

Professionals Perceptions of the Saskatoon Mental Health (MHS) Court

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The Saskatoon Mental Health Strategy aims to support individuals living with mental illness and cognitive impairments who encounter the criminal justice system. To inform the Saskatoon Mental Health Strategy, the Centre for Forensic Behavioural Science and Justice Studies conducted a process evaluation providing an assessment of the Court's activities and its effectiveness by examining the perspectives and opinions of professionals who have extensive knowledge and firsthand experience with the Mental Health Strategy Court (MHS Court) and its clients. First, a mail survey was completed by 45 professionals representing criminal justice, social, and mental health support services. The survey had a 48.9% response rate. Second, semi-structured interviews were conducted with 8 participants who were most involved in the MHS Court and who worked in the fields of criminal justice, social support and mental health services. Many interviewees had previously completed the mail survey.

Research Questions

- Is the MHS Court functioning as intended and are the objectives being met?
- Is the MHS Court functioning effectively?
- Are the organizations involved in the MHS Court functioning effectively?
- What are professionals' perceptions of the functioning of the MHS Court and its contribution to their own professional growth?



Mail Survey Results

Respondents to the mail survey perceived that:

- Pre-court meetings led to an increased awareness of clients' needs and a better understanding of how to support clients.
- Pre-court meetings allowed for greater consultation with clients and other community services.
- The MHS Court empowered clients by allowing them to speak openly in court, and the treatment plans utilized by the Court supported the needs of clients.
- The MHS Court diverted clients from prison sentences and, compared to the traditional court system, was more effective in reducing recidivism among clients with mental illness, Fetal Alcohol Syndrome, and other cognitive impairments.



Semi-Structured Interview Results

Perceived Strengths of the Saskatoon MHS Court

- Participants were being treated for the underlying cause of their offending behaviour rather than simply being penalized.
- The Court brought awareness to different reasons as to why people commit crimes.
- Pre-court meetings allowed professionals to better understand how to support clients.

Perceived Challenges of the Saskatoon MHS Court

- Difficulties achieving a balance between providing services to as many people as possible while also providing each client with the depth of service and personal attention they required to be successful.
- Professionals discussed the delicate balance that exists to maintain the goals of the Court such as meeting the needs of the clients, taking clients' mental health concerns into consideration, and managing public safety.
- The lack of dedicated resources and funding caused strain on professionals involved in the Court by increasing their workloads without sufficient resources to offset this increase.

Recommendations and Conclusions

- Increase funding for the Court.
- Hire a coordinator to track each individual case.
- Increase the number of professionals involved with the Court to reduce the workload experienced by the professionals currently involved.

Overall, the MHS Court was functioning well with some minor refinements required and was perceived to be meeting the goal of diverting clients away from the traditional justice system and treating the underlying causes of criminality.



Evaluation of the Saskatoon Mental Health Strategy Court (MHS) Court: Cost Analysis

The Centre for Forensic Behavioural Science and Justice Studies conducted an outcome and cost analysis of the Saskatoon Mental Health Strategy Court (MHS Court) to determine the effectiveness of the MHS Court and the extent to which it was achieving its intended outcomes. Accordingly, the cost analysis assessed the Court's success in reduced criminal justice costs for the clients. The cost analysis compared the criminal justice costs at the 1- and 2-year pre-post court entry intervals focusing on 89 clients included in the outcome analysis and utilized Gabor's 2015 cost estimates related to the costs of crime. Gabor is a criminologist who conducted a literature review of global publications from 1988 to 2014 and computed cost estimates for various types of crimes on August 1, 2014, in Canadian dollars. He computed the societal cost of crime to include criminal justice system costs, victims' tangible and intangible costs, and criminal career costs.

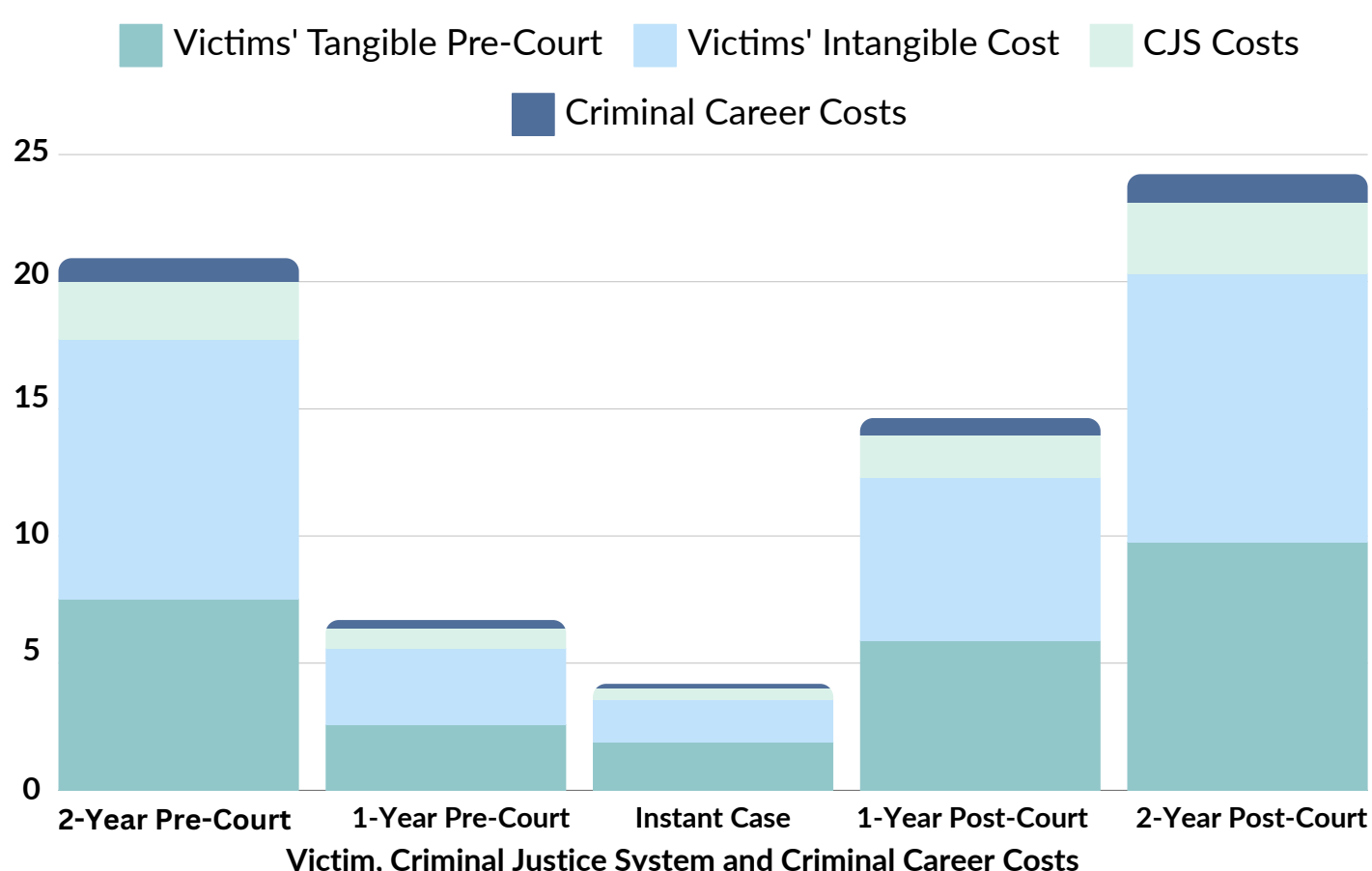


Methods

- Data was collected from the Saskatchewan Ministry of Justice on arrests, convictions, court cases/appearances, and sentencing; Saskatoon Police Service on calls for service and police contacts; and the Saskatoon Health Region Authority from the Addictions and Mental Health Services Information System and the National Ambulatory Care Reporting System.

Results

Total Cost

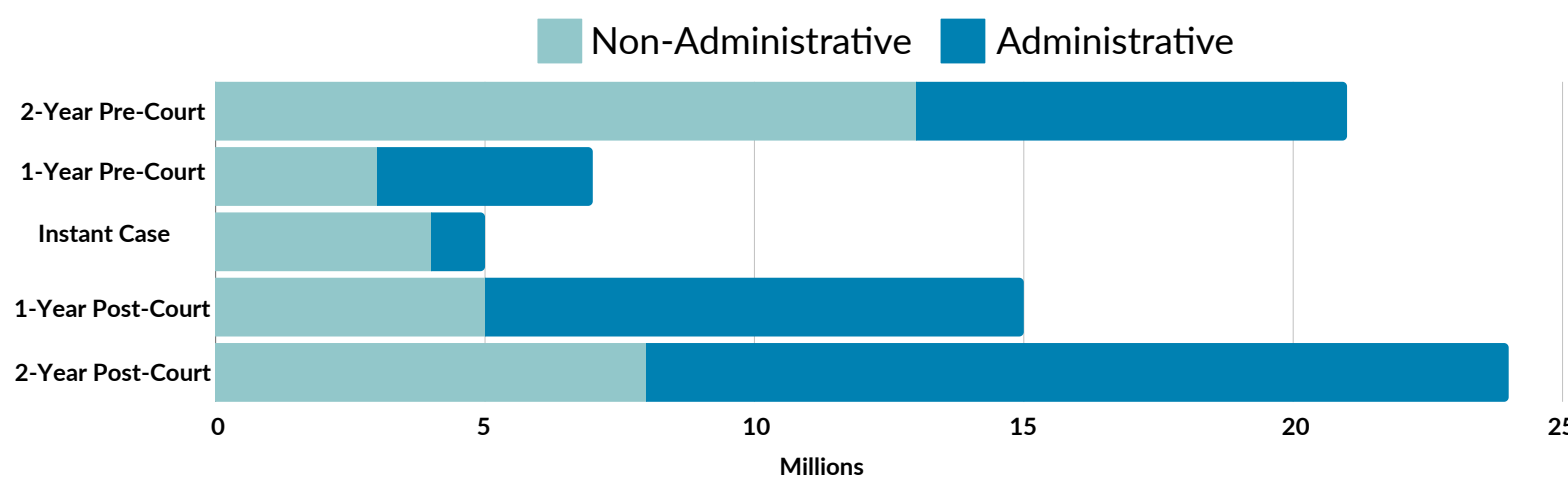


- Findings show that, based on Gabor's estimates, the total cost of the clients' cases that were transferred to the MHS Court was slightly over \$4 million dollars.
- The majority of this expense was attributed to victim tangible and intangible costs, while the criminal justice system cost accounted for about 10% of the total cost.
- Total 1-year recidivism cost was approximately \$14.6 million. This was more than 2 times greater than the 1-year pre-Court cost of \$6.7 million.
- The total 2-year recidivism cost was \$24.2 million and exceeded the total 2-year prior cost which was \$20.9 million with the highest costs again attributed to victim tangible and intangible costs.

Non-Administrative vs Administrative Cost

Cases generated by compliance failure were classified as "administrative" which included breach of probation, failure to appear, and failure to comply with conditions charges. All other cases were considered "non-administrative".

Total Cost: Non-Administrative vs Administrative Cost



- Administrative costs accounted for 54% of the total costs of 1-year pre and 40% of total costs 2-year pre-Court entry.
- In contrast, post-Court entry administrative case costs accounted for about 2/3rds of total recidivism costs.
- These findings suggest an over-supervision effect resulting in increased total and criminal justice-related costs. However, without a matched comparison group to determine whether this increase in administrative costs was due to changes in Saskatoon's charging policies, it is impossible to make any definitive conclusions about an over-supervision effect.

Key Takeaways

- The Court should reconsider the use of administrative charges for clients. Many of the clients had an arrest or conviction for administrative/other charges indicating an issue with compliance. Although compliance is important, as one of the goals of the Court is to divert justice-involved individuals away from the traditional court system and to connect them to services, alternate means of ensuring compliance may be more appropriate for the Court.



Evaluation of the Saskatoon Mental Health Strategy (MHS) Court: Outcome Analysis

The Centre for Forensic Behavioural Science and Justice Studies conducted an outcome analysis of the Saskatoon Mental Health Strategy Court (MHS Court) to determine the effectiveness of the MHS Court and the extent to which it was achieving its intended outcomes. Accordingly, the outcome analysis assessed the Court's success in:

- Diverting clients out of the traditional criminal justice system and reducing further justice involvement.
- Improving clients' mental health.
- Reducing future health services utilization.

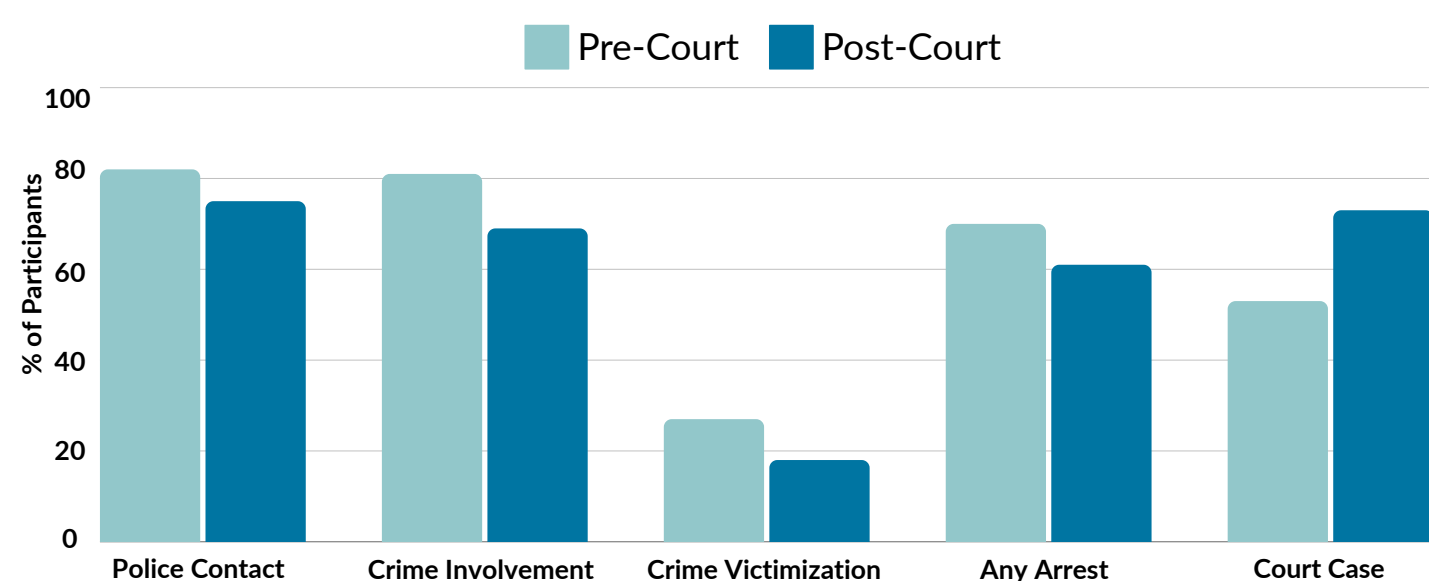


Methods

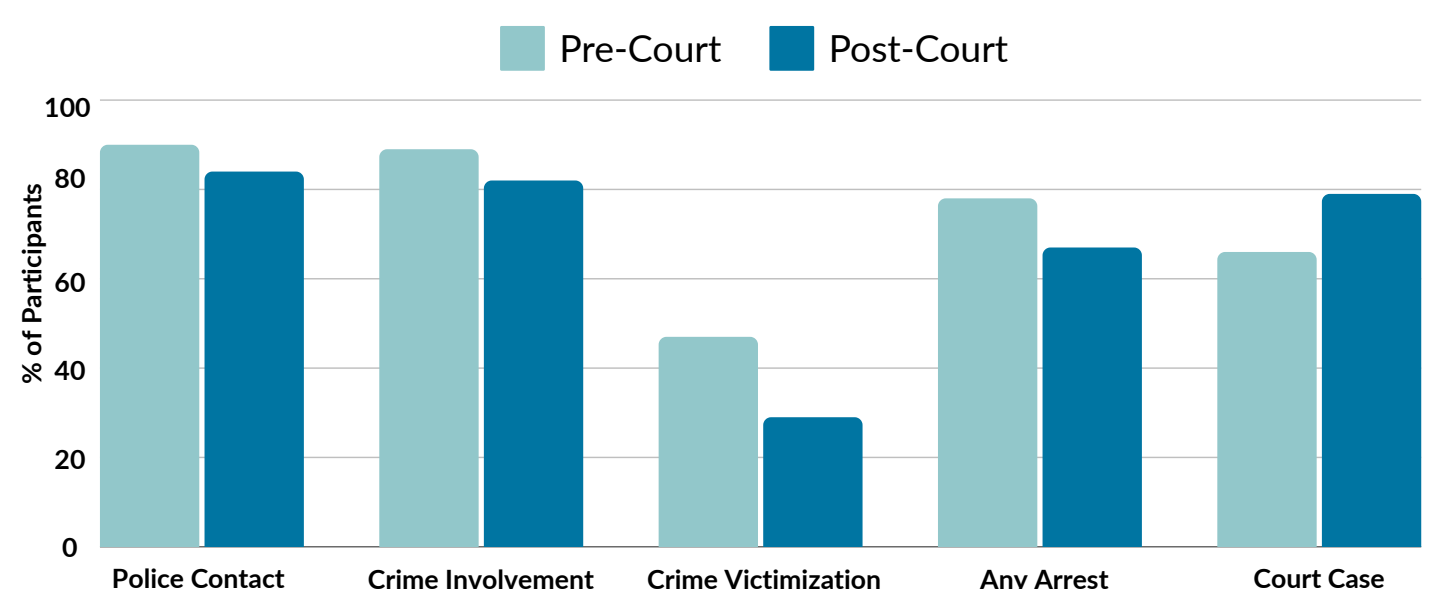
- Data was collected from the Saskatchewan Ministry of Justice on arrests, convictions, court cases/appearances, and sentencing; Saskatoon Police Service on calls for service and police contacts; and the Saskatoon Health Region Authority from the Addictions and Mental Health Services Information System and the National Ambulatory Care Reporting System.
- The outcome analysis examined criminal justice outcomes by comparing clients' involvement with the Courts and police 1 and 2-years pre-post MHS Court entry, while health outcomes and health service utilization were explored 1-year pre-post MHS Court entry.

Results

1 Year Pre-Post MHS Court Entry



2 Year Pre-Post MHS Court Entry



Clients' Criminal Justice Outcomes:

- Arrests were lower for clients after their involvement in the Saskatoon MHS Court although the seriousness of the charges they received tended to increase after entry into the Court.
- Court cases and convictions both increased following participation in the MHS Court with a large proportion of the cases and convictions resulting from system generated or non-compliance issues.
- Evaluation results also suggest that clients have high-risk peer groups that could result in increased risk of involvement with crime or encounters with police.

Clients' Mental Health Outcomes:

- Fewer clients experienced a mental health episode 1-year post-Court entry but these episodes lasted significantly longer following their entry into the Court.
- Slightly more clients accessed mental health services post-Court entry with access to both group and individual counselling and detox increasing.
- Emergency room visits declined significantly at the 1-year pre-post interval suggesting that participation in the Court helped reduce issues that could lead to visits that may put strain on the healthcare system.

Key Takeaways

- Given that arrests declined post-Court entry while convictions and court cases increased, there is evidence of over-supervision and over-punishment by the MHS Court related to the increased detection of non-compliance due to greater supervision by the MHS Court compared to the traditional justice system. This means that accessing the mental health and case management services provided by the Court may come with a possible penalty for clients—namely, increased convictions and additions to their criminal record.
- Overall, the evaluation points to positive gains being made with respect to clients' mental health outcomes and health service utilization, while simultaneously suggesting that the Court should review its practices to ensure clients are not inadvertently being penalized for participating in the Court.



Process Evaluation of the Saskatoon Mental Health Strategy (MHS)

Prepared by: Keith Barron and Glen Luther from the College of Law; Dr. Craig Moore and Dr. J. Stephen Wormith from the Centre for Forensic Behavioural Science and Justice Studies



The Saskatoon Mental Health Strategy Court (MHS Court) was introduced in November 2013, and the Centre for Forensic Behavioural Science and Justice Studies conducted a process evaluation examining the initial implementation of the Court between November 2013 to August 2014. Interviews were conducted with 14 individuals who worked in the fields of law, social work, health, or other sectors through which they assist individuals with mental health conditions. Initial and final dockets for each Court session were also collected and included information on the 117 individuals who had appeared before the Court during the study timeframe.

Research Questions

- Is the MHS meeting the expectations of participants?
- Are the activities of MHS functioning effectively?
- Are the clients satisfied with their experience with the MHS?
- Is the MHS addressing the mental health condition or cognitive impairment concerns of participants involved with the MHS?
- Is the MHS receiving participants with mental health conditions or cognitive impairments?

Results

Perceived Strengths of the MHS

- All interviewees had positive attitudes about the program.
- Ample time was spent on individual case files.
- Commitment to the program was strong.
- Mental Health Strategy improved legal effectiveness.

Perceived Challenges of the MHS

- Saskatoon MHS Court docket size was too large and put pressure on team members due to the amount of preparation required.
- With the large number of clients and time needed to prepare for pre-court meetings, it was difficult for professionals to spend much time on each client's case and, therefore, left them only a few minutes to discuss each case.

Recommendations

- Hire a regular team member to focus on coordinating communication, scheduling, and assisting with administration work.
- MHS Court sessions need to be held more frequently, fewer individuals should be placed on each docket, and intake assessments should be completed for each client prior to participating in the Court.



Future Research

- Gather more quantitative data with an eye toward client outcome on various measures including recidivism and quality of life indicators.
- Investigation into the MHS referral process to determine how clients are ending up in the MHS, and if any individuals with mental health conditions are still "falling through the cracks" by not connecting with MHS even after they enter the Saskatoon Provincial Court.

