

# Kelowna Integrated Court



NATIVE COURTWORKER  
AND COUNSELLING ASSOCIATION OF BRITISH COLUMBIA

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CANADA



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# *Overview*

- Kelowna Integrated Court (KIC) - Background
- KIC process - What makes it different?
- Statistics and the partnering agencies
- A feel for the courtroom - atmosphere is important
- Strengths of the KIC and how that affects those who come before it
- Gaps in supports and impact
- Concluding remarks

# What is KIC?

- Commenced May 6, 2021
- Any offense over which the Provincial Court has jurisdiction can be dealt with in the KIC
- Is strictly a sentencing and bail court; not a trial court

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## Kelowna Integrated Court

The integrated court works closely with health and social services to support offenders dealing with mental health, addiction, and other challenges. The goal is to address the underlying causes that keep individuals stuck in a revolving door with the justice system.

- Do you have new criminal charges?
- Do you accept responsibility for those charges?
- Do you struggle with:
  - Substance use
  - Mental Health
  - Homelessness
- Are you receiving supports in these areas?

Talk to your Lawyer if your answers to these questions are YES.

You can also contact Steve De Luca from the John Howard Society for more information



# *Who is eligible for KIC?*

- Offender has willingness to plead guilty and accept responsibility for the offence(s);
- Offender suffers from, or experiences, one or more of the following:
  - a substance use issue;
  - a mental health challenge; or
  - homelessness
- Offender must express willingness to deal with his or her underlying issues;
- Offender must be a client of an *\*\*approved agency\*\** or become a client of such an agency before pleading to the offence(s); and
- The Crown must consent to an offender having their case before the Integrated Court

# *KIC Personnel*

- BC Provincial Court Judge
- Crown Prosecutor
- Probation Officers
- Defence Counsel (varies client to client)

With the exception of defence counsel, the three other personnel remain the same throughout the process and with purpose

- Enables the officials to:
  - become familiar with and develop an understanding of the issues faced by each offender;
  - be up to date and understand the current resources available to assist offenders; and
  - most importantly, ensures offenders are familiar and comfortable with personnel in court.

# *KIC Process*

- Consent and application – who is eligible and how are they identified?
- The pre-court meetings – who attends and who doesn't?
- The court itself
- Reviews – what are they and why do we have them?

# *Statistics*

- Between May 6 and October 14, KIC has dealt with >200 offences;
- Offences include:
  - 11 counts of threatening;
  - 56 charges of theft;
  - 4 charges of break and enter;
  - 7 counts of assault;
  - 14 charges of mischief;
  - 14 counts of drug possession;
  - 16 charges of driving while prohibited; and
  - 84 charges of various types of breach of court orders (breach of probation, failing to appear, etc.)

# *Partnering Agencies*

- RCMP
- Ministry of Justice
- Kelowna Community Corrections
- Interior Health
- Forensic Psychiatric Services
- Native Court worker and Counselling Association of British Columbia
- John Howard Society
- Brain Trust
- Canadian Mental Health Association (CMHA)
- Now Canada
- Turning Points Collaborative Society
- Community Living BC (CLBC)



# *A feel for the courtroom*

- The Judge creates a more informal atmosphere while maintaining the authority of the court
- Crown Counsel emphasizes the nature of the team approach vs. an adversarial one
- The individual before the court has more freedom to speak
- The support team is essential member of the court

# *Strengths of the KIC*

- Collaboration
  - extends beyond partnering agencies
  - as the KIC is promoted within the broader social services community, we are seeing agencies eager to help where they can.
- Service integration

# *How do these strengths translate to the client?*

- Buy-in and engagement from previously entrenched individuals
- Increased trust in the court

# *Gaps*

- Transitional Housing
- Housing for individuals with complex needs
- Transitions to local residential treatment facilities

# *How do these gaps impact the client?*

- Clients are released from correctional facilities into homelessness. We see an increase in substance use and disengagement from the support team follow.
- A client is accepting of treatment for substance use and will be released to homelessness prior to treatment space becoming available.
- Due to complex needs and challenging behaviour, the current continuum of supportive housing is unable to provide shelter for some individuals.
- A client on Kadian was forced to change to OAT treatment to meet the requirements of a treatment facility. While some clients are willing to make this change, this can add to the wait time in admissions and increases risk of relapse.

# *Where can we use help advocating?*

<p>Transitional housing</p> <ul style="list-style-type: none"><li>• Small facility: 10 beds</li><li>• Individual living spaces</li><li>• Tailored to clients needs</li></ul>	<p>Housing for individuals with complex needs</p>	<p>Residential Treatment Facility</p> <ul style="list-style-type: none"><li>• Standardization with current best practices</li><li>• Account for transitions from correctional facilities</li></ul>
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# *Concluding Thoughts*

## *Is the court working?*

If by 'working' one means:

- determining the most effective combination of treatment and support
- from among the resources available in the community within a realistic time frame, then
- incorporating that response into a sentence that falls within the range of sentences available under the law, and
- monitoring compliance with that sentence over time for each individual that comes before the court, the answer is generally 'yes'.

The Kelowna Integrated Court is in its infancy; it is evolving and through the cooperation and dedication of all those involved, it will continue to improve.