

Community Issues in Criminal Justice

*“Helping people in trouble
change their lives”.*
Vision Statement of the
Edmonton Drug
Treatment & Community
Restoration Court
[EDTCRC]



A Drug Treatment Court for Edmonton

At the beginning of June, 2005, the Canadian Ministry of Justice announced that “pilot project” funding had been approved for the establishment of Drug Treatment Courts in Edmonton, Regina, Winnipeg, and Ottawa. These Courts joined the Toronto Drug Treatment Court, which was the first in Canada and established in 1999, and the Vancouver Drug Treatment Court established in 2000. For those involved in the process of seeking establishment of a Drug Treatment Court in Edmonton, this was the culmination of over 5 years of hard work, and an affirmation of the collaborative process that had been the model adopted in Edmonton at the outset. This collaborative process saw inclusion of the judiciary, the federal and provincial crown prosecutors, court services, Alberta Probation, the defence bar, the Edmonton Police Service [EPS], AADAC, and numerous community organizations, including, at various times, the Edmonton John Howard Society and the John Howard Society of Alberta.

The “driving force” and primary impetus for establishment of this Court in Edmonton was Her Honour, Provincial Court Judge D. Wong, with the approval and support of His Honour, Provincial Court Chief Judge E. Walter. And while it is fair to say that without this judicial enthusiasm for the establishment of the Court it would almost certainly not have happened, it is also fair to say that without the approval and support of:

- the federal crown, in the person of Mr. Wes Smart, Q.C.,
- the provincial crown, in the person of Mr. Dave Hill,
- the Edmonton defence bar in the person of Ms. Laura Stevens, Q.C., and in particular from the community,
- The Prostitution Action and Awareness Foundation of Edmonton [PAAFE], in the persons of Ms. Kate Quinn and Ms. Joann McCartney,
- The Alberta Alcohol and Drug Abuse Commission, in the persons of Mr. Barry Andres and Allan Aubrey,
- The Salvation Army in the person of Mr. Larry Brown, and
- the Edmonton John Howard Society, in the person of Ms. Maureen Collins, and the John Howard Society of Alberta in the person of Mr. Brad Odsen,

the Court would either not have been established at all, or at least not in the form in which it was eventually established. And finally in this regard, the enormous contribution of Mr. Neil Skinner, Counsel to the Provincial Court of Alberta, functioning as, in effect, “project manager”, must be acknowledged.

Drug Treatment Courts are a relatively new phenomena in Canada, but have been in existence in the United States for over 30 years. Indeed, there are now

A Drug Treatment Court... con't.

well over 1,200 Drug Treatment Courts operating in the United States. Not surprising, the U.S. model informed the initial establishment of Drug Treatment Courts in Canada – first in Toronto, and then in Vancouver. And it is this model that has continued as the model for the newly established Courts in Regina, Winnipeg, and Ottawa – but not Edmonton!

Drug treatment courts are not new, but a drug treatment court in Alberta and in the Edmonton Capital Region is a new concept. The Edmonton program does not purport to “invent a new wheel.” The benefits of the history of the development of this type of court program, in Canada and worldwide, have been examined and form the underlying foundation for the Edmonton program. However, the Edmonton program has features and incorporates principles that distinguish it from the “typical” drug court and to a certain extent from the current models in Canada. In particular, this distinction is found in the incorporation of restorative justice and community justice aspects¹.

The fundamental difference between the Edmonton operation of its Drug Treatment Court, and all the others, is clearly indicated in the name of the Court – “*The Edmonton Drug Treatment and Community Restoration Court [EDTCRC]*”. So that at the very heart of the purpose of the Court is not only to facilitate the recovery from drug addiction, but to restore the person to physical, mental, and social health, and to thereby also restore a measure of health to the larger community.

This is not a “quick fix” type of activity; it takes considerable time and considerable effort on the part of the recovering addict and the various community and government agencies working with and supporting them. From the time a person first enters into the program until their successful “graduation” is more likely than going to about close to 12 months. Now, in the “typical” Drug Treatment Court model, once the person has been through the Court program, and has demonstrated that they “have been clean” for a period of months and are beginning the steps to obtain (or retain) employment, this is sufficient for “graduation”, which culminates with a

sentence being passed by the presiding Judge that is usually a short period of probation.

The EDTCRC however, operates on the principal that “graduation” is but the first step to restoration of the individual and the community. And it is here where the full plethora of community supports and programs now begin to take effect to assist the individual in sustaining their recovery from addiction and their reintegration into the community as healthy and productive citizens.

Again, it must be emphasized that for the individuals opting to have their matter dealt with by the EDTCRC, this will almost certainly be “the hardest work” they have ever done – they will, in essence, be required to end their lives of addiction and criminal activity, and join the community as responsible and contributing citizens – for, in the case of many, the very first time in their life.

There are a number of other facets of the EDTCRC that differentiate it from other, more “traditional” Drug Treatment Courts – indeed, far more than can be touched on in the space here. Suffice it to say that those involved in the efforts to attract funding for the Court to Edmonton, and those involved in its continued governance, operation, and evaluation, are confident the restorative/rehabilitative justice model adopted by the Court will prove, in the long run, to be a model that other Drug Treatment Courts can rely on to inform their operation.

In conclusion, it should be noted that the initial funding for the EDTCRC (and other Drug Treatment Courts in Canada) is for 4 years, and may be renewed in April, 2009. It should also be noted that without the support of the Alberta Ministers of Justice and Public Security, and the active involvement, when required, of Mr. Terrence Matchett, Q.C., Deputy Attorney General and Deputy Minister of Justice, there is very little likelihood that the Edmonton application for funding for the EDTCRC would have been successful.

¹ From the program Description of the Edmonton Drug Treatment & Community Restoration Court.



The Charitable Dilemma – Part 5

[In this, the fifth of a series of commentaries, Brad Odsen, Executive Director of the John Howard Society of Alberta continues his examination of issues impacting charitable organizations across Canada, with particular relevance to those in the human services business, including the John Howard Societies in Alberta.]

“If it can be acknowledged that the work done by an agency in the community benefits the community, then the *prima facie* case for “money well spent” is made out.”

But of course, one of the issues that continually arises is that of funders being “taken to task”, primarily in the mass media, for providing funding that in the opinion of some is either “inappropriate” or even though the organization/cause may be “appropriate”, in the opinion of some, the use(s) to which some of that funding has been put is “inappropriate”.

We must be clear that all such opinions are “value judgments” and, as such may well not reflect views that are shared by all, nor do such typically arise within the larger context of the overall “value” that certain activities may bring to the community. Prime examples of this can be found in the frequent debates over the appropriateness of funding certain artistic endeavours, where the fundamental issue of the “value” that artistic endeavours, *per se*, add to the community, is most often ignored.

Certainly however, we can all agree that, from time to time, a charitable organization (or at least the current directors or managers thereof) will be found to have used funds in a way that it is very difficult to link with “providing service to the community”. When such instances do arise, they are a stain on the reputation of every single charitable organization in the country. And I believe that it has had a tremendous impact on the movement that funders have made to, in many instances, “micro-managing” the use of funds provided to charitable organizations. And by that I mean, the list of restrictions on uses of funds, the budgeting detail frequently required, and the frequency and detail of reporting required of the organization’s expenditures.

This issue has been addressed in previous *Issues* of **The Reporter**, and it bears reiterating that charities across Canada are virtually unanimous in their experience that this is a tremendous drain on limited administrative resources, not to mention frequently severely limiting their ability to direct funds to those areas within the organization where they are most needed.

There are well over 100,000 charitable organizations registered in Canada (with the Canada Revenue Agency), and nobody really knows how many more unregistered organizations, associations, and community groups are “out

there” doing good work making their communities a better place for all. And yet, because of the acknowledged misdeeds of (perhaps) 1 or 2 organizations a year, a rate so miniscule as to be statistically “non-existent”, many funders, particularly governments, have reacted in a manner that has had, and continues to have, an enormous impact on the health of the charitable sector.

As has been said before in this series, the John Howard Society of Alberta is extremely fortunate in that it receives financial support from the Alberta Government, the Alberta Law Foundation, and the Government of Canada (through the John Howard Society of Canada) all in a form that is both on-going, and relatively restriction-free. This is a rarity in the charitable sector, at least insofar as community organizations are concerned.

And this provides an example of the kind of “base” funding that all worthwhile community agencies need to be assured of if they are going to be able to thrive and grow.

But more than this is needed from these funding sources – again, particularly government. It depends on the organization of course, but staff members of many community organizations spend a considerable amount of their time during the working day meeting with government staff to work with government in improving the community. The Alberta government, for example, calls this “partnering” with the community, and it is a basic element of the provincial and departmental Business Plans. That the Alberta Government is committed to partnering with community is commendable, but it is, at the present time, a very unequal partnership. It’s unequal because the staff from the community organizations are providing an extremely valuable service to the government, but the organizations are not being compensated for this “added value”.

The plain fact is, if government engaged private consultants to provide the insight into community that the staff of community agencies regularly provide, the invoices would be for hundreds of thousands of dollars annually.

So here is one way that governments can justifiably “pay” for services rendered by community agencies – acknowledge the value of the “partnership”, and compensate the organization accordingly. And remember, this is in addition to the “base” funding I mentioned earlier, because it is this base funding that is required to ensure there are these organizations in existence with which to partner.

The John Howard Society of Alberta

Annual General Meeting 2006

The Society's Annual General Meeting will be held Saturday, May 6th, 2006
at the Coast Edmonton Plaza Hotel located at:
10155-105 Street, Edmonton, AB
from 1:30 p.m. to 3:00 p.m.

We welcome everyone to attend.
Hope to see you there!

RSVP Bev Tweedle @ (780) 423-4878 by April 22nd, 2006

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**The John Howard
Society of Alberta**

Incorporated 1949

The Reporter, a publication of the John Howard Society of Alberta, is distributed free of charge to a wide audience of citizens, educators, agencies, and criminal justice staff. Our goal is to provide information and commentary on timely criminal justice issues. We welcome and encourage your feedback on The Reporter.

The John Howard Society of Alberta is an agency composed of citizens in Alberta who are interested in criminal justice reform and preventing crime in our communities. We recognize that dealing with crime is the responsibility of the community as well as public agencies.

We gratefully accept donations to help offset the costs of our efforts in criminal justice reform and crime prevention. Donations are income tax deductible.

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ISSN 1192-4381