

Recommendation Compliance Summary

This form details the assessment of compliance with recommendations made under Section 27 and Section 31 of *The Advocate for Children and Youth Act*. MACY assesses recommendations for compliance once a year but receives updates from the public bodies every six months.

1. Recommendation Information	
Report Name:	Documenting the Decline: The Dangerous Space Between Good Intentions and Meaningful Interventions
Date Released:	10/19/2018
Full Recommendation: (including details)	<p>Recommendation Five: The Manitoba Advocate for Children and Youth recommends that the Department of Justice improve communication across the divisions within its department, including probation services, victim services, and prosecution services, as well as with the legal community (e.g., legal aid), and the courts to ensure that probation orders are relevant, effective, child-centred, realistic (given limitations in remote and rural communities), and achievable. The Advocate further recommends that the Department of Justice evaluate their capacity to provide the programming for youth to meet their probation conditions and determine whether or not existing programs and services are sufficient and accessible to youth living in rural and remote locations. When gaps are identified, strategies for culturally appropriate alternatives and program delivery need to be developed.</p> <p>DETAILS:</p> <ul style="list-style-type: none"> • The Advocate recognizes that it does not have jurisdiction over the courts. Following this report, we recommend that the Department of Justice initiate a process of improved communication and dialogue within its department, with the courts, and other key stakeholders to ensure that probation orders are relevant, effective, child-centred, realistic, and achievable. • The Department of Justice’s evaluation of existing capacity to provide programming for youth to meet their probation conditions should contain an overview of existing accountability data and analysis of the effectiveness and accessibility of current services and programming delivered to youth in Manitoba. • A plan is needed for situations when probation services do not have the capacity to provide ongoing supervision, monitoring, or formal programming such that collaboration and partnership with local communities occurs to devise a strategy to deliver these services.
Intent(s) of Recommendation:	<p>The intent of the recommendation is to:</p> <ol style="list-style-type: none"> 1. To improve communication across Manitoba Justice divisions. 2. To ensure probation orders are relevant, effective, child-centred, realistic, and achievable – with consideration given on how

	<p>services are delivered to remote and rural communities.</p> <p>3. To evaluate departmental capacity to provide sufficient, accessible, and culturally appropriate programming and alternatives.</p>
Theme:	Youth Probation
Public Body	Manitoba Justice
Dates of Previous Official Updates from Public Body:	June 30, 2020
	December 31, 2019
	June 26, 2019
2. Compliance Determination	
Partially Compliant 0.50	Actions taken only implement part of the recommendation. Important requirements have been met; certain deficiencies affect the adequacy of the implementation, but without resulting in a situation where the given recommendation has not been acted upon.
3. Rationale for Determination <i>(How did you reach this compliance determination)</i>	
<p>1. To improve communication across Manitoba Justice divisions.</p> <p>The MACY-RAP December 2019 and June 2020 responses both indicate:</p> <ul style="list-style-type: none"> • That there have been movements to improve communication across Manitoba Justice Departments including Judge Liaison Meetings that include representatives from the Crown Attorneys (provincial and federal, and the Director of Regional Prosecutions), Defense, Custody, Probation (Executive Director of Probation Services), and the Executive Director of Policing. • The objective of these meetings is to “continue building and improving upon the communication and sharing of information”. Initiatives taken to enhance communication are compliant with the first intent of this recommendation. <p>2. To ensure probation orders are relevant, effective, child-centred, realistic, and achievable – with consideration given on how services are delivered to remote and rural communities.</p> <ul style="list-style-type: none"> • The Reclaiming Our Identity program continues to be offered in communities. However, the program is not specifically for children or youth, and according to reports there is not much uptake at present in light of the pandemic and the lack of critical mass for youth-only group sessions. • The Fetal Alcohol Spectrum Disorder docket has been established, and is now being expanded to include youth. This is a promising initiative that could lead to more relevant, effective, child-centered, and realistic probation orders. However, no information was provided on how the FASD docket for youth has improved probation orders, as per the intent of the recommendation. <p>3. To evaluate departmental capacity to provide sufficient, accessible, and culturally appropriate programming and alternatives.</p> <ul style="list-style-type: none"> • Manitoba Justice reported that a review of the current youth justice system in Manitoba is underway, and includes the evaluation of departmental capacity to provide culturally appropriate and accessible programming. • This review will consider the child welfare system, and has the intended goal of increasing supports for youth; reducing re-offending, and reducing reliance on incarceration of youth. 	

- Manitoba Justice reported that the youth justice review which includes the evaluation of departmental capacity to provide programming and alternatives is not yet complete.

Requirements have been fulfilled on Intent #1 and to some degree on Intent #3 of this recommendation. However, full compliance on Intent #3 is contingent on the outcome of the youth justice review. Further information is needed on improvements to probation orders, particularly for residents in rural and remote communities.