

MANAGEMENT RESPONSE AND ACTION PLAN

Evaluation Report Title: Evaluation of Youth Justice Initiative

Approval Date of Evaluation by Deputy Minister (mm/yyyy): March 2021

Recommendation 1:

The Policy Implementation Directorate (PID), in consultation with its provincial/territorial partners, should explore the merits and consequences of expanding the current Part C (exceptional cases) offence eligibility criterion to include applications for youth who have serious mental health issues but have not met the serious offence criterion.

Rationale for Recommendation:

There is consensus that youth in the justice system have increasingly complex mental health and addictions issues. While the Intensive Rehabilitative Custody and Supervision (IRCS) funding addresses the assessment and treatment needs of youth who have committed serious offences, a number of youth require similar attention, but have not met the threshold of a serious offence.

Management Response:

We agree with the recommendation.

PID is aware that a number of PT members have raised issues around the eligibility criteria for Part C funding as set out in the IRCS Funding Agreement, which are perceived as being too restrictive.

At the same time, Part D budget has been eroding significantly over the last few years due to an increase in the number of Part B and C cases as well as the increase in the Part C daily allowance implemented in the last funding agreement renewal. Any broadening of the Part C eligibility criteria would further reduce the Part D budget available.

These important trade-off issues will be discussed extensively with the provinces and territories through the FPT WG on Youth Justice Cost-sharing and Programs to inform the upcoming renewal of the IRCS agreement.

Action(s) What SMART action(s) will be taken to address this recommendation?	Deliverable(s) Expected deliverable(s) to demonstrate the completion of the action.	Accountability ADM responsible for implementing the action.	Planned Completion Date
Case trends and financial impacts to IRCS program resources will be presented to PTs at an upcoming WG meeting. This information will provide the basis of future discussions on the issue of expansion of Part C cases.	IRCS presentation completed, circulated and presented to PTs. Initial discussion with PTs completed. Further discussions with PTs will continue in FY 2021-22 until an IRCS funding model is agreed upon and which could be included in renewed IRCS Funding Agreements. Record of Decision documented.	Senior Assistant Deputy Minister, Policy Sector	March 31, 2022

Recommendation 2:

The Policy Implementation Directorate, in consultation with its provincial/territorial partners, should review the YJSFP high priority funding areas and update them as required in order to support capacity development to deliver culturally responsive and culturally safe programs for Indigenous and other racialized youth as a way to work towards addressing their over-representation in the Canadian Justice System.

Rationale for Recommendation:

As evidenced in the evaluation, the Youth Justice Initiative (YJI) is funding efforts to enhance culturally responsive and culturally safe programs for youth in conflict with the law. Given the continued overrepresentation of Indigenous and racialized youth in the youth justice system and mandate letter commitment to continue work on the Truth and Reconciliation Commission's Calls for Action, continued attention in this area is required.

Management Response:

We agree with the recommendation.

A guiding principle of the YJSFP Funding Agreement, as set out in its preamble, is that the federal contribution provided should be spent on the development and operation of youth justice services and programs in an inclusive and non-discriminatory manner that responds, in particular, to the needs of Indigenous young persons and young persons from the French and English linguistic minority communities. In addition, there is a set expectations under Appendix A (c) of the Funding Agreement that such rehabilitative services should include, among other things, programs that *address gender, ethnic and cultural differences and respond to the needs of Indigenous young persons and young persons with special requirements.*

This expectation is also captured in the Declaration of Principle of the *Youth Criminal Justice Act*, S.3(1)(c)(iv), where it is stated "that (...) the measures taken against young persons who commit offences should (iv) respect gender, ethnic, cultural and linguistic differences and respond to the needs of aboriginal young persons and of young persons with special requirements."

Despite the above, more efforts are needed to address the continued overrepresentation of Indigenous and racialized youth in the youth justice system. As part of the renewal of the YJSFP Funding Agreement, PID will engage with its PT partners on the need to put greater emphasis on culturally responsive programming as a key high priority programming eligible for federal funding.

Action(s) What SMART action(s) will be taken to address this recommendation?	Deliverable(s) Expected deliverable(s) to demonstrate the completion of the action.	Accountability ADM responsible for implementing the action.	Planned Completion Date
As part of its renewal negotiations of the YJSFP Funding Agreement, PID will engage with PT partners on the need to emphasize further the importance/need of culturally responsive programming in the Funding Agreement.	Discussions with PTs will occur on a regularly scheduled basis in 2021-22 to discuss this issue. Record of Decision documented for each meeting. New YJSFP Funding Agreement will include a new High Priority Programming category entitled	Senior Assistant Deputy Minister, Policy Sector	March 31, 2023

	<i>Culturally Responsive Programming</i> as a way to emphasise further the importance of such programming.		
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<p>Recommendation 3: The Policy Implementation Directorate with its provincial/territorial partners should further discuss and share innovative practices specific to alleviating program delivery issues and service gaps in rural and remote areas.</p>
<p>Rationale for Recommendation: Service delivery in rural and remote areas remains a persistent barrier to access programs and services. This is particularly true in areas where there is a lack of capacity and infrastructure.</p>
<p>Management Response: We agree with the recommendation.</p> <p>PID is aware of program delivery issues in rural and remote areas and believes that the FPT WG meetings will provide opportunities to not only discuss these issues but also allow PTs to share best practices and promising delivery options that they have implemented in their own jurisdictions, such as web-based, video and phone services. Sharing these options may in turn improve access issues in other jurisdictions.</p>

Action(s) What SMART action(s) will be taken to address this recommendation?	Deliverable(s) Expected deliverable(s) to demonstrate the completion of the action.	Accountability ADM responsible for implementing the action.	Planned Completion Date
PID will continue to consult with PT partners on program delivery issues in rural and remote areas, through the FPT WG on Youth Justice Cost-sharing and Programs.	<p>Discussions with PTs will occur on a regularly scheduled basis in 2021-22 to discuss this issue.</p> <p>Dedicated FPT meetings focusing on sharing innovative programming delivery practices in rural and remote areas and invite YJF Recipient(s) whose project(s) is/are deemed relevant to this issue to present to our FPT WG.</p> <p>Record of Decision documented for each meeting. This issue will be included in the FPT Work Plan.</p>	Senior Assistant Deputy Minister, Policy Sector	March 31, 2022

Recommendation 4:

The Family Law and Youth Justice Policy Section, in consultation with the Coordinating Committee of Senior Officials – Youth Justice (CCSO-YJ), should continue to foster collaborative efforts and improved responses to emerging issues in a timely manner.

Rationale for Recommendation:

Federal-provincial-territorial (FPT) collaboration in the youth justice context is essential to address policy issues of utmost national importance. While FPT collaboration relating to the CCSO-YJ was previously raised as a concern, FPT collaboration has improved over the course of the evaluation period and current Committee interactions are well regarded. While collaboration and progress addressing many operational issues discussed at FPT meetings has improved, certain priorities are not always achieved in a timely manner.

Management Response:

We agree with the recommendation, acknowledge that there are areas for continued improvement in regards to the work of the CCSO-YJ, and have taken a number of recent steps towards improving efficiencies and responsiveness in relation to the workings of the CCSO-YJ.

Action(s) What SMART action(s) will be taken to address this recommendation?	Deliverable(s) Expected deliverable(s) to demonstrate the completion of the action.	Accountability ADM responsible for implementing the action.	Planned Completion Date
<p>Ensure that Terms of Reference of CCSO-YJ remain pertinent.</p> <p>This will enable members of the Committee, whether they are newer members or members with years of experience, to maintain a current understanding of why the CCSO-YJ exists as well as the parameters within which it operates.</p>	<p>Updated terms of reference in consultation with CCSO-YJ members.</p>	<p>Senior Assistant Deputy Minister, Policy Sector</p>	<p>September 2021</p>
<p>Call on PT CCSO-YJ representatives to participate in the setting of agendas.</p> <p>Soliciting input from PTs in the setting of agendas will ensure that jurisdictions are able to advance issues of interest to them in a manner that will help keep all jurisdictions engaged in the group.</p>	<p>A mechanism (tbd) to ensure that PT partners are canvassed when setting agendas for CCSO-YJ meetings.</p> <p>This could involve circulating draft agendas to PTs in advance of meetings for their input, or joint development of agendas whereby PTs rotationally work with the Youth and Indigenous Justice Division in setting the agenda. PTs will be canvassed on their preferred approach.</p>	<p>Senior Assistant Deputy Minister, Policy Sector</p>	<p>September 2021</p>

<p>Adopt strategies to achieve timely progress on identified priorities, including the development of an annual work plan, and the ongoing encouragement for Committee members to lead the group's work in different areas.</p> <p>Such strategies will assist in establishing clear goals for the group to work towards, and accountability for progression on areas of priority.</p>	<p>(i) An agreed upon work plan, developed in consultation with PTs, which will establish CCSO-YJ priorities on a year-by-year basis.</p> <p>(ii) Appointment of CCSO-YJ leads for each of the priority areas identified under the established work plan.</p>	<p>Senior Assistant Deputy Minister, Policy Sector</p>	<p>September 2021</p>
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