

Mental Health

We commend the government for implementing its child-focused Mental Health and Addictions Strategy in June 2011. However further action is required, specifically for those with significant hearing loss. In 2010, the Select Committee on Mental Health and Addictions highlighted the need to address the alarming correlation between mental illness and those in the justice system, specifically stating that, “far too many Ontarians experience their first contact with the mental health system through the justice system. Furthermore, according to the Ministry of Community Safety and Correctional Services, 36% of individuals in custody in Ontario suffer from some form of mental illness, and 50% of Canadian offenders report substance abuse as a cause of their offence.”

It should then come as no surprise that many culturally Deaf, oral deaf, deafened and hard of hearing consumers who come into conflict with the legal system have mental health and addiction issues.

Because mainstream services are essentially unable to serve CHS consumers, there are no addiction services or court diversion services in Ontario for culturally Deaf, oral deaf, deafened and hard of hearing consumers. This is a denial of their Charter rights.

The Select Committee recommended that diversion services be more widely available to divert these consumers away from the legal system and into the

mental health and addiction service system. Without such a diversion program, many culturally Deaf, oral deaf, deafened and hard of hearing consumers with mental health or addiction issues who come into conflict with the legal system languish in prison or psychiatric facilities, occupying expensive beds but receiving no treatment.

Generally speaking, the legal/justice system in Ontario is poorly equipped to deal with culturally Deaf, oral deaf, deafened and hard of hearing citizens. Culturally Deaf, deaf oral, deafened, hard of hearing citizens are arrested, held in jail, and incarcerated, without the benefit of access to communication, a lawyer and a counsellor. Many do not know their rights, the charges, and cannot access a lawyer or a counsellor who can assist them to negotiate the system. They are often denied interpreters and/or captionists, other than for formal criminal court proceedings.

Did you know that...

... 20% of Canadians have significant mental health and addiction issues?

Source: Centre for Addiction and Mental Health (CAMH) Fact Sheet on Statistics, Prevalence of Co-occurring Substance Use and Other Mental Disorders in the Canadian Population, Canadian Journal of Psychiatry, December 2008



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“Access” in criminal court is usually limited to a sign language interpreter with uncertain skills to interpret the formal legal proceedings only. Courts other than criminal come with no right to access.

Meanwhile, equitable services are denied within both the justice system and the health care system. Culturally Deaf, oral deaf, deafened and hard of hearing citizens are often wrongly incarcerated in expensive secure forensic psychiatric facilities, or in prison, when what they really need are more appropriate (and less expensive) community-based mental health and addiction services.

Probation conditions often require that a parolee attend addiction services. There are no addiction services in Ontario for culturally Deaf, oral deaf, deafened and hard of hearing citizens. Without appropriate services, the parolee is set up for failure and blamed for not getting service.



Recommendations:

- A partnership between CONNECT Mental Health Services and key justice stakeholders, including the Ministry of the Attorney General, the Crown, the Ministry of Correctional Services, and the Ministry of Health and Long-Term Care (forensic mental health facilities). This partnership would facilitate the identification of culturally Deaf, oral deaf, deafened and hard of hearing citizens who come through the justice system, so that citizens who need mental health and addiction services receive the assessments and treatment they need, to which they are entitled under the Charter of Rights and Freedoms, the Ontario Human Rights Code and Accessibility for Ontarians with Disabilities Act.
- \$1 million for addition of staff with knowledge and expertise in deafness, hearing loss, mental health, addictions and forensic psychiatry, and for access costs (interpreting, captioning).

When all parties unanimously supported the passage of the *Accessibility for Ontarians with Disabilities Act* and made the commitment for accessibility for **all** Ontarians, we were hopeful. **The time is here for all parties to act on that commitment and provide this underfunded constituency with expansion dollars for CONNECT Mental Health Services** (first requested in 2006). This will allow CONNECT to develop addiction services and court diversion services for culturally Deaf, oral deaf, deafened and hard of hearing Ontarians.



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