

Grande Prairie Drug Treatment Court (GPDTC)

Application Package

This package includes:

- Program Application Form
- Waiver and Consent - Part 1
- Consent to Share Health and Other Information
- Waiver and Consent - Part 2

Step 1: Crown Eligibility Review and Police Screening

To apply to Grande Prairie Drug Treatment Court (GPDTC), the Applicant must:

1. Complete the following forms with the assistance of Defence Counsel or Duty Counsel:
 - a. Program Application Form
 - b. Waiver and Consent – Part 1
2. Forward those completed forms to AlbertaDrug_TreatmentCourt@ppsc-sppc.gc.ca for Crown Eligibility Review and a Police Screening.

***** Both forms must be received and fully complete to initiate the application process *****

Step 2: Screening and Treatment Assessment and Observations Process

If the Applicant passes the Crown Eligibility Review and Police Screening, a Screening and Treatment Assessment and observations of the Applicant will be scheduled. The following completed form, which is to be forwarded to the Crown at the email address noted above, will be required from the Applicant before the Assessment takes place: *Consent to Share Health and Other Information*.

Step 3: Acceptance

If the Applicant passes the Screening and Treatment Assessment and observations of the Applicant phase, the following form must be completed with the assistance of Defence Counsel or Duty Counsel and forwarded to the Crown at the email address noted above before acceptance to the GPDTC Program: *Waiver and Consent – Part 2*.

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

GRANDE PRAIRIE DRUG TREATMENT COURT (GPDTC)

PROGRAM APPLICATION FORM

This Application Form must be fully completed to be considered for acceptance into the Grande Prairie Drug Treatment Court (GPDTC). The information provided in this form is intended to assist in the assessment for GPDTC participation and will not be used for prosecution purposes if the applicant is not approved for GPDTC.

Please note:

1. *False or misleading information provided on this form or during any phase of the GPDTC screening process may result in a decision not to accept you into the Program.*
2. *Your attendance at GPDTC (subject to COVID-19 restrictions) is encouraged while a decision is pending on your GPDTC application so that you are familiar with the Court process. Such attendance will be tracked to assess your motivation to participate in the GPDTC Program.*
3. *Only fully vaccinated individuals will be accepted to participate in the GPDTC Program.*
4. *If you are accepted into the Program, you may be required to change residences and relationships.*

Legal Name (First, Middle, Last): _____	
Preferred Name: _____	
Age: _____ Date of Birth (Month/Day/Year): _____	Gender Identity: <input type="checkbox"/> Man <input type="checkbox"/> Woman <input type="checkbox"/> Non-Binary <input type="checkbox"/> Two-Spirit <input type="checkbox"/> None of the Above
Name of Defence Counsel: _____	
Are you currently in custody? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, where? _____	
Are you currently out on Bail? <input type="checkbox"/> Yes <input type="checkbox"/> No Is yes, please tell us where we can reach you: Address: _____ Phone #: _____ Alternate phone #: _____ Email address: _____	

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

Housing:

Employment/Education:

<p>Prior to arrest/going into custody, where did you reside?</p> <p><input type="checkbox"/> On the street</p> <p><input type="checkbox"/> Emergency Shelter</p> <p><input type="checkbox"/> Residential Treatment</p> <p><input type="checkbox"/> Supported/Transitional housing</p> <p><input type="checkbox"/> With family/friends</p> <p><input type="checkbox"/> My own rented or owned apartment/house</p> <p><input type="checkbox"/> Other - please describe</p> <p>_____</p>	<p>▪ Are you presently employed?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>▪ Where? _____</p> <p>▪ What is your job title? _____</p> <p>▪ For how long? _____</p> <p>▪ How many jobs have you had in the past 12 months? _____</p> <p>▪ What is the longest period of time you worked last year? _____</p> <p>▪ Are you receiving income through Alberta Supports (formerly Alberta Works)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>▪ Do you owe any street debts or other debts?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, how much? \$ _____</p>
<p>Who do you live with? (Please indicate relationship/connection.)</p>	<p>What is the highest level of education you have completed? _____</p>
<p>How many places have you lived in the past 12 months? _____</p>	<p>Comments:</p>

Supports:

<p>People you know in Grande Prairie or area whom you consider to be supportive to you:</p>
<p>Family:</p>
<p>Friends:</p>

Background

<p>Which of the following backgrounds best describes you? Please select all that apply.</p>			
<p><input type="checkbox"/> Indigenous (Inuit, Metis, First Nations, Status/Non)</p> <p><input type="checkbox"/> African/Caribbean</p>	<p><input type="checkbox"/> Caucasian</p> <p><input type="checkbox"/> Korean</p> <p><input type="checkbox"/> Chinese</p> <p><input type="checkbox"/> Filipino</p>	<p><input type="checkbox"/> Arab</p> <p><input type="checkbox"/> Latin American</p> <p><input type="checkbox"/> Japanese</p> <p><input type="checkbox"/> West Asian</p>	<p><input type="checkbox"/> South Asian</p> <p><input type="checkbox"/> Southeast Asian</p> <p><input type="checkbox"/> Other: please specify</p>

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

Immigration Status:

Are you a Canadian citizen? Yes No

If not, what is your legal status in Canada? _____

Do you have any outstanding immigration/refugee issues? Yes No

Please explain:

Health:

Do you have any physical health issues? Yes No

If yes, please explain, and whether you have received any formal diagnoses and when.

Do you have any mental health issues? Yes No

If yes, please explain, and whether you have received any formal diagnoses and when.

Are you on any medications (prescribed or non-prescribed) or supplements? Please specify name, purpose and dosage.

Have you been regularly taking prescribed medications? Yes No

If no, please explain why not.

Are you on medically-assisted treatment for your addiction? (i.e. methadone or suboxone)

Yes No

If yes, what is your current dose?

Current Charges:

Do you currently have charges in Alberta? Yes No

If yes, please describe your charges along with Information # if known:

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

Was anyone else charged as a result of the same incident(s)? If yes, please provide names and if those people are related or connected to you.

Do you currently have charges, warrants or pay-or-stay tickets outside of Alberta?

Yes No

If yes, please describe charges, their location, and approximate offence dates:

Do you have any past or present connection with any gang or organized crime?

Yes No

If yes, please explain:

Are you currently on parole, Probation or a Conditional Sentence Order (CSO)?

Yes No

Name of Probation Officer:

Criminal Record:

Do you have a criminal record? Yes No

Please describe:

For any convictions that involved violence, as best you can, tell us what happened. What was the situation, who was involved, and what did you do? Did you know the other persons involved? What connection did those people have to you?

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

Drug Use:

Do you have a drug addiction? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Drug(s) of Choice	When did you last use?	How much?
<input type="checkbox"/> Cocaine or Crack Cocaine		
<input type="checkbox"/> Methamphetamine		
<input type="checkbox"/> Heroin		
<input type="checkbox"/> Fentanyl		
<input type="checkbox"/> Prescription drugs (specify: _____)		
<input type="checkbox"/> Marijuana		
<input type="checkbox"/> Alcohol		
<input type="checkbox"/> Other (specify) _____		
Do you have any other addictions? <input type="checkbox"/> Yes <input type="checkbox"/> No		

Treatment History:

Have you taken steps in the past to get help with your addiction? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, what have you tried and when? How long did you stay clean afterwards?
If no, why do you think you have not tried to get help with your addiction?
Other:

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

GPDTC

<p>Do you know anyone else who is applying to or is presently participating in the GPDTC or other DTC in Alberta? If yes, please provide name(s) and how you know that person(s).</p>
<p>How do you think you will benefit by participating in the GPDTC program?</p>
<p>Is there anything you would like to share about yourself that will help us to understand you better, and to understand how we might be able to help you?</p>
<p>How did you hear about the Drug Treatment Court Services program with the John Howard Society?</p>

Signed at _____, Alberta on the _____ day of _____, 20_____.

Signature of Applicant:	Signature of Counsel:
Printed name of Applicant:	Printed name of Counsel:
	Defence Counsel <input type="checkbox"/>
	Duty Counsel <input type="checkbox"/>

Please forward this completed form together with Waiver and Consent – Part 1 form to AlbertaDrug_TreatmentCourt@ppsc-sppc.gc.ca.

**GRANDE PRAIRIE DRUG TREATMENT COURT (GPDTC)
WAIVER AND CONSENT – PART 1**

To be completed to apply to the GPDTC. This form must be completed and submitted to the Crown together with the GPDTC Program Application Form.

Please note: False or misleading information provided on this form or during any phase of the GPDTC application or Program may result in a decision not to accept you into, or to terminate you from, the Program.

1. I, _____ am charged with:

on Information #s: _____

2. I recognize that the GPDTC is intended to assist in my recovery from drug addiction. I wish to use this opportunity to overcome my drug problem and return to a productive life in the community.
3. I understand that I must plead guilty to some or all of my offences(s) which may include criminal charges not noted above in order to participate in GPDTC. I am prepared to plead guilty as required.
4. I have read the Crown disclosure containing a summary of the evidence against me. I have spoken to a lawyer and received legal advice about:
 - a. my charge(s) including whether there are any defences to the charge(s) or any weaknesses in the evidence against me; and
 - b. the consequences of a guilty plea and the collateral consequences that may result from a conviction for a criminal offences(s), including any potential *immigration, travel and employment consequences*.
5. I choose to apply to the GPDTC program (the "Program") approved by the Provincial Court of Alberta, and for the term of the Program, agree to remain under the supervision of the GPDTC Team consisting of the Crown, Duty Counsel, GPDTC Judge(s), Probation Officers, Police Representatives, Alberta Supports (formerly Alberta Works), Program Director or Manager, and Treatment Representatives (the "Team").
6. I understand that I must qualify for, and be accepted into, the Program by the Crown and Treatment Representatives.
7. I agree to the Team communicating with me via phone, text, email, or face-to-face.

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

8. I consent to participate in a Screening and Treatment Assessment conducted by Treatment Representatives. I understand that the fact that I have applied to GPDTC and other information I provide during the Screening and Treatment Assessment may be shared with the following groups:
 - a. The Team to determine my eligibility for the Program; and
 - b. Residential addictions treatment agencies and/or housing agencies, in order to obtain suitable treatment or housing, which is required for my acceptance into the Program.
9. I understand that information I provide during the Screening and Treatment Assessment will not be used in Court as evidence against me in any proceeding, unless required by law i.e. if information I provide suggests that there is an imminent risk to the health or safety of an identifiable individual or group, or if sharing information I provide would prevent or reduce risk of imminent harm to a child, such as the risk for child abuse. I further understand that information required by law to be reported to authorities, will be reported.
10. As a condition of being allowed to apply for participation in the Program, I waive my right to be present at Team meetings. I am satisfied that Duty Counsel or my lawyer will represent my interests.
11. I understand that to be considered for acceptance into the Program, I must, and do agree to:
 - a. **waive my right to be tried within a reasonable time, as per my right under section 11(b) of the *Canadian Charter of Rights and Freedoms*, until my application is either approved or rejected;**
 - b. provide information about my background;
 - c. provide information about my history of drug use;
 - d. undergo random drug testing (urinalysis and/or saliva); and
 - e. complete a medical, psychological and addictions assessment.
12. I understand that if I am NOT accepted into the Program, my charges will return to the regular court system.
13. I understand and agree that:
 - a. information I provide in the course of the Program will also be used to evaluate the Program, learn about best practices and report to funders;
 - b. in accordance with GPDTC funding requirements, the Team will share my individual information with the Government of Alberta, Department of Justice and Solicitor General; and
 - c. all information publicly reported will be aggregated so that I will not be individually identified and so that my personal information will be kept confidential.

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

14. I have read and understood this form. I agree to all the terms herein and I voluntarily apply to the GPDTC Program.

Dated: _____, 20 ____ at _____, Alberta.

APPLICANT:

NAME: _____ Signature: _____
(please print)

Address: _____

Email address: _____ Telephone: _____

DEFENCE COUNSEL OR **DUTY COUNSEL:**

NAME _____ Signature: _____
(please print)

Address: _____

Email address: _____ Telephone: _____

Please forward this completed form together with Program Application Form to AlbertaDrug_TreatmentCourt@ppsc-sppc.gc.ca.

**GRANDE PRAIRIE DRUG TREATMENT COURT (GPDTTC)
WAIVER AND CONSENT – PART 2**

To be completed upon acceptance into the GPDTTC Program.

Please note: False or misleading information provided on this form or during any phase of the GPDTTC Program may result in a decision to terminate you from the Program.

1. I, _____ am charged with:

on Information #s: _____

2. I recognize that the GPDTTC is intended to assist in my recovery from drug addiction. I wish to use this opportunity to overcome my drug problem and return to a productive life in the community.
3. I understand that I must plead guilty to some or all of my offences(s) which may include criminal charges not noted above in order to participate in GPDTTC . I am prepared to plead guilty as required. I do not want a trial. I will give up my right to plead “not guilty,” which means there will not be a trial.
4. I have read the Crown disclosure containing a summary of the evidence against me. I have spoken to a lawyer and received legal advice about:
 - a. my charge(s) including whether there are any defences to the charge(s) or any weaknesses in the evidence against me; and
 - b. the consequences of a guilty plea and the collateral consequences that may result from a conviction for a criminal offences(s), including any potential *immigration, travel, and employment consequences*.
5. I understand that, at any time within 30 days following the entry of my guilty plea, I can appear before a GPDTTC judge and ask that my guilty plea(s) be struck, and the Crown will consent to that application. At that time, the GPDTTC bail order will be cancelled. I may be returned to custody and a new bail hearing will be conducted in the regular court system. Should my charges return to the regular court system, everything I have said or done during my participation in the GPDTTC program (the “Program”) will be kept confidential and will not be used against me in these proceedings.

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

6. I understand that, once I have been accepted into the Program, and once the 30-day opting out period has passed, if I choose to leave the Program before graduation, my guilty plea(s) stand(s) and I will be sentenced by a GPDTC Judge.
7. I consent to participate in the Program approved by the Provincial Court of Alberta, and for the term of the Program, I agree to remain under the supervision of the GPDTC Team consisting of the Crown, Duty Counsel, GPDTC Judge(s), Probation Officers, Police Representatives, Alberta Supports (formerly Alberta Works), Program Director or Manager and Treatment Representatives (the "Team").
8. I agree to the Team communicating with me via phone, text, email, or face-to-face during my participation in the Program.
9. I understand that I will be under the close supervision of the GPDTC and required to undergo an extensive course of treatment to complete the Program, which will last approximately 12 to 24 months.
10. By choosing to participate in the Program, I agree to waive my right to be sentenced as soon as reasonably possible. I understand and give my consent to my sentencing being delayed until my completion of, or termination from, the Program.
11. I understand that I will be assigned an individualized treatment plan. My treatment plan will require me to attend regular treatment sessions and may include other obligations as determined by the treatment provider and the Team.
12. In the course of my participating in the Program, I agree to cooperate with the preparation and completion of ongoing medical, psychological and addictions assessments as directed to determine my progress in the Program.
13. I understand that while in the Program, I am expected to do all of the following, and that failure to do so may be considered grounds for my termination from the Program:
 - Keep all information about other participants confidential;
 - Not act as an informant on the basis of information obtained as a result of participation in the Program;
 - Advise the Court of any new criminal charges against me; and
 - Continue to provide accurate and complete information about my background, my history of drug use, and present or continuing drug use.
14. I understand that the GPDTC will decide if and when I have successfully completed the Program, but in general I understand that I will have to do the following in order to graduate:
 - Plead guilty to the offence(s);
 - Maintain a minimum of 6 months drug free during my time in the Program, including a minimum period of 3 months drug-free immediately preceding graduation;

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

- Complete all treatment requirements, including treatment for drug addiction;
 - Demonstrate an acceptable level of compliance with the conditions of my bail or judicial interim release and the other expectations of the Program;
 - Have employment, or be involved in educational or vocational training, volunteer work, or other approved activity in the community;
 - Have an approved residence in the community; and
 - Have an approved ongoing support system in the community.
15. If I am presently on bail or judicial interim release, I consent to the revocation and re-consideration of my current release conditions so that I can be re-released on GPDTC bail conditions. These bail conditions may include but are not limited to some or all of the following:
- Making weekly Court appearances;
 - Attending regularly for counseling and medical care as directed by the GPDTC and my treatment provider;
 - Undergoing random drug testing;
 - Participating in any additional or ongoing medical, psychological and addictions assessments as may be directed;
 - Abiding by curfew restrictions; and/or
 - Abiding by house arrest conditions.
16. I understand that I may apply to GPDTC to change my bail conditions.
17. I understand that if I do not comply with the conditions of my bail or judicial interim release or the other expectations of the Program, or if I am charged with new offences, sanctions may be imposed, my bail may be varied or revoked and/or I may be terminated from the Program. I also understand that if I commit new offences, I may be charged with these offences as well as a breach of the conditions of my release.
18. I understand that the sanctions the GPDTC may impose while I am in the Program may include:
- House arrest;
 - Community service work;
 - Extension of the number of months that I must spend in the Program;
 - A change in the frequency or nature of my court appearances;
 - A short period of time in custody; and
 - Other reasonable sanctions.

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

19. I understand that if I fail to comply with the sanctions imposed, my bail may be varied or revoked and/or I may be terminated from the Program.
20. I understand that the GPDTC has the discretion, in consultation with my treatment provider, to increase or decrease my required counseling appointments and to order me to attend a detoxification (“detox”) centre.
21. I understand that information I provide during the Program will not be used in Court as evidence against me in any proceeding, unless required by law, i.e., if information I provide suggests that there is an imminent risk to the health or safety of an identifiable individual or group, or if sharing information I provide would prevent or reduce risk of imminent harm to a child, such as the risk for child abuse. I further understand that information required by law to be reported to authorities, will be reported.
22. I understand that the Team members will work collaboratively during my involvement in GPDTC to determine the most effective interventions to ensure my progress through the Program while still maintaining public safety. Accordingly, I consent to the sharing of my personal information, history, criminal charges and convictions, progress and behaviour amongst the Team for this purpose.
23. I understand that any information related to my alleged participation in any new offences committed after the offences for which I have been admitted into the Program may be shared amongst the Team, including police.
24. I understand that, while I am participating in the Program, members of the Team may receive information from, and share information with, Correctional Services, Alberta Supports (formerly Alberta Works), detox centres, residential addiction treatment agencies, and housing providers where I reside. Information exchanged will include information regarding my needs, progress, behaviours, and overall functioning, and related decisions regarding my treatment. I specifically consent to this sharing of information about me.
25. I understand that, while I am participating in the Program, my case will be discussed and my personal information will be shared among the Team members prior to each attendance in GPDTC. As a condition of being allowed to participate in the Program, I waive my right to be present at those and other Team meetings. I am satisfied that Duty Counsel or my lawyer will represent my interests.
26. I understand that occasions may arise during my participation in the Program where, for therapeutic or safety reasons relating to myself or others, the Treatment representatives or my lawyer will not be able to provide me with specific information connected to my participation in the Program. However, subject to the foregoing, sufficient information will always be provided to allow me to respond to the issues that may arise in an informed manner.
27. I understand that for both therapeutic and safety reasons, information provided to me by the Team will reflect the overall discussion and positions of the Team and will not include attribution of comments or position to any specific Team member, participant or other person.
28. I understand and agree that as a requirement of my participation in the Program:

GRANDE PRAIRIE DRUG TREATMENT COURT SERVICE

- information will be collected regarding my background, participation, needs and progress;
- this information will be used to support case management activities, evaluate the Program, and learn about best practices;
- in accordance with GPDTC funding requirements, GPDTC will share my individual information with the Government of Alberta, Department of Justice and Solicitor General;
- all information publicly reported will be aggregated so that I will not be individually identified and so that my personal information will be kept confidential.

29. I have read and understand this form. I consent to participate in the Program and to obey all the terms and conditions of my bail and this waiver.

Dated: _____, 20 ____ at _____, Alberta.

APPLICANT:

NAME: _____ Signature: _____
(please print)

Address: _____

Email address: _____ Telephone: _____

DEFENCE COUNSEL OR **DUTY COUNSEL:**

NAME _____ Signature: _____
(please print)

Address: _____

Email address: _____ Telephone: _____

Please forward this completed form to
AlbertaDrug_TreatmentCourt@ppsc-sppc.gc.ca

Grande Prairie Drug Treatment Court (GPDTTC)

Consent to Share Health and Other Information

To be completed after the Applicant passes the Crown Eligibility Review and Police Screening, and before a Screening and Treatment Assessment and observations of the Applicant are scheduled.

To:

**John Howard Society of Grande Prairie
200 - 10135 – 101 Avenue
Grande Prairie, AB
T8V 0Y4**

**Ph. 780-532-0373
Fax 780-538-4931**

I, _____, born _____, Alberta Health Care No. _____
agree that:

1. my full Alberta Health information, including that regarding my health status, prescribed medications, and COVID-19 vaccinations, and
2. my participation in any/all programs and/or services provided to me while at a Provincial Correctional Centre

may be shared with the Treatment Representatives on the Grande Prairie Drug Treatment Court (GPDTTC) Team.

Signature: _____

Printed Name: _____

Date Signed: _____

**Please forward this completed form to
AlbertaDrug_TreatmentCourt@ppsc-sppc.gc.ca.**

GRANDE PRAIRIE DRUG TREATMENT COURT (GPDTC)
TERMINATION POLICY ACCEPTANCE FORM

I acknowledge that I have read the attached GPDTC Termination Policy and initialled each page of the attachment. I agree to be bound by this policy, as amended from time to time. I understand that there will be no Termination Hearing or the like in Court itself, nor will any decision to terminate myself be subject to the right of appeal.

Signed at _____, Alberta on the _____ day of _____,
20_____.

Signature of Applicant:	Signature of Counsel:
Printed name of Applicant:	Printed name of Counsel:
	Defence Counsel <input type="checkbox"/> Duty Counsel <input type="checkbox"/>

Please forward this completed form to
AlbertaDrug_TreatmentCourt@ppsc-sppc.gc.ca.

TERMINATION FROM PROGRAM

11.1 Overview

The GPDTC's termination process is designed to facilitate timely decision-making, fair and respectful treatment of Participants, and consistency across Participants.

Termination from the Program may occur due to the following as explained below:

- Absconding from the Program.
- Committing a "Major Program Violation".
- Repeated non-compliance with goals of the Program.
- Treatment options are exhausted.
- Irrevocable breakdown in relationship with the Treatment Team.

11.2 Grounds for Termination

11.2.1 Absconding

A Participant who absconds may be terminated from the Program.

11.2.1.1 Absconding Up to and Including 30 Days

For periods up to and including 30 days from the date a warrant issued, the Termination Process outlined below shall be followed (i.e. Treatment Team shall select Option A or B).

11.2.1.2 Absconding Over 30 Days

For periods over 30 days:

- absent circumstances deemed exceptional by the GPDTC Team,
- the Participant shall be summarily terminated by the Justice at the application of the Crown in GPDTC,
- even if the Participant is present and opposes.

If the Participant wishes to be re-admitted to the Program, the GPDTC application process must be followed unless otherwise permitted by the GPDTC Team.

11.2.2 Major Program Violation

Reasonable grounds to believe a Participant has engaged in any of the following Major Program Violations may result in termination. The list below is not all-inclusive.

- The Participant has shown a continuous pattern of dishonesty.
- The Participant has either directly or indirectly interfered with a GPDTC drug test in any way that impacts or potentially impacts its accuracy or integrity.

- The Participant has engaged in new criminal activity or has been charged with new criminal or drug offenses while in the Program (other than a charge of simple possession of a drug or failing to comply with a term of release that is not otherwise criminal activity).
- The Participant is found in possession of anything that, in the GPDTC Team's opinion, constitutes a weapon.
- The Participant has engaged in or exhibited behaviors that caused actual harm or posed a threat of harm to others.
- The Participant has been abusive towards Program staff.
- The Participant has forged signature(s) as to attendance at 12 Step Meeting(s).

For Major Program Violation(s), the Participant may be terminated from the Program. The termination process outlined below shall be followed (i.e. Treatment Team shall select Option A or B).

11.2.3 Repeated Non-Compliance

When a Participant repeatedly fails to comply with Program rules, and despite graduated sanctions and other interventions, the Participant may be terminated from the Program. The termination process outlined below shall be followed (i.e. Treatment Team shall select Option A or B).

11.3 Possible Outcomes of Grounds for Termination

11.3.1 Treatment is Unavailable

When adequate or suitable treatment is not available to meet a Participant's needs (i.e., treatment options are exhausted) due to Ground(s) for Termination, the Participant shall be terminated.

11.3.2 Breakdown in Relationship

An irrevocable breakdown in the relationship between the Participant and the Treatment Team arising from Ground(s) for Termination shall cause the Participant to be terminated.

11.4 Termination Process

The following steps are a general framework and are not necessarily sequential. The steps may be adjusted in the discretion of the GPDTC Team to meet the specific needs of the situation while maintaining fairness to the Participant.

1. Once grounds for potential termination arise, the Treatment Team may seek preliminary direction as to whether conduct constitutes a Major Program Violation or to clarify next steps with the GPDTC Team via emails or at one or more Pre-Court Meetings.
2. The Participant shall be advised of the potential for termination.
3. ***Treatment Team's Review***
 - a. Unless waived by the Treatment Team, a "Request to Continue in the Program" form shall be completed and submitted by the Participant as soon as possible.
 - b. The Participant shall be given the opportunity to meet with the Treatment Team in a non-Court setting to address the grounds giving rise to termination. During this meeting, the Participant's "Request to Continue in the Program" form (if applicable) shall be reviewed and discussed.
4. The Participant may be required to complete a motivational or other screening assessment.
5. The Treatment Team may discuss the matter with the GPDTC Team via emails or at one or more Pre-Court Meetings. A Justice may take part in general discussions but shall refrain from expressing an opinion on termination as a ruling might ultimately be required.
6. ***Treatment Team's Position*** – Based on the foregoing, the Treatment Team shall, taking as much time as it reasonably needs, select one of the options below.
7. (See Appendix E – Decision Tree re: Termination Options.)

Option A – Treatment Team decides whether Participant goes

Criteria to select Option A:

1. Relationship with Participant has irrevocably broken down

AND/OR

2. All treatment options have been exhausted.

**Before the Participant is actually terminated in Court pursuant to Option A, the Treatment Team may with good reason change its mind and instead decide upon Option B, and so advise in the Participant's Weekly Court Update Report, whereupon the termination process listed in Option B shall commence. Change of mind should be the exception, not the norm.*

Notes re: Option A:

1. It is irrelevant if the Participant is willing and able to change.
2. It is irrelevant if the Participant is opposed to being terminated.
3. The Treatment Team shall advise the Participant that they will be terminated and the reason(s) why.
4. The Treatment Team shall prepare a Weekly Court Update Report for the Participant indicating that the Treatment Team has selected Option A and the reason(s) why.
5. Duty Counsel shall make contact with the Participant to discuss the situation.
6. The DTC Justice shall, upon the application of the Crown in GPDTC, summarily terminate the Participant from the Program and provide the reason(s) why.
7. Bail shall be reviewed and may be revised or revoked.
8. The matter shall proceed to sentencing as soon as possible, for which the Participant may take steps to retain counsel privately or through Legal Aid.

Option B – Justice decides whether Participant goes

Criteria to select Option B:

1. Relationship with Participant is still viable **AND**
2. Treatment options are still available.

** Before the Participant is actually terminated in Court pursuant to Option B, the Treatment Team may with good reason change its mind and instead decide upon Option A, and so advise in the Participant's Weekly Court Update Report, whereupon the termination process listed in Option A shall commence. Change of mind should be the exception, not the norm.*

Notes re: Option B:

1. The Treatment Team shall advise the Participant that they are going to be considered for termination by the GPDTC Team, but that Duty Counsel will offer assistance to the Participant.
2. The Treatment Team shall prepare a Weekly Court Update Report for the Participant indicating that the Treatment Team has selected Option B and the reason(s) why.
3. If the Participant is agreeable to being terminated, they shall be summarily terminated from the Program. If the Participant is opposed to termination, consideration of termination shall proceed as per the following steps.
4. At any point herein, if the Justice who has carriage of the matter is satisfied (after taking into account the considerations listed in Step 14 herein) that the Participant ought to remain in the Program, the following steps shall be short-circuited, and the matter shall immediately proceed to Step 16.
5. Duty Counsel shall:
 - a. discuss the situation with the Participant;
 - b. ensure the Participant is aware of this Termination Policy and process; and
 - c. advise the Participant of their right to retain counsel privately or to apply to Legal Aid to have counsel appointed as soon as possible.
6. While the Participant is being considered for termination, the Participant's bail shall be reviewed and may be revised or revoked.
7. If the Participant remains out of custody, or has bail revoked and is later released during the termination process:
 - a. The Participant shall comply with all release conditions.
 - b. Unless the Participant is otherwise advised by the Treatment Team:
 - i. All GPDTC programming, resources, and services to the Participant are suspended, including all regular meetings between the Participant and the Program Manager, Case Manager, etc.
 - ii. However, the Participant shall continue to attend community-based programming, with attendance and the Participant's compliance with conditions being monitored by a Probation Officer.

8. While the Participant is being reviewed for termination, and unless the Participant is otherwise advised by the Treatment Team, Court Updates in GPDTC by the Participant are suspended.
9. In a Pre-Court Meeting, with as usual, the Participant not present, the GPDTC Team shall discuss whether the Participant ought to be terminated. The Justice who has carriage of the matter shall throughout the Option B steps refrain from expressing an opinion about the Participant's termination until making a final ruling on the issue.
10. If, or once, the Participant has legal counsel (with Duty Counsel assisting if Defence Counsel is not retained), the Crown (or Duty Counsel) shall:
 - a. ensure Defence Counsel is aware of this Termination Policy and process;
 - b. advise Defence Counsel (or the Participant) of their right to request the Participant's "Weekly Court Update Reports" to-date;
 - c. advise that another "Request to Continue in the Program" form may be completed with the assistance of Defence Counsel (or Duty Counsel) and submitted to the Crown; and
 - d. invite any other written submissions or information from Defence Counsel (or directly from the Participant) as to why the latter ought to be permitted to remain in the Program.
11. Time will be allocated during a Pre-Court Meeting or at another time ("the Termination Meeting") as agreed between the GPDTC Team and Defence Counsel or Duty Counsel to discuss the matter of termination further.
12. At the Termination Meeting, the GPDTC Team (including a GPDTC Justice) shall be in attendance, and the Participant and their counsel may be present. The Crown shall summarize the Participant's grounds for termination and any other relevant information. The Participant and their Counsel may make submissions or comments at any point.
13. Once the matter has been discussed in full as a group, the meeting shall then continue without the Participant or Defence Counsel present, or be adjourned to a different date altogether to discuss the matter of termination further by the GPDTC Team in private. As Duty Counsel is a member of the GPDTC Team, Duty Counsel may be present at such meeting even if the Participant did not retain counsel and is relying upon the assistance of Duty Counsel.
14. To determine whether the Participant ought to be terminated from the Program, the Justice shall consider the totality of circumstances including grounds for termination, the Participant's phase of the Program, record of behavior including rewards and sanctions, any submissions, the Treatment Team's position, the opinion of other GPDTC Team members, and any other relevant factor.
 - a. Although not necessarily determinative, to remain in the Program, the Participant must at minimum satisfy the Justice that they will make better use of the Program and that they are willing *and* able to change.

b. Indicators of a sincere, renewed motivation for recovery and change include that the Participant:

- i. Was able to describe the circumstances that led to the problematic behavior(s), and the Participant's responsibility within the context of those circumstances in an honest and fulsome manner;
- ii. Was able to demonstrate congruent verbal and non-verbal behavior (i.e., actions and words align);
- iii. Was able to provide explanation and specific reasons for renewed hope, motivation, or belief in their readiness to use the Program to further benefit; and
- iv. Was able to state concrete and specific changes to which they will commit.

15. The Justice shall then reach a final decision as to whether the Participant is to be terminated from the Program.
16. If the Justice decides that the Participant may remain in the Program, the GPDTS Team shall be so advised, and the Crown shall advise Defence Counsel, or if applicable, Duty Counsel shall advise the Participant.
17. If the Participant is permitted to remain in the Program, bail may be reviewed and revised. The Treatment Team shall resume contact with the Participant. If in custody, the Participant shall not be released until a new Treatment Plan is formulated.
18. One or more sanctions may still be imposed for the Participant's behaviour giving rise to the grounds for termination.
19. If the Justice decides that termination *is* appropriate, the decision and reasons for same shall be provided on the records in GPDTC. Any material tendered by the Crown and Participant during the Option B steps shall be marked as exhibits.
20. If the Participant is terminated, sentencing shall take place as soon as possible before the Justice in front of whom guilty pleas were originally entered, or with leave, guilty please may be reentered before a different justice, who shall proceed with sentencing.