
- Expand specialty and mental health courts across the province
- School based interventions for addictions and mental illness support
- Develop a family-based mental health and addiction program
- Resources should be pooled to address growing issues
- Utilize technology to provide mental health and addiction services
- Need for stakeholder consultation and collaboration with community organizations
- Mandatory mental health and addiction training for all staff involved in the criminal justice process, including judiciary

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Issue 5: Issues regarding staffing

(St. John's, Labrador, Western Region, Central Region, Marystown)

Challenges identified by participants

- Understaffed and vacant positions for:
 - Sheriff's Officers
 - Provincial Court staff and clerks
 - Victim Services
 - Police
 - Casual/On-Call list
- Issues with staff recruitment and retention
- High workload and minimal staff lead to:
 - Staff burnout
 - Vacant positions/high turnover
 - Disconnect with clients and victims
- Lack of training and limited opportunities
- Social isolation for communities in Labrador
- Lack of appropriate training and resources for staff

Possible solutions identified by participants

- Greater staff support:
 - Increase in salaries or incentives (i.e., relocation packages) to better foster recruitment and retention
 - Greater opportunities for training, job security for civilian staff, and contractual commitments for retention
 - Increased and accessible mental health support for staff
 - Engage in mentorship and succession planning
- Enhance university and focused recruitment efforts
- Creation of a relief team to help backfill positions
- Better use of technology for video conferencing for court appearances to assist with the staff shortages with the courts

What's Next?

The challenges and solutions identified by stakeholders have been collected and analyzed and will be used to help inform the strategic direction for the department. These strategic priorities will be outlined in an Action Plan, which will highlight specific objectives of the department over the next year.

For more information:

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