

## RESEARCH SUMMARY

“Improving Criminal Justice for People with Mental Illness in Remote Arctic Communities”

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The overrepresentation of people with mental illness in the Canadian criminal justice system and in Canada’s prisons is a growing problem. In the past two decades, rehabilitation-oriented mental health programs in criminal courts have developed in large Canadian centres and elsewhere as one answer to this challenge. These programs are intended to encourage therapeutic goals as alternatives to criminal penalties for people with mental illness in conflict with the law while generally maintaining or improving community safety. Meanwhile, in remote Arctic communities in Nunavut, mental health programs in criminal courts do not exist and the capacity of these courts to deal with persons with mental illness is constrained by scarce resources and unique cultural considerations. These problems contribute to accused people with mental illness in Arctic communities, many of them Inuit, being swept up in the criminal justice system for crimes that have mental illness at their root. This research examines how the underlying rehabilitative principles that guide mental health programs in criminal courts in larger Canadian communities and elsewhere—principles derived from the theoretical concept of “problem-solving courts” that look to the underlying causes of crime—can be used in the absence of the resources usually associated with these courts to achieve their rehabilitative objectives in remote, mainly Inuit communities in the Arctic. The study straddles the traditional boundaries between law and health sciences to combine contemporary scholarship regarding mental illness rehabilitation and legal theories of therapeutic justice. Also vital is the incorporation of Inuit concepts of “mental wellness,” resilience and wrong-doing in the context of northern health and criminal justice.

This innovative research involves interviews with justice and health workers as well as Inuit elders in three communities in Nunavut—Iqaluit, Arviat and Qikiqtarjuaq—and has three objectives: (1) to identify problem-solving principles used by mental health programs in criminal courts to provide therapeutic justice and to identify the particular goals and objectives of each principle; (2) to determine whether and how the objectives of these problem-solving principles could be met in Arctic communities given available resources, geographic isolation, and Inuit cultural considerations; and (3) to develop benchmark indicators as practical tools to assess whether or not the problem-solving principles behind mental health programs in criminal courts are achieved in any future program to deliver therapeutic justice in Nunavut. This work will create both a theoretical foundation and practical indicators that can be used to inform future criminal court initiatives in the Canadian Arctic that respond to the needs of people with mental illness in remote, mainly Inuit communities while enhancing community safety.

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*Priscilla Ferrazzi is a PhD Candidate at Queen’s University. She is also a long-time Assistant Crown Attorney with a specialty in mental health and extensive experience prosecuting criminal cases in Nunavut and Ontario. A former member of the Ontario Ministry of the Attorney General’s province-wide Mental Health Advisory Committee, Priscilla is currently a member-at-large of the Law Society of Nunavut Sub-committee on Access to Justice. She lives in Kingston.*