

PREVENTING HOMELESSNESS
RESULTING FROM CONTACT
WITH JUSTICE AND
CORRECTIONAL SERVICES

**Proposed Recommandations** 

October 2023





This position paper puts forth recommendations aiming to prevent homelessness resulting from the judicial and correctional processes.

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For more information, please contact:

Collectif québécois pour la prévention de l'itinérance (CQPI)

cqpi@missionoldbrewery.ca

902 St. Laurent Boulevard

Montreal (Quebec) H2Z 1J2

www.cqpi.ca



#### **Working Groups Co-Chairs**

- Art Campbell, Regional Director, The YMCAs of Quebec, Social Reintegration and Inclusion sector
- Laurence Roy, Associate Professor, School of Physical and Occupational Therapy, McGill University; Researcher, The Douglas Research Centre; Researcher, Centre de recherche de Montréal sur les inégalités sociales, les discriminations et les pratiques alternatives de citoyenneté (CREMIS)
- Anne Crocker, Director of Research and Academics, Institut national de psychiatrie légale Philippe-Pinel; Full Professor, Department of Psychiatry and Addictions, School of Criminology, Université de Montréal

#### **Members**

- Anne-Marie Blanchet, Corrections Counselor, Montreal Detention Facility
- Hugo Hang Hong, Partner Relationships Advisor, Montreal Correctional Network, Ministry of Public Security (MSP)
- **Isabel Gervais**, Coordinator, *Sortie Carcérale Planifiée*, YMCA of Québec, Reintegration et social inclusion
- Josée Gosselin, Team Manager, Professional Correctional Branch, Montreal South/West, MSP
- Karine Morneau, Probation Officer, Quebec Correctional Services, MSP
- Marie-Eve Desjardins, Corrections Counselor, Montreal Detention Facility, MSP
- Marjolie LaTulippe, Master's student in Criminology, Université de Montréal
- Rodely Jean-Gilles, Partner Relationships Advisor, Montreal Correctional Network, MSP
- Rudy Escoffier, Director, Projet Logement Montréal
- Véronique Lejour, Interim Executive Director, Centre l'Entre-Toit



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#### **Executive Summary**

The Québec Homelessness Prevention Policy Collaborative (Q-HPPC), was created to advance policy reform in Quebec. Through its research arm on judicial and correctional processes (one of several research arms), Q-HPPC formulates recommendations for preventing homelessness among justice-involved individuals, emphasizing a flexible and humane support throughout their criminal justice trajectory, based on enhancing staff competencies, as well as improved access to services, collaboration among the various actors and recognition and valuing of experiential knowledge. These recommendations flow from a collective effort by the members of our working group, which included individuals who have experienced homelessness and justice involvement, as well as representatives of police forces, correctional services, justice services, psychosocial services (both in detention and in the community), community housing and shelter specialists and researchers.

The passage through the different phases of the justice process by individuals who are at risk of homelessness can be fragilizing. Every stage of the justice and correctional trajectory can trigger significant losses in terms of relationships, material and financial status and resources, and health, thus contributing to residential instability. This is especially true in instances of incarceration, including custodial remand. Although our justice and correctional institutions claim to have a goal of rehabilitation, the nature of these environments and the available means of support often do not enable individuals to acquire a stable enough position to integrate into the community in a lasting way and into positive and meaningful family, social, educational and vocational networks. Silos among police, justice, correctional, community and social/health sectors force individuals to make repeated requests for assistance, and to continually repeat their life story to different case workers. They often have to face stigmatizing attitudes relating to their homeless status as well as their criminal record, which can lead to negative experiences with the various services. These experiences often result in individuals living through systematic failure, becoming demobilized and becoming distrustful and reticent vis-à-vis social institutions, including the resources that are meant to help them. For certain individuals, in particular those living with major mental health or cognitive vulnerabilities, these problems result in cycles of homelessness and justice involvement that come at enormous human cost.

The efforts of the working group transpired between June 2021 and June 2023 with active writing in winter 2022 and spring 2023. We recognize that local initiatives to respond to some of the issues raised in this report relative to employment, support, treatment of addictions or health conditions are in place or have been deployed in this period and in different environments. The active work of these teams is essential in order to address the pressing needs of people in the justice and correction systems who are in a situation or at risk of homelessness. Our recommendations aim to present a global vision of the policy and organizational changes



necessary to prevent residential instability and homelessness for people involved in justice and correctional trajectories.

As such, our proposal is an invitation to the various sectors concerned with the prevention of homelessness among justice-involved individuals to engage in dialogue. Nine specific recommendations, articulated around three axes, are proposed:

- Providing supports for individuals
- Building service-level capacity
- Improving access to services and cross-sector work

Along with these nine specific recommendations, we have included a cross-cutting recommendation that emphasizes listening to and integrating justice-involved individuals' experiential knowledge. As well, with each recommendation, we have identified the challenges that exist within the Quebec justice ecosystem for those who are homeless or at risk of homelessness, the goals to be accomplished and the proposed means to achieve them.



The following table presents a summary of these elements:

Recommendations	Objectives	Means			
Axis 1:	Axis 1: Providing supports for individuals				
1.1. Ensure consistency and continuity in medical and psychosocial service follow-ups of individuals at risk of homelessness throughout the justice process	<ul> <li>Ensure that the health and psychosocial state of each justice-involved person is considered throughout their justice trajectory;</li> <li>Make sure individuals' rights to health and safety are respected throughout their justice trajectory.</li> </ul>	<ul> <li>The creation of community or social services teams of homelessness-justice caseworkers, providing social support to justice involved individuals who are homeless or at risk;</li> <li>Creation of a single data file;</li> <li>Avoid closing health files (physical and mental) when an individual is incarcerated or is in an unstable situation;</li> <li>Eliminate barriers to accessing mental health care (promote intervention/assessment during incarceration, prior to release);</li> <li>Create a form to be used for referrals to the "Guichet d'accès en santé mentale" (GASMA) by Quebec Correctional Services (SCQ)</li> </ul>			



Recommendations	Objectives	Means
		providers;  Implement a communications corridor between the GASMA and Quebec Correctional Services to ease the referral and intake of persons who are homeless or at risk of homelessness (mental health, psychosocial services).
1.2. Systematically identify the risk of homelessness when people come into contact with judicial and correctional environments	<ul> <li>Systematically identify residential instability or atrisk situations among justice-involved individuals;</li> <li>Match those individuals whose residential situations are unstable or at risk with the appropriate services.</li> </ul>	<ul> <li>The creation of homelessness-justice caseworkers' teams (see 1.1);</li> <li>Implementation of a strategy to identify residential instability or those at risk within justice and correctional environments. For example, using the « Instrument de repérage et d'identification des situations résidentielles instables et à risque (IRIS) ».</li> </ul>
1.3. Ensure adequate means of subsistence for individuals in a situation of homelessness or at risk of homelessness	Ensure that individuals experiencing homelessness have the resources they require to meet their basic needs;	The creation of homelessness-justice caseworkers' teams (see 1.1); including support related to income and employability;
	Help create the conditions that will allow them to exit poverty.	Establishment of agreements between the above teams and financial institutions to facilitate the opening of a basic account;



Recommendations	Objectives	Means
		<ul> <li>Improvement of access to financial services and employability both during incarceration and upon release;</li> <li>Enhancement of last-resort financial aid or access to a guaranteed minimum income.</li> </ul>
1.4. Support social reintegration during detention to decrease risk of homelessness	<ul> <li>Modify some of the characteristics of detention settings that constitute fragilizing factors;</li> <li>Stabilize the individual's situation during the period of detention.</li> </ul>	<ul> <li>Implementation of a mechanism to initiate the application for last-resort financial assistance during the detention period;</li> <li>Modification of telephone call and visitation procedures</li> </ul>
		<ul> <li>within detention facilities.</li> <li>Elimination of inter-facility transfers unless absolutely necessary;</li> <li>Systematic verification of identification documents upon admission and reordering</li> </ul>
		when required;  Consideration of the fundamental rights of detainees, and associated improvement of release practices and healthcare and



Recommendations	ecommendations Objectives	
		psychosocial services offered in detention.
Axis	2: Building service-level c	apacity
2.1. Improve staff training for contexts where the judicial and correctional spheres intersect with homelessness	Raise awareness among a wide variety of categories of providers about the realities of homelessness, its various forms, and factors associated with it;	Development and implementation of tailored training plans addressing the knowledge needs of agencies involved in the trajectories of justice-involved individuals at risk of homelessness;
	Enhance knowledge, including both soft skills and know-how, among actors in all of the sectors when it comes to homelessness and its associated realities;	Development of tools to inform and guide stakeholders from all involved sectors regarding the rights, needs, trajectories, resources, and available services for this
	Develop the capacities of actors in each of these sectors to communicate and collaborate in a cross-sector fashion.	population.
2.2. Adjust release conditions to the realities of individuals who are homeless or at risk of homelessness	Improve the match and appropriateness of judicial conditions and the capacities and attributes of justice- involved persons who are homeless or at risk of	<ul> <li>Development and implementation of training plans tailored to the knowledge needs of actors involved in issuing judicial conditions for individuals experiencing or at risk of</li> </ul>



Recommendations	Objectives	Means
	homelessness, at each step of the justice process.	homelessness;  Implementation of cross-sector work strategies.
Axis 3: Improvin	g access to services and	cross-sector work
3.1. Facilitate access to types of intervention likely to reduce the number of contacts with the judicial system, and provide solutions other than incarceration	<ul> <li>Lessen barriers to access for individuals who are homeless or at risk of homelessness to programs that offer solutions other than incarceration, as well as to health and social services;</li> <li>Improve the offer of services available to meet the needs of justice-involved individuals who are homeless or at risk of homelessness.</li> </ul>	<ul> <li>Development of tools to inform and guide stakeholders from all involved sectors regarding the rights, needs, trajectories, resources, and available services for this population;</li> <li>Creation of mechanisms to access specialized and integrated health and rehabilitation services, both during detention and upon release;</li> <li>Enhancement of crisis center availability, particularly for individuals with concurrent mental health and substance use disorders.</li> </ul>
3.2. Facilitate access to Legal Aid for individuals who are homeless or at risk of homelessness	Redefine the criteria for admissibility to Legal Aid in regards to vulnerable individuals.	Establishment of a dedicated entity within Legal Aid for individuals in vulnerable situations.



Recommendations	Objectives	Means		
		<ul> <li>Easing the obligation to provide a notice of assessment from Social Assistance.</li> </ul>		
3.3. Ensure consistency and continuity of information within each service and across services, throughout the judicial trajectory	Promote the exchange of judicial information relevant to the development of an accompaniment and support plan for individuals;	Enhancement of existing tools developed by SOQUIJ to create and maintain a province-wide computerized record;		
	Facilitate real-time research on cross-sectoral problems so as to document interventions and policies in homelessness prevention.	Development of collaborative approaches between intervention and research sectors at the intersection of justice, public safety, and homelessness.		
Cross-cutting axis: Listening to and integrating the experiential knowledge of justice-involved individuals who are homeless or at risk of homelessness				
Listening to and integrating the experiential knowledge of justice-involved individuals who are homeless or at risk of	Consider the experiential knowledge of justice-involved individuals who are homeless or at risk of	<ul> <li>The creation of homelessness-justice caseworkers' teams (see 1.1);</li> <li>Enhancement of existing tools developed by SOOULL to</li> </ul>		
homeless or at risk of	homelessness, so as to be able to adapt currently	developed by SOQUIJ to create and maintain a		

available services, to their

needs and experiences;

province-wide computerized

record;



Recommendations	Objectives	Means
	Increase the sense among individuals who are homeless or at risk of homelessness that there is procedural <sup>1</sup> justice in their interactions with various services.	Development of collaborative approaches between intervention and research sectors at the intersection of justice, public safety, and homelessness.

We believe that comprehensive implementation of the 10 recommendations would significantly reduce homelessness resulting from contact with justice and correctional services.

The working group now calls on the actors involved to join in a discussion of their relevance, applicability and eventual implementation.

<sup>&</sup>lt;sup>1</sup> Procedural justice refers to a procedure perceived as "flowing from an equitable and respectful process, in which the chief party concerned has participated and during which they have been respected and treated with dignity" (Guiresse, Senon and Rossini, 2019, p. 899).

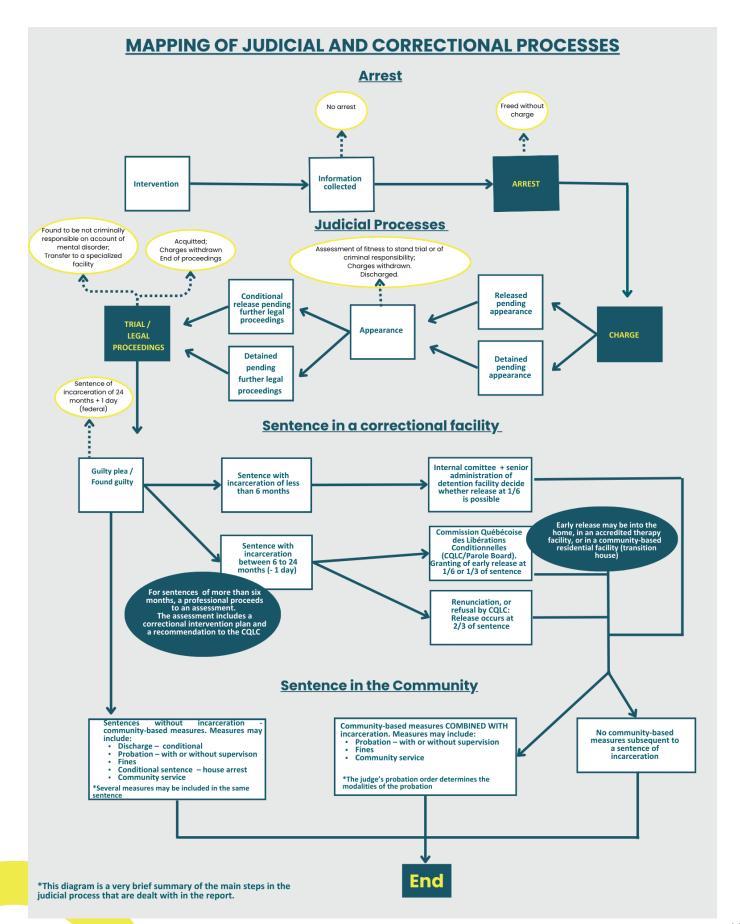


#### **The Context**

This report follows the goals and orientations being developed by the Quebec Homelessness Prevention Policy Collaborative (Q-HPPC), a partnership between the McGill Department of Equity, Ethics and Policy and the Old Brewery Mission. The Q-HPPC was created in order to harness the respective strengths of university, government and civil society entities in developing and putting forward priority policy options for preventing homelessness in Quebec.

Our working group on the prevention of homelessness resulting from contact with justice and correctional services was initially formed in response to existing high rates of homelessness and housing instability post release from detention facilities, as well as the pinpointing by previous research of this moment as a tipping point towards homelessness (Latimer and Bordeleau, 2019; Rowlands, Snyder et al, 2021; To et al, 2017). Using the approach presented below has led us to observe that, while the period following release from incarceration is indeed critical, fragilizing factors that can contribute to homelessness are present at all stages in the justice process. We therefore broadened our mandate, and sought to identify both vulnerability and protection factors relative to the housing situations of individuals who come into contact with the criminal justice system, at every stage of the process.







As we carried out the work that led to this report, we conceptualized homelessness broadly, in keeping with the definition adopted by Quebec's National Policy to Fight Homelessness, that is "a process of social disaffiliation and a situation of social exclusion characterized by a person's difficulty in having a stable, safe, adequate and healthy home due to a lack of housing or his or her inability to maintain one and, at the same time, in maintaining functional, safe and stable relationships in the community. Homelessness is explained by a combination of social and individual factors that constitute the life experience of men and women" (Government of Quebec, 2014, p.6). Homelessness may take on forms that are visible (for example spending the night in the street or in an emergency shelter) or hidden (for example, being housed temporarily with loved ones or friends).

#### **Our Approach**

We used three sources of information to arrive at the recommendations put forward in this report. First, we undertook a systematic review of the literature dealing with approaches that might help prevent homelessness following release from detention. Then, we created a cross-sectoral working group made up of representatives of each of the sectors concerned: the Service de police de la Ville de Montréal, correctional services, justice services, psychosocial services in detention and in the community, community housing and lodging and academia. Lastly, we consulted a group of individuals with lived experience,<sup>2</sup> that is, individuals who had experienced homelessness subsequent to a release from custody.

#### **Case Story**

Homelessness is a very complex experience, and a single snapshot cannot really show the range of problems that can arise. This fictional illustration, based on conversations with experienced practitioners in our working group, is meant to show one possible path to homelessness resulting from the justice process or time spent in the prison system.

Michael defrauded his employer. He has debts stemming from gambling and substance use, and engaged in fraudulent activity in order to help pay them. This is his first time in detention, but he has a record of theft related crimes, dating back to his youth. Given his debts, his

<sup>&</sup>lt;sup>2</sup> We only consulted people who identified as men. The experiences of incarcerated women and non-binary people have their own particularities and may be quite different or include angles that were not explored in our consultations with the panel of individuals with lived experience.



substance use and the stress he was under, he fell behind on his rent payments and is often in conflict with his girlfriend. She told him that if he were to wind up in prison, she would leave him.

He has been sentenced to three months' detention, with release to occur after 2/3 of time served, therefore two months of time to serve. Following the intake process and a strip search, a mandatory step in the Quebec prison system designed to limit drug infiltration, he is assigned a cellblock and a cell based on the charges against him, his criminal record and the security classification in his file.

It's summer, it's 38 degrees Celsius, and since many inmates cannot afford to buy deodorant, the ambient body odour is overwhelming. His cellmate quickly brings him up to date on who's in charge of the cellblock, which individuals are to be avoided at all costs, and which correctional officers are "OK".

After three weeks, he is transferred to another institution, because his prison is overcrowded. He goes through another intake procedure. He will find out upon being released that his identification documents have been lost in the process.

He would like to call his girlfriend to let her know what's been happening, but he can't afford a phone card. A phone call will cost him \$1.15. He tries to call her collect but gets no answer. After a few attempts, he gives up. The downward emotional spiral begins. He feels very alone and angry, and fears he has lost everything. He doesn't say anything to his fellow prisoners nor to staff, fearing that he would be made fun of.

He finds himself isolated, unable to communicate with people in his network. He starts to think that when he gets out, he will no longer have his apartment. His fears turn out to be well founded. After four months with the rent not being paid, the owner empties his apartment and leaves Michael's possessions on the sidewalk. The unit is re-rented within a few days, at a rent Michael could never afford

Prior to his imprisonment, Michael had started the process of getting treatment for his addictions. But he can't contact his caseworker at the rehabilitation centre, since the prison phone system can't dial an extension number. As he is incarcerated, his file will be closed.

He is unable to focus on his job or his substance abuse, because he is panicking at the thought of no longer having a place to live, and most of all, the thought that his girlfriend might end their relationship. No one is able to provide him with any assistance, and since the prison has a staff shortage, he is often left to himself in his cell, waiting for the time to pass, mired in his increasingly dark thoughts. He doesn't have any money or goods that he could use to obtain



illicit drugs while in detention, but can't stop thinking of the relief he could get from a few beers or even one cigarette.

The day of his release, in rainy mid-October, Michael leaves detention with a paper bag containing his personal effects, and a bus ticket. He feels the cold outside because he doesn't have a coat, not having had one when he entered detention. He had hoped his girlfriend might be there to meet him, but she is not. He recharges his phone in a metro station. He reads the messages his girlfriend sent him, and learns he has lost his apartment. She has picked up his most important documents, but is unwilling to have him stay with her. Their relationship is over.

Michael starts to walk towards downtown Montreal and, three hours later, for the first time in his life, he lines up, with 80 others, at the Old Brewery Mission asking himself, "How did it come to this?"



#### First axis: Providing supports for individuals

The literature, individuals with lived experience, and the cross-sectoral group all agree on this first point: passage through the various phases of the justice process fragilizes the situation of persons who are at risk of becoming homeless (Copeland et al, 2009; Greenberg et Rosenheck, 2008). Each of these phases (see figure 1) in the justice trajectory may lead to major setbacks that are also risk factors for disaffiliation and housing instability. Episodes of detention (including preventive detention) constitute intervals that are associated with numerous elements of fragilization and disaffiliation: loss of lodging and of material goods; being cut off from medical and psychosocial monitoring, erosion of one's social network and social isolation; loss of employment income or financial aid from the State and delay in being able to access last-resort social assistance, and as a result, loss of benefits (medicine, optical care, dental care, some special needs); accumulation of debts (legal or otherwise); non-resolution of administrative proceedings (pending cases and/or proceedings related to immigration status); loss of identification documents; discrimination, victimization and traumatic prison experiences; and the deterioration in physical or mental health. The accumulation of these factors of fragilization has led to episodes of detention being identified as potential and significant tipping points towards homelessness.

# Recommendation 1.1 Ensure consistency and continuity in medical and psychosocial service provision of individuals at risk of homelessness throughout the justice process

#### **Current situation**

Along with the accumulation of the fragilization factors identified above, the working group notes the existence of silos separating health, social, police, judicial, prison and other services in detention settings and in the community. The silo effect contributes to the loss of monitoring capacity, or to poorly adapted monitoring (caused by lack of information about the needs of the individuals involved or about approaches already tried). The silos that exist between sectors force individuals to make repeated requests for assistance, and continually have to repeat their life story to different case workers. Persons experiencing homelessness often present multiple needs, which are simultaneous and impact each other (Omerov et al, 2020), and that requires a global health approach (physical, mental, addictions) which is not available through the current offer of services, including in closed environments like detention or legal psychiatry.



#### Goals

The goals stemming from this recommendation are:

- 1. Ensure that the health and psychosocial state of each justice-involved person, throughout their justice trajectory, is considered to a greater extent;
- 2. Make sure individuals' rights to health and safety are respected throughout their judicial trajectory.

#### **Proposed means**

Teams of homelessness-justice caseworkers: the working group recommends providing persons who are homeless or at risk of homelessness with social support throughout their journey within the justice system. The working group recommends, as a priority, the creation of teams of homelessness-justice caseworkers, and the assigning of caseworkers to justice-involved individuals who are homeless or at risk of homelessness, so as to ensure continuity in the followup of the person's situation, and promote good communication between bodies or agencies. The team, or the caseworker, should be present throughout the period when services are provided, including in detention. It is crucial that these caseworker teams or agents be associated with community-based or institutional psychosocial services, and not with the bodies that have a legal mandate. This firm statement is based on our work with our group of individuals with lived experience: they tell us that they are unable to forge bonds of trust with persons who are charged with an oversight mandate. The caseworker teams or agents would benefit from having the time and space needed to develop a relationship of trust with justiceinvolved persons, and would be available to accompany them at crucial points in their judicial path (for example interrogations, appearances, proceedings in preparation for release from custody, an appearance before the Parole Board). They would serve as key contacts for the other service providers working with the justice-involved individual, for example when conditions of release are set. It is also crucial that the teams and agents have access to certain judicial information, with the consent of the justice-involved individual. Upon release from detention, greater follow-up may be required, for instance access to preparation and support services. At this key juncture, it may be advisable to anchor the homelessness-justice teams to those in social housing programs that include support, or residential stabilisation with accompaniment. These methods have been proven to work in the area of residential stability (Stergiopoulos et al, 2015), including in the cases of justice-involved individuals, and are seen positively by our group of individuals with lived experience. The working group recommends facilitating access to such programs by justice-involved individuals who are at risk of becoming homeless, immediately upon their release from detention. Lastly, the working group recommends that these teams be able to provide, or easily refer participants to, services involving cognitive, neuropsychological and functional assessment according to their needs.



A single data file: In order to be able to attain goal #1, communication among police forces, prosecutors, general and specialized courts, correctional services and intervention teams working in a detention setting and in the community must be improved, with a view to preventing a passage into homelessness at each stage of the judicial pathway. Starting with police intervention, key information on the individual's health, their social situation (at risk of homelessness or homeless, among others) and any monitoring of their case already in progress should be collected, then transmitted and updated at each subsequent step of the justice process. Accurate information should be available even where the situation or infraction is considered to be at a low level of severity. Working groups could also be organized among partners in the process in order to promote fluid communication and continuity in follow-ups.

This improvement in communication and cooperation must obviously consider the obligations of each actor in terms of privacy and the protection of personal data. One possible avenue would be to propose to each individual the signing of an authorization for the sharing of information, explaining to them its limitations, the context it will be used in and why it is useful. These measures will, as a whole, have to be in conformity with the *Act respecting Access to documents held by public bodies and the Protection of personal information.* 

<u>Other steps</u>: While the working group recommends the prompt creation of teams of caseworkers dedicated to ensuring continuity of services for this population, and a single data file for the purposes of follow-up, some interim measures could be implemented as well:

- Avoid closing health files (physical and mental) when an individual is incarcerated or is in an unstable situation;
- Eliminate barriers to accessing mental health care (promote intervention/assessment during incarceration, prior to release);
- Create a form to be used for referrals to the Guichet d'accès en santé mentale (GASMA) for providers in the Quebec Correctional Services (SCQ);
- ➤ Implement a communications corridor between the GASMA and Quebec Correctional Services to ease the referral and intake of persons who are homeless or at risk of homelessness (mental health, psychosocial services).



## Recommendation 1.2 Systematically identify the risk of homelessness when people come into contact with judicial and correctional environments

#### Goals

The goals stemming from this recommendation are:

- 1. Systematically identify residential instability or at-risk situations among justice-involved individuals:
- 2. Match those individuals whose residential situations are unstable or at risk with the appropriate services.

#### **Proposed means**

The working group recommends that the risk for homelessness be identified in a systematic way among persons who come in contact with police and justice services. In a correctional setting, a systematic procedure for identifying the risk for homelessness both upon entry and upon release from custody should be put in place. Such screening should be carried out by a person who is bound by an obligation of confidentiality. The <a href="Instrument for housing instability risk identification and assessment">Instrument for housing instability risk identification and assessment</a> (IRIS; Hurtubise, Camara and Benoit, 2019) could be used for this purpose. This recently developed tool is already used in several practice settings in Quebec and a free one-hour online training session (currently only available in French) is available to providers in the relevant fields. The tool and training should be translated into English.

The establishment of such a process requires reviewing the time devoted to admission into detention to accommodate staff needs and making changes to the IT system at admissions (e.g. to make the use of the indicator a compulsory step). When the IRIS tool is used, there should be a continuing assessment of its performance and its suitability for the correctional setting.

The formation of teams of caseworkers in homelessness-justice, and their deployment, will enable the fulfillment of the second goal, that is, the matching of the appropriate services with persons whose residential situation is unstable or at risk.

### Recommendation 1.3: Ensure adequate means of subsistence for individuals in a situation of homelessness or at risk of homelessness

#### **Current situation**

Individuals who are homeless or at risk of homelessness live with reduced material and financial resources that make it more likely that they will come in contact with police forces or judicial



services. Not having income, they are at risk of not being able to meet their basic needs (food, hydration, sleep, shelter, protection), which can lead to behaviour likely to result in further r justice involvement. A criminal record and time spent in detention often constitute major roadblocks to the employability of justice-involved individuals, especially if they are homeless or at risk of homelessness. Many individuals, upon their release from custody, have difficulty opening a bank account, meeting banking institutions' credit requirements or undertaking the process of looking for a job.

#### Goals

The goals stemming from this recommendation are the following:

- 1. Ensure that individuals experiencing homelessness have the resources they require to meet their basic needs:
- 2. Help create the conditions that will allow them to exit poverty.

#### **Proposed means**

The working group recommends that the teams assigned to accompany justice-involved persons (see recommendation 1.1) enter into service agreements with certain banks to facilitate the opening of accounts. Voluntary fiduciary programs should also be better publicized and easily accessible to justice-involved individuals who are homeless or at risk of homelessness.

The working group recommends improving and facilitating access to work opportunities in detention, and encouraging outside work placements during incarceration. It would also be helpful to assess the socioprofessional capacities of the most vulnerable individuals in order to ensure a correspondence between proposed employability programs and the strengths, capacities and interests of the individuals. For some, it may be worth delaying reintegration into employment if their life circumstances do not provide enough stability (for example homelessness).

Lastly, the group notes that the current levels of last-resort financial assistance do not permit individuals to get out of poverty, especially when a housing crisis and inflation are present. Access to a decent basic income would seem to be essential to the social reintegration of justice-involved persons who are homeless or at risk of homelessness.



## Recommendation 1.4: Support social reintegration during detention to decrease risk of homelessness

#### **Current situation**

Several characteristics of prison settings increase the likelihood of an individual being fragilized during their time there. First, the current impossibility of presenting a request for last-resort financial assistance prior to release from custody results in a delay in accessing a basic income, which results in individuals leaving detention facilities with no financial resources, and thus unable to pay a first month's rent or put down a deposit. This status also means the individual won't have access to medical benefits, thus depriving them of the means of procuring medications vital to the stability of their mental and physical health.

The modalities involved in making phone calls while in detention and the prohibitive cost of calling constitute another obstacle to social reintegration efforts. For example, it is expensive and ineffective for an incarcerated individual to call a potential landlord or provider of employability services, not knowing whether that person will answer the phone, not being able to leave a callback number and not being able to provide an expected date for release from custody.

Unforeseen or frequent inter-institutional transfers also complicate social reintegration. They take detained individuals away from their social network and from the ties established with probation officers, and increase the likelihood that identity documents will be lost.

The working group also observed the current lack of capacity of probation officers to meet detained individuals' social reintegration needs, as well as the lack of resources needed to carry out administrative procedures that are essential to stabilizing individuals' situations (pending court cases, immigration status, etc.).

Lastly, the lack of mental health and addiction treatment services in detention, combined with the high likelihood of victimization and occurrence of traumatic events, further degrade the health of detained individuals. The working group notes that this phenomenon is particularly apparent where the sentence is between two weeks and six months.

#### Goals

The goals stemming from this recommendation are the following:

- 1. Modify some of the characteristics of detention settings that constitute fragilizing factors;
- 2. Stabilize the individual's situation during the period of detention.



#### **Proposed means**

The working group recommends, in an urgent and priority manner, the implementation of a mechanism that would allow for requesting last-resort financial assistance during incarceration, so that individuals can access some income immediately upon their release.

The working group also recommends that: 1) the modalities regarding phone calls in a detention setting be revised, first, by limiting the cost in a general way, and also by allowing detained individuals free calls to a limited set of authorized numbers (between 5 and 10, depending on the situation) with the objective of facilitating reintegration efforts; 2) the rules governing visits in detention facilities be revised so as to add psychosocial caseworkers, agencies dealing with housing and accommodation, landlords and any other actors needed in the facilitation of reintegration into housing, employment or education, and into a prosocial and meaningful social network; 3) halt transfers between institutions, except in circumstances where they are absolutely necessary (Tschanz, 2022); 4) there be a systematic validation of identification documents upon admission, so as to ensure that any lost documents that need to be replaced can be ordered and ready upon release; 5) individuals be provided upon their release with tickets for public transit, and the basic means to enable them to go to their destination (in particular in the case of a departure from an institution that is far from the individual's domicile) and to be able to subsist for a few days (initial prescription for regular medication (at least 21 days), grocery voucher permitting the purchase of a few meals).

The screening and assessment of mental health problems should systematically occur upon intake. Following the assessment, the person should be linked to a service offering suited to the needs of the individual, regardless of length of sentence.

Lastly, the work group recommends that practices utilized in detention be regularly and systematically revised to take into account the fundamental rights of detained individuals and the principles of trauma-informed care (Levenson and Willis, 2019).

These changes to detention settings cannot be dissociated from the other measures proposed, if they are to be effective in modifying the trajectories of individuals who are at risk of homelessness.



#### Second axis: Building service-level capacity

# Recommendation 2.1: Improve staff training for contexts where the judicial and correctional spheres intersect with homelessness

#### **Current situation**

The working group has identified numerous factors that result in the exclusion of justice-involved individuals from settings that are crucial to their social reintegration. These settings include housing, employment, health services and public spaces. The "Not in My Back Yard" phenomenon in particular comes to mind; it leads to many individuals experiencing homelessness being subjected to complaints from neighbourhood residents and repeated calls to police, due to their mere presence in public spaces. The low social acceptance of persons experiencing homelessness results in them constantly being displaced and diminishes their capacity to find footing in spaces and neighbourhoods, or in proximity to resources that can help or support them.

More specifically, the members of the working group have identified a phenomenon of dual stigma, both by virtue of the social condition (homelessness or extreme precarity) of the individual and their judicial situation. An individual experiencing homelessness can also encounter other forms of prejudice, relating, for example, to mental health, addiction or an aspect of their identity (discrimination on the basis of race, gender, etc.) from providers with whom they are in contact, in the health and social services sector as well as in dealings with police forces and judicial and correctional services. These providers may feel powerless and ill equipped when dealing with a person experiencing homelessness; their lack of knowledge of the realities of homelessness, of the diversity of individuals in this situation or of the factors that lead to entering and leaving homelessness can lead them to adopt practices that are ill-suited to this population. The lack of understanding of the measures needed, when dealing with individuals whose mental state may constitute a danger for themselves or others, may lead to a suboptimal utilization of legal strategies (for example a request for a psychiatric assessment).

In a closed environment, being labelled a "delinquent" or "criminal" can trigger the use of restrictive risk management practices that fail to take into account other criminogenic factors, such as loss of one's social network, of social or functional skills, or of housing. In certain cases, this lack of understanding can have serious consequences, for example when judicially-imposed conditions turn out to be incompatible with the individual's situation or reality, or when the person is the object of social and racial profiling resulting in a significant increase in interaction with police forces and judicial services. These situations thwart individual efforts to get out of homelessness and reintegrate the community in a lasting way. These situations can also lead



certain individuals who are homeless or at risk of homelessness to develop a greater mistrust of institutions, especially the justice system, and to further disaffiliate from their prosocial networks.

On the whole, the individuals with lived experience, as well as the working group experts, have concluded that there is a significant need to enhance the skills of all the actors who intervene in justice-involved individuals' trajectories in the area of homelessness and the realities connected to it. Among these actors are police officers, lawyers, judges, Parole Board members, correctional service officers, probation officers, administrators, all providers from the health and social services system and managers in correctional settings.

#### Goals

The goals stemming from these recommendations are:

- 1. Raise awareness among a wide variety of categories of providers about the realities of homelessness, its various forms, and factors associated with it;
- 2. Enhance knowledge, including both soft skills and know-how, among actors in all of the sectors when it comes to homelessness and its associated realities;
- 3. Develop the capacities of actors in each of these sectors to communicate and collaborate in a cross-sector fashion.

#### **Proposed means**

Each of the sectors involved in the trajectories of justice-involved individuals who are at risk of homelessness could start by producing an overview of the knowledge and skills of its staff as they relate to homelessness and associated realities, mapping out a training plan based on that overview, and implementing the plan using strategies for awareness raising, training and enhancing support. These strategies should be tailored to the realities of all the actors, and their practice settings.

These strategies for awareness raising, training and accompaniment can be based on best practices and tools that already exist in the field of homelessness prevention, for instance the Instrument for housing instability risk identification and assessment and the Guide de bonnes pratiques en itinérance (Guide to best practices in the area of homelessness, in French) produced by the Centre de recherche de Montréal sur les inégalités sociales, les discriminations et les pratiques alternatives de citoyenneté (CREMIS; Hurtubise et al, 2020). The modalities may vary depending on local needs and contexts, but the strategies can draw on promising methods being used in the development of knowledge and skills in cross-sectoral work: reflective workshops, online training, cross training, spaces for community dialogue, and communities of practice (Roy and Coulombe, 2021).



Given the complexity of the trajectories of individuals who are homeless or at risk of homelessness, their needs and the programs available for them, we also propose that interactive technological tools be developed that would inform and orient providers in all sectors involved as to the rights, needs, paths, resources and services available to this population.

## Recommendation 2.2: Adjust release conditions to the realities of individuals who are homeless or at risk of homelessness

#### **Current situation**

Individuals who are homeless or at risk of homelessness are highly likely to commit infractions relating to the administration of justice, for example, a breach of conditions for release or a probation violation (Roy et al, 2016). The accumulation of this type of infraction can have significant consequences on the lives of the individuals involved and on Quebec's justice system.

The working group has concluded that the mismatch between conditions for release imposed at different stages of the justice process and the realities inherent to the situations of individuals who are homeless or at risk of homelessness is a major factor in committing this type of infraction. Certain release conditions are practically impossible to meet, and impede these individuals' efforts at social reintegration.

#### Goal

This recommendation seeks to bring about a better match between judicial conditions and the capacities and attributes of justice-involved persons who are homeless or at risk of homelessness, at each step of the justice process.

#### **Proposed means**

The working group would like to stress the importance of adapting the release and probation conditions for these populations, ensuring that they are measurable, realistic and limited as to time. Training for partners in the judicial system and collaboration among socio-health actors are needed for the goal to be achieved.



# Third axis: Improving access to services and cross-sector work

Recommendation 3.1: Facilitate access to types of intervention likely to reduce the number of contacts with the judicial system, and provide solutions other than incarceration

#### **Current situation**

Police officers have a duty to intervene when a complaint is lodged with a police force or when they observe the commission of a criminal offence. However, the working group has noted, in research carried out over the last few years among other points of reference, that the passage through police and justice processes of individuals who are homeless or at risk of homelessness often results in fragilization and deterioration of their condition. Based on these findings, several new intervention options have been developed: mixed squads including police officers and providers<sup>34</sup> (Hurtubise and Rose, 2016), teams of civilian first responders for crisis situations<sup>5</sup>, tribunals that are tailored to the situations of homeless individuals or those suffering from mental illness (Schneider, Crocker and Leclair, 2016), etc. Other resources can also be mobilized in a crisis situation: street workers, crisis centres, etc. However, these resources are often little-known and under-utilized.

The working group also notes the many structural, organizational and interpersonal barriers that impede access to services for individuals who are homeless or at risk of homelessness, especially when it comes to mental health or addiction treatment services (Omerov et al, 2020). Access to addiction therapy centres offering on-site programs is often especially difficult for individuals who are homeless or at risk of homelessness.

<sup>&</sup>lt;sup>3</sup> SPVM, "Équipe de soutien aux urgences psychosociales (ESUP)", online (in French) : spvm.qc.ca/fr/Pages/Decouvrir-le-SPVM/Qui-fait-quoi/Equipe-de-soutien-aux-urgences-psychosociales-ESUP

<sup>&</sup>lt;sup>4</sup> SPVM, "Équipe mobile de référence et d'intervention en itinérance (EMRII)", online (in French)" : <a href="mailto:spvm.qc.ca/fr/Pages/Decouvrir-le-SPVM/Qui-fait-quoi/Equipe-mobile-de-reference-et-dintervention-en-itinerance-EMRII">spvm.qc.ca/fr/Pages/Decouvrir-le-SPVM/Qui-fait-quoi/Equipe-mobile-de-reference-et-dintervention-en-itinerance-EMRII</a>

<sup>&</sup>lt;sup>5</sup> SPVM, "Mobile social mediation and intervention team", online: <a href="https://montreal.ca/en/articles/mobile-social-mediation-and-intervention-team-20213">https://montreal.ca/en/articles/mobile-social-mediation-and-intervention-team-20213</a>



As well, some resources are absent from the continuum of services for these populations, especially in regards to crisis services for individuals with substance abuse problems and services for cognitive and functional assessment and rehabilitation for those who leave a closed environment such as detention or psychiatric custody.

#### Goals

The goals stemming from these recommendations are:

- Lessen barriers to access for individuals who are homeless or at risk of homelessness to programs that offer solutions other than incarceration, as well as to health and social services;
- 2. Improve the offer of services available to meet the needs of justice-involved individuals who are homeless or at risk of homelessness.

#### **Proposed means**

We must facilitate access for service providers in the various sectors to training and to technological tools that will enable them to get information about these resources (see recommendation 2.1). Developing mechanisms for accessing these resources is vital, in particular in order to offer immediate assistance when individuals are released from detention. For individuals presenting concurrent health and addiction disorders, access to integrated treatment should also be made easier.

The working group recommends in particular the creation of crisis centres geared to individuals who are homeless or at risk of homelessness experiencing an episode of disorganization brought on by their substance use. Access to cognitive and functional assessment and rehabilitation services would help improve the chances of finding and accessing housing.

### Recommendation 3.2: Facilitate access to Legal Aid for individuals who are homeless or at risk of homelessness

#### **Current situation**

The working group notes that various current attributes of Legal Aid make it ill-suited to the needs and realities of individuals who are homeless or at risk of homelessness. For instance, the limited number of meetings between an accused and their lawyer, the rapid pace of the meetings and the lack of explanation of justice processes, the accused's rights and the various plea options, result in confusion regarding their legal position for individuals who are homeless



or at risk of homelessness. In some cases, these elements also lead to individuals feeling mistrust towards the justice system.

The group also notes the obstacles faced by homeless individuals in accessing Legal Aid services, most notably the need to provide a proof on income.

#### Goals

The aim of this recommendation is to have the criteria for admissibility to Legal Aid revised in regards to vulnerable individuals.

#### **Proposed means**

The working group recommends the creation of entity within the Legal Aid system dedicated to vulnerable individuals so as to enable certain lawyers, on a voluntary basis, to spend more time with a clientele that has been identified as at risk.

The working group also recommends the easing, in certain situations, of the obligation to provide a notice of assessment from social assistance, with the individual instead being allowed to provide an attestation from a community organization or a treating medical team stipulating that they meet the admissibility criteria for Legal Aid.

Recommendation 3.3: Ensure consistency and continuity of information within each service and across services, throughout the judicial trajectory

#### **Current situation**

In Quebec, several initiatives aiming to have the justice system move into digital mode, and make legal documents more accessible, have been launched over the last few years, notably by the Société québécoise d'information juridique (SOQUIJ). However, there is at the moment no mechanism in Quebec permitting access to cross-sectoral information (public safety and prison security, or even health and social services) in real time that would permit providers to make decisions and to consult documentation on the provision of services for individuals who are homeless or at risk of homelessness. What is more, there is no data infrastructure allowing for cross-sectional and longitudinal research on cohorts of individuals. Without infrastructure or means of access, interventions or research based on cross-sectoral data (health, social services, justice and public security) are just about impossible to carry out in real time at the moment. Nonetheless, this information is vital not only in being able to orient individuals, but also in developing knowledge, or creating any policy or program of intervention or planning for service corridors needed for the provision of adequate services.



#### Goals

The goals stemming from these recommendations are:

- 1. Promote the exchange of judicial information relevant to the development of an accompaniment and support plan for individuals;
- 2. Facilitate real-time research on cross-sectoral problems so as to document interventions and policies in homelessness prevention.

#### **Proposed means**

The working group recommends the enhancement of existing tools developed by the SOQUIJ in order to create and maintain a computerized province-wide court record (*plumitif*), for municipal courts as well as for the Cour du Québec. This tool would permit the consultation (free of charge) of all court records (Cour du Québec and municipal courts) and judicially imposed conditions (recognizance, undertaking, supervision measures). The working group also recommends the development, in a collaborative manner among researchers, legal experts and providers accompanying justice-involved individuals who are homeless or at risk of homelessness, of relevant indicators serving to structure the databases enabling analyses of judicial trajectories.

# Cross-cutting axis: Listening to and integrating the experiential knowledge of justice-involved individuals that are homeless or at risk of homelessness

#### **Current situation**

Justice-involved individuals who are homeless or at risk of homelessness often experience situations in the course of the justice process where they feel they are not listened to, heard or understood (Roy et al, 2020). They can experience numerous setbacks, and negative or demeaning interactions with the various actors and providers who gravitate around them. These kinds of negative experiences often result in individuals experiencing systematic failure, becoming demobilized, distrustful and reticent vis -à-vis social institutions, including the resources that are meant to help them. As well, some individuals present with difficulties in cognition or communication, which limits their comprehension of the process, procedures and modes of operation within police forces and justice and correctional services. In such situations, it is vital to be attentive to the balance between the individual's need for support and their need for autonomy.



#### Goals

The goals stemming from this recommendation are:

- Take into account the experiential knowledge of justice-involved individuals who are homeless or at risk of homelessness, so as to be able to adapt currently available services, to their needs and experiences;
- 2. Increase the sense among individuals who are homeless or at risk of homelessness that there is procedural<sup>6</sup> justice in their interactions with various services.

#### **Proposed means**

Several methods can be used to amplify individuals' voices and take into account their experiential knowledge. First, it is vital to better integrate the experience and the viewpoints of these individuals in the development of practices and policies that affect them. The working group recommends the creation of consultative bodies to solicit the opinions of justice-involved individuals who are homeless or at risk of homelessness in the development and assessment of programs intended for them. Individuals with lived experience must also be involved in research in this realm.

The working group is of the view that these individuals should be able to benefit from social accompaniment at each stage of the justice process, so as to improve their comprehension of the process and of their situation, enhance their knowledge of their rights and how to defend them, benefit from emotional and practical support; all of these components are important in creating a sense of procedural justice. In that light, the Proposed Means relating to Recommendation 1.1, especially as regards the creation of teams of dedicated caseworkers, are relevant here.

A legal clinic operating in environments frequented by individuals who are homeless or at risk of homelessness is also an avenue worth exploring. Such clinics could provide not only legal information, but also advice and guidance from lawyers. Such clinics in fact already exist, though the services are quite variable: the <u>Clinique juridique itinérante</u>, the <u>Clinique Droits Devant</u>, the <u>First Peoples Justice Center of Montreal</u> and the <u>legal clinic of the Native Friendship Centre of</u>

<sup>&</sup>lt;sup>6</sup> Procedural justice refers to a procedure perceived as "flowing from an equitable and respectful process, in which the chief party concerned has participated and during which they have been respected and treated with dignity" (Guiresse, Senon and Rossini, 2019, p. 899).



<u>Montreal</u>. It might also be helpful to provide legal education workshops in environments frequented by individuals who are homeless or at risk of homelessness.

Lastly, given the proliferation of clinics and services that aim to support disadvantaged individuals' access to justice, it would be relevant to ensure that these services communicate among themselves, inform about their specific practices, and even create a community of practice around this theme.



# Conclusion – What conditions need to exist in order for these recommendations to be implemented?

The working group has identified a number of issues that might have a negative impact on efforts to implement the proposed recommendations. Some of the issues are directly addressed in the recommendations: discrimination towards justice-involved individuals or those experiencing homelessness, systemic discrimination towards certain social groups (in particular Indigenous persons or racialized individuals), or the various sectors failing to collaborate or communicate among themselves.

Two additional issues are worth highlighting. The first is the current context for housing in Quebec, characterized by a shortage of affordable housing. Add to this the frequent exclusion of certain groups from the housing market, due to, among other things, landlords' refusals to rent to people with a criminal record or homeless individuals. Here are a few avenues for increasing the housing market's capacity to accommodate these individuals: increase the offer of social or subsidized housing with community support, facilitate access to emergency assistance in community residential facilities, enhance the offer of supervised lodging for individuals coming out of therapy, and revise the criteria that make certain individuals ineligible for social housing. Such initiatives will require coordination and discussion among public and private housing and lodging bodies.

A second issue is the staffing shortage seen in all sectors, most notably in the community sector. The implementation of the recommendations made above depends in large part on the capacity of the actors in the various sectors to meet the needs of justice-involved individuals who are homeless or at risk of homelessness. The current shortages and high turnover in these fields constitute a roadblock to the implementation of several of the recommendations.

Still, despite these issues, the recommendations put forward by the working group can lay the foundation for some promising initiatives for preventing homelessness among justice-involved individuals. The recommendations are consistent with the aims of those in the various practice settings who seek to develop methods that are more suited to this population and more in line with recent public policy initiatives put forward in the different areas involved. With that in mind, Table 1 places side-by-side the working group's 10 recommendations and measures contained in three public policy initiatives presently in the process of implementation in Quebec, i.e., the Plan d'action interministériel en itinérance (PAII), the Plan d'action interministériel en santé mentale (PASM) and the Plan stratégique du ministère de la Justice du Québec. The working group would now like to invite the actors involved to join in a discussion of the relevance, applicability and eventual implementation of the recommendations proposed herein.



# Tableau 1. Alignment between the proposed Recommendations and Quebec public policy in homelessness, mental health, and justice

Proposed Recommendation	Action or measure in PAII 2021-2026	Action or measure in PASM 2021-2026	Goal from <i>Ministère de</i> <i>la justice</i> 's Strategic Plan for 2019-2023
1.1 Ensure consistency and continuity in medical and psychosocial service provision of individuals at risk of homelessness throughout the justice process.	<ul> <li>2.1 Accompany vulnerable individuals.</li> <li>2.2 Explore new options for improving the circumstances experienced upon release from correctional facilities.</li> <li>6.3 Consolidate outreach services for homelessness.</li> <li>6.4 Diminish barriers to access to family doctors, health insurance cards and medication.</li> <li>14.1 Make clear the roles and responsibilities of actors involved in the fight against homelessness.</li> </ul>	5.6 Proceed to the tiering of legal psychiatry services referenced by the Criminal Code so as to improve the efficiency and safety of the trajectories associated with these services.	1.2 Improve support and accompaniment for citizens in their interactions with the justice system.
1.2 Identify a risk for homelessness in a systematic fashion	11.2 Update the Stratégie d'accès aux services sociaux pour		



during individuals' contacts with judicial and correctional environments.	les personnes en situation d'itinérance ou à risque de le devenir.  12.1 Support the implementation of best practices.  12.2 Provide training and education for workers in the relevant settings.		
1.3 Ensure adequate means of subsistence for individuals in a situation of homelessness or at risk of homelessness.	7.2 Document roadblocks to last-resort financial aid, to the Aim for Employment program, and to certain taxation measures.  8.2 Develop a service offer of adapted socioprofessional and social reintegration programs.		
1.4 Support social reintegration during detention to decrease risk of homelessness	2.1 Accompany vulnerable individuals upon their release from custody.  2.2 Explore new options for improving the circumstances experienced upon release from correctional facilities.  7.2 Document roadblocks to last-resort financial aid, to the Aim	3.1 Improve support for the work of community organizations in the area of mental health.	



	for Employment program, and to certain taxation measures.  13.2 Develop new avenues for research, and assess current practices.		
2.1. Attend to training needs at the juncture where the judicial and correctional spheres intersect with homelessness.	Action 4. Raise awareness among the general public about homelessness.  9.3 Analyze the directives governing the Directeur des poursuites criminelles et pénales with a view to adjusting them, as needed, to the realities of homelessness.  11.2 Update the Stratégie d'accès aux services de santé et aux services de santé et aux services sociaux pour les personnes en situation d'itinérance ou à risque de le devenir.  12.1 Support the implementation of best practices.  12.2 Provide training and education for workers in the relevant settings.	3.4 Provide tools to the family and close circle of individuals presenting with mental illness, as well as to providers, to promote the use of practices that avert a recourse to exceptional measures.  5.6 Proceed to the tiering of legal psychiatry services referenced in the Criminal Code so as to improve the efficiency and security of the trajectories associated with these services.  7.4 Train and equip providers on the application of the Act respecting the protection of persons whose mental state presents a danger to themselves or others.	1.1 Increase the public's degree of confidence in the justice system.



	13.2 Develop new avenues for research, and assess current practices.  14.1 Make clear the roles and responsibilities of actors involved in the fight against homelessness.		
2.2 Adjust conditions for release to the realities of individuals who are homeless or at risk of homelessness.	9.3 Analyze the directives governing the Directeur des poursuites criminelles et pénales with a view to adjusting them, as needed, to the realities of homelessness.  2.1 Support the implementation of best practices.  2.2 Provide training and education for workers in the relevant settings.		
3.1 Facilitate access to modes of intervention likely to reduce the number of contacts with the judicial system, and provide solutions other than incarceration.	3.1 Expand the continuum of services for treating addiction.  9.1 Create and consolidate outreach practices that combine psychosocial intervention and police intervention.	2.2 Support Community crisis centres.  2.4 Implement and consolidate outreach practices that combine psychosocial intervention and police intervention.	1.4 Promote accessibility through recourse to restorative justice and adaptability programs in criminal and penal matters.



	9.2 Implement the Programme d'accompagnement justice et intervention communautaire.		
3.2 Facilitate access to Legal Aid for individuals who are homeless or at risk of homelessness.	9.3 Analyze the directives governing the Directeur des poursuites criminelles et pénales with a view to adjusting them, as needed, to the realities of homelessness.		1.1. Increase the public's degree of confidence in the justice system.
3.3. Ensure consistency and continuity of information within each service and across services, throughout the judicial trajectory	13.1 Continuously monitor the evolution of the homelessness phenomenon.		<ul><li>2.1. Bring the justice system up-to-date in its use of new technologies.</li><li>2.2 Provide justice in a more timely fashion.</li></ul>
Cross-cutting recommendation: Listening to and integrating the experiential knowledge of justice-involved individuals who are homeless or at risk of homelessness	12.1 Support the implementation of best practices.	3.2 Promote the taking into account of voices from the collectivity and lived experiences in the planning and organization of mental health services.	



#### **References**

- COPELAND, L. A., et autres. (2009). « Clinical and Demographic Factors Associated With Homelessness and Incarceration Among VA Patients With Bipolar Disorder », *American Journal of Public Health (1971)*, *99*(5), p. 871-877.
- Gouvernement du Québec. (2014). Ensemble, pour éviter la rue et en sortir : Politique nationale de lutte à l'itinérance, Québec : ministère de la Santé et des Services sociaux.
- GREENBERG, G.A., et R.A. ROSENHECK. (2008). « Jail Incarceration, Homelessness, and Mental Health: A National Study », *Psychiatric Services*, *59*(2), 170-177. doi: 10.1176/appi.ps.59.2.170
- GUIRESSE, G., J.-L. SENON et K. ROSSINI. (2019). « Les tribunaux de santé mentale américains, un exemple de programme de déjudiciarisation », *Annales médico-psychologiques, revue psychiatrique, 177*(9), 896-901. doi: doi.org/10.1016/j.amp.2019.08.008
- HURTUBISE, R., S. CAMARA et R. BENOIT. (2019). *IRIS Instrument de repérage et d'identification des situations résidentielles instables et à risque*, Montréal, CREMIS, CIUSSS du Centre-Sud-de-l'Île-de-Montréal. Disponible sur : <a href="mailto:cremis.ca/publications/dossiers/outils-de-reperage-de-linstabilite-residentielle/iris-instruments-de-reperage-et-didentification-des-situations-residentielles-instables-et-arisque">cremis.ca/publications/dossiers/outils-de-reperage-de-linstabilite-residentielle/iris-instruments-de-reperage-et-didentification-des-situations-residentielles-instables-et-arisque</a>.
- HURTUBISE, R., et M.-C. ROSE. (2016). « L'action intersectorielle clinique : l'expérience d'EMRII, une équipe mixte pour les personnes en situation d'itinérance », in N. Nichols et C. Doberstein (éd.), *Exploring effective systems responses to homelessness*, Montréal, The Homeless Hub. p. 47-70.
- HURTUBISE, R., et autres. (2020). *Guide de bonnes pratiques en itinérance*, Montréal, CREMIS, CIUSSS du Centre-Sud-de-l'Île-de-Montréal.
- LATIMER, E., et F. BORDELEAU. (2019). *Dénombrement des personnes en situation d'itinérance au Québec le 24 avril 2018*, Québec, ministère de la Santé et des Services sociaux.
- LEVENSON, J. S., et WILLIS, G. M. (2019). « Implementing Trauma-Informed Care in Correctional Treatment and Supervision » *Journal of Aggression, Maltreatment & Trauma, 28*(4), 481-501. doi: 10.1080/10926771.2018.1531959



- OMEROV, P., et autres. (2020). « Homeless persons' experiences of health- and social care: A systematic integrative review », *Health & Social Care in the Community*, 28(1), 1-11. doi: dx.doi.org/10.1111/hsc.12857
- ROWLANDS SNYDER, E. C., et autres. (2021). « A cross-sectional study of factors associated with unstable housing among marginalized people who use drugs in Ottawa, Canada », *PloS One*, *16*(7), e0253923.
- ROY, L., et S. COULOMBE. (2021). « Les pratiques intersectorielles auprès des Individuals who are homeless or at-risk of homelessness », *Nouvelles pratiques sociales*, *32*(2), p. 280-299. doi : doi.org/10.7202/1085525ar
- ROY, L., et autres. (2016). « Profiles of criminal justice system involvement of mentally ill homeless adults », *International Journal of Law and Psychiatry, 45*, p. 75-88. doi: dx.doi.org/10.1016/j.ijlp.2016.02.013
- ROY, L., et autres. (2020). « Itinérance, santé mentale, justice : expérience et perceptions des utilisateurs de services à Montréal », *Criminologie*, *53*(2), p. 359-383. doi : doi.org/10.7202/1074199ar
- SCHNEIDER, R.D., A.G. CROCKER, et M.C. LECLAIR. (2016). « Mental health courts and diversion programs », in J. A. Chandler & C. M. Flood (éd.), *Law and Mind: Mental Health Law and Policy in Canada*, LexisNexis Canada, p. 303-323.
- STERGIOPOULOS, V., et autres. (2015). « Effect of scattered-site housing using rent supplements and intensive case management on housing stability among homeless adults with mental illness: a randomized trial », *JAMA: Journal of the American Medical Association*, 313(9), p. 905-915. doi: 10.1001/jama.2015.1163
- TO, M. J., et autres (2017). « The effect of incarceration on housing stability among homeless and vulnerably housed individuals in three Canadian cities: A prospective cohort study », *Canadian Journal of Public Health, 108*(2), e550-e555. doi: 10.17269/cjph.107.5607
- TSCHANZ, A. (2022). « D'une ville à l'autre : récit d'une prison mobile invisible », Prison Insider.