

John Howard Society of Ontario, [Centre of Research, Policy & Program Development](#) responds to the Ottawa Carleton Detention Centre [Task Force Recommendations](#)

June 2, 2016

The John Howard Society of Ontario (JHSO) is encouraged with regards to the breadth of the recommendations as well as the work that went into devising short, medium, and long term strategies. The Ministry of Community Safety and Correctional Services (MCSCS) should be commended for bringing together a diverse group of justice stakeholders, including those with lived experience. The Action Plan suggests that the input from incarcerated individuals is key to meaningful reform. JHSO notes that this is an important and often overlooked “voice” when it comes to penal reform. We encourage the Ministry to continue to adopt this approach in future consultations and policy reform.

The Action Plan suggests that the Ministry is to track progress on the Task Force recommendations on a quarterly basis and publicly report the results. JHSO feels this is very important, for not only will it help determine the efficacy of the recommendations, but it also provides a measure of accountability and transparency, which is crucial to reform. “Meaningful change comes from meaningful input,” says Graham Brown, Policy Analyst at the Centre of Research, Policy & Program Development. “We encourage MCSCS to release all data and any results from the quarterly trend analysis to the public.”

It is positive that some of the recommendations around bail, remand and health care are consistent with our own research and reports. For example, recommendations from “[Reasonable Bail](#)” (2013), suggested addressing several systemic and organizational shifts that have occurred over decades in Ontario’s bail system, including shifts in police and bail court practice. Additionally, our recent Report “[Fractured Care](#)” (2016) argued for the integration of health care services in Ontario’s correctional institutions with Ontario’s larger provincial health care system, as health care services in correctional institutions are delivered by a parallel yet unequal health system. Our research in “[Unlocking Change](#)” (2015) demonstrated that many persons with mental health issues increasingly wind up in overcrowded detention centers. “It is important to stress that segregation has been increasingly used as a management tool for individuals with physical and mental health issues in overcrowded institutions” says Brown.

However, the recommendations do not sufficiently address the use of conditions and sureties when it comes to bail. While JHSO anticipates closely monitoring the results from the Pre-Trial Custody Project, and supports greater funding for bail beds as a medium-term solution, the Action Plan does not mention how sureties and onerous, numerous bail conditions are contributing to inefficiencies in bail processes. “[Reasonable Bail](#)” determined that bail cases are taking longer to process, in large part due to increasing reliance on sureties as conditions of release. “Less people are being released on bail, less quickly, and with more conditions” said Michelle Keast, Director at the Centre of Research, Policy & Program Development. “Moreover, the default in court practice is now the automatic need for a surety, even for low risk individuals charged with minor offences. All of this is happening during a time of historically low and declining crime rates.” Court practices and the culture of risk aversion that has developed with regards to bail is a systemic issue. Not addressing it will be an opportunity missed. JHSO continues to call

for additional, high-level reform that will target the risk-averse norms, expectations, and behaviours that have developed in bail practices.

The Task Force should be lauded for highlighting the issue of reintegration into the community, though more needs to be done. “The conditions, treatment, and services inside institutions are fundamentally connected to successful reintegration of individuals back into communities once released” says Keast. “Our past research demonstrates that not all individuals receive a discharge plan, despite being entitled to one. The ways in which all incarcerated individuals are prepared for re-entry into the community has important implications for successful reintegration and community safety.”

The issues that the Task Force addressed are pressing and serious but unfortunately are not unique to Ottawa Carleton Detention Centre. While the focus of the Task Force is on the Ottawa Carleton Detention Centre, the long-term view should be determining if and how recommendations from the Action Plan can be implemented in other institutions, as the overcrowding issues and its causes at OCDC are not isolated. “The Action Plan is a start” says Keast. “We see the initiatives stemming from this Task Force, and their evaluation results, as the beginning to a larger discussion about institutions across the province. In short, we see the Action Plan as one step in a line of steps towards system-wide best practices and evidence based policy reform.”

JHSO hopes that MCSCS will continue to engage with justice stakeholders over time and continue to work in a collaborative way once implementation and monitoring begin to provide justice stakeholders, and the public, with a sense of the progress and effectiveness of the recommendations.

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The Centre of Research, Policy & Program Development at the John Howard Society of Ontario engages in non-partisan research, policy analysis, public education and program evaluation in the social and criminal justice sector.

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