



SUBMISSION
**2021 Pre-Budget
Submission**



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John Howard Society of Ontario

Centre of Research & Policy

T: 416-408-4282

W: www.johnhoward.on.ca

@jhsontario

About the John Howard Society of Ontario

For more than 90 years, we've worked to keep the humanity in justice.

Today we continue to build a safer Ontario by supporting the people and communities affected by the criminal justice system. Our 19 local offices deliver more than 80 evidence-based programs and services focused on prevention, intervention and re-integration across the province. These range from helping youth develop the life skills that will let them achieve their full potential, to helping families navigate issues of criminal justice, to providing job training for those leaving incarceration so they can contribute to their community in a meaningful way. We promote practical, equitable policies while raising awareness of the root causes of crime and calling on Ontarians to share responsibility for addressing them. Within the system itself, we advocate for the fair treatment of every individual. Each year, our work impacts the lives of more than 100,000 Ontarians.

Introduction

Please accept this document as the submission of the John Howard Society of Ontario (JHSO) to the 2021 pre-budget consultations of the Ministry of Finance. We are pleased for the opportunity to share input into this process.

We wish to acknowledge the tremendous leadership that the provincial government has taken to date in response to the pandemic, and for investing in relief funds to support municipalities and organizations across the province. We recognize how swiftly provincial ministries acted to pivot their operations during this time of crisis, and in many cases, undertook significant policy changes and investments that will have lasting and positive impacts, beyond the life of the pandemic.

At the same time, the pandemic continues to expose and exacerbate deep and longstanding inequities in our society. There's a growing recognition of the disparate, unequal impacts that the justice system has on marginalized and racialized groups of people. The housing crisis has never been more apparent, and homelessness, mental illness and justice involvement go hand-in-hand. Job losses and unemployment remain critical issues, and for people with past justice involvement, finding a job is tougher than ever. While we recognize there have been significant investments made in 2020, we submit the following recommendations in two critical areas – housing and employment - to ensure that no Ontarians get left behind in 2021.

Housing for Justice-Involved Populations

We are encouraged by the government's commitment to reviewing supportive housing across the province. COVID-19 has emphasized the importance, from a health perspective, of having a place to shelter. The pandemic has also exposed the huge disparities that exist for justice-involved populations and other vulnerable groups in terms of access to health resources and housing. The 2021 budget is an opportune time to make investments to address these inequities in access to housing, particularly for justice-involved populations who are often left out in the cold.

Homelessness is costly to the province and deeply connected to criminal justice involvement. Justice-involved populations often face higher incidences of homelessness due to loss of income and inability to pay rent or mortgage payments, higher rates of complex mental health and addictions issues and stigma associated with having a criminal record, resulting in significant barriers to accessing stable housing and some emergency housing options. Those leaving correctional institutions during the COVID-19 pandemic often have additional barriers because of the perceived heightened health exposure risk from incarceration.

Housing is crucial for successful reintegration. Often, justice-involved populations also experience mental health and addictions challenges or have other complex needs. In the provincial correctional system, 35% of incarcerated people have a mental health alert on file and this increases to 50% for female prisoners.¹ Substance use issues are also common. Supportive housing with wrap-around

¹ Office of the Auditor General of Ontario (AGO). (2019). Annual Report 2019. Reports on Correctional Services and Court Operations. Volume 3. Toronto, Ontario: Office of the Auditor General of Ontario. Retrieved from: http://www.auditor.on.ca/en/content/annualreports/arreports/en19/2019AR_v3_en_web.pdf.

services addresses housing needs as well as co-occurring challenges thereby preventing further involvement with the criminal justice system and costly reliance on emergency room and shelters.

In addition to general supportive housing, transitional housing options would also greatly benefit justice involved populations. Transitional housing that provides temporary shelter as well as services to address co-occurring issues and rebuild social networks, would allow individuals returning to community from incarceration to get their grounding, rather than ending up in a shelter or on the streets. Transitional housing also has huge cost benefits, as it can produce a lifetime savings of up to \$350 000 per person.²

There are examples across the province of supportive housing models that aim to reduce homelessness and reliance on emergency shelters for justice-involved populations. John Howard Society of Thunder Bay operates a rehabilitative residence service that offers housing with supports to men and women that are involved or at risk of involvement with the criminal justice system. The program provides shelter while also connecting individuals with the services needed to address underlying issues and a personalized case plan to build strength and resilience and protect against future criminal justice involvement. Similarly, John Howard Society of Ottawa runs residential programs that employ a housing first model, providing long-term housing with supports to individuals who have experienced chronic homelessness. Services like these, particularly for justice-involved populations, are essential and should be scaled up throughout the province.

We know municipalities often have to decide how to allocate finite funding for supportive housing initiatives. These are difficult decisions to make when the needs are so great. Due to the additional barriers that justice-involved populations face in accessing housing, often, even amidst broader strategies to build affordable and supportive housing, it is critical this population receive a dedicated funding stream and policy focus, and that the justice ministries – i.e. Ministry of Solicitor General and Ministry of Attorney General – are brought to the table to ensure that appropriate levels of resources and attention are paid to the justice populations.

The provincial government committed in its 2019 Budget to undertake a review of the support housing programs offered by government with a view to improving overall service delivery and coordination. JHSO was pleased to participate in the recent justice-focused consultation led by the Ministry of Municipal Affairs and Housing (MMAH). We recommend the following to the provincial government, MMAH, and justice ministries, to ensure that justice-involved populations are meaningfully included in supportive housing strategies in the province, and also, that practices are put in place inside correctional institutions to prevent further loss of housing and benefits, during the COVID-19 pandemic and beyond:

1. Include justice-involved populations as a key target population in the provincial government's supportive housing strategy, and make demonstration of service to this population a requirement of municipalities accessing provincial housing funds.
2. As the province contemplates how to allocate supportive housing investments, MMAH along with the Ministry of Health (MOH), should flow resources for housing in close partnership with the Ministry of Solicitor General and the Ministry of the Attorney General, who are more well-

² Stapleton, J., Pooran, B., Doucet, R. (2011) Making Toronto Safer A Cost-Benefit Analysis of Transitional Housing Supports for Men Leaving Incarceration. Toronto: John Howard Society of Toronto at page 2

suited to identify the gaps and needs of the justice-involved population. The justice ministries should in turn work collaboratively with community justice and mental health organizations to direct funds to a range of additional supportive housing facilities, and provide rent supplements directly targeted at individuals recently released from provincial corrections and/or currently under a bail or probation order. The bail beds funded by MAG are a great foundation to build on – these types of programs should be expanded and scaled provincewide, and potentially opened up to allow all provincial justice individuals (i.e. under MAG or SolGen mandate) to access them. Since many individuals are often under a bail order and probation order concurrently, it makes sense to consider flexibility on use of these beds (provided there are much more of these beds available).

3. Ensure that the supportive housing options are inclusive of mental health and addictions needs, as well as the specific needs of Indigenous and racialized communities who are overrepresented in corrections and often face compounding issues upon release in the community. In addition, Housing First principles, namely, that individuals are not barred from housing due to current unmanaged issues such as addiction, or have a history of violence or criminal records, should be implemented. We have heard too often of justice-involved individuals not being able to access a bed or mental health program due to substance use issues or perceived risk due to past records.
4. Invest in discharge planning for all provincial inmates to prevent loss of housing among incarcerated populations and to support successful re-entry and reintegration. Even the shortest stays in a provincial correctional institution can result in a loss of housing, income, employment, and undermine mental health.

Effective discharge planning is critical to ensuring a successful re-entry post-release by helping individuals maintain (or regain) access to these vital services and supports. Today, however, discharge planning is not provided at all for remand populations – 70% of those in Ontario’s correctional institutions on any given day – leaving these individuals without any plan or support when they exit the institution’s doors. And what is available for sentenced populations varies by institution and the length of one’s sentence. This gap in planning has only become more urgent amid the pandemic, when housing and critical community supports have been in shorter supply and in greater demand than ever before. Implementing early and comprehensive discharge planning for all correctional populations, including those on remand, has many cost saving advantages for communities and the provincial government: lower rates of recidivism, lower use of emergency services like shelters or Emergency Rooms, and greater stability. Planning for an individual’s eventual release back into the community should start the day they are admitted to a correctional institution. This includes those on remand. While comprehensive planning is admittedly more difficult when you do not know a person’s planned release date, there are nevertheless critical steps that can be taken to prevent the loss of existing housing and income supports that we frequently see as a consequence of short stints in jail.

This would include early screening for risks/needs and arranging housing, mental health treatment, securing an I.D., and other services before release. Early discharge planning will also help identify and triage pressing matters such as imminent loss of benefits, subsidies or eviction, and serve to prevent this, in the case of rapid release. For remand populations, the initial screening could be a very short screener interview to flag release planning priorities,

recognizing the fact that some individuals will be staying only briefly until bail is set. For remand populations identified as staying longer than a few days, that process can be built upon with more in-depth case management, similar to the process for a sentenced individual. In this way, all persons admitted to correctional facilities can be screened at admission for release planning purposes, and even where urgent discharge supports are not required, the ministry would benefit from being able to track important metrics such as housing status for all correctional populations.

JHSO has identified what in our view are the most critical questions to ask of all inmates admitted to institutions – even for short stays – and would be pleased to discuss this further with the provincial government, as well as our suggestions for potential models of discharge planning, piloting new approaches, and the potential for partnerships with frontline community-based social service agencies.

Employment Ontario Transformation: Building a Resilient and Inclusive Workforce During COVID-19 and Beyond

The John Howard Societies across the province excel at working with clients with complex needs who are facing multiple barriers to employment, including those with police records and recent justice-involvement. We know from our day-to-day experience that having a criminal record acts as a huge anchor for people trying to turn their lives around. We also know, from experience and research, that getting a job is critical for people trying to rebuild their lives.

The problem is that employers are increasingly using police record checks as a way to screen out candidates, so the range of options for employment are increasingly limited. And that was in the best of economic times. Now, in the wake of COVID-19, there is more competition for fewer jobs and those affected by the criminal justice system face even bigger obstacles on the path towards reintegration and employment. This is why it is critical that the ongoing Employment Ontario (EO) transformation works for Ontario's most vulnerable citizens.

JHS offices are key partners of the government in the provision of employment services in Ontario. A number of local John Howard Societies are contracted to deliver EO resource centres and employment services, and pre-apprenticeship, literacy and basic skills and/or Labour Market Partnerships programming. We see the current EO transformation as an opportunity to improve the system, and better serve highly barriered populations, such as those with past justice involvement and/or mental health needs. As the EO transformation enters Phase III in the prototype regions, we make the following suggestions, to ensure that the new program model is yielding benefits and truly serving jobseekers with the most complex needs:

1. We understand that the Common Assessment Tool currently being piloted in the prototype regions gathers information about past justice system involvement. If it is not already the case, we strongly recommend that the presence of a criminal record be appropriately weighted in the tool in accordance with the evidence, which demonstrates that criminal records can reduce chances of employment by up to 50%. In addition, we also know that when racialized individuals have a criminal record, the barriers they face are further

exacerbated. This cumulative effect of factors should also be captured in streaming algorithms.

2. Prior to provincial roll-out, we strongly urge that the provincial government ensure that SSMs are tracking and measured against their service to the justice-involved population, in addition to identified groups such as Indigenous populations and populations with disabilities, and build these metrics into the SSM's accountability framework. Enhancing referrals to, and expansion of, specialized employment services equipped to deal with justice-involved populations, who frequently present with a wide variety of issues in addition to a criminal record, would improve labour market engagement and ensure that services targeting this complex population are tailored to their needs.
3. It is our understanding that in the prototype regions, youth-specific employment programs/streams were folded into the broader employment service framework. While we understand that there are likely administrative efficiencies to be had by taking this approach, the net effect in these prototype regions is that youth, and in particular, high-needs youth with experience with the justice system, are not receiving the dedicated, specialized attention they once were. Subsuming youth into this broader program may translate into youth and their distinct labour market needs and challenges getting lost. This is something in particular we would recommend examining as part of the evaluation of the prototype regions, detailed further below.
4. We strongly recommend formally evaluating and reporting on the success of the three prototype areas in the EO transformation before scaling the model provincially, to ensure that the EO transformation goals are on track and that in particular, the social assistance and Stream C clients are being appropriately served and that any necessary changes to the approach, common assessment tool and model can be identified and remedied. As part of this, we feel it is crucial that the Ministry of Labour, Training and Skills Development seek direct feedback from the participating employment services transfer payment agencies who have worked with SSMs in the prototype regions, before scaling the program.