

Out of the Silos: Implementing Solutions Together

JUSTICE SUMMIT – WESTERN

SUMMARY REPORT

Prior to the event, participants were asked to come prepared to discuss:

- What issues are causing challenges for the criminal justice system to work effectively and efficiently on the West Coast?
- Why are these issues occurring?
- What are the solutions to addressing these issues and who would be part of implementing those solutions?

The Department of Justice and Public Safety organized a Justice Summit on the criminal justice system in the Western region. The theme for the Summit was “Out of the Silos: Implementing Solutions Together.” The forum provided a space where various stakeholders could participate in an open dialogue about how the criminal justice system is working in the Western region of the province and how challenges can be overcome through collaboration.

Approximately 57 invited participants attended the event. Participants included, but were not limited to, representatives from Indigenous organizations, Supreme Court of Canada, Supreme Court of Newfoundland and Labrador, Provincial Court, court administration, Victim Services, RNC, RCMP, Adult Probation, Correctional Services Canada, Provincial Crown, Legal Aid, members of the legal community, women’s organizations and others.

The day-long event began as follows:

- Chief Liz LaSaga of the Flat Bay Band Inc. began with an opening prayer;
- The Honourable Andrew Parsons, QC, Minister of Justice and Public Safety and Attorney General, welcomed participants and discussed the purpose of the event;

- Chad Blundon, Solicitor, Department of Justice and Public Safety provided a brief overview of the criminal justice system in the Western region.

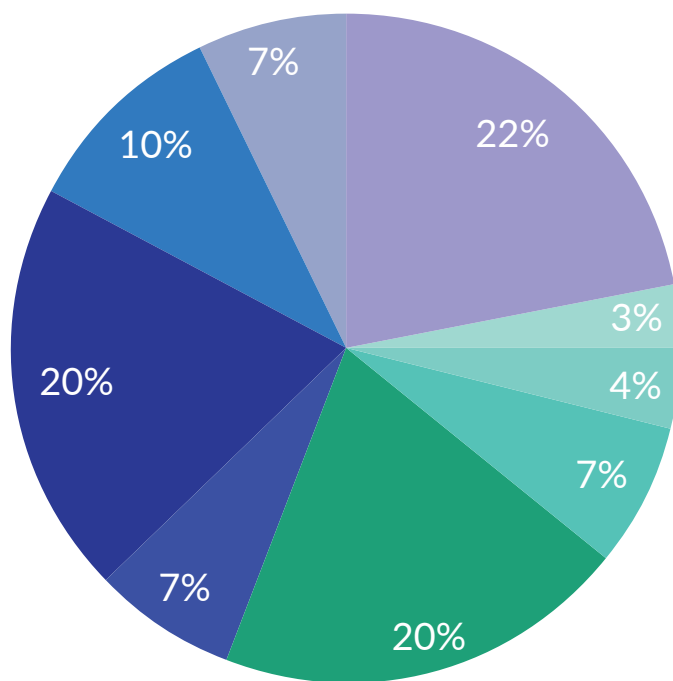
Participants then engaged in facilitated small-table discussions to identify the top issues they each felt need to be addressed in the criminal justice system in the Western region. The top issues identified by participants were:

1. Delays within the court system, including issues with processes, scheduling, repeat offenders and time management;
2. Lack of meeting space for individuals in custody, especially in Stephenville;
3. Security concerns for victim appearances in court;
4. Building design and capacity: including the need for a Penitentiary to accommodate women, accessibility of facilities, and the age and condition of facilities;
5. Lack of victim supports service (e.g. local/region programs, mental health services, drug services, sexual assault services, etc.);
6. Working in silos;
7. Lack of alternatives available to the current justice system: including the lack of adult diversion programs, and lack of supports upon release from a correctional facility;
8. Large geography for service delivery; and,
9. Human resources recruitment, retention, and training: under trained, difficulties in recruitment and retention, understaffed.

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Participants then voted on the top three issues they wanted to discuss for the remainder of the day. The results are shown below.

- 22% Delays within the court system (processes, scheduling, repeat, time)
- 3% Lack of meeting space for individuals in custody (Stephenville)
- 4% Security issues for court appearances (victim)
- 7% Building design and capacity (ex. Pen. to accommodate women, accessibility, facilities old, etc.)
- 20% Lack of victim support services (local/region programs, mental health services, drug services, sexual assault services)
- 7% Working in silos
- 20% Lack of alternatives to the current justice system (adult diversion programs, lack of supports upon release)
- 10% Large geography for service delivery
- 7% HR issues (training, recruitment, retention, short staffed, etc)



Based on the results of the polling above, the three issues selected for discussion for the remainder of the day were:

- Delays within the court system
- Lack of victim supports services
- Lack of alternatives to the current justice system

Participants discussed each of these issues and were asked to focus on what challenges need to be addressed in relation to those issues and what possible solutions exist. All comments and ideas expressed by participants were compiled, with the following common themes emerging for each.

Issue 1: Delays within the court system

Challenges identified by participants

- Delays in obtaining legal representation
- Scheduling
- Red tape – legal aid application process
- Lack of navigation service
- Staffing
 - Lack of judges, lawyers, legal aid, court staff, etc
 - Vacant judge positions need to be identified quickly
- Offenders delaying process
- System overloaded with less serious offences – need to divert
- Getting disclosures
 - Lack of deadlines, long first appearance due to long wait for disclosure
 - 8 weeks to get presentence report
- Lack of use of technology
- Circuit Court
 - Inadequate frequency, too geographically spread out

Possible Solutions Identified by participants

- Set deadlines for disclosure and pre-sentence reports
- Implement disclosure clerks so legal aid lawyers can focus on cases and speed up process
- Simplify and streamline
- Electronic disclosure
- Increase legal aid certificates, support acquiring it, walk-in legal clinics
- Allocating more resources for increased use of technology
- Use Justice of Peace for bail hearings
- Inmate to appear via video from prison for court
- Intake office in court at first appearance
- Implement system navigators
- Drug Treatment Court
 - Need more drug and alcohol treatment to help alleviate the pressures on all justice players
- Regular/increased circuits in rural areas
- Timelines that suit accused and victims
- More accountability for accused by justice system to decrease delays
- Re-arranging schedules to increase after-hours services
- Collaboration with crown, police, community groups, work as a team, have a team approach

Issue 2: Lack of victim support services

Challenges identified by participants

- Gender based violence
- Victimization by media
- Cultural sensitivity and language barriers for interpretation
- Government departments are too reluctant to be partners
- Infrastructure/facilities: not suitable, deemed safe for victims, not accessible
- Communication and system navigation is a big challenge
- Lack of services in rural areas
- Lack of knowledge and availability of services
- Lack of resources/staffing to provide services
- Lack of use of technology
- Transportation to services
- Patterns of inherited behaviors

Possible Solutions identified by participants

- Training
- Sensitivity training for lawyers, judges, social workers, first responders
- Establishing a training policy
- Infrastructure changes
- Security
- Increased screening in Stephenville
- More employment supports – counsellors
- Better court room preparation
- Use technology for online counselling, mental health services, etc.
- Decrease caseloads of those working with inmates

Issue 3: Lack of alternatives to the current justice system

Challenges identified by participants

- Alternative measures is volunteer based
- Lack aboriginal/indigenous sentencing circles
- Burn out of workers
- Awareness/education of alternative measures for public–societal buy-in
- Caseload of workers
- Lack of cultural sensitivity/values
- Lack of training, resources, programs, services
- Lack of adult diversion
- Lack of specialized courts
- Lack of multi response team

Possible solutions identified by participants

- Specialized courts – drug court, addiction, sexual assault
- More use of alternative approaches to the current justice system (e.g. adult diversion, fines for breaches)
- Public education and awareness of alternative approaches
- Alternatives to judges – use Justice of Peace
- Staffed instead of volunteer based alternative measures
- Use community and partners to develop and deliver alternatives
- Learn from restorative justice model used by Indigenous peoples
- Start with small and petty/minor crimes
- More coordination and utilization for community service orders

WHAT'S NEXT?

The Department of Justice and Public Safety is reviewing opportunities to address challenges and implement solutions suggested by participants at the event. Further details related to progress will be made available throughout 2018.

For more information:

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