

WINNIPEG MENTAL HEALTH COURT INFORMATION SHEET

WHAT IS IT?

The Winnipeg Mental Health Court (MHC) is a joint initiative of Manitoba Justice and the Winnipeg Regional Health Authority (WRHA) Mental Health Program. The goal of the Mental Health Court is to divert adults whose criminal involvement is a direct result of their mental illness from the regular court system.

The Mental Health Court comprises the following elements:

- **a specialized court docket**, which employs a problem solving approach to court proceedings rather than the more traditional court procedures.
- **regular status reviews with Judge** at which the participant's progress is reviewed, services plans are revised accordingly.
- **comprehensive community mental health treatment and support services** delivered by a multidisciplinary team of mental health professionals, known as the Forensic Assertive Community Treatment Team (**FACT**)

Mental Health Courts in Canada and in other countries have resulted in reduced recidivism, shorter lengths of stay in jails and hospitals. More importantly, participants have experienced improved quality of life outcomes including reduced homelessness, recovery from substance use disorders, and increased social functioning as part of their road towards recovery.

HOW DOES IT WORK?

If during the process of entering the criminal justices system, it becomes apparent that the person's mental health is the primary cause for their criminal involvement and they would benefit from a different approach, their matter can be diverted to the Mental Health Court Program. Person's can be identified by police, Courts or Corrections Staff or counsel. Service providers and families can identify individuals through the client defense process.

Once a person is identified as a potential participant, an application from the defense lawyer is submitted to the Crown for consideration in this program. The Crown will review the criminal file and in discussion with the applicant's Defence Lawyer, will decide if a request will be made to WRHA FACT Team for an amenability assessment. Factors such as: diagnosis, type of criminal charge, and willingness to participate, will be taken into consideration for acceptance. The court process and service processes operate as an integrated team.

Once accepted, the participant must sign an agreement to in order to participate in the program. The FACT Team will then conduct a comprehensive assessment. Based on this assessment and in conjunction with court and the participant, a service plan will be developed that ensures the participant's has access to the appropriate treatment, services, and supports necessary to aid them on their road to recovery. This may include; obtaining housing, getting their medical needs met, searching for employment, assistance addressing family issues, coaching and encouraging participants to lead stable and satisfying lives.

WHO IS ELIGIBLE FOR MHC?

Persons who have been diagnosed with a Severe and Persistent Mental Illness (SPMI) such as schizophrenia or bi-polar disorder and have committed certain criminal offences may be eligible. Serious violent offences, offences against children, sexual offences, hate offences, and offences motivated by profit or gang activity are generally excluded. Eligibility for the Mental Health Court remains at the discretion of the Crown. At this time, Mental Health Court is available only in Winnipeg.

HOW DO PEOPLE APPLY FOR MHC?

Application forms can be found on the Manitoba Courts website and will be available at the Law Courts Building at 408 York Avenue, Winnipeg. Applicants should have their lawyers assist them in filling out the application forms. The MHC Crown Attorneys will then review the forms and police reports to determine if applicants meet the MHC criteria.

HOW LONG DOES IT TAKE TO GRADUATE FROM MHC?

Participants remain accountable to the Mental Health Court until court mandated expectations are completed. During that time, as participant's mental health stabilizes, support services will become less intensive and court appearances may be required less often.

For more information:

Please contact the Manager, Community Mental Health Forensic Services
Phone: 204-940-3791