

DEVELOPING MODEL: DOWNTOWN TORONTO COMPONENTS



“If only I got more help...not just things put on you...I might not have done crime”

(youth from care)

The Cross-Over Youth Project is housed out of the School of Child and Youth Care, Ryerson University.

For information about the Project or about Project C and its Youth-Led initiatives, visit our website after March 22, 2016 at: www.crossoveryouth.ca or call 416-979-5000 x 3643

Photo Courtesy of Sherry Prenevost

CROSS-OVER YOUTH PROJECT IMPLEMENTATION: DEVELOPING MODEL: DOWNTOWN TORONTO COMPONENTS

Cross-Over Youth Project: Goals and Core Principles

Project Goals:

1. To keep youth involved with Children's Aid Societies¹ out of the Justice System
2. If a youth in care is involved with the Police or the Courts, to facilitate getting them out of the Justice System (including detention) as soon as possible
3. To facilitate the provision of services through the children's service sectors as opposed to a reliance on the justice system to access resources

The Cross-Over Youth Project operates on the basis of anti-oppression and children's rights guiding principles.² The Project specifically promotes the values in the United Nations Convention on the Rights of the Child (UNCRC) which include anti-discrimination, respect for culture and community and respect for the views and wishes of youth.

¹ Youth living in the care of a child welfare agency and also involved in the youth justice system are often referred to as "cross-over" youth. We refer to youth involved with Children's Aid Societies as "youth in care"; however, youth do not need to be formally in care to be involved with our project. For example, we will assist in cases involving: investigations, voluntary agreements, special needs agreements, supervision orders, society or crown wardship and customary or kin care.

² Anti-oppression principles ground the work of an organization in principles of equality and anti-racism by recognizing the impact of power imbalances at an institutional and systemic level. The Cross-Over Youth Project has added children's rights to our guiding principles, consistent with the United Nations' Convention on the Rights of the Child with particular recognition of the racism and disadvantages faced by African Canadian and First Nations', Inuit and Métis youth who are over-represented in the youth justice and child welfare systems.

In striving to achieve these goals, the Cross-Over Youth Project coordinates and helps case managers marshal resources for youth and acts as an advisor and “troubleshooter” based on its expertise in the children’s services systems (in particular, the child welfare and youth justice systems).

Our questions to each sector is, “What can the Cross-Over Project do to assist?” And: “How does the system as a whole make lasting changes to process and outcomes?”

The Project will develop community-based models in four sites: Downtown Toronto, Thunder Bay, Belleville and Chatham, Ontario. At the end of each pilot site, the Project will create a local model based on best practices. Each of the four models will then influence the creation of a more general model for working on cross-over issues, with room for flexibility based on local needs and demographics. The Cross-Over Youth Project is a **resource for** service providers to assist them in fulfilling their roles. The Project will be in each site, including downtown Toronto for a limited time to help forge sustainable solutions and information sharing between sectors before it moves on to the next site.

Implementation in the Downtown Toronto site will:

- Be supported by two staff: one lawyer (Resource Coordinator) and one social worker (Case Conference Facilitator) as well as the Project Director, the Principal Investigator, the Judicial Lead and social work students from Ryerson.
- Facilitate the coordination of resources and provide advice to all sectors on behalf of youth :
 - appearing at 311 Jarvis,
 - at relevant police divisions,
 - in group or foster care in the downtown core who have police involvement/ charges or who could face charges
 - youth in their home or a shelter who are involved in child welfare and youth justice

Cases are identified/referred to the Project in the following ways:

- Through the four local Children’s Aid Societies
- Staff will be routinely present in bail court, Community Youth Court and Aboriginal Youth Court and as such, will get referrals from:
 - Crown
 - Defense
 - Duty Counsel

- Justices of the Peace
- Judges
- Office of the Children’s Lawyer
- MCYS Probation Officers
- Community partner agencies and support services including in the mental health and education sectors
 - Through Legal Aid Ontario and community legal clinics
 - Through associations in the various sectors such as OACAS, OARTY, Foster Parents’ Association
 - Through the Office of the Provincial Advocate For Children and Youth
 - Through the Police-- the staff will have a regular presence at the local divisions
 - Through group care staff and foster parents—the staff will have a regular presence at local group care placements

The Cross-Over Youth Project will offer the following types of interventions, throughout the 25 points (see attached) at which the youth justice and child welfare systems intersect:

- Contribute to the Cross-Over Youth practice model at the local courthouse which will include: early identification of cross-over youth and participation in timely judicial, joint case-management throughout the pre- and post -trial processes
- Legal and systems advice about the impact of each sector on the other
- Linking with existing pre-and post- charge diversion programs
- Facilitating diversion alternatives specific to the needs of cross-over youth
- Facilitating pre- and post- charge diversion on a case by case basis
- Coordinating child welfare attendance and involvement and facilitating the creation of structures with each Children’s Aid Society to ensure enhanced involvement
- Coordinating the use of “two hatter” counsel so that youth will have one instead of two lawyers
- Assisting in the coordination of release(bail) and sentencing plans
- Engaging stakeholders from the child welfare sector, youth justice system and other relevant sectors to facilitate sharing of information and the development and coordination of individualized plans for youth. For example, this could include involving mental health, education, addictions and trauma-related services as part of a comprehensive plan
- Coordinating and facilitating case conferences that are either court or community based but ideally: are joint youth justice/ child welfare conferences. This will help bring together all of the relevant individuals in the life of the youth and assist in enhancing supports and arriving at restorative outcomes

- Participating in judicial case management meetings and pre-trials
- Leading or coordinating restorative sessions in group care to avoid the use of the justice system

The Cross-Over Youth Project will also offer education on several levels:

1. Project C, the Project's Youth Committee, will conduct awareness and information sessions in group care; they will also seek the perspectives of youth from care
2. Project C will produce a video to educate everyone about the impacts of youth justice involvement on youth from care
3. The Cross-Over Youth Project and Project C will produce training modules to enable sectors to learn, in-depth about the child welfare and youth justice systems and how they interact
4. The Project will hold a one-day session to bring together each sector that works in downtown Toronto and to educate them about the Project and to offer cross-sectoral legal and field-based information sharing and best practices

The Cross-Over Youth Project with its community and government partners will seek change at the local and provincial levels in terms of relevant policies and practices across sectors. These changes will be informed by local/provincial needs identified by the Project Committees, including Project C. For example, in Toronto, changes are already being made to bail program criterion to recognize the circumstances of cross-over youth.

Next Steps in Model Development:

At the systemic level, the Cross-Over Youth Project will be working towards system-wide support as opposed to a criminal justice response for things like:

- conflict or crisis in group care , foster care and in the family home
- absences without leave from placement
- minor issues in the community
- youths' responses that are linked to mental health needs

The Cross-Over Youth Project's approach encompasses both pre-and post- charge strategies to limit youth justice involvement.

The Project will work in collaboration with all sectors (at the front line, organizational and various Ontario Ministries) to help achieve its goals through:

- identifying gaps in children's mental health and educational resources
- contributing to solutions to fill the gaps in educational and children's mental health resources

- helping to develop and implement best practices in group care
- contributing to best practices in identifying and meeting educational needs
- supporting accountability to children and youth by influencing policy and standards
- focusing resources on pre-charge diversion
- awareness, problem-solving and empathy building
- supporting youth-led initiatives
- mentorships for youth

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Intersection Points in which Innovative Alternatives can be offered to Cross-over Youth

