



**Impact of the
Youth Criminal Justice Act
in Ontario:
*Five-Year Trends in Case Flow***

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Where we were

- Between 1985 and 2003 Ontario implemented the *Young Offender Act* through what became known as “split jurisdiction”:
 - Young offenders aged 12 to 15 at the time of the offence were managed by the Ministry of Community and Social Services (Phase I), and
 - Young offenders aged 16 to 17 at the time of the offence were managed by the Ministry of Correctional Services (Phase II).



Where we were

- In 2003, in anticipation of the *YCJA*, responsibility for both Phase I and Phase II young offenders was moved to the Ministry of Correctional Services.
- In 2004, Government of Ontario created a new ministry, Ministry of Children and Youth Services (MCYS), to assume responsibility for all issues related to children and youth under 18 years:
 - Youth Justice Services Division (YJ) moved from Corrections to the new ministry where we continue to be today.



Where we were

- In Ontario, much as the rest of Canada with the exception of Quebec, the YOA had been implemented with a heavy emphasis on the use of detention and custody.
- The *Declaration of Principle* of the YCJA was a much welcomed change for us in Ontario as it paved the way for us to move away from high rates of incarcerating young people towards a more focused approach to rehabilitation and reintegration through community programming while creating a dedicated youth system separate and apart from the adult system.



The *YCJA* Challenge

- Implementation of the *YCJA* posed a multitude of challenges in Ontario, such as:
 - Creation of a continuum of community based services for youth in conflict with the law;
 - Developing a range of programs for new sentences in the *YCJA*, and programs responsive to the two groups identified specifically in the legislation: Aboriginal youth and youth with mental health needs, through:
 - Attendance Centres,
 - Intensive Support and Supervision Program (ISSP) and Intensive Rehabilitative Custody and Supervision (IRCS),
 - 41 Aboriginal Community based programs including prevention, EJM, EJS, Attendance Centres, Restorative Justice and Reintegration
 - Dedicated Aboriginal secure custody/detention facility, and
 - Gender dedicated facilities



The *YCJA* Challenge

- Creating a dedicated youth justice system separate and apart from the adult system with focus on:
 - Providing services close to home;
 - Being gender and culturally responsive;
 - Philosophically consistent with the principles of the *YCJA*.



The Ontario Challenge

- YJSD's move to the new Ministry of Children and Youth Services in 2004 created new challenges and opportunities:
 - All of our direct operated facilities had to become compliant with the new ministry's legislated mandate, the *Child and Family Services Act (CFSA)*;
 - Alignment with the *CFSA* required development of new policies and standards to replace those under the *Correctional Services Act* of Ontario;
 - We also had to seek amendments to the *CFSA* in order to allow for some of our operational practices for older youth (16+) in our secure detention/custody settings to continue.



Major Transformation Initiatives in Ontario 2003-2011

- We have transformed Youth Justice Services in Ontario through:
 - Rationalization of 496 beds in our open detention/custody sector
 - Rationalization of 730 beds in our secure detention/custody sector
 - Creation of 252 new secure beds separate and apart from adult Corrections
 - Reinvestment of savings in \$28.7M new community based programs
- We have created a dedicated youth justice system separate and apart from adult Corrections.



Our Service Structure

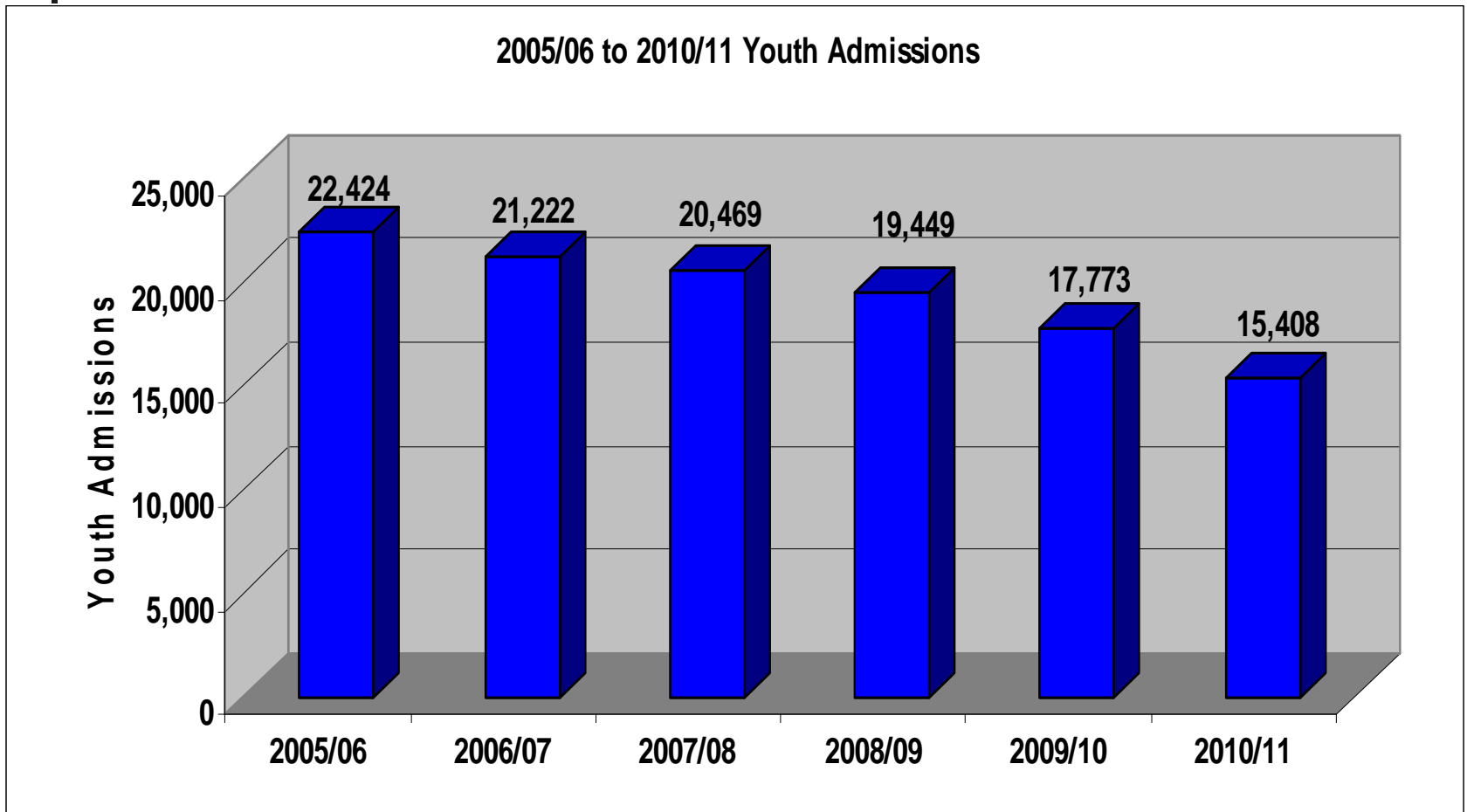
- Ontario's current youth justice system is made up of:
 - 413 Community based programs,
 - 64 Probation offices.
 - 49 open detention/custody facilities,
 - 7 direct operated secure youth centres and
 - 14 Transfer payment secure youth centres.

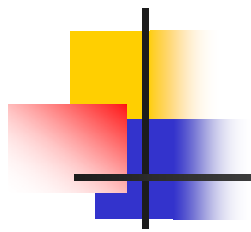


Where are we now?

- Since April 1, 2009, Ontario has created a dedicated Youth Justice system that is fully separate and apart from adult Corrections.
- We have made major changes in our service delivery to move from a custody focused system to providing a range of community based services.
- We have experienced a significant decrease (about 30%) in the number of youth admitted to our system during the past 5 years:
 - We believe that this decrease may be related to an increase in the use of Extra Judicial Measures (EJM) and other diversion programs by police services across the province.
 - We have also started to include prevention of youth coming into conflict with the law through initiatives such as Youth In Policing, which provides summer employment in at-risk communities with policing services.

All admissions to Youth Justice: 2005/06 to 2010/11





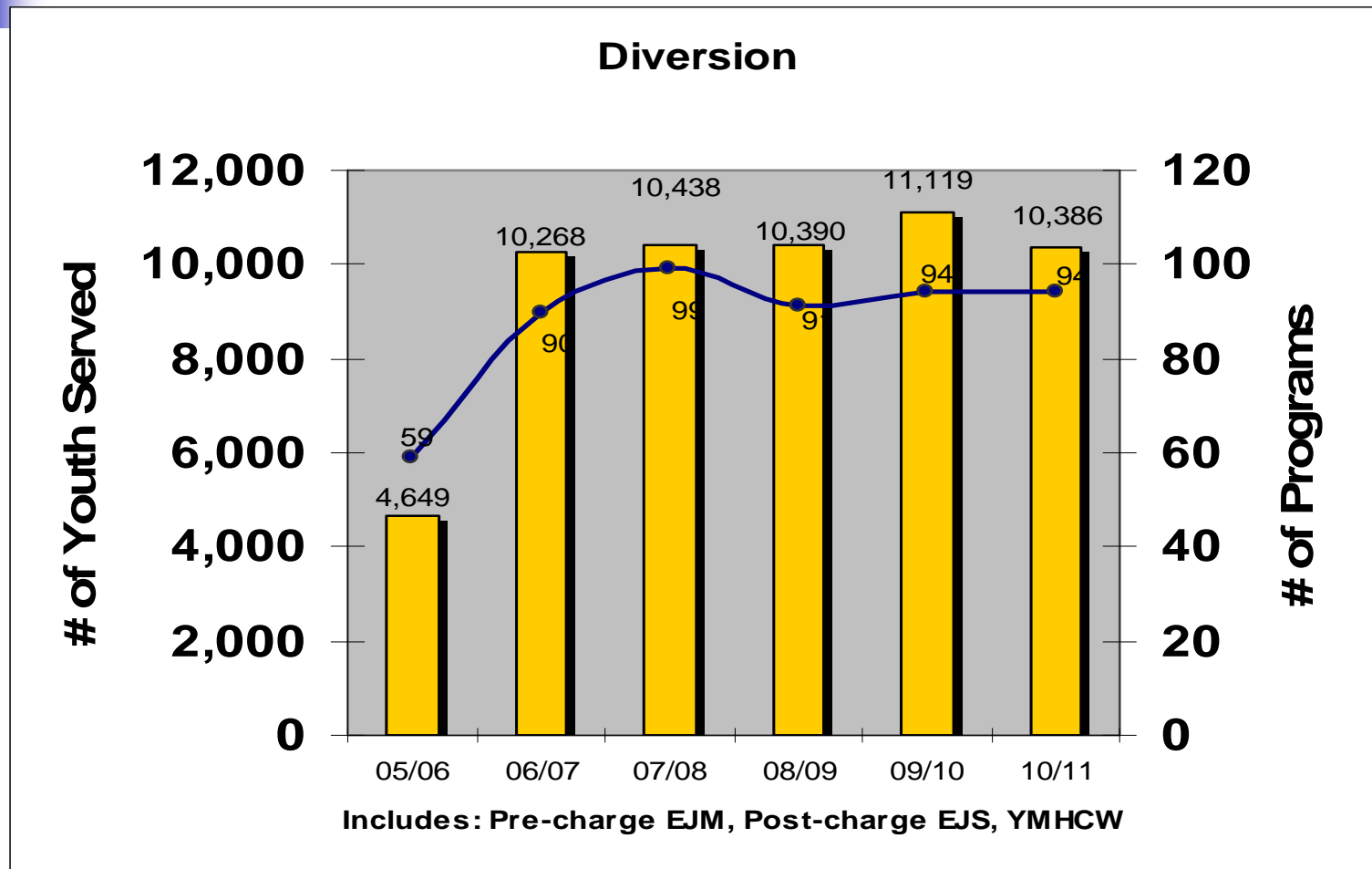
Community



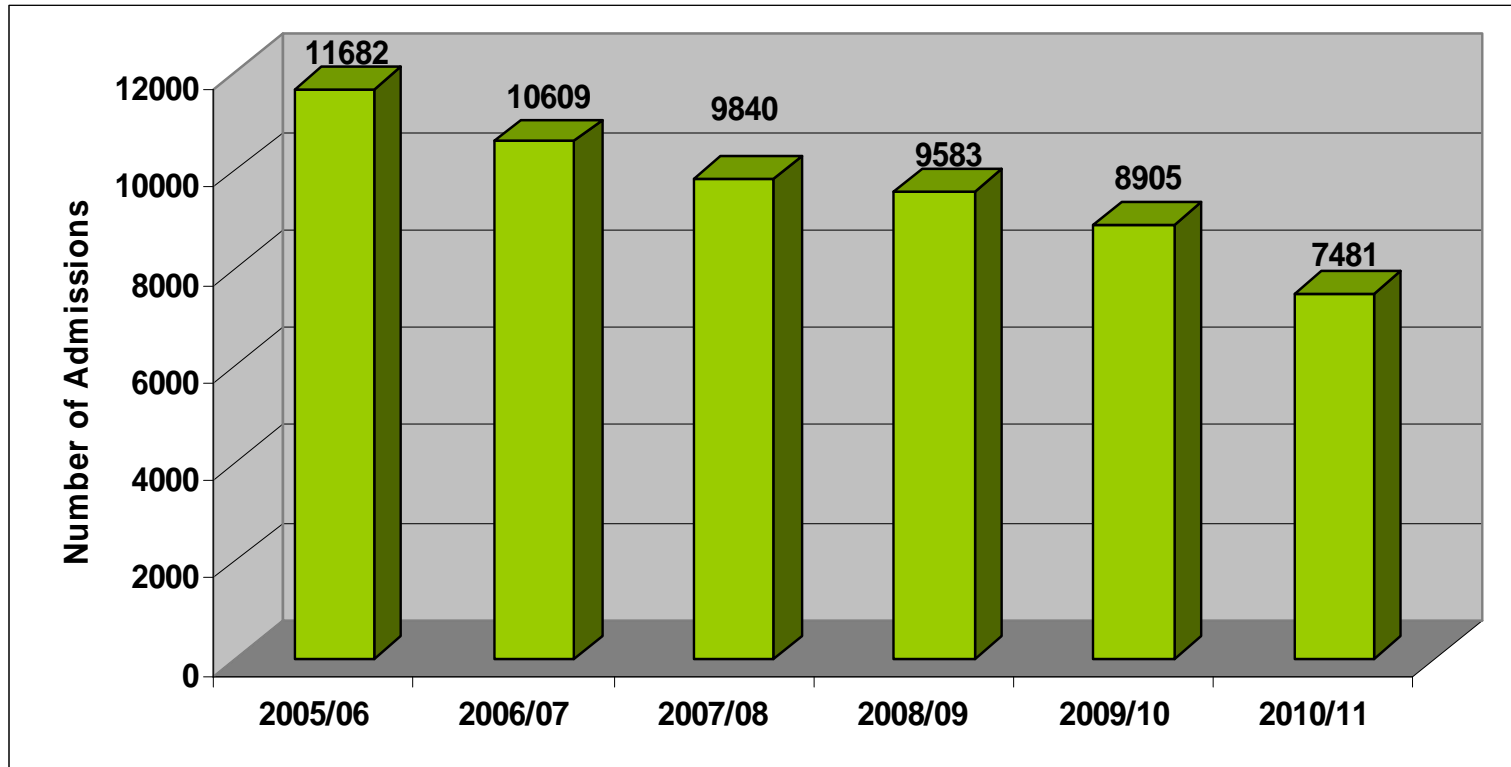
Community Based Programs

- The creation of a continuum of community based programs has given Ontario the ability to provide options to Judges and to provide specialized support to youth with mental health issues and Aboriginal youth.

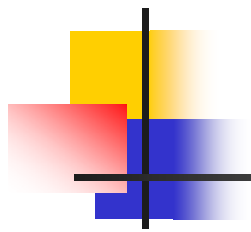
Community Based Programs: Number of Youth Served and Number of Programs



Community Admissions*



*Includes: Probation Orders, Community Service Orders (CSO), Conditional Discharge and Deferred Custody



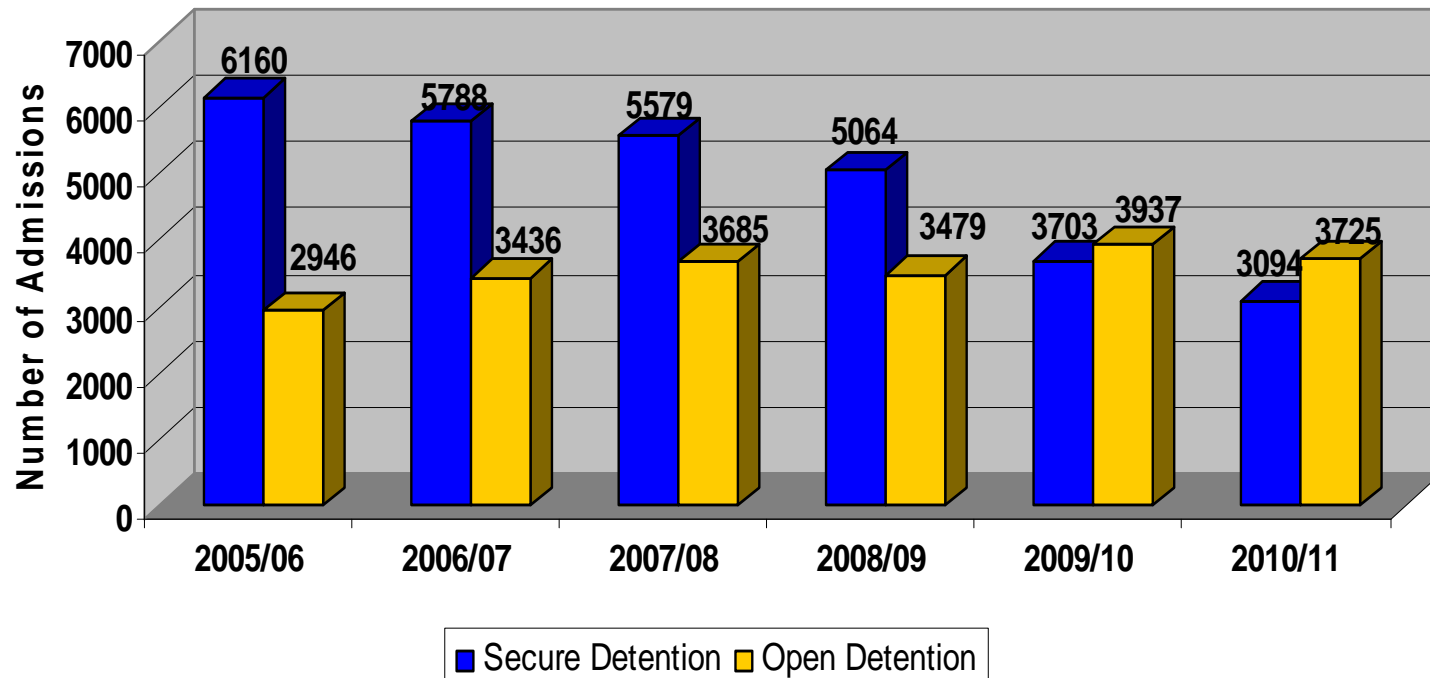
Detention / Custody



Youth in Detention : Secure and Open

- We have a significant increase (about 26%) in the number of youth admitted to open detention.
 - The drivers for this increase are unknown.
- We have experienced a significant decrease (about 50%) in the number of youth admitted to secure detention.
 - This major decrease may explain the increase in admissions to open detention as the principle of the *YCJA* to use “least intrusive measure” is applied through assessment processes that determines level of detention.

Youth in Open and Secure Detention: 2005/06 to 2010/11

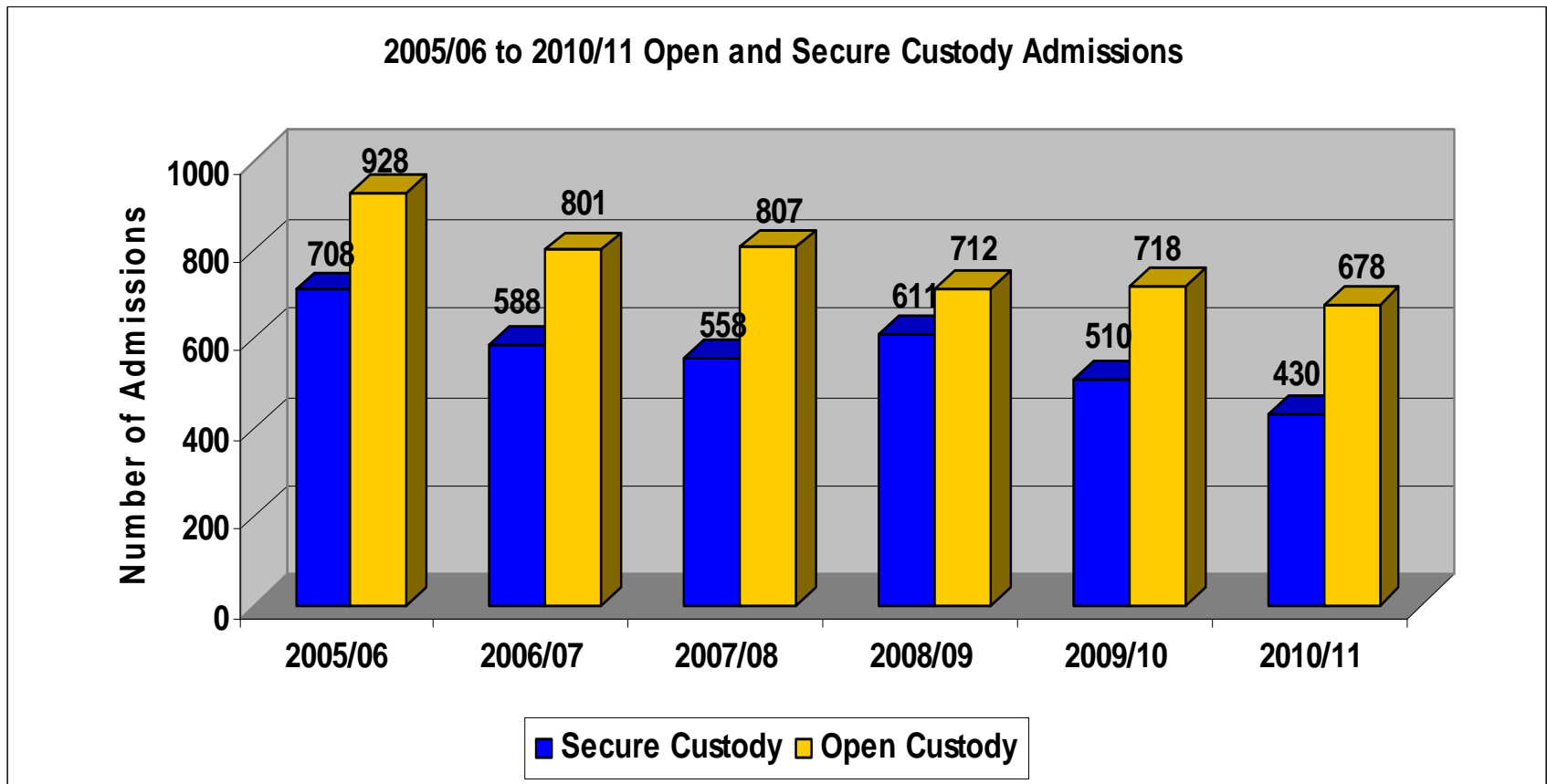




Youth in Custody: Open and Secure

- We have experienced a significant decrease (about 27%) in the number of youth sentenced to open custody.
- We have experienced a significant decrease (about 40%) in the number of youth sentenced to secure custody.
 - Once again we hypothesize that there is a major change in the types of sentences used by Courts.

Youth in Open and Secure Custody: 2005/06 to 2010/11



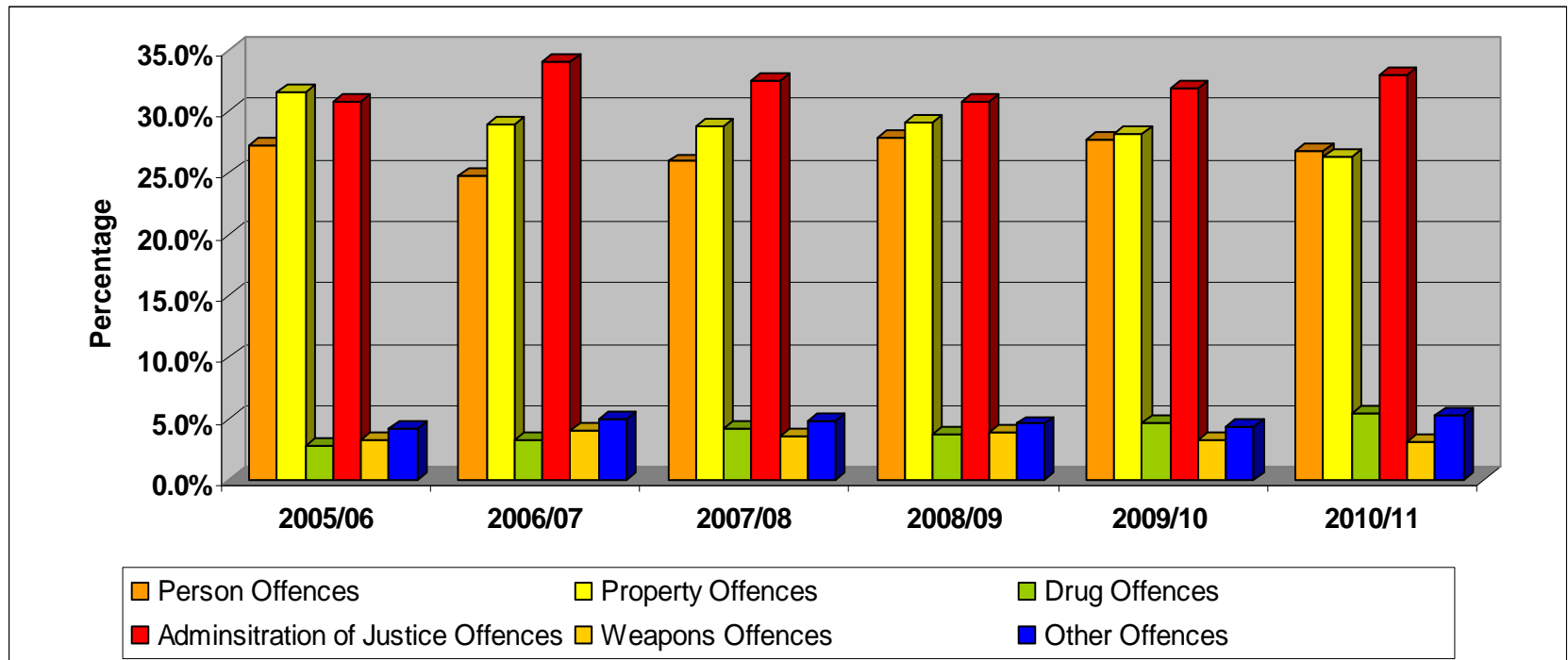


Profile of Youth

- Over 80% of admissions to facilities are for short stay detention.
 - About 50% of admissions to open and secure detention are for less than 14 days stay.
- Average age of youth in secure detention is 16.2 years.
- Average age of youth in open detention has increased from 14.6 to 15.8 years.
- Average length of sentence for youth in open custody is 69.5 days (median is 49 days) .
- Average length of sentence for youth in secure custody is 133.4 days (median is 45.5 days).

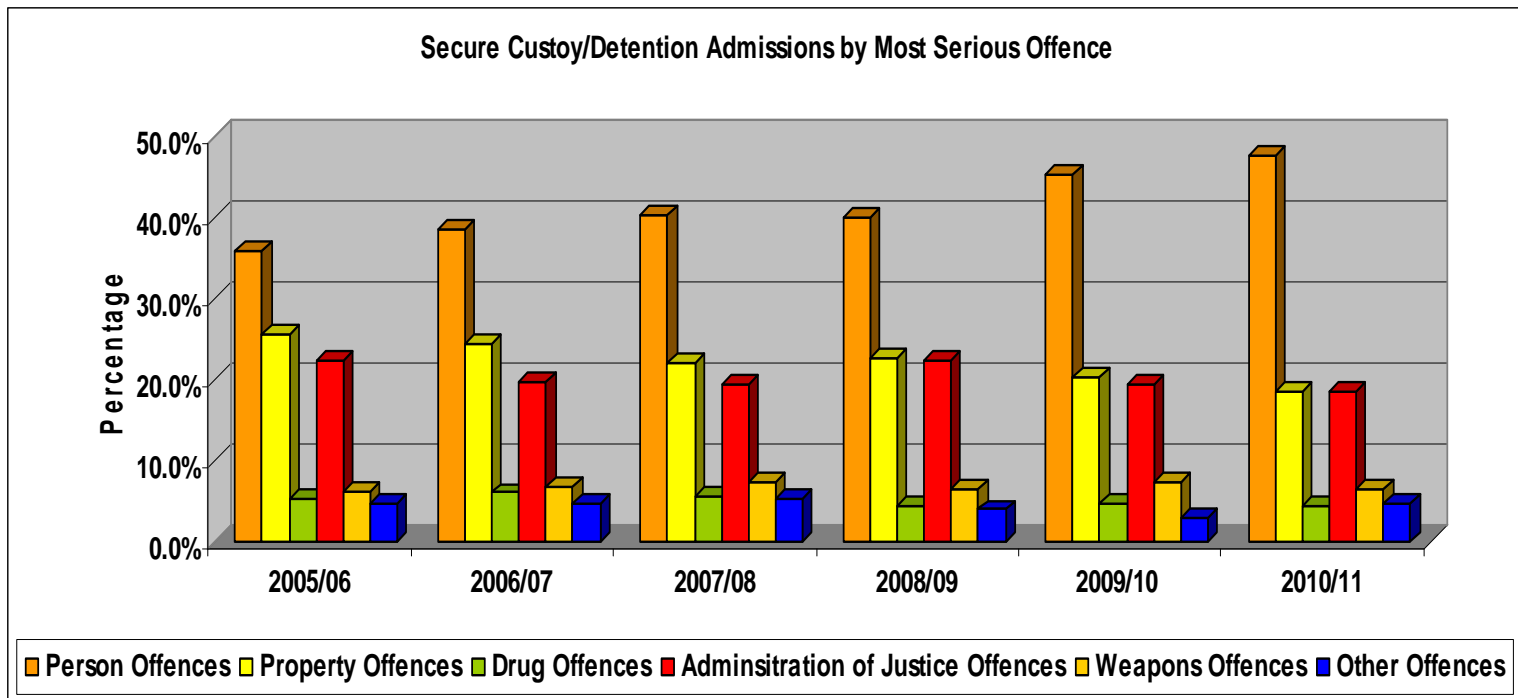
Open Custody/Detention Admissions: Most Serious Offences

Administration of Justice charges continue to be the most prevalent offence for admissions to open detention and custody.



Secure Custody/Detention Admissions: Most Serious Offences

There has been an increase in the number of youth admitted to secure facilities for offences against persons. *It is likely that other offences are treated through less intrusive measures.*





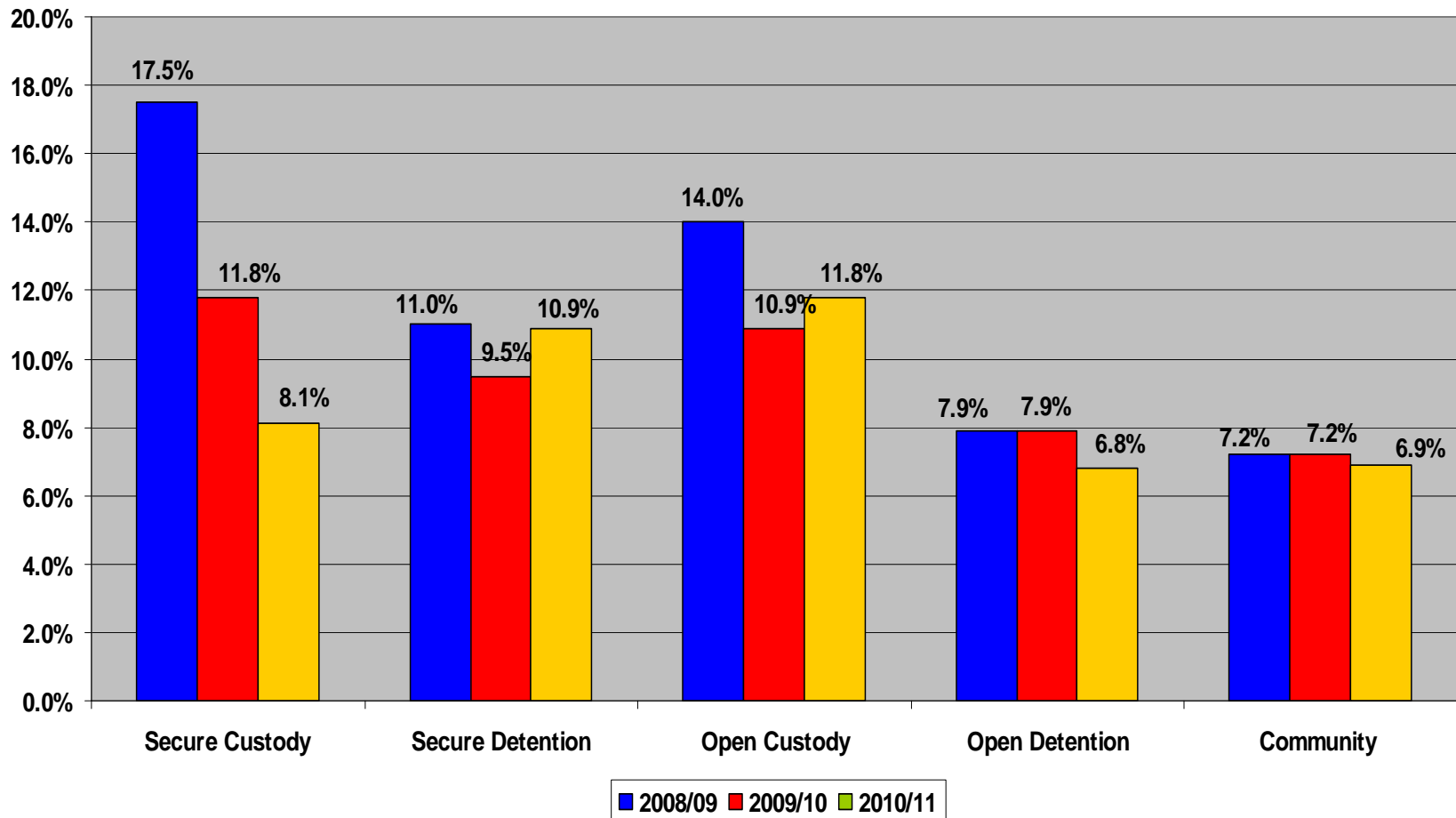
Self-identified Aboriginal Youth



Self-Identified Aboriginal Youth Population: In Ontario and Youth Justice

- Approximately 3% of all youth aged 12 to 20 in Ontario are self-identified Aboriginal. However; they represent:
 - About 6% of admissions to Youth Justice Services,
 - About 9% of admissions to detention/custody, and
 - About 5% of admissions to Community Supervision.
- We are beginning to see a slight improvement in the over-representation of self-identified Aboriginal youth in YJSD
 - Extensive consultations and collaborations with Aboriginal communities and service providers may be making a difference in our system.

Ontario Self identified Aboriginal Youth Admissions as a Percentage of All Youth Admissions





How are we doing?

- We measure our effectiveness through a re-offending study using the following definition:

A return to provincial Youth Justice supervision, within two years, on a new conviction that occurs either during or following the completion of a community sentence, or following the completion of a provincial sentence to incarceration or youth custody order of more than 6 months.



Our results

	Total			
	As % of total			
	2006/07	2007/08	2009/10	2010/11
Custody sentences of >6 months	64.6%	63.5%	62.4%	58.7%
All Probation	35.3%	37.5%	35.6%	34.5%

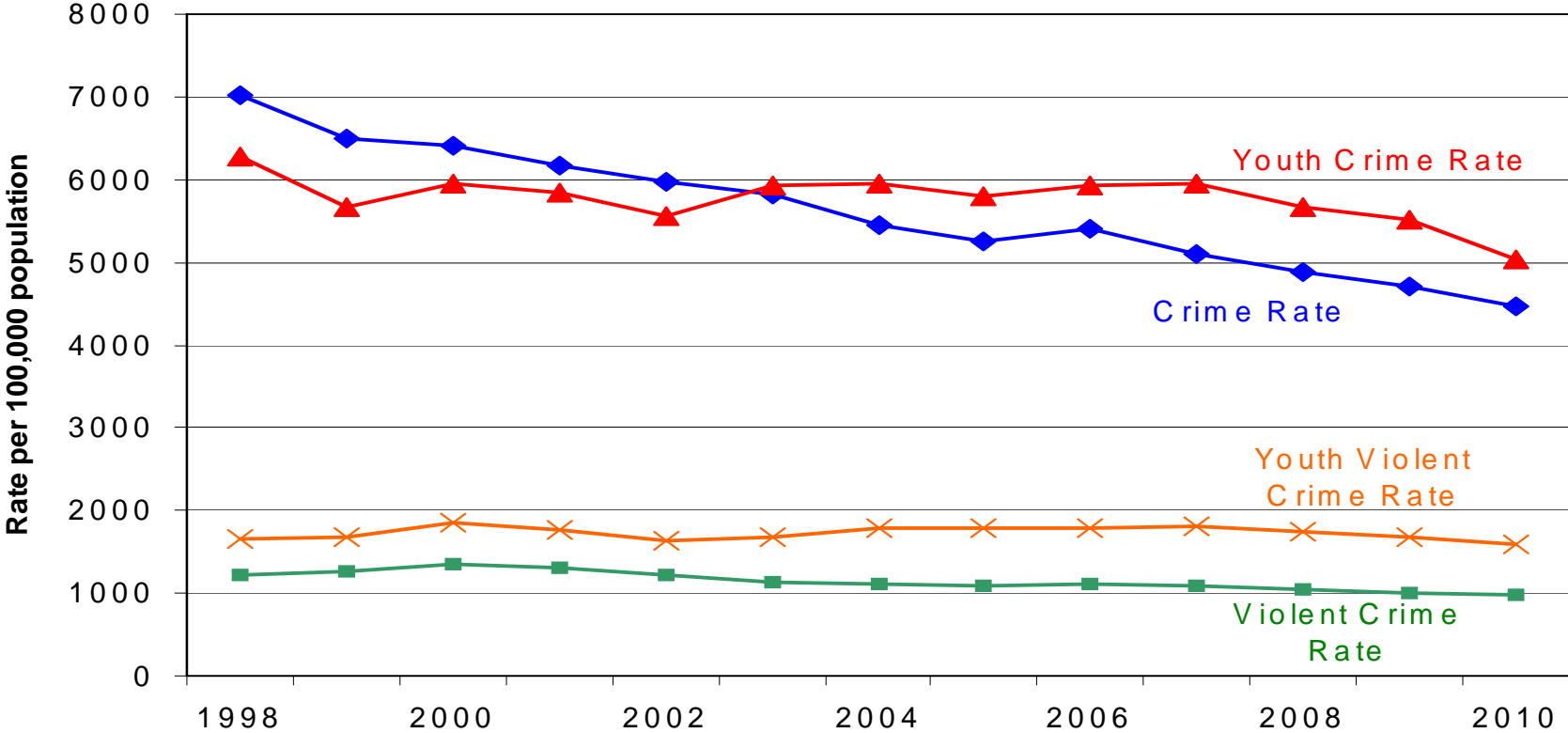
- We have made significant gains in reducing re-offending by youth sentenced to custody
- We made modest gains in reducing re-offending by youth sentenced to community sanctions



Ontario Youth Crime Rate

- Public perceptions of youth crime do not seem to match the trends being experienced.
- Overall, in Ontario, youth crime rates and youth violent crime rates are decreasing.
 - However, of the serious/violent youth crimes, homicide has seen an increase since 2008.

Crime Rates For Ontario (1998-2010)



Total rates are based upon Criminal Code incidents (excluding traffic offences).

Youth rates refer to the number of youth 12 to 17 years of age who were either charged (or recommended for charging) by police or diverted from the formal criminal justice system through the use of warnings, cautions, referrals to community programs, etc.

Source: Statistics Canada, Canadian Centre for Justice Statistics.



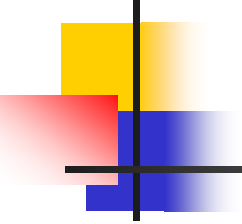
Our future

- We continue to monitor the changing landscape in Ontario and are currently responding by:
 - Implementing a strategy to accommodate the needs of youth who are admitted to our residential facilities for brief stays:
 - Enhancing reintegration planning
 - Modifying educational services
 - Identifying evidence-based programs especially programs that help develop skills in a few sessions
 - Implementing a multi-year strategy to build capacity for assessing and managing youth involved with gangs
 - Training front-line staff in Gang Awareness
 - Reviewing and monitoring Remote Integration Workers
 - Pilot studies of assessment tool and gang exit program



Our future

- Implement a strategy to enhance our probation services:
 - Expand collaboration with other service providers in the community.
 - Enhance training for probation officers to build up their capacity to work effectively with youth who are now subject to community sanctions.
 - Expand the range of community based programs.



We are happy to share information with you
and to facilitate research in Ontario Youth
Justice Services.

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Thank you!