

Toronto Drug Treatment Court

Policies and Procedures

March, 2026



CAMH 100 Stokes Street

Ontario Court of Justice
10 Armoury Street



Established December 1998

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Program Overview

PROGRAM HISTORY

A Drug Treatment Court (DTC) is a unique substance use intervention model operating within the criminal justice system. DTCs operate on principles of therapeutic jurisprudence and assert that the notion that traditional sentencing standards generally do not influence recidivism in offenders whose criminal conduct is driven by problematic substance use. With the approach of a Problem-Solving Court, DTCs provide individuals with problematic substance use who are in conflict with the law with an opportunity to engage in a judicially supervised treatment program.

The first DTC was established in Miami, Florida in 1989, to deal with non-violent, substance-using offenders who repeatedly cycled through the criminal justice system. The Honourable Justice Paul Bentley of the Ontario Court of Justice, having observed a similar “revolving door” cycle in the Canadian criminal justice system, initiated discussions toward establishing a DTC in Toronto. Under his leadership a committee was formed for that purpose in the summer of 1997, including representatives of the Department of Justice (Canada), the defence bar, Legal Aid Ontario, Toronto Public Health, the Centre for Addiction and Mental Health (CAMH), the Ministry of Community Safety and Security (Probation Services), Court Services and numerous community agencies. After several months of discussions, the federal government agreed to fund a four-year DTC pilot project through its National Crime Prevention Centre.

The Toronto Drug Treatment Court (TDTC) was the first DTC in Canada. It began operating on December 1, 1998. The TDTC offers an alternative to incarceration for non-violent offenders using cocaine, methamphetamine, fentanyl, heroin and/or other opioids. The program aims to improve social stability and reduce criminal behavior associated with problematic substance use.

Treatment, the court, and the community work collaboratively to help to facilitate change in lives of those whose conflicts with the law are influenced by their problematic substance use. Using a holistic approach to rehabilitation and social development, these TDTC partners work together to provide participants with relevant supports, structure and access to resources.

The traditional roles of these partners are enhanced through a shared understanding of one another’s roles and responsibilities. This collaborative approach is aimed at helping participants break the cycle of substance use, criminal behavior, and incarceration.

The program relies on the collaboration of judges, prosecutors, duty counsel, private defence counsel, police, probation, court staff, CAMH treatment staff, and community agencies providing specialized substance abuse treatment and ancillary services such as housing, health services, and job training.

Initially the program was limited to persons charged with drug offences. The target group for the pilot was vulnerable groups including youth, sex trade workers, and visible minorities. In 2004 the program was expanded to include persons charged with non-violent *Criminal Code* offences.

GUIDING PRINCIPLES

The TDTC adheres to the following internationally recognized Drug Treatment Court principles, as tailored to local needs:

1. Drug Treatment Courts integrate substance use treatment services with justice system case

- processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' *Charter* rights.
 3. Eligible participants are identified early and placed in the Drug Treatment Court program as promptly as possible.
 4. Drug Treatment Courts provide access to a continuum of drug, alcohol, and other related treatment and rehabilitative services.
 5. Compliance is objectively monitored by frequent substance testing.
 6. A coordinated strategy governs Drug Treatment Court responses to participants' compliance and non-compliance.
 7. Swift, certain, and consistent sanctions or rewards for non-compliance or compliance.
 8. Ongoing judicial interaction with each Drug Treatment Court participant is essential.
 9. Monitoring and evaluation processes measure the achievement of program goals and gauge effectiveness.
 10. Continuing interdisciplinary education promotes effective Drug Treatment Court planning implementation, and operations.
 11. Forging partnerships among courts, treatment and rehabilitation programs, public agencies, and community-based organizations generates local support and enhances program effectiveness.
 12. Ongoing case management which provides the social support necessary to achieve social reintegration.
 13. Appropriate flexibility in adjusting program content, including incentives and sanctions, to better achieve program results with particular groups such as women, indigenous people, and minority ethnic groups.¹

The TDTC is also guided by principles of:

- Therapeutic jurisprudence.
- Health equity.
- Restorative justice.
- Trauma-informed care.
- The 'housing first' model.
- Contingency management.
- Harm reduction.

TWO PHASES OF TDTC

The TDTC program has two broad phases. Phase I is the formal court-supervised treatment process up to graduation and sentencing. Phase II is the period of probation following graduation. Phase II serves the important purpose of helping to maintain the graduates' connection with the TDTC as they adapt to a less-structured phase of their recovery.

¹<http://cadtc.org/dtc-program-title/>(web site of the Canadian Association of Drug Treatment Court Professionals, accessed June 19, 2025).

ELIGIBILITY CRITERIA

Accused persons charged with offences that were motivated by problematic substance use are encouraged to apply. The TDTC generally accepts adult offenders who are **users of stimulants (e.g. cocaine, crack cocaine, methamphetamine) and/or opioids (e.g. heroin, fentanyl)** and who are at medium to high risk for recidivism.

The TDTC ordinarily screens out applicants who:

- are charged with:
 - a significant crime of violence;
 - trafficking in drugs for commercial gain;
 - committing a drug offence in circumstances that raise concerns about drug-impaired driving or risk to young people; or
 - committing a residential break-and-enter;
- have a recent and/or significant history of violence; or
- are currently serving a conditional sentence or intermittent sentence.

Previous TDTC participants who were expelled or withdrew within the previous year should be prepared to persuade the TDTC team that they should be given another opportunity.

Applicants who have not used illicit drugs in the six months preceding application may be excluded.

Applicants will generally be required to have all of their outstanding criminal charges brought into the TDTC.

REFERRAL

Many different participants in the criminal justice system can refer an individual charged with eligible offences to the program. Most referrals come through defence or duty counsel. However, referrals may also come from judges, justices of the peace, the police, probation officers, prosecutors, court chaplains, treatment providers, correctional officers or community agencies.

APPLICATION PROCESS

The TDTC is a voluntary program. Individuals must apply for admission. Application does not guarantee acceptance. The Application consists of two documents:

- TDTC Application Form (Appendix 1)
- Crown Questionnaire Form (Appendix 2)

Each Applicant must complete both forms with the advice and assistance of counsel and submit them to the TDTC Prosecutor's office.

Applicants return to set date court one to two weeks following their application, where they will be advised if they are eligible. Applications are generally screened within five business days from date of submission, though the process may take longer if additional information is required.

SCREENING

The objectives of the TDTC screening process include the following:

- To determine whether applicants satisfy the TDTC eligibility criteria.
- To identify and engage eligible participants as soon as possible after their arrest.
- To identify and address preliminary case management issues and/or factors that may present barriers to success in the program, including the nature and extent of the applicant's problematic substance use and any concerns around their housing, physical health, family circumstances, cognitive ability, and/or readiness to engage in treatment.
- To provide applicants with freedom of choice and an opportunity to determine whether the program is suitable for them.

There are six stages in the screening process:

Stage I: Crown Screening

The Prosecutor reviews the application and other relevant information to assess whether the applicant satisfies the eligibility criteria, with particular attention to public safety concerns. The types of information considered at this stage include:

- The nature and circumstances of the applicant's charges.
- The applicant's criminal record, with particular attention to convictions for crimes of violence.
- Police input as to whether the applicant is known to have problematic substance use and may benefit from the program, and/or whether there are concerns such as violence, commercial trafficking, drug-impaired driving or risks to youth.

The prosecutor determines whether the application should proceed to the next phase and notes that determination on the application form.

Stage II: Preliminary Treatment Assessment

This assessment is conducted by the CAMH Court Liaison at the courthouse.

- Individual demographics and various Social Determinants of Health (SDH) factors including housing, education, income source and employment history are collected along with the applicant's substance use history, legal system involvement/criminal activity, previous treatment history, social and community supports, family history, child and family services involvement, and physical and mental health needs.
- Most applicants are screened while in custody prior to their first appearance in Drug Treatment Court.

Stage III: TDTC Team Pre-Court Discussion

An informal pre-court discussion involving each participant on the court's docket occurs every Tuesday in preparation for that day's court session, and a full case review is conducted every Thursday. The TDTC team in these meetings consists of the TDTC judge, CAMH Court Liaison, the provincial or federal Crown attorney, duty and/or defence counsel, the TDTC probation officer, a Toronto Police Service Liaison, a court clerk, and the court chaplain.

For new applicants, assessment information and recommendations are presented to the TDTC team by the CAMH Court Liaison. A thorough discussion then occurs involving input from the entire TDTC team as to the suitability of the applicant for the program. This input includes information regarding the offences as well as any prior criminal record and/or probation history.

The Crown indicates which counts it is seeking guilty pleas on for entry into the program as well as

the sentencing position if the applicant does not graduate from the program. The TDTC probation officer provides information to the TDTC team as to any prior probationary history. The Toronto Police Service Liaison assists the team by providing any relevant information from the police regarding both the offences and the applicant. An important purpose of the meeting is to highlight any red flags or concerns any members of the TDTC team may have with the applicant's participation in the program.

Stage IV: In-Court Interview by TDTC Judge

The TDTC sits every Tuesday – generally addressing in-custody matters in the morning, and the others in the afternoon starting at 1:15 p.m. At the applicant's first appearance in TDTC, the judge engages in an in-court interview with the applicant to further assess the applicant's suitability. This inquiry may explore:

- The applicant's motivation for wanting to participate in the program.
- The applicant's comprehension of the nature and expectations of the program.
- Whether the applicant's decision to enter the program and to plead guilty is voluntary.
- Whether the applicant has had legal advice regarding their decision to participate, and has signed the TDTC Rule and Waiver Form (Appendix 3).

The Rule and Waiver form summarizes the regular legal process, the TDTC process, the legal rights of clients - including those they are waiving to gain the benefit of the TDTC - and the rules and procedures of the TDTC. It must be completed by all applicants prior to entering the TDTC.

If the applicant is found eligible, then they are arraigned, enter a guilty plea to each charge agreed to by the prosecutor and defence, and are placed on a TDTC bail. (Appendix 4). If the applicant is found ineligible or chooses not to proceed, then their matters are returned to the regular court stream.

In most cases, the participant will be released on their own bail without a deposit of funds. The bail conditions are designed to assist the participant's engagement in the program and can include:

- Attending and actively participating in treatment.
- Attending for urinalysis as required.
- Honestly reporting all non-medically prescribed drug use.
- Honestly reporting any high-risk situations.
- Being honest with treatment providers and with the court.
- Attending court as required.
- Living at a specified address that is program-approved, and not moving from that address without the court's approval.
- Advising the court of any other charges that the applicant has or incurs while in the program.
- Being subject to curfews, boundaries, and/or non-association conditions.

Participants who breach bail conditions may be sanctioned, detained in custody for up to 5 days, or may face suspension or expulsion from the program.

Stage V: In-Depth Clinical Assessment

This assessment typically takes place between the participant's first and second appearance in TDTC.

The assessment interview is conducted by a Therapist/Case Manager and begins with the review and signing of CAMH- and TDTC-specific consent and privacy forms. These include:

- Limits to Confidentiality

- Consent to Treatment (Psychosocial Counselling, Randomized Urine Screening)
- Consent to Disclose Personal Health Information to Court Personnel
- Consent to Disclose Personal Health Information necessary to client care to Toronto Employment and Social Service Workers (if applicable)
- TDTC Contract of Participation

The TDTC assessment model uses a range of standardized clinical tools. These tools screen for a participant's immediate needs (e.g. housing, identification, documentation, income support, addiction medicine needs, mental or physical health concerns, etc.); protective factors (e.g. literacy, family/community support, physical health practices, etc.) risk factors (e.g. trauma/abuse history; IV use; sex work) as well as their personal and family history of substance use, legal system involvement, brain injury, and treatment history. Any specific cultural, diversity, or health equity needs are also identified at this stage.

After completion of the assessment, the participant is directed to attend court on the next available date, and the CAMH Court Liaison provides the court with a recommendation re the participant's eligibility.

Stage VI: 30/60-Day Assessment Period

This phase relies on the outcome of the clinical assessment. If the participant has attended the assessment, is deemed eligible, and wishes to proceed, they will enter the 30/60-day assessment period (a 60-day period that can be shortened to 30 days if the participant requests it, and the TDTC Team agrees).

- The 30/60-day assessment period allows the team an opportunity to review/monitor the participant's involvement and progress, adherence to program requirements, and ability to engage effectively.
- The 30/60-day assessment period also provides the participant an opportunity to decide whether the program is appropriate for them, and is meeting their needs.
- If during this assessment period the program is deemed to be not suitable for the participant, and/or the participant has not sufficiently engaged, and/or the participant does not wish to proceed in the program, the participant has the option to either be sentenced or have their pleas struck and return to the regular court stream.
- At the end of the assessment period, the participant is either formally accepted into the program or given the opportunity to strike their pleas and return to the normal court stream.
- If the participant does not wish to continue or is not accepted into the program, treatment can still make recommendations and facilitate other treatment referrals as appropriate.
- If the participant has not connected with the program for reasons beyond their control, the 30/60-day assessment period may be extended in order to give the participant an extended opportunity to engage.

Treatment

ROLES AND RESPONSIBILITIES

Program Manager

According to Policies and Procedures of the CAMH, the Program Manager coordinates all aspects of program operations, and engagement of Community/Judicial stakeholders involved in program delivery.

Duties include:

- Facilitating development and implementation of procedures which support an efficient, effective, holistic therapeutic response.
- Developing and maintaining access to resources and therapeutic programs that meet participants' needs and enhance their engagement.
- Supervising program evaluation/evaluator and coordinating committees engaged in enhancing efficiency and effectiveness of the program.
- Managing program budget and providing financial and statistical reports to the funding organization.
- Engaging in the decision-making process with designated leaders in the interprofessional TDTC team.
- Coordinating at CAMH, inter-departmental interactions relevant to treatment and therapeutic needs of the program.
- Ensuring treatment policies/procedures as well as recommendations/decisions comply with ethics and standards of clinical disciplines, CAMH and DTC.
- Clinical staff supervision, recruitment, and performance management.
- Providing opportunities for professional development and inter-team education.
- Advocating for interests and perspectives of treatment within the program, its governance structure, CAMH, treatment community, and communities in general.
- Facilitating effective communication and collaboration between service providers and other appropriate community and/or justice stakeholders.
- Engaging in educating about health and safety impacts of program to various levels of, government, CAMH, treatment community and communities in general.
- Facilitating community consultation regarding program policy and direction.
- Developing and coordinating publications, documentation and website maintenance.

Case Manager/Therapist

The cornerstone of service delivery, the Case Manager/Therapist reports to the Program Manager. The Case Manager/Therapist provides holistic care to meet participants' needs and facilitate their progress through the program. The TDTC Case Manager/Therapist coordinates access to resources and provides supports for the health, well-being and reintegration of participants into their communities.

Duties include:

- Completing comprehensive clinical and criminogenic needs assessments.
- Providing individual counselling/therapy sessions.
- Facilitating group counselling/therapy sessions.
- Participating in weekly treatment team case conferences.
- Attending pre-court case meetings or court sessions when required.
- Comprehensively case managing participant cases with respect to Social Determinants of Health (see below).

- Providing in-community support (e.g. attending medical appointments, conducting in-home visits or housing tribunals, etc.).
- Provide harm reduction supplies and services.
- Administer Contingency Management program.
- Providing advocacy and support with system navigation (e.g. administrative form-filling, appealing traffic tickets or provincial offences, Ontario Disability Support Program, Children's Aid Society, Immigration and Citizenship etc.).
- Providing referrals and accessibility to supportive housing, psychiatric support, pain management, dental services, education and re-training opportunities, literacy programming, income assistance, identification clinics, bank accounts and trustees.
- Collaborating with community partners (e.g. supportive housing providers, inpatient treatment centres, Toronto Employment and Social Services).
- Providing continuing care through Phase II and following completion.
- Providing family support when applicable.
- Consulting with other care providers within CAMH and in the community.
- Safety Planning and Suicide Risk Assessment.
- Planning and coordinating special events for participants (e.g. holiday parties, field trips and outings, BBQs).
- Preparing progress reports for court.
- Providing participants with program procedural information.
- Providing participants with support to meet and follow through with program expectations, recommendations and decisions.
- Documenting participants' participation in all individual and group sessions.
- Documenting all encounters/visits relevant to participants' involvement in the program.
- Consulting with Court Liaison and/or Urine Screening Assistants and/or Medical Review Officer about participants' drug test results.
- Participating in professional development and educational sessions.
- Participating when required, in program activities such as graduation ceremonies, committee work and retreats.
- Ensuring participant, stakeholder and public interactions comply with ethics and standards of clinical disciplines, CAMH and DTC.

Treatment/Community Court Liaison (CAMH Court Liaison)

With extensive understanding of substance use, treatment issues and judicial process, the CAMH Court Liaison functions primarily as the communication link between the Court, Treatment providers and the Community. The Liaison reports to the Program Manager.

Duties include:

- Co-ordinating collection and dissemination of information from the treatment team and ancillary service providers to court and vice versa.
- Co-ordinating all information pertaining to monitoring of participants' urine screens.
- Updating and maintaining treatment dockets.
- Planning, scheduling and coordinating participants' graduations.
- Conducting initial screenings of potential participants at court and, where applicant is deemed appropriate, coordinating schedule for next level of assessment at CAMH.
- Participating in pre-court meeting as well as in case conferences at treatment.
- Providing participants with support at court, including coordinating relevant referrals to community withdrawal management centres; temporary, supportive and emergency housing etc.
- Building community partnerships to enhance program service provision.

- Developing mechanisms to increase participation of alumni and community members.
- Distributing outreach information to outside agencies and community forums.
- Participating in client recruitment activities.
- Participating in professional development and educational sessions.
- Participating, when required, in program activities such as retreats.
- Documenting all contacts relevant to participants' involvement in the program.
- Ensuring participant, stakeholder and public interactions comply with ethics and standards of CAMH and DTC.
- Entering data and compiling statistics.

Program Assistants (Urine Screen Attendants)

Program Assistants (Urine Screening Attendants) provide direct supervision of participants' urine sample provision and communicate test results to the CAMH Court Liaison and Case Manager/Therapists.

Duties include:

- Organizing and implementing collection of urine drug screening.
- Following procedures to ensure that screens are provided and monitored correctly as required.
- Monitoring participants' random screening attendance.
- Packaging specimens for transport to the laboratory.
- Updating and maintaining participants' information on computer database.
- Printing participants' drug screen reports for the CAMH Court Liaison when required.
- Providing weekly urine screen updates to Case Manager/Therapists.

Psychiatrist

A key component of the TDTC treatment team.

Duties include:

- Providing TDTC participants with full psychiatric evaluations and consultations.
- Offering ongoing follow-up with TDTC participants as needed.
- Attending bi-weekly consultation meetings with the treatment team.
- Providing Case Managers/Therapists with psychiatric consultation (i.e. mental health diagnoses; medication; clinical recommendations) used in treatment planning.
- Prescribing psychotropic medications to TDTC participants.
- Assisting with partial medication reconciliation.

Concurrent Outpatient Medical & Psychosocial Addiction Support Services (COMPASS)

If necessary, TDTC participants are also supported by CAMH's Concurrent Outpatient Medical & Psychosocial Addiction Support Services (COMPASS). Comprised of physicians, nurses, pharmacists and therapists, COMPASS provides pharmacotherapy for substance dependence on alcohol, opioid and benzodiazepines. COMPASS provides TDTC participants with:

- Medical assessment.
- Opioid replacement therapies.
- Treatment of concomitant pain and opiate use.
- Outpatient alcohol withdrawal.
- Medications to prevent relapse to alcohol use (naltrexone, acamprosate, disulfiram).
- Benzodiazepine tapering.
- Overdose prevention.

Peer Support Worker

The TDTC Peer Support Worker is an essential member of the treatment team. This role is filled by a graduate of the program who is able to provide comprehensive support to participants based on first-hand experience with substance use issues and legal system involvement.

Duties include:

- Conducting the single-session “Getting Started” orientations with new TDTC participants.
- Providing Case Managers/Therapists with an “Immediate Needs” checklist (e.g. replacing health cards, immigration documentation or birth certificates; opening bank accounts / trusteeships; accessing tax clinics; connecting with social services; etc.).
- Providing TDTC participants with in-community support (e.g. conducting in-home visits; accompanying participants to medical appointments, information sessions, and ID clinics; etc.).
- Advocating for and coordinating access to participants’ care packages (e.g. new clothing, hygiene products and some household items).
- Providing for basic needs including food and nutrition.
- Providing TDTC participants with information and access to education and re-training opportunities, literacy programming, identification clinics, bank accounts and trusteeships.
- Providing continuing care after participants have graduated.
- Providing family support when applicable.
- Co-ordinating client access to CAMH Gifts of Light benefits and volunteer opportunities.
- Coordinating with other care providers within CAMH and in the community.
- Safety Planning and Suicide Risk Assessment.
- Planning and coordinating special events for participants (e.g. holiday parties, field trips and outings, BBQs).
- Providing participants with program procedural information.
- Providing participants with support to meet and follow through with program expectations, recommendations and decisions.
- Documenting all encounters relevant to participants’ involvement in the program.
- Participating in professional development and educational sessions.
- Participating when required, in program activities such as graduation ceremonies and alumni events.

CAMH Department Secretary

The primary role of the Department Secretary is to provide administrative support to the program. This involves maintaining and updating any program waitlists, attendance tracking, and database entry.

Housing Case Management

The TDTC adheres to a “Housing First” model. This means that all participants, regardless of their performance in the program, are provided housing support by their Case Manager/Therapist. This involves:

- Community-based intensive case management, and housing maintenance support with a focus on the determinants of health.
- Crisis management and individual support and counselling to individuals with substance use and concurrent disorders.
- Maintaining formal and informal partnerships with housing partners in the community.
- Maintaining strong community partnerships and participating in supportive housing networks in Toronto.
- Providing administrative support (i.e. application form-filling) to participants applying for

- housing, additional subsidies or transfers.
- Assisting participants in liaising with their housing providers and in maintaining good tenancies.

Medical Review Officer (MRO)

The MRO is a medical doctor with an understanding of addiction medicine and familiarity with the clinical uses of drug testing. The MRO provides consultation and advice on the court-ordered testing component of the TDTC program, particularly disputed results. Drug testing is an important component of TDTC. While acknowledged drug use leads neither to sanction nor to expulsion, test results are important and objective markers in verification of reported use, detection of unreported use and documentation of participants' progress.

Duties include:

- Meeting with the Treatment Team to provide assistance in clinical use of test results and assisting in training with respect to interpretation of test results.
- When needed, assisting program in developing new and revising or modifying existing policies pertaining to the drug testing program.

DTC Nurse/Nurse Practitioner

The Drug Treatment Court Program is committed to interprofessional care and employs a part-time nurse/nurse practitioner whose responsibilities include assisting with the above functions of the addiction medicine service at CAMH.

Duties include:

- Reviewing client medication, and providing reminders for injections or renewals.
- Assessing drug use related wounds and treating or referring.
- Assisting with obtaining primary care for clients.
- Organizing vaccinations.
- Providing health-related psychoeducational sessions.
- Accompanying clients to medical appointments, and coordinating care with other health care providers.
- Visiting clients in the community and in their homes for medical and/or addiction medicine purposes.
- Conducting general wellness, addiction and mental health assessments.
- Counselling clients on health-related matters.
- Working with the team to support case management and holistic care.
- Meeting with the Treatment Team to provide assistance in clinical use of test results and assisting in training with respect to interpretation of test results.
- When needed, assisting program in developing new and revising or modifying existing policies pertaining to the drug testing program.

URINE SCREENS

Urine screens are an integral part of the TDTC Program. Participants are required to leave urine screens on a random basis and whenever directed by the Court or Treatment Providers.

A positive urine screen is not cause for sanction, incarceration or expulsion from the program. Instead, the urine screen process is a catalyst to encourage honest and timely disclosure of drug use by the participants. Failure to provide a urine screen or tampering with urine screens may result in court-imposed sanctions, generally at the first court attendance after the team is informed. These sanctions range from admonishment by the judge to leaving additional screens, increased court attendance, performing community service hours, written essays or – for persistent and/or serious violations – revocation of bail.

Urine Screen Procedure/Reporting Process

- New participants are assigned one of five colour groups as part of their participation in the random urine screen program (red, green, blue, yellow or orange). The CAMH Court Liaison and Program Peer Support Worker assign the colour based on existing lists & attempts to keep the numbers under each colour group evenly distributed. The new participant's information is then added to the participant list – this includes their name, file number, date of birth, case manager, assessment date and urine screen colour – this list is updated regularly and distributed to the treatment team including urine screen attendants.
- The participant is informed of their colour group during their “Getting Started” information session (see below) and they are instructed as to how the random screening program works. The “Getting Started” session is conducted by the TDTC's designated Peer Support Worker and usually occurs within one week of the participant entering the program.
- Once a colour is assigned it is noted on the participant's progress report.
- The Program Assistant receives the results from the laboratory and conveys them to the Department Secretary, who enters the results into the database and provides a list to the CAMH Court Liaison prior to court sessions. The Court Liaison also distributes the results to the Case Managers/Therapists.

TREATMENT PROCESS

TDTC Treatment Phases and Streams

TDTC has different streams and treatment phases, depending on the needs of the individual participant and where they are in the process of recovery. With the evolution of the program, there has been a noticeable increase in complexity of needs. In order to be inclusive and effective, we have built in flexibility. The program has standard core components which are listed here, but also implements considerable individualized treatment plans based on clinically-identified needs.

Getting Started

Once participants have been formally given their 30/60-day probationary period, they participate in “Getting Started” at CAMH. This is a single-session phase conducted by the TDTC's Peer Support Worker and is usually attended by participants within their first or second week in the program. In this session, new participants learn program norms, expectations and benefits. The program's group schedule and obligations (e.g. urine screens and court appearances) are outlined, and the “reward and sanction” system (i.e. Contingency Management model) is explained in detail. During this session, participants can begin addressing their most urgent needs like securing temporary housing or identification (e.g. health cards and other photo ID).

Getting Started refresher sessions are available upon request or as seen to be required.

Preparation Phase

All new male and male-identifying applicants begin the program in the Preparation Phase. In addition to individual case management and therapy, this phase includes group participation. Sessions are facilitated by one of the TDTC Case Manager/Therapists, and are scheduled on Monday and Wednesday afternoons and Friday mornings. This schedule complements a new participant's court schedule, which has them attending on Tuesdays. New participants are typically required to attend all three groups, meaning that during this phase they have program obligations 5 days per week.

A portion of each Preparation Phase group is dedicated to a participant “check-in,” which involves

reporting and processing any recent substance use and/or high-risk situations (i.e. potentially triggering events; “close calls”; ongoing criminal activity or proximity to drug use). Because TDTC considers honesty to be the cornerstone of the program, participants are required to report their substance use honestly and accurately. As noted earlier, if a participant’s reporting is consistent with CAMH’s urinalysis results, they are NOT subject to sanction. The primary goals of the Preparation Phase include:

- Ensuring participants’ safety and stability.
- Addressing immediate needs related to housing, health and income support.
- Developing therapeutic rapport and building participants’ motivation.
- Reviewing program obligations and expectations.
- Establishing structure and routine into participants’ daily life.

Case Managers/Therapists rely on a range of therapeutic modalities for group facilitation, including Cognitive Behavioural Therapy, Motivational Interviewing/Enhancement, Mindfulness, and trauma-informed methods with a focus on strategies and curriculum designed for addressing therapy and learning for people with brain injuries.

Psychoeducational topics include (but are not limited to): relapse prevention strategies; boundaries and communication; safe relationships; harm reduction; criminogenic thinking; stress management and emotional regulation; self-care; life skills and personal health practices.

Recreation is also a key component: activity in the gym is part of every week, and creative activities such as art, music and community activities are incorporated into the program.

Group norms and expectations are reviewed regularly, and discussion topics are presented through a trauma-informed lens (with grounding strategies used as needed).

Women’s Stream

Female and female-identifying DTC participants complete a separate but similar program to the men’s program. This stream uses a relationship model by focusing heavily on early participant engagement. This trauma-informed approach also gives additional consideration to trauma history, intimate partner violence, children’s aid issues, sex work involvement/history and other gender-based issues.

Throughout all phases of DTC women attend the DTC Women’s Group weekly and meet with their therapist/case manager.

Phases for female participants are determined on an individual basis and will often involve utilizing CAMH- or community women-specific programming.

Intensive Treatment Phase

All TDTC participants are required to participate in an Intensive Treatment Phase in order to progress through the program and move from the Preparation Phase into the Maintenance Phase. Intensive Treatment typically refers to full-time, inpatient programming ranging anywhere from 21 days to 6 months in length, but could include a different type of focused treatment. The duration and type of treatment program a participant is referred to depends on several factors: severity and frequency of substance use; treatment history (prior to or since joining TDTC); level of program engagement; degree of stabilization in the community; participant motivation and readiness; and other mental and physical health-related concerns.

Procedure:

- Referring a participant to another treatment centre typically involves completing their program-specific application package; providing standardized substance use assessment tool results; and filling out two-way consent forms between TDTC and the other treatment

- provider.
- If a participant is referred to another program during the course of treatment in TDTC, the case manager will connect with the other treatment provider on a regular basis to determine the participant's progress. They will also complete progress reports for the participant's court appearances. In general, they will liaise between TDTC program and the other treatment provider, and will deal with any problems that arise.

Maintenance Phase and Aftercare Phase

After participants successfully complete Intensive Treatment they progress to the Maintenance Phase. This phase consists of group sessions twice per week. These groups focus on maintaining positive lifestyle changes, expanding relapse prevention strategies, and goal-setting. The groups are process groups, following an interpersonal group therapy model, and provide more opportunities for exploring personal and interpersonal issues. It is common for program graduates to continue attending the Maintenance Phase groups after graduation as part of their Aftercare plan. This attendance is strongly encouraged as evidence shows that Aftercare is a strong predictor of ongoing health and stability post program-completion. For TDTC graduates, Aftercare helps to ease the transition back into the community, provides ongoing case management support, and gives participants an opportunity to support and offer informal mentorship to their TDTC peers. Ongoing Maintenance Phase/Aftercare attendance also helps TDTC graduates meet their Phase II obligations during their period of probation.

Case Conferences and Court Reports

The case conference occurs weekly, generally on a day prior to court. This meeting involves members of the court and treatment teams. The purpose of this meeting is for the CAMH Court Liaison to present client cases and relevant information to the court team who will be attending the next court session. Additionally, as a team the participants' progress is collaboratively reviewed, and relevant recommendations are provided. This information is written on a Court Report Form (Appendix 6) and can include:

- Last court appearance.
- Reported use - substance(s) used and dates.
- Treatment Phase - Preparation, Maintenance, or Intensive).
- Attendance and punctuality for groups or appointments.
- Cancellations or "no shows" (missed groups).
- Overall engagement and progress in the treatment process.
- Emerging or ongoing concerns.
- Notes for the presiding Judge.
- Attendance at other meetings such as 12 steps which are not a formal component of the treatment program – but are recommended for additional support.
- Dates and results of urine screens and/or missed urine screens.
- Referrals to other treatment as well as any current and/or emerging issues related to family, social supports, employment, education or health.
- Recommendations regarding participant's readiness to graduate from the program.

The treatment team also advises the court when a participant fails to comply with program expectations, but does not make recommendations for sanctions.

The treatment team can also recommend which areas of participant progress should be highlighted in court.

Court

ROLES AND RESPONSIBILITIES

Judge

Along with exercising the general responsibilities of a judge of the Ontario Court of Justice, the TDTC judge will have the following particular attributes:

- Consistency.
- Impartiality.
- Empathy and compassion.
- An understanding of problematic substance use and drug policy.
- Ability to listen.
- Awareness of concurrent mental health issues, including trauma and brain injuries.
- Commitment to equity principles.
- Awareness of impacts of social determinants of health.
- Ability to engage with and motivate TDTC participants.
- Commitment to the interprofessional team model of DTCs, participation in the team model, and strong team leadership skills.
- Ability to ensure that the fundamental rights of the participants remain protected within the TDTC's collaborative system.
- Awareness of, and commitment to, evidence-based and best practices for Drug Treatment Court programs.
- Awareness and understanding of funding and governance structures of the program.
- Participate in the development and review of policies and procedures.

Duties Include:

- Presiding at TDTC hearings.
- Shared facilitation of TDTC pre-court meetings.
- Participating in program development, training, education and decision-making activities for those involved with the TDTC.
- Participating in committee work, including as a member of the Community Advisory Committee.
- Participation in DTC team retreats and involvement in the program's decision making.
- Ensuring meaningful consultation with all stakeholders (CAMH, Crowns, duty counsel, CLA representative, probation, police, the community) before operational changes are implemented.
- Ensuring stakeholder input is provided to the Chief Justice, through the Office of the Regional Senior Justice, concerning any proposed operational changes.
- Involvement with external organizations to educate and publicize the TDTC.
- Speaking to a wide variety of groups and organizations on the TDTC and associated topics.
- Involvement in community outreach for the TDTC.
- Providing program advocacy.

Prosecutors

Both the Public Prosecution Service of Canada and the Ontario Ministry of the Attorney General are partners in the program. Each prosecution service strives to maintain continuity of individual TDTC prosecutors, who are specially trained for their role.

Duties Include:

- Reviewing cases at all stages of the criminal justice process to identify potential candidates for the TDTC.
- Conducting the initial screening assessment as to whether applicants satisfy the TDTC eligibility criteria, with particular attention to public safety.
- Monitoring participants' compliance with TDTC program requirements and recommending sanctions for non-compliance where appropriate.
- Educating other members of the TDTC on relevant aspects of the prosecution function.
- Educating other prosecutors and law enforcement about the TDTC.
- Participating as a member of TDTC committees, including the decision-making process through DTC retreats and other team consultations.
- Generally exercising the independent Attorney General function in criminal matters.

Paralegal

The Public Prosecution Service has assigned a paralegal to the TDTC on a full-time basis. The TDTC paralegal assists the TDTC prosecutors in discharging their prosecution function in the program, and is central to ensuring continuity of the practices and policies of the TDTC Prosecution Office.

Duties:

- Administering the TDTC Prosecution Office.
- Assisting the TDTC prosecutor in carrying out all legal and non-legal aspects of the prosecution function.
- Updating and maintaining the integrity of Crown TDTC files, including ensuring that TDTC prosecution packages are complete and that all application forms and Crown questionnaires are filled out correctly.
- Reviewing new arrests and flagging those who are eligible to apply to the TDTC.
- Conducting legal and non-legal research at the request of the TDTC prosecutors.
- Facilitating the exchange of information between the police and the TDTC prosecution office, including working with the TDTC police liaison to ensure that officers complete the TDTC police questionnaire in a timely fashion, and requesting police input on issues such as bail.
- Working with the TDTC police liaison to facilitate effective and prompt execution of TDTC bench warrants and rescission of warrants.
- Participating in outreach activities and training sessions to train and inform prosecutors, law enforcement, and community members about the TDTC.
- Facilitating the flow of information between the TDTC prosecution office and the TDTC court, treatment, and community members.
- Assisting with waiving in charges from other jurisdictions.
- Data entry for the Federal Department of Justice.
- Providing information in court to clients regarding their progress with respect to court attendance and lack of new involvement with the criminal justice system.

Duty Counsel

The role of the Duty Counsel is to act as defence counsel for participants in the TDTC who are not represented by private counsel. Circumstances often arise where there is conflict between the wishes of the duty counsel's client and/or duty counsel's professional responsibilities and the expectations of the multi-disciplinary TDTC team of which the duty counsel is a team member. It is important to note that as in any criminal court, the interest and directions of any duty counsel client in the TDTC will take precedence over any team expectations.

Duties Include:

- Assisting unrepresented clients both in and out of custody with the application process.

- Interviewing clients and providing them with legal advice about TDTC.
- Reviewing the TDTC Rule and Waiver form with applicants after they are screened eligible by the Crown but before they decide whether to enter the program.
- Attending twice-weekly pre-court and review meetings on behalf of every TDTC participant to ensure their interests are represented.
- Assisting participants with entering guilty pleas both upon initial entry to the program, and for new charges incurred while in TDTC when applicable.
- Representing participants facing sanctions for non-compliance both where the matter is a duty counsel client and where private counsel is unavailable.
- Negotiating with Crown counsel regarding any guilty pleas to be entered.
- Assisting participants with obtaining bail variations.
- Acting as liaison between private counsel and the TDTC.
- Acting as liaison between participants and police agencies.
- Assisting participants with transfers of charges from other jurisdictions to the TDTC.
- Representing participants when they leave or face expulsion from the TDTC program.
- Representing participants for sentencing purposes at graduations, or after withdrawal/expulsion from the program.

Probation and Parole Court Liaison Officer (CLO)

The CLO brings a Probation/Correctional perspective, participates in service delivery and engages in program development activities and decision-making processes.

Duties include:

- Gathering available information on each applicant's substance use, response to community supervision, relevant correctional history, outstanding probation charges and/or current probation compliance. Presenting information at Step III of the screening process (initial pre-court meeting). Upon request, providing information to the Crown for Step I of the screening process (Crown screening).
- Generally participating in pre-court team discussions.
- Providing CAMH with a risk assessment for each participant.
- Liaising with participants' existing probation officers to provide information on participants' progress in TDTC and to ensure that participants' probation supervision supports their progress in the TDTC.
- Taking on case management and supervision of participants with active probation orders after 90 days in TDTC, and meeting with them outside of TDTC at least once per month.
- Supervising participants in Phase II of TDTC. Providing the court with updates, enforcing compliance, and requesting variations to probation conditions where appropriate.
- Liaising with other TDTC partners regarding housing, employment, training, etc., and supporting participants' efforts to access resources such as withdrawal management beds.
- Facilitating the "Change is a Choice" anti-criminal thinking group, and providing participants with one-hour educational sessions as required by CAMH.
- Where applicable, conducting home visits.
- Organizing and participating in educational and outreach initiatives in the community, at probation offices, and at detention centres.
- Participating in program development committees.

Police Liaison

The Toronto Police Service (TPS) works in partnership with the TDTC. A designated liaison officer is assigned to perform a variety of tasks which assist the program and enhance the relationship between the TPS and TDTC.

Duties include:

- Providing information relevant to the screening of applicants and recommendations for

- supervisory mechanisms such as bail conditions.
- Providing information with respect to compliance with bail conditions, and being alert to any criminal or concerning activity of TDTC participants.
- Ensuring effective and prompt executions of all warrants (warrants in the first instance or bench warrants) and rescinding of warrants with little interruption to treatment schedule.
- Updating police information systems and ensuring effective communication with TDTC.
- Educating partners on police procedures/concerns, organizing training sessions, and preparing training materials for participation in outreach activities.
- Attending pre-court meetings and court, and recording pertinent information.
- Participating as a member of the Community Advisory Committee and other TDTC committees.

The police are the first contact with potential participants. Many TDTC participants are known to the police. In addition to information about criminal charges, the police often have significant information on the general background and circumstances of the participant, including health determinants. This information is helpful when screening TDTC applications.

Upon the arrest of an accused person, TPS officers are required to fill out a TDTC police information form. In this form, the police provide information concerning a TDTC applicant's history of violence, drug use and drug history, criminal activities, and motivation for criminal behaviour, i.e. to support a drug habit or for some unrelated reason, etc.

Court Clerks

Court clerks assigned to the TDTC provide administrative support to the judge and other members of the TDTC team.

Duties include:

- Attending weekly pre-court meetings and court sessions and performing the usual clerical and administrative duties of a criminal court clerk.

COURT PROCEDURES

Regular court appearances are viewed as supportive to participant progress and not as punishment, as they provide an opportunity to monitor participant progress and are a forum to address issues of compliance and non-compliance, and to provide a therapeutic court environment. Court attendance allows:

- The program to recognize individual participants for their progress in the program.
- Participants to observe, learn and benefit from the progress of other TDTC participants.
- The court to address behaviour that may be preventing participants from progressing in the rehabilitative process.

The Pre-Court Meeting

Pre-court meetings are held every Tuesday before court, and Thursday afternoons. They are attended by the TDTC Court Team, including the CAMH Court Liaison, the judge, the prosecutor, duty counsel, the paralegal, the probation and parole liaison, the police liaison, court clerks, and the Salvation Army representative. Where available, a participant's case manager and/or private defence counsel may also attend and participate.

The purpose of the pre-court meeting is to discuss the progress of current participants who are scheduled for the next TDTC court day. The CAMH Court Liaison provides progress reports on the participants, which highlight both positive accomplishments of the participant and any issues or struggles the participant is facing. A discussion ensues, and the TDTC team attempts to reach a

consensus on the next steps for the participant. The Court Team also reviews the eligibility of any new applicants, based on their application, initial treatment assessment, probation input and other information.

Frequency of Appearances

General factors to be considered in determining the frequency of court appearances include:

- The length of time the participant has been in the program.
- The stage of treatment.
- The participant's participation and progress in treatment.

More specific factors include:

- During the 30/60-day assessment period, participants generally appear at court every Tuesday. This continues until the TDTC team feels that reduction is appropriate.
- Reduction in frequency of court appearances is recommended by treatment and is related to the participant's progress in the program. Participants in the intensive phase of the program generally attend once per week.
- Reduction in frequency of court appearances is done on a gradual basis, initially from once per week to once every two weeks, and possibly further to a minimum of once per month.
- As a supportive measure for the participant, if treatment is concerned that the participant is struggling with recovery, they may recommend increased frequency of attendance, and the court may then require the participant to attend more frequently.

Participants are welcome to attend court even on days when they are not scheduled to appear.

Participants are expected to remain in court while other participants are appearing, before and after the participant addresses the judge.

Newly graduated clients who are on probation are typically required to attend court once a month, usually on the first Tuesday of each month.

Past participants are always welcome to attend DTC.

Commendations, Admonishments, and Sanctions

Compliance and/or progress in the program results in commendation and rewards from the court, and non-compliance results in admonishment or sanctions.

The court recognizes performance not only to assist the participant in progressing in the program, but also as a motivator for other participants. As such, the court is conscious of the following factors:

- Both compliant and non-compliant behaviour are acknowledged by the court.
- Commendations, admonishments, and sanctions are imposed as relevant to the behaviour being addressed.
- Changes in participant performance after specific issues of compliance or non-compliance are also addressed.
- Sanctions and incentives follow a contingency management model which places emphasis on incentives but utilizes sanctions as required.
- The program maintains a list of sanctions and incentives with corresponding client actions which warrant the type or level of sanction or incentive.

Incentives/rewards can include, but are not limited to:

- Commendation by the judge.
- Less frequent court appearances.
- Certificates of achievement.
- Early leave list.
- Gift cards.
- Other incentives as developed by committees or subcommittees of the TDTC.

Sanctions can include, but are not limited to:

- Admonishment/warning by the judge.
- More frequent urine screens.
- Increased court attendance.
- Community service hours.
- Assignments.

Particularly serious violations of the TDTC bail may also result in bail revocation, though this should be seen more as a criminal justice system response to the violation of a court order rather than as a program sanction for non-compliance.

New Charges and Suspensions

TDTC participants sometimes pick up new criminal charges while they are in the program. When a new charge is for a comparatively minor offence, it is usually added to the participant's TDTC bail (with or without a plea of guilt, depending on the circumstances) and the participant continues with the program.

When a new charge is for a more serious offence (including offences that would not ordinarily be accepted into the TDTC) or is part of a pattern of new charges that might ordinarily be accepted into the TDTC individually, but which cumulatively raise an increased public safety concern (such as a series of shoplifting offences where each one arises shortly after the participant's release on bail for the one before it), then the Crown may choose not to accept the new charge into the program. When that happens, the participant has the option of being suspended from the program, being placed on a non-TDTC bail, and dealing with the new charge outside of the TDTC. While suspended, clients typically check in with the court on regular intervals and continue customized participation with the treatment component.

Where a suspended participant is acquitted of the new charge, then they are ordinarily readmitted into the TDTC. Where the participant is convicted of a serious new charge – including after a guilty plea – then they are ordinarily not readmitted into the TDTC. Where the new charge is less serious, the program may be more flexible even where there is a conviction.

Graduation

Graduation from the TDTC is initiated by the participant's completion of an Application for Graduation form (Appendix 5). Treatment then recommends graduation if they are satisfied that the participant is ready. At this point the participant will generally have been in the program for at least 12 months. The Court Team will discuss the application before a decision is made. The criteria for graduation include, but may not be limited to:

- Participation in the program for a minimum of 12 months, with a demonstrated commitment to connection with treatment supports
- Completion of and compliance with all phases of treatment.
- A realization of positive outcomes including management of, and insight into, the

- participant's substance use disorder, as evidenced by:
- Reduced use (including abstinence) or safer use.
 - Connections with harm reduction/overdose prevention/opioid substitution/other addiction medicine interventions for other substances.
 - No new criminal convictions for a period of at least 3 months prior to graduation.
 - Social stability indicators such as:
 - Securing stable housing.
 - Ongoing attendance at community support programs.
 - Being employed.
 - Attending school.
 - Participating in significant volunteer work.
 - Completion of the Change is a Choice program.
 - Having an aftercare plan.
 - Having a demonstrated commitment to recovery.

At graduation, the graduate will be sentenced for the charges they entered guilty pleas to, and will receive a non-custodial disposition (typically a suspended sentence and a period of probation).

Phase II – Post-Graduation

TDTC graduates who are placed on probation will return and appear in the TDTC on a monthly basis – ordinarily on the first Tuesday of each month – and report to the court about their recovery. Typically, clients in this phase have an aftercare treatment program, designed to maintain connection with treatment supports and allow for increased community involvement.

The probation liaison will monitor their compliance and liaise with treatment to provide the court with a complete picture of the graduate. If the graduate is experiencing difficulties with their management of their substance use disorder, the court has the authority to vary the terms of the probation order to provide additional supports, including enhanced treatment and more frequent court attendance.

Upon completion of their term of probation, the graduate will receive a further commendation from the TDTC and a Certificate of Completion of Phase II.

Participants who violate the terms of their probation and do not make efforts to remain engaged may be charged with the offence of failure to comply with probation.

Governance and Community

OVERVIEW

The TDTC is a partnership between the Ontario Court of Justice, the Public Prosecution Service of Canada (PPSC), the Ontario Ministry of the Attorney General (MAG), and the treatment provider, CAMH. Funding is received by CAMH from the Federal Department of Justice through the provincial Ministry of the Attorney General. CAMH is the designated treatment provider and is accountable to the Ministry of the Attorney General. The treatment program is accountable through the Program Manager to the CAMH Addictions Program Clinical Director and the Senior Vice President for Clinical Programs.

Apart from government/funder and respective organizations accountabilities, the TDTC has developed an internal governance structure that consists of two formalized bodies, the TDTC

Retreat and the Community Advisory Counsel, as well as an informal process of TDTC leadership consultation when needed.

Community Advisory Committee

In order to broaden TDTC's scope and services for participants, the Community Advisory Committee was formed to bring together stakeholders and service providers to enhance service, provide advice, and serve in partnership/collaboration roles. The CAC has a community Chair or Co-Chairs, and its membership represents a wide range of interested parties including, but not limited to: substance use treatment, mental health supports, housing providers, income support, employment support, government, public health, Crown prosecutors, duty counsel, the private criminal defence bar, correctional services, justice representatives, self-help groups, harm reduction representatives, police services, court chaplaincy, policy advisors, advocates, gender-based services, and alumni. The CAC functions as a vital link between the TDTC program and community partners. The CAC also provides support to the TDTC and makes recommendations. The CAC strikes working sub-committees to deal with specific issues that arise. These sub-committees have their own Chairpersons and members who may or may not be members of the CAC.

Retreats

All staff from the court and treatment teams meet regularly to discuss day-to-day operations, policy and procedure changes/enhancements, and program and justice updates, and to engage in cross-training and build collaboration. Retreats are attended by all direct service providers on the treatment team and are open to supervisors.

TDTC Alumni Association

The TDTC Alumni Association is led by the TDTC Peer Support Worker. Participants who successfully complete the program are invited to join as a way of maintaining contact and support, discussing plans and goals, and looking at ways to give back to the program. The alumni have developed the following mission statement:

We share the belief that having been through the program ourselves, we are in a unique position to offer support and education to others who might be thinking of entering the program, as well as those who are in the program now. We can provide examples of what life would be like in recovery. We can offer an outlet to help graduates reintegrate into society. We are a way to give something back.

Representative members of the Alumni Association may actively participate in the Community Advisory Committee or sub-committees, provide speaker services, and assist with program events.

Appendices

1. TDTC Application Form
2. TDTC Crown Questionnaire
3. TDTC Rule and Waiver Form
4. TDTC standard bail conditions
5. TDTC Graduation Requirements (the Application form is separate but can be accessed through a DTC Team member)
6. Re-Application Form
7. Community Advisory Committee Statement & Terms of Reference

Drug Treatment Court - Application Form

This form should be used by drug dependent offenders who wish to apply for Drug Treatment Court. Eligibility for the Drug Treatment Court will be determined by Crown counsel in accordance with the eligibility criteria set out on the reverse of this form.

PART ONE (to be completed by accused/defence counsel)

Name: (last/first) _____

Gender: Male Female Transgender Undisclosed

DOB: (dd/mm/yr) _____ **Marital Status:** Single Married/Common Law Divorced

Race: Caucasian Black Other _____ Undisclosed
 (self-identification/appearance) **Aboriginal:** First Nation Metis Inuit Other _____

Highest Level of Education: (Example – Completed Elementary, Secondary and/or College/University) _____

In Custody: Yes No **Criminal Record:** Yes No

List the charges that are presently before the Ontario Court of Justice and any other charges that are outstanding within or outside of the Ontario Region (if any).

Arrest Date: _____ **Courthouse:** _____

Offence Type: CDSA _____
CC _____

Number of charges: _____ **Co-Accused (if any):** _____

Arrest Date: _____ **Courthouse:** _____

Offence Type: CDSA _____
CC _____

Number of charges: _____ **Co-Accused (if any):** _____

Bench Warrant Outstanding: Yes If yes, give details _____ No

Under Probation Supervision: Yes If yes, give details _____ No

Immigration Order: Hold Deportation Order Other None

I have previously been in an alternative measures program or diversion program: Yes No

The Crown Questionnaire is required and must be completed by counsel. Has it been completed?: Yes No

I hereby apply to be considered for drug treatment court program.

Date: (dd/mm/yy) _____ **Signature of Accused** _____

*It is by verbal consent of the client _____ that counsel (noted below) can sign this form on their behalf.

Lawyer's Name and Phone Number: _____

Private _____ Duty Counsel _____

Next Court Appearance and Courtroom: (dd/mm/yy) _____

PART II (To be completed by Crown Counsel) - Final Crown Decision:

Does the accused satisfy the eligibility criteria? Yes No

Reason(s) for Exclusion: Seriousness of offence Violent offence Criminal Record Circumstances of offence
 Previous Breach/Diversion History Commercial Trafficker Residential B & E Other _____

Approved for initial assessment: Yes No

Crown Conditions: None Icon Check Other _____

Date: (dd/mm/yy) _____ **Signature of Crown Counsel** _____

PART III (Initial Assessment by Court Liaison)

Is the accused an acceptable candidate for Drug Treatment Court? Yes No If not appropriate, why? _____

CAMH Intake Assessment Appointment: (dd/mm/yr) _____

Date: (dd/mm/yr) _____ **Signature of Court Liaison** _____

PART IV (to be completed by Defence Counsel – ONLY AFTER PART III HAS BEEN COMPLETED BY TREATMENT)

Has the accused provided a signed Rule and Waiver Form, acknowledging rights to counsel, accepting responsibility for the offence and agreeing to participate in Drug Treatment Court?

Date: (dd/mm/yr) _____ **Signature of Defence Counsel** _____

POST PLEA ALTERNATIVE

Any offender with a demonstrable drug addiction charged with the drug offences of simple possession, possession for the purpose of trafficking, or trafficking may be eligible. Any offender charged with criminal code offences such as theft, fraud, mischief, prostitution, obstruct peace officer, or break and enter on commercial premises may also be eligible. Candidates will be screened and assessed by a treatment provider to determine whether a drug addiction exists. Participation is conditional upon the approval of the Crown prosecutor. The following criteria will be relevant in determining whether an offender is a suitable candidate:

- Previous criminal history.
- Whether the offender is charged with an allegation of a breach of conditional sentence or is currently serving a sentence or parole, i.e. conditional sentence or intermittent sentence.
- **Any drug offender who committed a drug offence solely for commercial gain will not be eligible;** Offenders may also be screened out if the sentence that the Crown would otherwise be seeking is sufficiently high that it would be inconsistent with admission to the program.
- An offender charged with drug offences will be precluded if the commission of the offence involved a young person under the age of 18 years, or the offence was committed in or near a school, on or near a playground, or at any other place ordinarily frequented by young persons under the age of 18 years. An offender will ordinarily be precluded if the offence involved consumption of a drug in a motor vehicle, or the possession of a drug in open display within the confines of a motor vehicle.
- Whether the offender is charged with a residential break and enter.
- Acceptance of the candidate by the treatment provider and agreement of the candidate to abide by the terms of the treatment contract.

TIME LIMITS

1. Minimum time period for defence adjournment from date of DTC application to next court date.	<i>7 days from the date of offender's last court date</i>
2. Maximum time period for defence adjournment from date of DTC application to next court date.	<i>14 days</i>
3. Maximum time period for DTC applicant screened "eligible to enter the DTC program" to enter the DTC	<i>7 days from the offender's last court date</i>
4. Maximum time period for offender to reapply to DTC	<i>7 days from the offender's last court date</i>
5. Maximum number of new applications to the DTC <i>on the same charges</i>	<i>To prevent undue delays in court case processing, the offender may reapply to the DTC only once on the same charges</i>

All offenders who do not adhere to the time limits indicated above will be required to reapply to the DTC. The number of times an offender can reapply to the DTC program on the same charges is limited to one.



DRUG TREATMENT COURT Crown Questionnaire

Please note that if the Drug Treatment Court Application is submitted without a completed Crown Questionnaire, the application will be considered invalid and cannot be processed. The Crown Questionnaire must also be completed with the assistance of counsel. The information provided in this questionnaire is intended to assist the Drug Treatment Crown in the initial assessment and will not be used for prosecution purposes if offender is not approved for the Toronto Drug Treatment Court Program.

a) Offender's Name: _____
Date of Birth: _____

b) Charges _____

c) What drug(s) is the offender addicted to? _____

d) When is the last time the offender used addictive drugs? _____

e) Has the offender taken any steps in the past to control addictions? _____

If yes, what were these steps? _____

If no, why not? _____

f) Is housing available? Yes: No:

If yes, what type of housing is available? Permanent: Temporary: Shelter:
Details: _____

g) Does the offender have a criminal record? Yes: No:

h) Does the offender's record include convictions for offences of violence? _____

i) Can any information be provided with respect to the circumstances surrounding the violent offences? _____

j) Are there any reasons why you may be ineligible for the Drug Treatment Court Program?
Yes: No:

If yes, what are they? _____

k) Are there any mitigating factors that should be considered? Yes: No:

If yes, please list them: _____

l) Are there any additional comments? _____

False or misleading information provided in this questionnaire or during any phase of the Drug Treatment Court screening process may result in the applicant's expulsion from the program.

I have completed this form with the assistance of my counsel. Yes: No:

Date

Offender's Signature

Lawyer's Signature

*It is by verbal consent of the client
on their behalf.

that counsel (noted above) can sign this form

TORONTO DRUG TREATMENT COURT PROGRAM

THE RULES – YOUR DUTIES AND OBLIGATIONS

(AFTER PLEA)

The following are examples of rules you must comply with:

1. You are to be honest with the court and treatment team.
2. You are to keep mandated treatment appointment date(s) with service provider.
3. You are to keep scheduled court appearance date(s).
4. You are to lead a law-abiding life and have not been re-arrested and/or convicted.
5. You are to comply with all rules and expectations of the program.

If you disobey any of the rules you may be facing the following penalties:

1. You will be admonished by the court.
2. You will be required to prepare written assignments.
3. You will be required to participate in a more structured treatment plan with consequences for non-compliance.
4. You will be required to perform community service hours.
5. You will be required to attend additional in-court appearances.
6. Your curfew may be altered.
7. Your treatment period will be extended under the Drug Treatment Court Program.
8. Your bail may be cancelled and you may be placed in custody for periods of up to five (5) days, in order to encourage compliance with drug court conditions.
9. You may be expelled from the Drug Treatment Court Program and sentenced for the offence(s) for which you have plead guilty.

Your goal is to move towards abstinence as evidenced by repeated negative lab results demonstrating you are not using drugs. If you complete the program to the satisfaction of the Drug Treatment Court you will receive a sentence that does not involve going to jail.

I have read, understood and received a copy of the rules of Drug Treatment Court.

Signature of Defendant/Client

Date

It is by verbal consent of the client _____ that counsel
(noted below) can sign this form on their behalf.

Defence Counsel/Duty Counsel

Date

DRUG TREATMENT COURT
PROGRAM “Waiver”

I understand that I am charged with the following criminal offence(s) of: [LIST BELOW]

The normal course of a criminal charge:

I understand that I am presumed to be innocent of these charges.

I understand that in the normal course of a criminal proceeding, a court may decide to release me on bail until the completion of the process. If I am denied bail at the initial hearing, I have the right to appeal the decision refusing me bail. I also understand that if it is believed that I have disobeyed any conditions of my bail, I may be arrested and a court may cancel my bail. When my bail is cancelled, I have the right to re-apply for bail. I have a right to be represented by a lawyer at any hearing into whether I should be released on bail.

I understand that in the normal course of a criminal proceeding, I have a choice to plead “not guilty” or “guilty” to any offence with which I am charged. If I choose to plead “not guilty”, I will have a trial where the Crown must prove that I am guilty of the charge beyond a reasonable doubt or else the charge will be dismissed.

I have a right to know in advance of the trial what evidence the Crown has against me. I understand that I have the right to speak with a lawyer about the case in order to review any defences to the charge and whether there are any weaknesses in the Crown’s case, which could result in acquittal.

If the Crown proves beyond a reasonable doubt that I committed the offence, I will be found guilty. If, on the other hand, I choose to plead “guilty”, and admit the facts

without the calling of evidence, I will give up my rights to hear or challenge the witnesses or argue that I should not be found guilty and I will be found guilty.

If I am found guilty, a court will decide what sentence to impose upon me based on the law and on what is said by the prosecutor and my lawyer. When deciding on the appropriate sentence, a court may decide, if appropriate, to send me to jail, to grant me a discharge, to sentence me to a conditional sentence of imprisonment in the community, to place me on probation, impose a fine, or impose some combination of dispositions. A court must impose a sentence that in the judge's view is most appropriate, taking into account the circumstances of the offence, as well as other aggravating and mitigating factors.

I am entitled to a trial within a reasonable time.

If I am found guilty and sentenced, I have the right to appeal against the conviction, the sentence or both the conviction and sentence.

The alternative course of a criminal charge – The Drug Treatment Court Program

Instead of choosing to proceed through the normal course, I may choose to plead guilty and to participate in the Court's recommended drug treatment program (referred to as "the Program"). No one may force me to participate in the Program. It is entirely up to me whether I choose to do so.

I understand that the Program will take a minimum of 12 months, and often more than a year to complete. I understand that the Court will delay my final acceptance into the Program for a period of up to sixty (60) days, while they assess my suitability for the Program. If it is determined that I am not suitable for the Program, I understand that I may apply to have my pleas struck. I understand that the Crown will not oppose an application to strike the pleas brought within the 60 day assessment period. If my pleas are struck, I understand my matters will be adjourned to the regular court system.

I also understand that the Toronto Drug Treatment Court Team will review my status at the 30 day mark of the assessment period to determine whether I am complying and attending as expected, and that if I am, I can be accepted in advance of the 60 day expiration period should I wish to waive the remaining 30 day assessment period. I understand that I may request to strike my pleas and leave the Drug Treatment Court Program at any time during the initial 60 day assessment period.

I understand that the time spent applying to the Drug Treatment Court and during the assessment period is neutral delay for the purposes of having a trial within a reasonable time.

If I am accepted, there is no fixed time limit for the completion of the Program. It is up to the Court to decide if and when I have successfully completed the Program. By choosing to participate in the Program, I agree to waive my right pursuant to s.720 of the *Criminal Code* to be sentenced as soon as possible.

If I choose to participate in and complete the Program, I understand that I am giving up my right to plead “not guilty” to the charge against me.

In making this decision I have:

CHOOSE ONLY ONE OF THE FOLLOWING:

had an opportunity to consult with a lawyer about the Crown’s evidence against me, and

[OR]

only been able to consult with a lawyer based on a summary of the Crown’s evidence against me, but nevertheless,

I am prepared to give up my rights to plead “not guilty” and to have a trial.

I am willing to give up these rights in order to try and benefit from the Drug Treatment Program.

By choosing to participate in the Program, I choose to plead “guilty” and accept responsibility for each offence on which the Crown proceeds. I admit in fact that I did what the Crown says I did in the evidence or summary of the evidence.

If I choose to participate in the Program, I understand that I must first qualify for, and be accepted into, the Program. I understand that I will be released on a Drug Treatment Court bail to attend for an assessment at the Centre for Addiction and Mental Health. I understand that my Drug Treatment Court bail depends upon my being found eligible for the Drug Treatment Court Program.

I understand that this means I will have to participate in an interview concerning my personal background and history of drug abuse and that I will undergo drug testing. I understand that if I am not accepted into the Program then everything I have said or done during this application process will be kept confidential and can never be used against me in court. I further understand if it is determined that I am not suitable or I decide to withdraw from the Drug Treatment Court, my Drug Treatment Court Bail may be revoked or varied, and I may reapply for bail in the appropriate court.

In order to receive the legal benefit of the Program, I must complete the Program to the satisfaction of the Court. The Court will postpone the sentencing decision until I have successfully completed the Program. If I successfully complete the Program to the satisfaction of the Court, the Court’s finding of guilt will remain and I will be sentenced, but the Court will not impose a sentence that requires me to go to jail.

If, on the other hand, I fail to successfully complete the Program, the Court will simply decide the appropriate sentence in the normal course. If I fail to complete the Program and I am sentenced in the normal course, nothing I have said to any

of the counsellors while participating in the Program nor any of my drug screening tests results will be used by the Crown against me.

My participation in the Program will require frequent mandatory court appearances for the purpose of monitoring my progress in the Program. I understand that if I miss any court dates a warrant for my arrest may be issued and, at my next court appearance, my bail may be cancelled and I may be expelled from the Program.

If I choose to participate in the Program, I understand I will be required to leave urine screens on a random basis. I understand the results of these screens will be provided to the Court and Treatment.

I understand that subject to my right to request one retesting of any disputed urine screen, I agree to accept the validity of the urine screen results.

If I dispute any subsequent urine screens, I may be expelled from the Program and sentenced for the offence(s) to which I have pled guilty.

The Program will also require me to attend regularly for counselling and random drug screening (such as urinalysis). The results of any drug screening or any statement relevant to my progress made during counselling sessions may be reported to the Court.

If I miss a urine screen or do not attend a counselling session, or do not attend Court or otherwise do not fulfill the requirements of the Program, the court may: (1) extend the treatment period under the Program; (2) cancel/vacate my bail pursuant to section 523 or 524 of the *Criminal Code*; (3) impose any other sanctions as deemed appropriate in the circumstances, such as, but not limited to, orders for community service, written assignments, or requiring a more structured treatment plan with consequences for non-compliance, etc.; and/or (4) expel me from the Program and sentence me.

I understand that while I am participating in the Program, members of the Drug Treatment Court team (including but not limited to the Judge, duty/defence

counsel, Crown counsel, treatment providers, and probation officers) will discuss my case in my absence prior to each attendance in Drug Treatment Court. I am satisfied that duty counsel or my lawyer will represent my interests. I agree to this in order to obtain maximum help from the Drug Treatment Court.

If the Crown, in consultation with, and with feedback from the Court Team, presents the Court with a reason for canceling my bail or expelling me from the Program, the Court will allow me an opportunity to explain why this should not happen. I understand that if I want the Court to postpone making this decision, the Court may still order that in the meantime I remain in custody, pursuant to section 524 of the *Criminal Code*. If after listening to my explanation the Court decides to cancel my bail but not to expel me from the Program, I may choose to withdraw from the Program and proceed with my sentencing in the normal course. On the other hand, if I choose to remain in the Program, the Court will consider, within five (5) days, whether to allow me to remain in the Program and whether to restore my bail. If I ever choose to withdraw from the Program or if I am ever expelled from the Program, any time, which I spend in custody as a result of the Court canceling my bail, may be taken into account when a court decides on the appropriate sentence.

Neither the results of drug screening nor any statements about my use of drugs that I make during counselling sessions may be used by the Crown to prosecute me for breaching my bail or for any other offence. However, if there are other conditions imposed upon me by my bail, I must abide by those conditions or else face the possibility of a charge of failing to comply with my bail. I may also be charged with "failing to appear" if I do not attend Court as required.

I understand that as a condition for being allowed to participate in the Program, I must at all times keep my treatment providers and the Court advised of my current address during my participation in the Program.

I understand that if I am arrested on any new charge while participating in the Program, I must report this to my treatment providers and the Court. It will then be up to the Court to decide whether to cancel my bail and/or expel me from the Program.

I understand that my involvement in the Program may be the subject of study by officials involved in the evaluation of the Program. While any such study must respect my right to privacy, I may be asked to participate in follow-up studies during and after my completion of the Program. By signing this form, I willingly agree to participate in a study seeking to evaluate the Program. I also agree to release to the officials involved in the study, a copy of my criminal record and a list of all pending criminal charges.

I have read and understood everything on this form. By signing this form, I am indicating that I have voluntarily chosen to participate in the Program and to comply with all of the terms and conditions.

DATE:

WITNESS

APPLICANT

It is by verbal consent of the client _____ that counsel (noted below) can sign this form on their behalf.

Counsel/Duty Counsel providing advice:

(Name, Address, Telephone No.)

Translated by me _____, a person fluent in the English and _____ languages before being signed by the applicant.

Original to: • the Court
Copies to: • C.L.W
 • Federal Prosecutor
 • Counsel/Duty Counsel
 • Applicant

June 16, 2021

TDTC – Sample of standard bail conditions

1. Report prior to court any use of any non-medically prescribed drugs, or any exposure to high-risk situations where non-medically prescribed drugs are or recently have been used;
2. Reside at _____, or where directed by the Drug Treatment Court or by the Centre for Addiction and Mental Health;
3. Do not change your address without first getting approval from the Drug Treatment Court or from the Centre for Addiction and Mental Health;
4. Curfew: remain in your residence daily between the hours of 9 pm and 7am, seven (7) days a week, or as directed by the Drug Treatment Court or the Centre for Addiction and Mental Health;
5. Do not contact or communicate in any way either directly or indirectly, by any physical electronic, or other means, with the following: _____;
6. Do not attend at _____;
7. Do not possess any weapon as defined by the Criminal Code (for example, but not restricted to, a pellet gun, firearm, imitation firearm, cross-bow, prohibited or restricted weapon or device, firearm part, ammunition or explosive substance, or anything designed to be used or intended for use to cause death or injury or to threaten or intimidate any person):
8. Obey all court orders;
9. Be honest with the court, and with Treatment Centre staff;
10. Attend the Drug Treatment Court as and when required, and on time;
11. Attend at the Centre for Addiction and Mental Health as and when required. Be on time, and participate;
12. Attend at the Centre for Addiction and Mental Health for urinalysis as and when required, and be on time;
13. Abide by all the rules and treatment recommendations as directed by the Drug Treatment Court, and by the Centre for Addiction and Mental Health (CAMH);
14. Advise the Drug Treatment Court and the Centre for Addiction and Mental Health of all medication that you are taking;
15. Advise the Drug Treatment Court of all outstanding or new charges, regardless of the date of offence;
16. Sign such releases as necessary to allow the Drug Treatment Court or the Centre for Addiction and Mental Health to obtain or disclose any information it deems necessary and to monitor your attendance and compliance;

Toronto Drug Treatment Court Program Graduation Requirements

Graduation applications consider the progress each client has made in the following 6 categories. Clients will be asked to rate themselves, comparing where they were when they entered the program and where they are now and to comment on the applicable indicators of success.

	Category	Indicators of Success
1	Program Completion/Connection	Completed all phases of the program, significant level of engagement/attendance and investment in the therapeutic process, e.g. attending groups, individual sessions, court, withdrawal management, residential treatment, Change is a Choice program. Completed at least 12 months in the program. Stayed connected.
2	Charges/Conviction	Reduced criminal activity and no new criminal convictions in the past 3 months
3	Substance Use	Abstinence from drugs such as stimulants and opioids. If abstinence has not been obtained, show changes such as a significant reduction in use, safer methods of use, engagement with OAT, safer types of drugs and no negative impact on daily activities due to use
4	Quality of Life	Housing is a necessary component. Other types of indicators include: being connected to health care providers, have connections in the community (family, friends, support groups), having a source of income and managing finances, maintaining your home, cooking, incorporating routines. Note: this category can be very individual and relates to YOUR quality of life
5	Pro-social/recovery structured activities/connection	For example: working, volunteering, going to school, engaged in programming/attending activities that focus on well being
6	Hope	A plan for the next phase of the program, how you intend to maintain and grow your recovery and goals for the future. (for example. continued connection with DTC, supports (family, friends, agencies programs) ongoing goals)

DATE: SEPTEMBER 2025



Toronto Drug Treatment Court – Application For Readmission

This form is for Toronto Drug Treatment Court (TDTC) applicants/participants who have bench warranted in the TDTC and then either turned themselves in or been picked up on the bench warrant. If you want a chance to come back into the TDTC you will have to persuade the TDTC that there are compelling reasons to take you back. **BE AS THOROUGH AS POSSIBLE. CHECKING OFF BOXES ON THIS FORM WILL NOT BE ENOUGH.**

To be completed by the accused with the assistance of defence counsel / duty counsel.

Name:	DOB:	Gender: M F Transgendered
Date you first appeared in Drug Treatment Court (This will be checked with court records.)	Date of bench warrant (This will be checked with court records.)	Date of re-arrest (This will be checked with court records.)

How did you end up back in court? (This will be checked with court/Crown records.)	List any new charges that you picked up while you were at large. (If there isn't enough room attach a separate sheet.)	
I turned myself in. I was arrested.	Arrest Date: Offence(s): Number of charges:	Arrest Date: Offence(s): Number of charges:

Fill in this part if you were never assessed at the Centre for Addiction and Mental Health (CAMH). (This will be checked with CAMH.)

I didn't show up for my assessment and didn't call CAMH.
 I didn't show up for my assessment but I called CAMH to tell them I wouldn't be there.
 I showed up for my assessment too late for it to be completed.

Fill in this part if you were assessed at the Centre for Addiction and Mental Health (CAMH) before you bench warranted. (This will be checked with CAMH and court records.)

I was assessed at CAMH, and then before I bench warranted: <ul style="list-style-type: none"> <input type="checkbox"/> I never went back to court. <input type="checkbox"/> I went to court for under two weeks. <input type="checkbox"/> I went to court for between two weeks and a month. <input type="checkbox"/> I went to court for _____ months. 	While I was in the program: <ul style="list-style-type: none"> <input type="checkbox"/> I went to all court and treatment sessions. <input type="checkbox"/> I went to most court and treatment sessions. <input type="checkbox"/> I went to some court and treatment sessions. <input type="checkbox"/> I went to very few court or treatment sessions.
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What went wrong? Why did you miss your assessment or sessions? Why did you bench warrant? Why didn't you turn yourself in?

What went wrong? (continued)

If you are readmitted to the Toronto Drug Treatment Court, what will be different this time? List at least three behaviours that you will change.

BE SPECIFIC. DON'T JUST SAY "I'LL USE LESS" OR "I'LL STOP HANGING OUT WITH USERS." TELL US WHAT YOU'LL DO, NOT WHAT YOU'LL STOP DOING.

I understand that these behaviours, or others, may be put into a formal Treatment Contract that I may have to agree to in order to be readmitted if that's what CAMH and the Court decide.

I hereby apply to be considered for readmission to the Toronto Drug Treatment Court program.

Date: (dd/mm/yy) _____ Signature of Accused _____

It is by verbal consent of the client _____ that counsel (noted below) can sign this application form on their behalf.

Lawyer's Name and Phone Number: _____

Private Bar _____ Duty Counsel _____

Toronto Drug Treatment Court (TDTC)

Community Advisory Committee (CAC)

TERMS OF REFERENCE

Purpose

The TDTC Community Advisory Committee brings together stakeholders to provide assistance and advice, and to serve in partnership/collaboration roles. It functions as a vital link between the TDTC and community partners.

Membership

Membership reflects a wide range of interested parties including, but not limited to, substance use treatment, mental health supports, housing providers, income support, employment support, government, public health, Crown prosecutors, duty counsel, the private criminal defence bar, correctional services, justice representatives, self-help groups, harm reduction representatives, police services, court chaplaincy, policy advisors, advocates, gender-based services, and alumni.

The Chairperson will be selected from community membership and could include co-chairs.

Members can be referred, recruited or can apply. This is an informal process, through the Program Manager, in consultation with the Committee Chair

Responsibilities

1. To ensure that community stakeholders have a forum for input to the Toronto Drug Treatment Court Program
2. To receive reports from or about the program regarding progress, successes, and challenges
3. To strengthen links between the TDTC and existing community networks of service providers
4. To act as an advisory body to the TDTC for matters such as: policy, advocacy, evaluation, and program development
5. To work in partnership with the TDTC Program to help meet diverse community needs, helping to ensure equal access for marginalized groups and individuals encountering barriers
6. To address issues and/or challenges facing the program through the existing structure or via temporary sub-committees, which can invite non-CAC membership to assist with specific expertise and/or experience
7. To assist with recruitment strategies
8. To develop and advocate for strategies to address barriers to appropriate services
9. To make recommendations on all aspects of the program

Meetings

Meetings are held at least twice yearly, and are at the call of the Community Chair, in concert with the Program Manager.