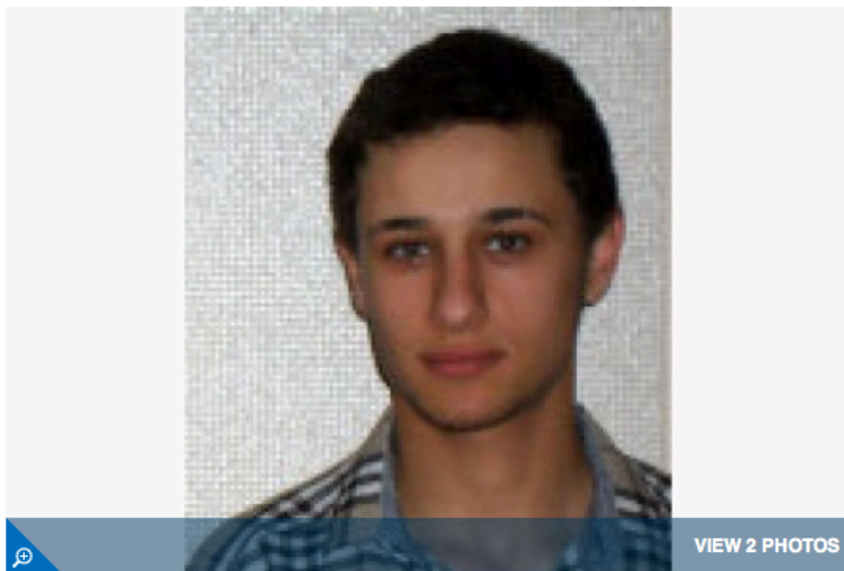
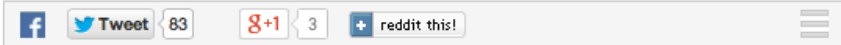


News / GTA / Sammy Yatim

Innovative recommendations for Toronto police dealing with the mentally ill

Five important, off-the-beaten path ideas from retired Supreme Court Justice Frank Iacobucci's report on police use of force


[VIEW 2 PHOTOS](#)

Sammy Yatim was 18 when he was shot and killed by Toronto Police on a TTC streetcar last summer.

By: Wendy Gillis News reporter, Published on Sat Jul 26 2014

Body cameras, the expansion of Taser use, training that focuses on de-escalation — in the wake of retired [Supreme Court justice Frank Iacobucci's report on police use of force](#), these issues have stood out among the broad-ranging recommendations.

And for good reason. A possible increase in the use of conducted energy weapons and a significant augmentation of surveillance are both contentious issues, ones that should be extensively debated and explored. And an emphasis on de-escalation training is something experts and advocates have long been calling for.

But within the 400-plus-page tome — a report containing 84 recommendations on how the Toronto Police Service can improve its interactions with mentally ill and emotionally disturbed people — lie other ideas those in the mental-health and legal community say are creative and even innovative.

Below are five important, off-the-beaten-path [recommendations from Iacobucci's report, "Police Encounters With People in Crisis."](#)

Emphasis on cautious health-care information sharing

Though Iacobucci knew his mandate was to look only at the Toronto police, his report acknowledges the broader context of fatal incidents between police and those with mental illness.

The sobering reality, he writes, is that police are often dealing with the consequences of a much larger societal problem — that "Ontario does not have a co-ordinated, comprehensive approach to treating mental- health issues."

So he suggests a comprehensive oversight committee be struck to unite police, psychiatric facilities, emergency medical services, community health organizations and others.

Among the committee's tasks would be developing a means to share relevant health-care information with police.

Brian Beamish, acting commissioner with the Office of the Information and Privacy Commissioner of Ontario, said he was "very encouraged" to see that in making that suggestion, Iacobucci was careful about privacy concerns, stressing that "health-care information should continue to be treated as such, and not as police information."

The report notes that any health-care information shared with the Toronto Police Service needs to be "segregated from existing police databases and therefore prevented from subsequently being passed on to other law enforcement, security and border services agencies."

"My office stands ready to assist the TPS with the work of this important committee," Beamish wrote in a statement. "Our expertise will be critical to the proper resolution of privacy issues associated with, for example, police access to personal health information."

A voluntary health information registry for vulnerable people

Within the mental-health community, there is heated debate concerning whether law enforcement should have increased access to personal health-care records to improve their treatment of the mentally ill.

Proponents of information-sharing believe if police knew more about the person involved in a call they were responding to — such as a history of mental illness — they might have the tools to respond more effectively.

But there is also a concern that advance information about a person's mental health could prejudice treatment by police.

The potential for harm and benefit has prompted Jennifer Chambers, who advocates on behalf of Centre for Addiction and Mental Health clients, to suggest that the appropriate compromise is the creation of a voluntary registry — a recommendation Iacobucci makes.

According to the report, the registry would give someone with mental-health issues the option of giving permission to his or her health-care providers to share personal information with police, "only to be accessed by emergency responders in the event of a crisis situation."

The report also stresses the information-sharing should be subject to consideration of privacy rights.

"Before signing on, though, people need to be informed of how long this information will be used and with whom it will be shared, and the effect that could have regarding employment and travel," Chambers said.

Early detection of bad police behaviour

In a section devoted to supervision of police, Iacobucci stresses the importance of thoughtful and effective leadership, something he says is "essential" to ensuring training programs translate into police practice.

One aspect of successful supervision, the report says, is the identification of problematic behaviour among officers. Iacobucci recommends Toronto police establish an early-intervention process "for identifying instances of behaviour by officers that indicate significant weakness in responding to mental-health calls."

That includes, he writes, a tendency to draw firearms unnecessarily, insufficient efforts to de-escalate and a lack of sensitivity to mental illness.

Coinciding with early detection is a recommendation that a disciplinary procedure be put in place for such behaviour — something Peter Rosenthal, a Toronto lawyer who has represented families of victims of fatal police force, was pleased to see.

"It is my view that the behaviour exhibited by the officers who attended the killings of Sammy Yatim and [Michael Eligon](#), a Toronto man killed by police in 2012, should have been appropriately disciplined."

Increased involvement of people from the mental-health community

Throughout the report, Iacobucci emphasizes the importance of involving people with mental-health issues as much as possible while acting on the report recommendations.

In a section devoted to implementation, Iacobucci suggests an advisory committee with a broad range of membership, including hospitals, community mental-health organizations and “those with lived experience of mental illness.”

Involving people who have been mentally ill — those who may have personal knowledge about, among other things, interacting with the police — “changes the conversation in a positive way,” says Breese Davies of the Criminal Lawyers’ Association.

“It moves away from seeing people with mental illness as the problem that other people need to fix, and sees them as part of the solution. It is crucial to the bigger concept that Justice Iacobucci talks about, which is cultural shift.”

Rewards for de-escalating a mental health crisis

Professional incentives could push police to put mental-health training into practice during a crisis, Iacobucci writes. In that vein, the report recommends Toronto police “reward officers who effectively de-escalate such crisis situations.”

Community organizations and other agencies, the report suggests, could play a part in developing a police division-level or service-wide recognition for “exceptional communications and de-escalation skills.”

It was an idea Chambers was happy to see taken up; she suggested it in a submission to Iacobucci during the report-writing process.

But it was not a popular suggestion with everyone. On Thursday, Mike McCormack, president of the Toronto Police Association, derisively compared the incentives to Boy Scout badges.

With files from Tara Deschamps