



December 15, 2011

The Honorable Dalton McGuinty  
Premier of Ontario  
Room 281, Main Legislative Building,  
Queen's Park  
Toronto, Ontario M7A 1A1

**RE: People with Mental Illness in Correctional Settings and Potential Implications of Bill C-10**

Dear Premier McGuinty,

On behalf of the Schizophrenia Society of Ontario, we would like to applaud you for your commitment to mental health and your acknowledgement that mental health is not only a health issue but an issue that spans across different governmental ministries and community sectors.

The Schizophrenia Society of Ontario is a non-profit province-wide organization with a mission to make a positive difference in the lives of people, families and communities affected by Schizophrenia and Psychotic Illnesses. Reaching over 30,000 people each year, we are the largest organization representing people affected by schizophrenia in Ontario.

The Schizophrenia Society of Ontario has prioritized issues regarding criminalization of mental illness. Through our Justice and Mental Health Program we often hear about the challenges that individuals and their families encounter when dealing with both the mental health and the criminal justice systems. The greatest concern identified by our clients and members is lack of access to quality mental health treatments and supports in the community and in the correctional settings. Indeed, one of the most tragic consequences of the inadequacy of our mental health system is the increased criminalization of people with mental illness. For those who spend time in correctional facilities, the consequences of this criminalization are even more pronounced as criminal history often impedes their access to treatment, employment and housing.

At the same time, evidence shows that people with mental illness are overrepresented in the criminal justice system and the numbers of people with mental illness continue to rise in both federal and provincial correctional institutions. In fact, prisons and juvenile detention centers have become de facto housing centers for adults and youth living with mental illness in our province. These settings are not the place to treat people with a mental illness who come in contact with the law. This approach is costly for taxpayers, injurious to individuals with mental illness and highly ineffective from a treatment perspective.

We are hence gravely concerned about the implications that Bill C-10, The Safe Streets and Communities Act, will have on people with mental illness. This Bill ignores decades of research which shows that addressing poverty, providing treatments and supports to people with mental illness and substance abuse issues, diverting young people from the adult justice system and assisting inmates with community reintegration reduce crime. Instead, the amendments proposed in this Bill contradict the available evidence and emulate the failed "tough on crime" policies in the United States, policies from which the US government is moving away from.

The Schizophrenia Society of Ontario is particularly concerned that Bill C-10 does not include specific provisions for people with mental illness, provisions which recognize the impact of mental illness on criminal involvement and which have been incorporated into almost every other aspect of our criminal justice system. We are further disappointed that the proposal to allow judges to exempt some people with mental illness from mandatory minimum sentences was recently rejected. This takes away the discretion from our judicial authorities to consider full circumstances of the criminal offence and limits their ability to recommend treatment instead of imprisonment, where appropriate. In turn, this will only



increase the number of people with mental illness in correctional settings, place additional strains on the system as a whole and have detrimental effect on the quality of life for people with mental illness and their families.

The consequences for youth are even more drastic. Most of the mental illnesses strike during adolescent years and numerous studies show that majority of youth who come in contact with the law have some form of mental illness. As such, mandatory minimum sentences will only exacerbate the problems of youth mental health and are in stark contrast with the direction taken by your government to make children and youth mental health a priority for the next three years.

The Schizophrenia Society of Ontario therefore supports the position taken by your government to oppose the expensive measures associated with Bill-10 which will not make Ontario safer, but will significantly increase the number of people with mental illness in provincial jails and detention centers. We recognize the steps taken by your government to increase funding for community treatment programs and services directed towards supporting people who come in contact with the law as a result of their mental illness. Your focus on mental health of children and youth through your Mental Health and Addictions Strategy is commendable as well and has potential to significantly reduce the number of young people who come in contact with the law as a result of their unaddressed, and often undiagnosed, mental health concerns. However, these efforts may not be enough should Bill C-10 become law.

All Ontarians have a right to receive quality mental health care. The Schizophrenia Society of Ontario therefore strongly encourages your government to speak out against Bill C-10 in its current form and to urge the Federal government to include specific provisions for adults and youth living with mental illness within this legislation. The economic costs incurred by the province to cover the criminal justice costs associated with Bill C-10 will inevitably divert the much needed funds from the mental health system, thus leaving more people without access to treatment and supports. We strongly believe that any efforts to reduce the number of people with mental illness who come in contact with the law must be focused on improving the mental health system and ensuring equitable access to treatments and supports for people with mental illness and criminal involvement.

We look forward to continue our work with your government to improve the quality of life for people with mental illness. For more information, please do not hesitate to contact Irina Sytcheva, Manager of Policy and Community Relations, at [isytcheva@schizophrenia.on.ca](mailto:isytcheva@schizophrenia.on.ca) or (416) 449-6830 x255.

Sincerely,

Paul King-Fisher  
President, Board of Directors  
Schizophrenia Society of Ontario

Mary Alberti  
Chief Executive Officer  
Schizophrenia Society of Ontario

cc: The Honorable Madeleine Meilleur, Minister of Community Safety and Correctional Services  
The Honorable John Gerretsen, Attorney General of Ontario  
The Honorable Deborah Matthews, Minister of Health and Long Term Care  
The Honorable Eric Hoskins, Minister of Children and Youth Services