

**Young Offenders' Perceptions of their Experiences
within the Canadian Youth Justice System**

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ABSTRACT

Apart from Hazel, Hagell, and Brazier (2002), little qualitative research exists that draws upon the perspectives of young offenders related to their experiences within the youth criminal justice system. Understanding how young people perceive their experiences within the youth justice system provides valuable insight into how current apprehension/arrest, court, sentencing, and youth justice programs and services affect young offenders, given that many young offenders lack understanding of the criminal justice (Baum & Wheeler, 1968; Erickson, 1982; Hazel et al., 2002; Langley, Thomas, & Parkinson, 1978; Peterson-Badali, Koegl, & Ruck, 1999).

The present exploratory study obtained the perspectives of former young offenders related to their experiences within the Canadian youth justice system. In-depth individual interviews were conducted with seven (1 female, 6 males) participants who described their responses and adjustments to being apprehended and sentenced by the law. The interviews were held in semi-structured, audio-taped sessions, maintaining strict ethical principles of confidentiality and voluntary participation. Transcribed interviews were analyzed using cross-comparative, discovery-based, grounded theory methodology, that identified a core category of *Transitioning*, four major descriptive categories, *Transitioning Through the law*, *Home Life*, *Young Offending Life and Youth Justice Experiences*, and *Post Young Offending and Future Outlook*, and a theoretical explanation of the basic psychosocial processes undertaken by young offenders in response to their involvement with the law. Recommendations are offered for preventative approaches to young offending and improvements to the youth criminal justice system, with implications for young offenders, their families and communities,

and youth justice programming and services. Given the variety of factors and influences that contribute to youth offending, it is suggested that a systemic approach, that draws from larger societal concern for the welfare of its homes, families, communities, and citizens, be developed, that looks to directly address such critical social issues as poverty, home violence, racism, barriers to education and mental health access, and family breakdown. With the recognized and profound influence of the home environment upon children's development, it is suggested that the Nova Scotia Department of Community Services increase the availability of early intervention programs dedicated to parental education and support, in order to engage with and assist 'at-risk' families. In addition, it is suggested that the Nova Scotia Department of Justice work more closely with the Nova Scotia Department of Community Services and community-based services, to share, where appropriate, young offenders' case information, in order to best plan responsibly and knowledgeably the programs of individual young offenders.

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CHAPTER I: INTRODUCTION

Statement of the Problem

Societal response to young people who engage in criminal behaviours has been an issue of debate in Canada since the first Europeans arrived in the New World. In these newly formed settlements, young people who engaged in criminal activities, with little distinction, received the same punishments as adult offenders, based in French or English law (Carrigan, 1991). Nineteenth century social, educational, and labour movements, however, as well as the development of the science of human psychology, contributed to a more humanitarian approach to young offenders, in recognition of their particular developmental contexts and needs. In 1908, The Juvenile Delinquents Act (JDA) became the first Canadian legislation focused directly upon young people (Trepanier, 1991). The JDA applied a welfare approach which reflected general opinion that a young person's actions were a result of their environment (Sawdon, 2003; Trepanier, 1991). Authorities could now intervene more in situations previously viewed as private family matters (Trepanier, 1991). In 1984, the JDA was replaced with the Young Offenders Act (YOA). The YOA met with both public enthusiasm, for its emphasis on holding a young person accountable for his or her actions and maintaining the safety of the community, and criticism for its relative leniency in the employment of 'alternative measures' to custody for many first time offenders (Hylton, 1994). In 2003, the YOA was in turn replaced by Canada's most recent young offender legislation, the Youth Criminal Justice Act (YCJA). The YCJA is distinct in its employment of the principles and approaches of Restorative Justice, through which judges have greater sentencing options and which has

resulted in a dramatic increase in the number of sentenced young offenders either being diverted from youth incarceration altogether and toward community-based Restorative Justice programs or serving the remaining third of their custody sentence in such programming (Bell, 2003; Sawdon, 2003). The YCJA, however, has also been subject of considerable criticism both by the public and from those within the youth criminal justice system (Anderson, 2007; Nunn Commission of Inquiry, 2005-2006). Once again Canadian youth justice legislation is under intense scrutiny and review.

In order to develop improved policies and programs that serve both to protect the public and support the rehabilitation and reintegration of young offenders in society, it is beneficial and important to incorporate a range of public perspectives, and particularly the views and experiences of those individuals and groups most directly affected by and working with the current legislation (e.g., police officers, probation officers, youth workers, Restorative Justice workers). While recent research (Anderson, 2007) provides the voices of such key ‘stakeholders’ in the youth criminal justice system, little research exists, apart from Hazel, Hagell, and Brazier’s (2002) qualitative study of youth within Britain’s youth criminal justice system, that draws upon the perspectives of young offenders themselves related to their experiences of youth criminal justice

Purpose and Aim

The purpose of this study is to explore and understand young offenders’ psychosocial experiences within the Canadian youth justice system with the aim of generating a theory that can be used as a model to enhance current policy and service related to young offenders and youth justice personnel in Canada.

Research Questions

- 1) What factors lead young people to engage in criminal activities?
- 2) Do youths' experiences differ depending on their particular criminal activities and their court sentences?
- 3) Which individuals hold significance for young offenders during their contact with the Canadian youth criminal justice system?
- 4) Which supports and/programming requirements, if any, do the youth perceive as either beneficial or detrimental within their experiences?
- 5) How are young offenders' experiences within the justice system reflected in their daily psychosocial processes and functioning?

Definition of Terms

The following definition will be utilized for the purpose of this research study:

Extrajudicial Measures- A program offered to young offenders in place of formal charges through the courts as per the Youth Criminal Justice Act (previously known as Alternative Measures under the Young Offenders Act).

Juvenile Delinquent Act (JDA) - The first federal legislation for youth justice enacted in 1908.

Probation - A community sentencing option whereby the youth must adhere to the restrictions imposed by the courts

Psychosocial Processes – The individual and social processes, such as “becoming, highlighting, personalizing, health optimizing, awe inspiring and so forth” related to the problem or phenomenon under study (Glaser, 1978, p.102).

Restorative Justice - A voluntary community justice programs available to the young offenders and the victims. The programs include family-group conferencing, victim-offender mediation, and sentencing circles.

Young Offender - A young person between the ages of twelve and seventeen years old who commits an illegal act as per the Youth Criminal Justice Act.

Young Offenders Act (YOA) -The second federal legislation for youth justice, enacted in 1984, to replace the Juvenile Delinquent Act.

Youth Criminal Justice Act (YCJA) - The current federal legislation for youth justice enacted in 2003.

CHAPTER II: LITERATURE REVIEW

The History of Youth Justice in Canada

Early European Settlement

In the early 16th century, as European families initially arrived in the New World, children were viewed and protected as highly valued assets. Harsh living conditions and high mortality rates in early, often rural, settlements drew heavily upon the resources of families who needed their children to work in order to maintain the family's survival (Carrigan, 1998). The demanding conditions of journeying to the New World, however, and relative lack of available medical care en route and in new colonies resulted in a number of children being orphaned either upon or shortly following arrival. While some children were adopted by other families, many were forced to care for themselves, often through stealing or other criminal activities (Carrigan, 1991). Early European settlers, mainly French and English, brought the laws of their homelands to the New World. Such laws were focused on punishing criminals, not rehabilitating them, and young people were subject to the same laws and punishments as adults (Carrigan, 1998). Many young people, viewed as troublesome, were offered apprenticeships or, at times, sent to adult penitentiaries despite not having committed any crime. (Carrigan, 1998; Houston, 1982; Sawdon, 2003). Increased urbanization, particularly in the mid-later 19th century, evidenced growing abandonment and orphanage of children, given that there were a growing number of people who were employed away from their place of residence. As a result of the separation of home and work, many children received little adult supervision

(Gaffield, 1991). The presence of many young people without proper care or financial stability increased the potential for juvenile delinquency in towns and cities (Carrigan, 1991; Moogk, 1982).

Educational, labour, and social reforms of the mid-Victorian period, recognizing the relative vulnerability of young persons, contributed to the development of early laws and social institutions directed toward the enhancement of care and welfare for children. The introduction of child labour laws, compulsory education laws, and early child welfare legislation, each played a role in a heightened societal response to the needs and circumstances of everyday youth, yet with mindfulness to those from troubled or less advantaged backgrounds (Sawdon, 2003; Smandych, 2001 as cited by Bell, 2003).

Authorities, however, were faced with a major challenge regarding juvenile delinquents: they could return the children to unstable homes, put them in jail, or release them back on the streets (Bullen, 1991). As an alternative to imprisonment in adult penal facilities, reformers advocated that delinquent children be placed in structured environments offering guidance, support, and educational/vocational training. While the development of such institutions did mark an improvement upon adult incarceration, many children continued to suffer harsh treatment and exploitation in such educational training facilities (Carrigan, 1991).

Post-Confederation

According to Bullen (1991), by the end of the 1800s a new group of ‘child savers’, led by J.J. Kelso, had widened the definition of needy child to include young people who had suffered abuse in the home. These reformers believed that a stable

family was the best environment for the development of appropriate social values. Therefore, parentless children, and those whose parents were deemed immoral, required societal and government intervention. This group promoted the idea of foster homes as the most humane and efficient means of providing child welfare. Kelso and the other child savers petitioned the Ontario government to appoint a commission to investigate the cause of delinquency and to propose new methods of reforming the delinquents. They concluded that it would be best if neglected and delinquent children were raised in natural families rather than institutions. Bullen (1991) states that the rapid development of the child saving movement, combined with the inquiry, led to the creation of social service agencies such as the Children's Aid Society. The mission of these agencies was to provide safe and positive environments for delinquent children. Despite efforts to find caring foster homes, many children were subjected to exploitation as free labourers. The agencies' inability to find long term positive care for these young people convinced Kelso and the other child savers that government support was needed. During this time, another prominent reformer, W.L Scott, a Master of the Supreme Court of Ontario, worked closely with Kelso to promote the needs of the delinquent youth (Hagan & Leon, 1977). As a result of their commitment to helping delinquent children, Scott drafted a ground-breaking piece of federal legislation, the Juvenile Delinquents Act (Hagan & Leon, 1977). Prior to the enactment of the Juvenile Delinquents Act, there were several attempts to establish specific provisions for neglected children and convicted juveniles (Bullen, 1991; Hagan & Leon, 1977; Hylton, 1994; Trepanier, 1991) However, it was the Juvenile Delinquents Act that propelled the greatest changes in the ways in which children were treated and punished in Canada.

The Legislations

The Juvenile Delinquents Act

The Juvenile Delinquents Act (JDA) was enacted in 1908, after a great deal of pressure from advocacy groups. The two main themes to emerge from the parliamentary debate were protecting young people and the causes of delinquency. The object of the new legislation was to set the judicial process for young people who break the law (Trepanier, 1991).

According to Trepanier (1991), the Juvenile Delinquents Act (JDA) reflected the common belief that a child's behaviour was a result of poor living conditions and neglectful caregivers. This view was contrary to the ideology of the 19th century, which perceived offences as the result of free and rational decision making. The introduction of the new infractions on parents and probation were implemented as the government's means to maintain control over parents. The legislation was based on the *Parens Patriae* doctrine (parent of the country) whereby an English king had the right to manage the land of orphans for their protection (Reitsman-Street, 1989-1990 as cited by Bell, 2003). Prosecuting someone other than the offender was contrary to the principles of classical criminal law. This problem was overcome by a new law which criminalized the neglect of a child's education. Now parents could be legally implicated and held responsible for their children's criminal activities (Trepanier, 1991).

Probation was also a primary component of the new legislation. Similar to the provision regarding new infractions for parents, probation was also part of the government's plan to maintain control over the caregivers. Probation officers could

monitor parents to ensure that they were providing an adequate environment for the children (Trepanier, 1991).

Trepanier (1991) further notes that the focus of classical law on proportionate and determinate sentences lost its significance because the aim of the Juvenile Delinquents Act was not to punish, but to eliminate the causes of delinquency. According to the JDA, the chosen measure should address the cause, and the provisions should be applied as long as the cause exists. The new legislation allowed the judge discretionary powers to choose the nature and duration of the sentence. Once found guilty of an offence, the young person became a ward of the court until the age of twenty-one years old (unless the court discharged the youth earlier). These provisions reflected the differences between the new legislation and the classical criminal law.

The Juvenile Delinquents Act combined criminal law and a child welfare approach (Sawdon, 2003). Juvenile delinquent was a term coined to distinguish a state separate from the actions. Young people were not convicted of committing an offence, but rather they were found to be a juvenile delinquent or to have committed an act of delinquency (Dalby, 1985). Once a child was labelled a delinquent, the courts had several sentencing options; they could be sentenced into the custody of a probation officer or an industrial school (Sawdon, 2003). While the intent was child protection, the results were often very punitive (Sawdon, 2003).

The Young Offenders Act

The Juvenile Delinquents Act remained intact for seventy-five years with only a few minor revisions (Sawdon, 2003). The Young Offenders Act (YOA) was first

introduced in 1977, but was revised many times before it was adopted in 1984 (Hylton, 1994). The JDA received many criticisms. Some critics argued that combining all youth crimes (status and criminal) undermined the gravity of some criminal offences (Bell, 2003). Hylton (1994) states that many criticized the legislation of providing social workers with too much discretionary power, of failing to properly protect the public, and of ignoring the values of strong punishments in deterring future criminal behaviours. In addition, the author also notes the JDA's inconsistencies regarding due process. Most of the court hearings were informal and the young person was not assured legal representation (Hylton, 1994). While public opinions regarding youth crime were strong, Hylton (1994) states that it was the adoption of Canada's first Charter of Rights and Freedoms that assured the JDA's downfall. He believes that the lack of due process rights and other deficiencies could not survive the challenge of the new Charter of Rights and Freedoms which was adopted in 1982.

The implementation of the Young Offenders Act was met with both criticism and enthusiasm. While the JDA viewed delinquents as unfortunate children in need of assistance, the YOA viewed them as special kinds of criminals requiring supervision and discipline (Bell, 2003). The welfare orientation was still maintained under the YOA; however the crime control application received more recognition (McGuire, 1997).

The Young Offenders Act's Declaration of Principles emphasized the young person's responsibility and the protection of society (McGuire, 1997). In addition to this, the YOA eliminated indeterminate sentences and the young person gained the right to legal counsel (Landau, 1983; McGuire, 1997). Young people, between the ages of twelve and eighteen, were expected to take responsibility for their actions and be held

accountable; parents were no longer responsible for their children's criminal activities (Sawdon, 2003). In addition, any child under the age of twelve years old, at the time of the offence, was the responsibility of provincial welfare legislation, not the youth justice system (Hylton, 1994; Sawdon, 2003).

While many criticized the inclusion of judicial discretion, the youth's consent to treatment, and the management of court-ordered psychological assessments (Landau, 1983; Leschied & Hyatt, 1986), others believed components such as judicial discretion "...humanized [the] legislation, both for the youth and for the courts" (Waiser, 1984, p.13).

The debate over the adequacies and inadequacies of the YOA began before its enactment and continued throughout its existence. During the life of the YOA, it underwent three major revisions and moved closer to a crime control model (McGuire, 1997). There continued to be lengthy debates regarding the Young Offenders Act until the enactment of the Youth Criminal Justice Act in 2003 (Sawdon, 2003).

The Youth Criminal Justice Act

The Youth Criminal Justice Act (YCJA) maintained many of the principles developed under the Young Offenders Act but reorganized them into themes in a hierarchal fashion emphasising the protection of the community, rehabilitation, and accountability (Sawdon, 2003). The crime control model is maintained in the new legislation, but unlike the two proceeding pieces of legislation, the YCJA sets out clear guidelines and rationales of the youth justice system (Bell, 2003). While the JDA was more youth oriented and the principle of rehabilitation was its end purpose, the YOA viewed the importance of

rehabilitation as a means to protect the community (Bell, 2003). The YCJA revised the JDA's principle of rehabilitation as a goal (Bell, 2003), and moved away from sentences involving custody for minor offences (Endres, 2004). The YOA held youth responsible and accountable for their actions (Sawdon, 2003), and the YCJA stresses the use of non-custodial methods to achieve it for less serious non-violent offences (Endres, 2004).

In order to create fairness across the country, the Youth Criminal Justice Act introduced extrajudicial measure to minimize inconsistencies between provinces (Endres, 2004). Prior to formally charging a young person, these measures must be considered and implemented when appropriate by all the provinces (Carrington & Schulenberg, 2004; Endres, 2004).

The Youth Criminal Justice Act is not without its critics. Some argue that the new legislation has created a two-pronged justice system. More youth who commit serious violent crimes are placed in the adult system, while youth who commit minor offences are diverted (Bell, 2003). While many provinces of Canada criticized the YOA, Quebec supported it. Quebec viewed the new legislation as pointless, stating the desired changes are possible under the YOA (Trepanier, 2004). Quebec believed that under the YCJA, Canada was taking a step backwards threatening the educative and rehabilitative theme in the province (Trepanier, 2004).

Restorative Justice

Restorative Justice is a component introduced in the Young Offenders Act and maintained in the Youth Criminal Justice Act. The YOA did contain a section dedicated to alternative measures, however, the YOA failed to provide clear guidelines resulting in

inadequate and inconsistent use (Endres, 2004). As a result of these discrepancies, the YCJA revised the principles as an extrajudicial measure (Endres, 2004). Unlike the YOA's alternative measures, the YCJA's extrajudicial measures are mandatory. Under the YCJA, these measures must be considered first and the court process is only to be used if such measures are not appropriate (Endres, 2004). The extrajudicial measures included, but are not limited to, police warnings and referrals to community justice programs (Endres, 2004).

Restorative Justice provides a structure for assessing and responding to crime. Crime is not viewed simply as an offence against the state, but a break in the relationship between people (Law Commission of Canada, 1999). An important element of Restorative Justice is the voluntary participation of all groups (Law Commission of Canada, 1999; Pate & Peachey, 1993). The core values of Restorative Justice programs are equal support for everyone, equal power in decision making, and the promotion of each person's ability to participate (Law Commission of Canada, 1999).

The central aim of Restorative Justice is to develop a consensus on how to resolve the harm done (Law Commission of Canada, 1999). These programs are flexible enough to operate at any stage of the criminal justice process (Law Commission of Canada, 1999). There are several variations of this type of programming now operating in Canada; victim-offender reconciliation programs, family-group conferencing, and sentencing circles (Law Commission of Canada, 1999; Pate & Peachey, 1993).

While Restorative Justice programs are a vital component of the Youth Criminal Justice Act, there are concerns that the program benefits could be undermined. While the

program philosophies emphasize voluntary participation, Wright (1997) cautions that some individuals may feel obliged to participate.

In Canada, the rate of youth diverted for violent offences has increased fifty-nine percent since 2000 (Nova Scotia Department of Justice, 2006). Charges are not laid when police refer a young person to a Restorative Justice program and may be withdrawn if the young person successfully completes the program (Sawdon, 2003).

In 2005, Gray investigated the impact of Restorative Justice programming on young offenders in England. Gray (2005) found that youth who participated in a program that focused on community reparations and victim awareness training were more likely to view the objectives of the program as punishment and were more likely to expressed feelings of unhappiness because they were unable to make amends directly to the victim. In addition, Gray (2005) concluded that all the youth did not believe the Restorative Justice programs provided enough social support to assist in developing positive relations with their families, solving health problems, or fulfilling their desire for schooling or employment. Although Gray's study was conducted in the United Kingdom its findings may offer insight into the experiences of young people involved in Restorative Justice programs in Canada.

Current Trends in Canada and Nova Scotia

Alvi (2000) stated that the main advantage of statistics is to understand a phenomenon by quickly summarizing a large set of numbers, however, the author cautions that the reader must take into consideration how the data was collected,

interpreted, and presented. The enactment of new legislation has a significant impact on the statistics and must be considered when comparing data across time.

In 2001, Statistics Canada noted that 102,313 youth were charged with criminal code offences, which represented approximately four percent of the youth population in Canada (as cited by Sawdon, 2003). According to Statistics Canada (2001, 1998 as cited by Sawdon, 2003), there has been a marked decrease in the number of young people charged with Criminal Code offences which may be a result of diversion programs (Sawdon, 2003).

The majority of the youth brought to court are first time offenders (Sawdon, 2003). Most of the cases heard in youth court are for minor offences (Statistics Canada, 2001 as cited by Sawdon, 2003). Of the criminal code charges in 2001, forty-four percent were property crimes, while twenty-three percent were for violent offences (Statistics Canada, 2001 as cited by Sawdon, 2003).

Youth charged with violent crimes has increased since 1991, while property crimes have decreased. According to Statistics Canada (1998, 2001), thirteen percent of all charges in 1991 were for violent offences, compared to nineteen percent of all charges in 1996, and twenty-three percent of all charges in 2001 (as cited by Sawdon, 2003). Sawdon (2003) suggests that the increase may be a result of school's zero tolerance policies in which there are predetermined consequences or sanctions for certain unacceptable behaviours committed within in the school environment. Interestingly, the percentage of property crimes has declined since 1991. According to Statistics Canada (1998, 2001), sixty-four percent of all charges were property crimes in 1991, compared to

fifty-six percent of all charges in 1996, and forty-four percent of all charges in 2001 (as cited by Sawdon, 2003).

Comparing Provinces

The rate of youth charged varies greatly across Canada. According to Statistics Canada (2001), the average rate is 414 youth charged per 10,000 population (as cited by Sawdon, 2003). Quebec had the lowest rate in Canada with 192 youth charged per 10,000 population, which is less than half the national average (Statistics Canada, 2001 as cited by Sawdon, 2003). According to Statistics Canada (2001), Quebec contained twenty percent of the Canadian youth population in 2001; however, it represented only ten percent of youth charged. Sawdon (2003) explains that these results are likely due to the diversion programs in the province. The Northwest Territories had the highest rate in Canada at 1474.8 youth charged per 10,000 population (Statistics Canada, 2001 as cited by Sawdon, 2003). The Atlantic Provinces were close to the national average. According to Statistics Canada (2001), Nova Scotia had 359.4 youth charged per 10,000 population, New Brunswick had 421.1 youth charged per 10,000 population, and Prince Edward Island had 290.5 youth charged per 10,000 population (as cited by Sawdon, 2003).

According to Statistics Canada (2001), Ontario had the highest percentage of youth charged with violent crimes at approximately forty-three percent and the Yukon had the lowest rate with .23 percent (as cited by Sawdon, 2003). Nova Scotia's rate was low; approximately three percent of charges were violent offences (Statistics Canada, 2001 as cited by Sawdon, 2003).

In addition to the highest number of charges for violent offences, Statistics Canada (2001) states that Ontario also had the highest rate of youth charged with property crimes thirty-eight percent and again Yukon had the lowest with .19 percent. Nova Scotia's percentage was low at approximately three percent of all charges (as cited by Sawdon, 2003).

Gender Differences in Canada

Statistics Canada (2001), remarks that males are more likely to commit crimes and be repeat offenders (as cited by Sawdon, 2003). Prior to 1997, the rate of males and females charged with an offence was declining (Statistics Canada, 1998 as cited by Sawdon, 2003). Interestingly, the decline was more dramatic for males (down twenty-seven percent) than females (down seven percent) (Statistics Canada, 1998 as cited by Sawdon, 2003). From 1987 to 1997, the number of females charged with common assault tripled while robbery quadrupled (Statistics Canada, 1998 as cited by Sawdon, 2003). Males' criminal activity increases with age, while criminal behaviour by females peaks at sixteen years old (Statistics Canada, 1998 as cited by Sawdon, 2003).

Current Trends in Nova Scotia

Nova Scotia also noted that more males than females were charged with criminal offences. Females accounted for nineteen percent of the charges laid in 2004 (Nova Scotia Department of Justice, 2006). Females also comprised of twenty-five percent of all violent offence charges and sixteen percent of all property offences that year (Nova Scotia Department of Justice, 2006). The rate of males charged with violent offences

increased twenty-one percent between 1999 and 2003, while females had a twenty-five percent increase (Nova Scotia Department of Justice, 2006). Both genders had a decline in the number of charges for property crimes (Nova Scotia Department of Justice, 2006). The number of males charged with property crimes declined forty-nine percent, while the number of females charged declined sixty-two percent (Nova Scotia Department of Justice, 2006).

The Nova Scotia Department of Justice (2006) showed that the overall rate of youth charged with crime in Nova Scotia was somewhat higher than the national average in 2004; 3,423 per 100,000 compared to 3,065 per 100,000 in the entire nation. Between 1999 and 2004, Nova Scotia had a twelve percent increase in the rate of youth charged with violent offences, a forty-three percent increase in charges of level-two assault (with a weapon), and a thirty-eight percent increase of robbery (NS, 2006).

The Nova Scotia Department of Justice (2006) showed that Nova Scotia ranked fifth out of the ten provinces for property and other Criminal Code offences in 2004, and ranked third for violent crimes. There was an increase in the rate of charges for violent offences from 773 per 100,000 in 1999 to 942 per 100,000 in 2003 which equates to a twenty-two percent increase (Nova Scotia Department of Justice, 2006).

According to the Nova Scotia Department of Justice (2006), there was a decline in the number of youth charged with violent and property offences. Between 2003 and 2004, there was an eight percent decrease in violent crimes. Between 1999 and 2004, there was a fifty percent decrease in property crimes (Nova Scotia Department of Justice, 2006). The Nova Scotia Department of Justice (2006) noted an increase of four percent between 2003 and 2004; however, the rate is still lower than the rates between 1999 and

2003. Common assault accounted for the largest proportion of violent crimes at fifty-one percent in 2004 (Nova Scotia Department of Justice, 2006). Level-two assault increased from fifteen percent in 1999 to twenty-three percent in 2004 (Nova Scotia Department of Justice, 2006). Property crimes decreased in all categories except break and entering on business premises which increased by nine percent (Nova Scotia Department of Justice, 2006).

Between 1999 and 2003, the Nova Scotia Department of Justice (2006) noted a decline in charges of other Criminal Code offences by twenty percent, except with bail violations and counterfeit currency. Interestingly, there was a gender difference noted regarding youth charged with other Criminal Code offences (Nova Scotia Department of Justice, 2006). The Nova Scotia Department of Justice (2006), states that the overall decline was largely due to the decrease in males being charged (down fourteen percent). However, the female rate increased by seventeen percent for other Criminal Code offences between 1999 and 2003 (Nova Scotia Department, 2006). While statistics provide a summary of current trends and issues, it is important to integrate other sources of information when developing regulations and services.

The Experiences of Young Offenders

A potentially helpful, but often neglected, source for assessing current procedures and programs is from the perspectives of those for whom the legal system was created; from the experiences of the young people in contact with the youth justice system. Few research studies have examined the youths' perceptions of their experiences within the legal system. Overall, the current literature lacks a standardized approach to exploring

the youth's point of view. Prior to 2000, the majority of the studies focused on the youth's experiences in the courtroom (Erickson, 1982; Langley, Thomas, & Parkinson, 1978; Maher & Stein, 1968) and in the correctional institutions (Baum & Wheeler, 1968; Gill, 1974; Simpson, Eynon, & Reckless, 1963). Recently, there has been interest in the youth's perceptions of non-traditional sentences (Gray, 2005; Mackenzie, Wilson, Armstrong, & Gover, 2001; Smith & Smith, 2005) and their experiences upon release from a correctional facility (Halliday & Graham, 2000; Sullivan, 2004). While some researchers have focused on certain aspects of the legal system, others have investigated the youth's experiences at all levels (Hazel, Hagell, & Brazier, 2002).

The police officers are often the youth's first contact with the legal system and this interaction may set the tone for all future involvements within the legal system. Therefore, it is essential to have a clear understanding of the youths' experiences at this level of the legal system. In 1999, Peterson-Badali, Koegl, and Ruck investigated the youths' experiences at the police station. The researchers concluded that the youth expressed reasonable levels of understanding about some parts of the legal system, but they did lack knowledge regarding several areas regarding their due process rights and the duties of legal representation. Only half of the youth stated that they remember being told they were under arrest and sixty percent remember being informed of their rights to remain silent and their right to legal counsel (Peterson-Badali et al., 1999). Following the police investigations, some young people are charged with an offence and are required to appear in youth court.

The existing studies have found that youth described the court experience as unpleasant (Maher & Stein, 1968) and difficult to follow due to the speed of the

proceedings and the use of unfamiliar legal terminology (Baum & Wheeler, 1968; Erickson, 1982; Hazel et al., 2002). Many young people, including repeat offenders, appear to have little knowledge of court procedures prior to their hearing (Langley et al., 1978; Baum & Wheeler, 1968), while others seem to have a strong understanding of the court function and process (Erickson, 1982).

The research has also investigated the impact of the disposition on the youths' lives. While the majority of the youth in Peterson-Badali, Ruck, and Koegl's (2001) study stated that their sentence would prevent them from committing future crimes, very few believed it would deter their friends. Of the youth who stated their sentence would not deter them, the majority said the disposition would have to be harsher or their home environment would have to change in order to prevent future criminal behaviours. With regard to the deterrent values of their sentences, researchers have found that the majority of young people rated probation as a useless form of punishment, stating confinement is the only successful prevention method for any offence (Peterson-Badali, Ruck, & Koegl, 2001; Maher & Stein, 1968).

It has been noted that one's prior contact with the legal system may influence their views of the various agents working within it. Although the young people find the overall legal system ineffective, Giordano (1976) did find a link between previous contact and impressions of certain persons within the system. While Giordano (1976) did not find an association between prior experience and a youth's views regarding police officers, he did, however, discover that juveniles with other experiences within the legal system expressed greater appreciation towards judges and probation officers. When a

young person is convicted of a crime, some are sentenced to confinement in a juvenile custody center.

The youths' experiences in an institutional setting have received the most attention from researchers. While some young people rated their experience in prison as unpleasant (Baum & Wheeler, 1968; Peterson-Badali & Koegl, 2002), some youth did report that their placement was better than they had anticipated (Gill, 1974). With regards to the impact of the institution, the responses are mixed.

Simpson, Eynon, and Reckless (1963) investigated the boys' perceptions of the impact of a family-oriented facility in the United States. The authors found that overall the young offenders did not believe they had benefited from their experience at the facility and did not see any improvement in themselves, however, their discharge questionnaires revealed that the boys were now more likely to demonstrate values of ambition, accountability, and a willingness to acknowledge the interests of other people. Baum and Wheeler's (1968) study found that responses regarding the impact of confinement were almost equally distributed between 'helpful' and 'harmful'. Most stated that incarceration was helpful because it was teaching the youth a lesson or giving them a break from their life outside of custody (Baum & Wheeler, 1968). Gill's (1974) study found similar responses regarding the benefit of confinement. Many of the respondents stated that prison was beneficial because they were removed from the temptations that lead to their criminal activities and that they had access to education and training. Programs and services were also mentioned as positive aspects of the institution in Peterson-Badali and Koegl's (2002) study. Of those who responded that the experiences were harmful, many youth made reference to future employment (Baum &

Wheeler, 1968), personal safety stemming from peer pressure (Eynon, Allen, & Reckless, 1971) or peer violence which resulted from staff persuading the youth to use force on another inmate (Peterson-Badali & Koegl, 2002). Comments of no effect were based on the belief that their record would be destroyed when they reached the age of maturity (Baum & Wheeler, 1968).

In 1971, Eynon and his colleagues conducted a research study that highlights the importance of the youth's point of view. The authors compared the staff members' and the youths' perceptions of the impact of a juvenile custody centre in the United States and found, overall, that the employees and the young offenders viewed the impact of the facility differently. The staff evaluated the impact of the institution more favourably than the youth. Young people confined to a custody center hold a unique perspective of the features of the facility and the overall impact of the institution.

Not all young offenders are sent to a traditional correctional institution. Their perceptions of non-traditional facilities are also valuable in gaining insight into the youths' experiences within the youth justice system. Some youth are sent to boot camps that maintain a gruelling routine of physical training and education (Mackenzie, Wilson, Armstrong, & Gover, 2001); others are placed in a gender-specific facility, while several receive community sentences that may include Restorative Justice programs.

Overall, the boot camp was viewed more favourably than the traditional custody centers (Mackenzie et al., 2001). Over time, the youth residing in the boot camps exhibited less depression and more pro-social attitudes (Mackenzie et al., 2001). While the boot camps were viewed as more restrictive, they were also seen as more therapeutic, safer, and friendlier (Mackenzie et al., 2001). While the boot camps received more

favourably ratings, some young people did not fare as well in those facilities (Mackenzie et al., 2001). Youth with a history of family violence reported higher levels of stress and showed less improvement, but did far better in the traditional correctional institutions (Mackenzie et al., 2001).

Smith and Smith's (2005) research presents one of the first efforts to illustrate the experiences of young offenders residing in a gender-specific facility. The researchers applied a grounded theory approach which revealed several sub-themes which provided a context for understanding the facility from the youths' point of view (Smith & Smith, 2005). Through exploring the female's narratives, their sense of community within the facility emerged as a central theme (Smith & Smith, 2005). They discussed how the program fostered a sense of belonging, encouraged their identity development, and provided them with the skills to navigate through the world outside the walls of the facility (Smith & Smith, 2005).

Returning to the community after confinement is a difficult challenge for many young people. In order to properly prepare these young people for the world outside the facility, it is important to understand the process of release from their point of view. According to Sullivan (2004), many of these young people become marginalized and socially isolated. Several of them do not have a secure attachment to their community before being incarcerated and later had trouble creating positive social networks when they were released. Young offenders face many of the challenges of other youth; however, the experiences and stigma of incarceration make the challenges even more difficult. Sullivan (2004) explains that the experience of confinement accelerates the end of their teen years which was characterized by dependence on family, participation in

school, and involvement with adolescent peer groups. The author also states that the process of reentry is intertwined with numerous developmental transitions not experienced by adult offenders.

In addition to community factors, the youth's personal variables may impact their adjustment outside the correctional facility. Halliday and Graham (2000) found that young people who demonstrated high primary control (efforts to change the environment to fit the self) were strongly associated with less misery, more hope for a successful future, and a greater appreciation of the impact of their criminal behaviours. In contrast, youth who accepted their reality, without trying to alter it, described more misery, less hope for a successful future, and less recognition of the impact of their illegal acts (Halliday & Graham, 2000). The authors also found that the participants who were rated high on both types of control were more likely to re-offend within the first three months of probation (Halliday & Graham, 2000).

In 2002, Hazel, Hagell, and Brazier conducted an in-depth investigation to examine the perception of the experiences of young people in contact with the criminal justice system in the United Kingdom. While the youth entered the legal system with a sense of control over their behaviours, these feelings quickly dissipated. The authors applied a grounded theory approach and powerlessness emerged as a central theme during the investigation. The authors generated a multi-level model of the power differences experienced by the young people in contact with the juvenile legal system. Hazel and his colleagues (2002) stated that while all offenders are governed by judicial powers, their lack of knowledge and their social status relative to adults place juvenile offenders in a more disempowered position than adult offenders. The researchers also

noted that the youth expressed the greatest feelings of distress when several power imbalances were working together.

Youth crime in Canada has been an issue of debate since the first settlers. The responses to young people who engage in criminal activities have been heavily influenced by social and political movements. In order to develop effective regulations and services, it is essential to incorporate the viewpoints of those for whom the legal system was created to serve. To date, valuable information has been gathered from research studies that explored the youth's point of view. Eynon, Allen, and Reckless' (1971) study illustrates how young offenders hold a unique perspective that may not be shared by the adult correctional staff. Perhaps their label in society as a 'young offender' has denied them the opportunities to express their experience; however, the existing literature demonstrates the important information that can be gathered when the youth's point of view is considered.

CHAPTER III: METHODOLOGY AND SAMPLE

Qualitative Research

According to Denzin and Lincoln (1998) qualitative research holds a prominent position in the history of investigating the human condition. The qualitative researcher strives to present an authentic interpretation of the studied phenomenon in terms of the significance it holds in the lives of the individual participants (Neuman, 2006). Denzin and Lincoln (1998) emphasize the qualitative researcher's quest to highlight processes and meanings without scrupulously calculating quantities or frequencies. The qualitative investigator hopes to understand how social experiences are constructed and assigned meaning by people in their natural surroundings (Shank, 2006).

This research approach contains a variety of methods that may be selectively and purposively applied to the exploration of different phenomena (Strauss & Corbin, 1994). Rather than collecting information to evaluate predetermined assumptions, or manipulating the environment for study purposes, the researcher discovers ideas and inductively develops insight from reoccurring themes in the data (Patton, 1990). Since the researcher maintains an intimate connection with the situation and the people within the study, he or she can gather detailed information about participants' day to day lives which may not be discovered through standardized quantitative instruments (Strauss & Corbin, 1990). As the qualitative approach is humanistic and naturalistic, the investigator looks to respect the contexts and the stories of all participants. While the researcher remains close to the events and the people under study, he or she must, at the

same time, be conscious of the influence their presence may have on the participants (Patton, 1990; Taylor & Bogdan, 1984).

Provided that the proposed research study seeks to investigate young offender's perceptions of their experiences within the Canadian youth justice system, a qualitative approach is deemed most appropriate to addressing the overall study questions.

Grounded Theory

Grounded theory includes the intensity or concentration of qualitative methods with the systematic examination found in quantitative techniques (Charmaz, 2006). During the 1960s, two sociologists, Dr. Barney Glaser and Dr. Anselm Strauss, disputed the common belief that quantitative research was the only valuable method of inquiry. Glaser and Strauss (1967) argued that qualitative research could stand on its own as a useful means of producing important research and could generate theory. This methodology is similar to other types of qualitative methods in its examination of multiple sources of data, but differs with its emphasis on producing a theory and its exploration of the processes undertaken by the participants related to the studied phenomenon (Strauss & Corbin, 1994). Glaser and Strauss (1967) stressed developing an analysis of the actions and processes. They promoted the basic social processes that the observer discovers in the field. The authors note that process is difficult to define, but occurs naturally and is present in all data. The observer should not dig for the process, but allow it to emerge on its own (Glaser, 1978).

Glaser and Strauss' (1967) methodology includes orderly, but flexible, guidelines for gathering and analyzing the data to build a theory grounded in the data. These

guidelines are not rigid rules (Charmaz, 2006), but allow freedom for originality (Strauss & Corbin, 1994). The theory will develop as a result of simultaneous data collection and analysis during the course of the investigation (Glaser & Strauss, 1967). The analysis occurs early in the research process to focus additional data collecting and in turn the focused data refines the investigation (Charmaz, 2005). The researcher generates codes and categories from the data not a preconceived hypothesis (Glaser & Strauss, 1967). This approach has been termed the constant comparative method, because the investigator is continuously comparing the data to the initial data set as it is collected (Strauss & Corbin, 1990). Glaser and Strauss (1967) state that the objective of the grounded theory approach is to assemble a theory that is reliable and sheds light on the topic under investigation. The observer begins with an area of study and what is relevant to the studied phenomenon will surface.

Generating grounded theory is time consuming. According to Glaser (1978) and Strauss and Corbin (1990), a completed grounded theory must fulfil the following criteria; fit, usefulness, relevance, and modifiability. The categories and the codes must be developed from an analysis of the data. The categories have to match the data they include. The theory should be useful by describing what is occurring and predict what will happen. The theory should also be relevant in explaining actual problems for those involved in the study. In addition, the theory should be modifiable allowing the researcher the ability to alter the analysis as the circumstances change or additional information is gathered.

Although grounded theorists encourage researchers to use varying sources of information (Charmaz, 2006), Glaser and Strauss (1967) suggest that all observers

include memo-writing when conducting research. The technique of memo-writing prompts the researcher to analyze the data early in the research process. According to Glaser (1978), it is not true grounded theory if this process is overlooked. The memo-writing compels the observer to reason through the categories and to identify any gaps in the data without making premature conclusions.

Interviewing

According to Charmaz (2006), grounded theorists often use intensive interviewing because it permits an in-depth investigation into the area of study. This approach goes beyond the typical or surface discussions that occur on a daily basis. According to Seidman (1991), interviewing promotes storytelling which in essence is a “meaning-making process” (p.1). The participants assign meaning to their narratives when they choose specific details of their experiences, reflect on them, and present them in a thoughtful sequence. If the research’s objective is to comprehend the meaning people assign their experiences, Seidman (1991) states that interviewing provides the most appropriate method of inquiry. According to Kvale (1996), the participants respond to the questions provided by the researcher, but they “themselves formulate in a dialogue their own conceptions of their live world” (p.11).

The aim of individual interviewing is to present the researcher with a “tale that does justice to the subjects’ stories of their lived world and that conveys new and valid knowledge and insight to the listeners...” (Kvale, 1996, p.80). According to Vaughn and her colleagues (1996), this form of data collection provides a more complete representation of the area of study. Interviewing brings the observer closer to the studied

phenomenon through a “direct intensive encounter with key individuals” (Vaughn et al., 1998, p. 16).

Theoretical Sampling

Glaser and Strauss (1967) describe theoretical sampling as a means to collect specific information to further illuminate the phenomenon and to fill gaps in the data. Unlike other forms of sampling, theoretical sampling occurs during the research process rather than at the beginning of the study. Glaser (1978) states that the groups are chosen as needed rather than before the research process begins. The goal is not to increase the sample size, but refine ideas and generate thorough categories. When the gaps in the data have been filled and there is no new information surfacing, Glaser and Strauss (1967) say theoretical saturation has occurred.

Theoretical Sensitivity

Theoretical sensitivity is the observer’s ability to maintain an intimate connection and understanding of the process while investigating the phenomenon from a distance (Glaser, 1978; Strauss & Corbin, 1990). Researchers come from varying degrees of sensitivity depending on their prior contact with the topic of study. There are a variety of methods employed to gain theoretical sensitivity. Glaser (1978) notes that the first step to gaining theoretical sensitivity is to enter the field with as few preconceived ideas as possible. Some believe that the use of neutral questions and constant comparisons allows the information to speak to the researcher (Glaser, 1978), while others employ particular

procedures, such as, the flip-flop techniques, the waving the red flag technique, and the systematic comparisons (Strauss & Corbin, 1994).

Due to its general methodology, the grounded theory approach is easily adapted to the investigation of a variety of topics (Strauss & Corbin, 1994). The observer focuses on the problem that emerges as the data is collected and analyzed (Glaser, 1978). The systematic, but flexible guidelines, offer the analyst the freedom to manoeuvre through the investigation as dictated by the data while not becoming overwhelmed by it (Glaser, 1978; Glaser & Strauss, 1967; Strauss & Corbin, 1990). The researcher can use the methodology's emphasis on discovering the processes undertaken by the participants related to the studied phenomenon to explore the connection between individuals and social structures (Charmaz, 2005). Glaser and Strauss (1967) encourage the observer to maintain an intimate connection to the phenomenon, while retaining some distance. The data reveals the respondent's actions, feelings, and opinions as well as the context (Charmaz, 2000). While the existing literature has noted a range of interconnected issues related to a young person's contact with youth justice, the grounded theory approach is well suited to explore the complexity of responses of these young people to their direct experiences within the youth criminal justice system. The study seeks to generate a theory about the young offenders' perceptions that can be used as a model for conceptualizing and designing programs that are responsive to the needs and lived-experiences of young people within the youth criminal justice system as they adapt and adjust to the nature and challenges of these experiences.

Sample

The sample consisted of 7 (6 males and 1 female) young people who have had direct contact with the Canadian youth justice system. The participants were aged between nineteen and twenty-five years old, inclusive with an average age of twenty-two years old. Effort was made to seek variation in age, gender, nature of the offence, and type of sentence. Participants were drawn from contacts within community justice agencies and youth-serving organizations in the Halifax Regional Municipality (HRM) and Moncton, New Brunswick.

Procedures and Data Gathering

The sources of data for this project were young persons who have had prior involvement with the youth justice system in Canada. Individuals were recruited from contacts in community justice agencies and youth-serving organizations in the Halifax Regional Municipality (HRM) and Moncton, New Brunswick. Once the research proposal was approved by the thesis committee and the University Research Ethics Board, the Nova Scotia Department of Justice was contacted to ensure this study met their established research policies and procedures. However, the present study did not receive research approval from the Nova Scotia Department of Justice. Therefore, recruitment for the current study was limited to young people who had completed their sentence and were no longer under the direct supervision of the Nova Scotia Department of Justice. Due to the lack of available participants in Nova Scotia, one participant, who was involved with the youth justice system in the province of New Brunswick, was recruited through the student researcher's employment contacts. Ethics approval was

obtained from University Research Ethics Board prior to conducting the interview with the participant from the province of New Brunswick. Once an organization was identified, a contact person received a copy of Letter of Information (Appendix A). The student researchers provided the contact person with additional verbal direction concerning the recruitment of the participants. Each potential participant was provided with a Letter of Information (Appendix A) outlining the purpose of the study and the research process. When a young person expressed an interest in the research project and verbally consented to participating in the study, they were asked to sign a Letter of Consent (Appendix B). The Letter of Consent included information regarding voluntary participation, confidentiality, rights to discontinue and/or withdraw from the study, and safe storage and disposal of the research materials. The signed Letter of Consent signified an agreement to participate in the proposed research study. Given that all the participants recruited from the various cooperating organizations were the age of majority (nineteen years old), parental/guardian consent was not required.

Once the Letter of Consent was signed by the participants, the student researcher and the respondent arranged a convenient meeting time and place. The student researcher and participants were provided with a private room, at the facility of the cooperating organization, in which to conduct the interviews. A list of interview questions (Appendix C) guided the discussion process. Before the interview began, the respondent were asked to complete a Demographic and Background Information Survey (Appendix D) intended to provide context, cross-participant comparisons, and confirmation of the data collected during the interview. Given the sensitive nature of the topic area and its personal significance for the participating young people, particular mindfulness was given to the

importance and benefit of establishing conditions of trust, comfort, openness, and respect within the student researcher-participant relationship and interview context. Prior to the interviews, the student researcher attempted to arrange a form of contact with each participant through a face-to-face meeting, a telephone conversation, and/or email contact. Further, to begin the interview session, the student researcher initiated the discussion by inquiring about the nature of the participant's involvement in the youth-serving agency and their current daily activities (such as school, work, or leisure). The interview session was audiotaped and a notebook was used by the student researcher in order to discretely record and retain useful supplementary information including the student researcher's impressions/observations during the interview. Following each individual interview, the audiotapes were transcribed verbatim by the student researcher and two copies of the transcripts were made, one for each coder (the student researcher and her thesis supervisor).

Data Analysis

In grounded theory, the process of analyzing the data consists of a series of coding procedures. According to Glaser and Strauss (1967), coding the data is an important link between gathering the data and generating a theory. Coding involves breaking the data down, evaluating it, and then placing it into categories. During the coding process, the researcher identifies what is occurring in the data (Charmaz, 2006).

Glaser (1978) suggests using gerunds when defining a code to keep the data dynamic. Active codes and categories preserve the participant's experiences by providing insight into what the respondent is doing and what is transpiring in the

situation. Gerunds keep the researcher focused on dynamic processes which prompts the analyst to consider the sequence of events.

During the initial coding, the observer remains open to all possibilities while immersed in the data by conducting a line-by-line analysis. According to Glaser and Strauss (1967), the line-by-line analysis keeps the researcher attuned to the participant's perceptions of their world. The data is broken down into fragments and compared for similarities and difference. The analyst pulls the data apart, compares it, and labels the parts to summarize what the section is about and then each section is placed into a category. Glaser (1978) states that this phase is completed when the researcher notices a possible theory develop that contains all the collected data.

After the observer has established a strong direction for the analysis, the researcher uses the most frequently repeated codes to filter through larger quantities of data (Charmaz, 2006). One of the main objectives is to establish the sufficiency of the initial codes for placement in a category (Glaser, 1978). The final phase of coding is to amalgamate the data around a main theme to produce a theory. The researcher establishes how the initial codes that emerge during the first phases are related; moving the emerging proposition towards a theory (Glaser, 1978).

In order to improve the *dependability* and *credibility* of the analysis of this present study, multiple sources of information were collected (individual interviews and demographic and background information surveys) and two coders (the student researcher and her thesis supervisor) were utilized during the analysis of the data (Kvale, 1996). Rather than examining consistencies across multiple observations, qualitative investigators view the *reliability* as being the agreement between what has been

documented and what truly occurred (Kvale, 1996). The transcripts were reviewed regularly in order to maintain familiarity with the research material for the purpose of clarity. In addition, to guard against biases, *triangulation* was employed. Triangulation refers to the process of incorporating multiple sources of data (individual interviews, memos, and demographic and background surveys) in order to enhance the generalizability and the study's value for other situations (Marshall & Rossman, 2006).

Ethics

Transparency in the present study was provided through a detailed explanation of the research process to all parties involved. Prior to consenting to participate in the study, the community service agencies and the potential participant received a Letter of Information (Appendix A) and contact information for the student researcher, her thesis supervisor, and the chairperson of the University Research Ethics Board. Any research-related questions or concerns, prior to the interview, were addressed in person, by email, or by telephone.

Confidentiality was maintained throughout the research study. A coding system was employed to protect the identities of the respondents in the recording and transcription of the individual interviews. Only the student researcher and her thesis supervisor were privy to the identity of the participants. During the transcriptions of the audiotapes, the student researcher excluded any direct references to names of people, names of places, dates, events, and any other identifying elements. The respondents were informed of their voluntary participation. In addition, the respondents were informed of the research process, of their right not to answer any question they do not want to, and of

their right to discontinue and/or withdraw from the interview (and research) at anytime without repercussion. While the associated harm of participating in this research study was deemed to be minimal, the participants were advised that recounting their experiences could evoke strong emotions. The student researcher assured the participants that she was available for immediate support during or following the interview as well as for referral, if needed, to support services in the community.

In addition, there was proper storage and disposal of the research materials. The audiotapes obtained from the individual interviews were stored in a locked cabinet at the residence of the student researcher until they were completely transcribed and the research study was concluded. In addition, all research-related material produced on the student researcher's computer was safeguarded with a password. Within three months of the internal publication of the research study, all research materials will be placed in the Mount Saint Vincent University documents' bin for disposal and destruction.

CHAPTER IV: RESULTS

The youth participants offered valuable information concerning their psychosocial experiences within the Canadian youth justice system. Through individual, semi-structured interviews, the respondents provided personal insight and an understanding of their thoughts, feelings and behaviours with regard to their lived experiences within the youth justice system in Canada. The young people also offered suggestions for improving the current youth justice system in Canada. In addition, they made recommendations concerning necessary community-based programs and support services that, they believe, would assist in reducing the number of young people who engage in criminal activities. The following major descriptive and representative categories emerged from a systematic qualitative analysis of the data and serve to organize the discussions of the research findings: *Transitioning through the Law; Home Life; Young Offending Life and Youth Justice Experiences; and Post-Young Offending Life and Future Outlook.*

TRANSITIONING THROUGH THE LAW

Youth participants described a number of physical, emotional/psychological and social transitions, or movements/adjustments in their experiences within the youth criminal justice system. Within these changes and their adaptations, youth outlined various strategies they undertook to manage and cope with sometimes expected, sometimes unexpected (and unwelcome) outcomes and ‘next steps’ in their young offending experiences and situations. These transition points or periods occurred both internally and externally, permeated and accompanied their experiences and, at times,

served as sources of reflection and planning for the future. These *transitions* represented internal and external turning points in their involvement with crime and are occur within the contexts of the other major categories.

Movement Back and Forth

Several youth participants described experiencing forms of movement or adjustment, both internally and externally during their involvement with the youth justice system. Some examples involved larger functional or procedural transitions, such as facility transfers, court appearances, and follow through involvements/actions related to judicial decisions and sentencing conditions (e.g., trial and sentencing delays and numerous residential placements). In addition, youth discussed significant fluctuations in their thoughts and feelings, related to themselves and others, both during their active criminal lives and their times within the youth criminal justice system. For these youth, such experiences of heightened thought and emotion, combined with other changes and transitions they were experiencing, often involved moments of deeper personal reflection on their lives, past, current, and future:

To and fro. (Youth A comments) I went to court...I couldn't get bail. I spent four months in (name of facility). The freedom was gone, that was the most of all the things that I thought about...I just thought about my family, my freedom and why did I do this and I shouldn't have done this. If I had done that I wouldn't be here. [I] went back to court, the crown opposed my release again unless I was on home-arrest, so had to go back to court, again. I did the home-arrest, got a job, did good. I was working at (name of store) while I was on house-arrest. I went back to school.

When I went back to court for sentencing, the judge sentenced me the remand time, that four months was taken into consideration. [He] gave me a year probation with curfew and another year probation. I did that for a year and half, I got another charge and I was put on curfew again waiting for the trial for about a year and half...this is even before we went to court. The date [of the trial] kept

getting put off. I was following the image, I wanted to be known in my community for selling drugs. That is what I was thinking when I was younger. I am still trying to figure myself out...I just think like I have opened my eyes.

(Youth B comments) I remember I was upstairs in my room and the cops just showed up at my door...I was mad towards everyone, the system, just mad. I thought that they (family relatives) had told on me, right? They must have found some things that I had. I was mad towards them, but I knew it was my fault. If I hadn't done those stupid things that I had done, I would have been there (to support pregnant girlfriend) and that stuff still bugs me now.

During the six months while I was sentenced, I got transferred about seven times. I was mad at me, but it was kind of hard to take it out on myself. Mostly anger and violence got me transferred from place to place. It made me know that I am never going back to jail, never. I got out when I was seventeen and I never broke the law, I have done nothing in years. It taught me my lesson.

(Youth C comments) That time when I almost killed that kid, that really changed my way of thinking, but it didn't change what I was doing. I knew that I wasn't going to stop. I don't know why, but for some reason I knew that I wasn't going to be doing that for the rest of my life. I just couldn't stop now because I needed this, I needed this family (gang membership). I loved this family, I loved the power, I loved the control.

Reflecting on self and others. I had a lot of time when I was sentenced to think about myself. I felt stupid... disappointed towards everyone, those who I thought had my back.

I had nothing but really negative influences in my life. I knew that my mother was always going to be there and I think I took advantage of that because a mother's love is unconditional. I had to have these guys' (gang members) love to survive, [but] their love was not unconditional, it had conditions. I almost lost my biological family because of it.

Why did I do that, because I had the money on me. I think I just did it because it was cool to do. I look back at a lot of things and I see I could have been a better person. Now that I look back at all that, that game that we started off in, we really didn't know the serious consequences of it. It really damaged my life, big time.

Forming/Changing Relationships

For many participants, their experiences within the youth justice system led to the creation of new and/or changed relationships in their lives. One participant described developing a strong romantic connection with a fellow custody resident, which eased some of the negative effects of being incarcerated. He stated that they could understand one another since both had experienced similar upbringings. Another youth had also developed positive relationships while he was in custody (with a custodial staff at the youth custody center and a fellow inmate), as well as amended his long-standing, negative relationship with his grandmother, through regular visitations and increased communication:

We (participant and fellow resident) started as friends. We both came from similar families. She was a foster kid. I was a foster kid too, so I kind of knew how it was. We just ended up talking all the time, eventually we just got close and after a while we began dating.

I talked to one guy (custodial staff). I really talked to him and he said, “You don’t look like the type that belongs here”. I was crying, right, I was missing home, right. He would come in and we talked...

We (participant and fellow young offender) just started talking and we bonded. We talked, alright, nice serious conversations.

I was talking to my grandma; I would talk to her more. Before, I wouldn’t really talk to her about my life...while I was in there, I was missing everyone and I just realized that she’s my family.

For yet another youth, however, contact with the youth justice system had resulted in a deteriorated relationship with his mother that left him feeling abandoned of care and support:

I figured I had become an inconvenience to my mother...she [used to] have all the time in the world for me, so these guys became my family, they became people I cared about, it seemed like there guys were the only one that cared about me. I

lived with her until I was fifteen years old. I had to leave her house because she couldn't handle the stress of the cops showing up at the house, them bringing me home. My relationship with my mother was not good during that whole time. I seldom had contact with her during that time.

Developing Coping Strategies

Youth cited a variety of coping strategies they used to adapt to their experiences within the legal system. For some, this involved such 'turning inward' processes as being compliant and undertaking artistic/personal expression for solace and strength, while for others, coping measures involved making contact with other inmates and/or significant people on the 'outside'. For others still, coping activities and strategies involved the two, reaching outward and reaching inward:

That is when I started writing music, and through music I learned that I was mad, really mad (angry).

I was very shy with everyone so I just went along with whatever they wanted and was nice about it, with the authorities.

I had to focus on the positive; I couldn't let any negative take over.

[I practised] keeping [my] brain focused on doing positive things in the future, because at any time when you are in there, you can just go off.

What you do first is hope to God that you know one person in there...if you don't have that, then you are to yourself for at least a week or a couple of days. I would talk to anybody who was good, guys in there long term, because they had knowledge, you know, their whole cell was full of books and you just talk to them.

I would get on the phone. I remember a couple times drawing pictures of my girlfriend and sisters. I would write them letters back. Basically try to take my mind off of it by working- out and playing basketball and playing football... just doing positive stuff.

HOME LIFE

Youth shared their memories and perceptions of their home upbringings. In doing so, youth described a range of home types, situations, and conditions. For some, their home lives involved positive recollections of parental (including foster parents and family relatives) love, support, and guidance. For many of the youth, however, memories of home life involved negative recollection of inadequate parenting, lack of home support and care, parental divorce, family violence, moral ambiguity, absentee caregivers, and (sometimes early) introduction to criminal activities within their own homes. A majority of the respondents described experiencing numerous family configurations and living arrangements, although most cited their grandparents as constant and significant figures during their upbringing. Some youth described feeling abandoned and/or unsupported by one or several of their primary caregivers at some point during their childhood or teenage years:

I lived with my dad and sister. He was tough on us, he would beat me whenever I did something he thought was wrong, My mother gave us up, so she wasn't around. I was taken into a foster-home, I think I was twelve, it was the best, they treated me good there, but then I was sent back to my father. I don't know why.

I came from a dysfunctional home and my mother had left me mostly with my step-father and my uncle and friends. When I was fifteen, I got kicked out of the house because I was seeing this older guy. I just wanted my mom to accept him. My grandmother has always been a big part of my life, too, because I spent a lot of time there when I wasn't at home.

I moved from the country into the city from the transition of grade six to grade seven. My parents were divorced, so I had to move. I was beaten a lot by my father...he was an alcoholic. I lived with her (mother) until I was fifteen years old. My buddy had just gotten out of jail and was moving into a new place... it was, like, perfect - I will move in there with him.

She (family relative) would give me a beatin' on the bum. My mother was never there for me, right, she was on the streets. My father, too, he was never there for me. He never took care of me since I was young.

Sources of Moral Learning

Home and school. All participants stated that home (including family relatives) and school were major early sources of moral learning and, for most, relatively consistent in their messages related to ‘right’ and ‘wrong’ conduct and behaviour. Some youth, however, recounted experiencing ‘mixed’ or inconsistent messages and modelling of moral attitudes and behaviour between the two sources, with their parents or relatives, while espousing fundamentally principled moral attitudes, nonetheless were witnessed by the youth as children to act contrary to their guidance. For one youth, this involved the accompanying and morally confusing message of ‘don’t get caught’, while for another this inconsistency involved seeing illegal contraband and weaponry in her household (see: Learning about the law, criminal activities, and their consequences):

My parents, my mom and dad mostly, taught me about what to do and what not to do. All my life, they have been teaching me and telling me [to] stay out of trouble, keep the peace, be respectful, just keep the peace.

My parents were always telling me never to steal.

I learned that rules are good and don’t take advantage of them, don’t break them, don’t get in trouble. My grandmother taught me the rules.

Everything I know about right and wrong came from her (grandmother), for sure, because she would never hurt anybody. She was always helping others, she always had empathy for others and she instilled all that into me.

In school, we learned about rules just by having posters every where on the wall. We learned about them by talking about them with the teacher. It was pretty much the same rules as you learn at your house.

At school, I remember there were rules and I would follow them, they were different than the ones at home.

Most participants positively recalled their school experiences, while noting, however, that home and school offered them their earliest opportunities to test, even disregard authority figures. Interestingly, many youth stated that they were more likely to discount the rules of home than school:

School was good for me. I listened to the teachers when I was young, like elementary, but not so much later.

I knew about them (the rules), but I just didn't follow them. I learned from my parents and from my school...I just didn't get along with my parents so I would do the opposite of what they said. At school, I followed them for the most part. I listened to the teachers; they would talk to us in class.

At school, I was very quiet and I was just respectful of the teachers and the principal and everyone around me. But when I got home I was really like, I don't know, something was different at home and I was always fighting with my brother and I was always acting out. I never got in trouble at school, I was always really quiet, did what the teachers told me and did my work and stuff, but when I got home I was a whole different person.

Learning about Laws, Criminal Activities, and their Consequences

Home. Youth participants described a variety of influences upon their developing beliefs and attitudes regarding the law, criminal activities, and their consequences. Many participants noted that family members were key sources of information that significantly influenced their perceptions of, and attitudes toward, the law and illegal behaviours. Two participants described early negative messages they received from their fathers regarding law enforcement, that that they in turn adopted and maintain to this day:

My dad, he really didn't like the cops at all and he had friends that would come over and they were the same. Anytime he saw a cop on TV getting killed or something he would be pretty happy about it. I have never liked cops since I was a kid.

He (father) didn't have any regard for the law. He answered to nobody and I got a lot of that from him. He was his own law. I seen him as saying, you know,

‘[expletive] them, they can’t do anything to me’. I thought nothing is going to happen to me either. I just have a hate on them (the police), I always did.

The youth participants also mentioned learning about particular criminal activities and their possible consequences if apprehended, through growing awareness of criminal behaviours and their outcomes related to their own family members. Some young people described learning about particular illegal activities from relatives who served as their mentors and, at times, encouraged them to break the law:

My dad was in jail for robbing banks [and] he was selling coke. My dad was doing stuff like that and he went to jail, so I actually got familiar with the law by my family being involved with the law. It was normal, it was all normal.

My father, he encouraged it. My father actually thought it was quite funny that the cops would bring me home. He would say, ‘Don’t let them bother you. Do whatever the hell you want’. My dad was just as bad as I was.

My cousin showed me a lot like things... he got me involved into it. Once he seen that I was willing to help him out with things, he did ask me, like, ‘let’s do this and make some money’.

Somewhat similar to the earlier noted discrepancy between the ‘moral’ messages they were receiving between home and school, one participant spoke of the confusing and conflicting messages she was receiving related to criminal activity between the various family households in which she lived:

Some things (illegal acts) were ok and some things weren’t. I was allowed to go where there were guns in [one family’s household], but my [family relative] kept saying, ‘Don’t let her go’. I had seen the drugs and everything and it was ok because they were in the house, but going and beating somebody up and robbing them or breaking into somebody’s house was really not ok... probably my [same family relative] gave me the most positive things about the law.

School. Of note, only two youth participants recalled learning about laws, criminal activities, and their consequences from their school settings. For one youth, the information and, particularly, the positive view toward the law, was consistent with such

respectful attitudes expressed at home. For another youth, however, the discrepancy between values and attitudes toward the law conveyed at school were personally challenging and upsetting when contrasted with the criminal behaviours she witnessed at home:

My parents saying don't steal, you could go to jail...I took a law class at school and I did a lot of research about laws, like the youth crime act, for my class at school, for that law class ... they were all saying a lot of the same things, really.

I didn't know that drugs were illegal until I was in grade seven, because they were always in the house. [Yet] they taught you at school, oh! Drugs are illegal!

Peer group. In addition to family members and school, some participants stated that they learned about breaking the law and committing specific criminal acts from others within their peer groups, particularly those who tended to be older and more experienced in such behaviours:

I was seeing this older guy and this older guy had friends. They were making credit cards, so from the age of fifteen until eighteen I was using these credit cards. They were giving me ID with my picture and different names on them. They were very, very organized about it

Friends who were involved in criminal activity. I was watching and learning from them and what they were doing. I didn't care if it was illegal, if I wanted money, then I would go and get it. I guess those thoughts were because my buddies thought like that. I got it from them.

I was doing it (stealing) with this girl from school. She was actually doing it first. I knew she was doing it and she told me about the mirrors and how to watch out and stuff like that so she kind of helped me with that. I just became into it after I started hanging around with her.

Criminal activities just came with that game, came from the people who showed me love, it came from the people that I seen every day, I was around with every day and I seen how they were living and seeing how they could do anything they want, they could buy anything they want.

Community. One participant noted the influence of his community on his moral learning and attitude about the law. As this youth recalled, although he received many positive messages about the law and legal authorities from his home, the attitudes and behaviours of his community were modelling for him quite the opposite:

I learned about the law and that they are good people, that the police are there to help us, from my grandmother and my mother. But, where I am from in my community, they look at the law like they are bad people, because they are always harassing ...like, they were probably not harassing, they were doing their job, right, but the older guys think they are bad. My neighbourhood was rough. We feel that you gotta do this type of thing to fit in or do these things to get respect, to be cool. Prison 'round my way is, like, if you go to prison then you are mature and you are somebody now. I was young and I was there watching. In the neighbourhood, it was just here, right, it was always there.

Culture. Two participants described negative cultural/societal influences, particularly different forms of media upon their attitudes and behaviours toward the law, law enforcement personnel, and the commission of illegal activities. For these youth, the violence and lack of respect, and even hatred, toward the law and legal authorities, served both to promote and reinforce their own developing values and attitudes toward the law, providing, for one youth, practical information useful to his breaking the law:

TV shows like Cops or Unsolved Mysteries... I learned criminal stuff through TV...certain shows that would show criminals.

A lot had to do with the music I was listening to. The music was saying [expletive] the police, they are not good. They treat people with no respect, they don't like us, they are racist, they are prejudiced, they are hateful.

Personal experiences with the law. Two participants stated learning about laws, particular illegal activities, and their consequences from personal experiences within the youth justice system. In reflection, one youth wished that he had learned of the law and

its consequences at a younger age in order to inform his later choices. For another youth, the absence of early and direct teaching from his father is regrettable:

I learned about laws when I stole something. I learned that you can't just take something from a store and get away with it. I think I was thirteen [years old] and that's kind of old. I should have learned a lot younger about the criminal justice system.

The only think I knew about the law back then was because I was living in the country and I had a dirt bike and if I got caught driving that on the street, I would get in trouble. They would bring me home and I would get a fine. He (father) never taught me the ins and outs of the law until I was getting in trouble.

YOUNG OFFENDING LIFE & YOUTH JUSTICE EXPERIENCES

Early Young Offending

Youth participants cited a range of ages (nine years old to fifteen years old) at which time they committed their first criminal offences. Their early criminal activities included break and enter, theft, assault, and driving without a license, with theft being their most common first criminal offence. One participant described the ease of stealing from a local store:

I just went it and put it in my pocket and left. I could just go in there and take it really easily.

Many youth recalled feelings at the time of pleasure and excitement, yet also fear, while committing these initial acts:

I was feeling kind of hyper, my heart was just racing. That was the first time ever stealing something.

It was fun to have them (the police) chase me on my dirt bike.

First, I was scared when I took it. I thought I was going to get caught, but then after I had it, I was like, yeah! I have chocolate bar, cool!

First arrest. For many of the youth, their early criminal activities resulted in their first contact with law enforcement and the youth justice system. Their attitudes and behaviours, at the time of their arrests, were mixed. For some, their apprehensions were consistent with the early negative messages they had received regarding law enforcement and their existing negative attitudes toward the law. They recalled being indifferent, arrogant, and/or angry towards the legal authorities. One participant, however, recalled feelings of nervousness and vulnerability during his apprehension by the law:

I got brought home by the cops, All I thought was, ‘oh, I got brought home by the cops, who cares?’.

The more I could do to get them (the police) mad at me, the better I felt about it, because I knew so much about the law. I knew what I could do and couldn’t do and what I could get away with doing. Knowing they couldn’t do any about it, I would feel good. It would make me feel sweet.

When I got arrested, I was a bit of a hard ass. I wasn’t going along with anything they said. I didn’t care. I had a lot of anger and aggression towards the system, the government, the police.

Scared, really nervous. I was scared of the place, the police station, just didn’t like being in it because they had authority over me, I was pretty quiet towards them, didn’t say much.

Others, still, spoke of the fear they experienced, particularly toward the prospect of jail and possible prison brutality:

I remember I was mad and I was kind of scared at the same time. I thought they were going to put me in jail. I just thought people were going to beat me up.

Sacred, I was scared. That’s like the worst place to be, always in my head, in jail. I knew I was getting caught for something bad and I didn’t want to go there. You hear about in prisons, people get like sodomized... probably my biggest fear.

Of note, one participant received a warning from police when he was arrested. The police officer invited the youth and his parents into a meeting to discuss the seriousness of his criminal behaviours. The respondent had a positive recollection of that encounter with police:

I thought they were good people, because they didn't give us a hard time. They really just got our parents, talked to us and our parents. [They] explained to us what we were doing was wrong and why we shouldn't do it, because this is what can happen, we can end up in a jail cell. I was ok with them.

One participant spoke of the confusion she experienced following her release from police custody regarding procedure for contacting legal representation:

I really didn't know what to do at the time when I got arrested. You get sent home and I didn't really know where to go, how to contact legal aid. That's all they say is contact legal aid, but I didn't know. Nobody ever said where to go. It was really confusing.

First court appearance. Many participants described feeling uninformed and vulnerable during the court process:

I was nervous for sure. I wasn't sure what was going to happen to me. I really didn't know what I had to do or say. I didn't know how to defend myself. I thought it was wrong to say anything.

I was nervous, I had butterflies. I just didn't know what was going on, if I was going to jail.

The majority of the youth participants were represented by public legal aid services during the court proceedings, although not always to the liking or satisfaction of the youth. One youth, however, maintained a positive recollection of his appointed legal representative, recalling feeling regarded and informed:

I realized that lawyers are there to help out the judge more than anything. He is going to tell you whatever to make it faster.

Duty counsellor doesn't care, they are just like, 'Oh, ok, we will get back to you', and then they make you wait.

I had a good relationship with my lawyer. He would talk to me and ask me stuff and he was alright.

Of note, one participant stated that the accessibility of the courthouse was the most challenging part of being involved in the youth justice system. He stated that the courthouse was a long distance from his community and he found it difficult to find affordable transportation:

Just getting to court, just trying to figure out how I was going to get there.

First sentence. Youth recollected a variety of personal thoughts about their court sentences. Participants who received community service hours generally, with one exception, thought their sentences to be fair and had positive comments about their experiences fulfilling their sentences. Another participant, however, who had received several fines for driving without a license, recalled being indifferent to the court decision and uncaring about the fulfillment or not of the sentence:

It (sweeping floors at a community hall) was alright, it wasn't too hard of work.

I thought community service was ok. I actually enjoyed it because I got some clothes from it (stocking shelves at a thrift shop).

I hated them (sweeping floors at a nursing home). I don't know if sixteen is kind of young to go to jail, but at the same time something needs to be done... so, yeah, it was good, even though I hate them.

I never actually got in any real trouble except for the fines and all the fines were taken care of by my parents or they were just not paid.

Many youth participants stated that the court-imposed curfews were the most difficult part of being involved in the youth justice system. For some youth, the court imposed a

curfew prior to their trial, while others received a curfew as part of the conditions of their probation:

I am thinking that I am grown, if I don't listen to my grandmother's curfew, why do I have to listen to these people

Becoming criminally proficient/gaining status. Many youth participants were undeterred from engaging in further criminal behaviours following their early experiences within the youth justice system. In fact, one participant recalled developing welcome new skills and information about illegal activities. Similarly, another youth recalled becoming more vigilant about his criminal activity following his first involvements with the youth justice system as a benefit of the experience:

I didn't grow from it; I didn't learn from it, I got worse, actually. I didn't stop my criminal life style. I didn't stop committing crimes when I learned that you couldn't do certain things. I just gained more knowledge of it, of crimes.

I knew I had to be a little more careful of what I was doing. Everything became a lot more discrete.

For some respondents, their contact with the youth justice system brought them status within their community or peer group. For these youth, such hard gained notoriety provided a number of much sought and coveted attributes, including personal pride, respect from others, maturity, power, and credibility:

I felt like now I am a man. I am somebody now, I got charges, now. When you are young and you are living in a high crime neighbourhood, it's like you want to get charges, it's cool to prove yourself. Prison 'round my way is, like, if you go to prison, then you are mature and you are somebody.

It was time for me to sit back and enjoy it because I had paid my dues. I had put in my work, I had gained the respect, I did everything. It was like you have to start off and have to do so many things to become this and I did everything to become this and now I could sit back and all those people were taking orders from me.

One participant, who was never caught for his early criminal activities, recalled becoming increasingly proficient in his breaking the law. He described learning additional skills from a family relative who originally mentored the youth in his early illegal activities. Interestingly, his first contact with the youth justice system did deter him from engaging in further criminal activities:

After awhile, I got better at it, like it was more organized. I learned what to watch for. I never actually got caught first hand for anything I have ever done. Like, I was good. My (relative), he showed me some things, like how to cover your tracks. I got into worser things and he taught me how to hide...It made me know that I am never going back to jail, never, no way is that happening again and it hasn't. I got out when I was seventeen [years old] and I never broke the law again. It taught me my lesson.

Later Young Offending.

Some of the youth participants continued to commit similar criminal activities, while others engaged in new and expanded illegal behaviours, for example assault and fraud. For most, their activities led to further arrests and convictions.

Second arrest. Interestingly, most youth who experienced further arrest recalled becoming further entrenched or more deepened in their initial feelings toward the experience. As such, one youth's thoughts and feelings at the time again mirrored the negative messages he received from home regarding legal authority and the loathing he had for the police had increased. For another youth, her fears of jail heightened further, while for yet another youth, his positive impression of the police had only become reinforced:

When the police showed up I spat on them, I hit one of them, it was bad. I was really drunk at the time. I was calling them everything from the highest to the lowest. I was calling them everything I could think of. I was doing everything I could do to piss these guys off...I felt like I was being treated unfairly.

I was scared that this time I was off to jail...I wasn't mad at anybody like the police, just really scared.

I wasn't thinking much about them, the police...I think they were treating me fair.

Second court appearance. For some respondents, their second time in the court room was a less fearful experience, owing to their feeling more informed about the court process and of the possible outcome(s) for their offence(s):

Nervous, but I knew more about what was going on, so not as nervous.

I didn't say much. I didn't think or feel nothing about the system. I was more thinking about my family and what I did. I didn't fear it because I beat charges before.

Experiencing Restorative Justice

One participant who was charged with assault was required to pay restitution and participate in a victim-offender reconciliation meeting. Although the victim-offender reconciliation meeting did not occur, the participant did have a positive attitude about this component/provision within the Restorative Justice process. Another youth also thought positively of the Restorative Justice process in that it provided him with the opportunity to speak directly to the victim of his crime and to express his sincere regret for his actions. In addition, the participant noted that his involvement in the Restorative Justice process demonstrated to his family his commitment to changing his behaviours:

I think it was cool, the meeting was a good part...I think I should pay for it (paying restitution), seeing that I was responsible for what happened.

It was good because I got to tell them how I felt about it and I got to apologize for my action, my behaviour...it was a good experience. They (the Restorative Justice personnel) did help me. They gave me the chance to start over, because I worked hard on my community hours at the hall and the letter I wrote, my parents sees, my whole family sees how much I am trying. So they know I want better.

Experiencing Incarceration

Positive experiences. Some participants had positive recollections of their experiences in a youth custody facility. For one youth, the custodial programs/services provided a supportive environment to learn and develop prosocial skills. For others, time in custody exposed them to activities they would have neither participated in nor had access to within their own communities:

We had programs and talked about stuff in general. Like, stuff we have to work on every day. It was good.

I didn't like to go (to jail)... but it changed me, it changed my mentality on life. It brought me closer to the Lord; it got me mediating every day. I read six or seven books that really changed my attitude and where I want to go. So, jail is not always a bad thing. It's how you take it and what you do with it.

They try to keep you occupied as much as they could. I thought that was pretty good. All in all, it wasn't bad. Life in secure custody, some of it I actually enjoyed. Weekends we would go to the pool. I never did that before. This other place had a full gym and there was actually an ex-boxer there, so he was teaching. There were a lot of things compared to where I grew up there that were better, like these outings.

Negative experiences. Many youth recalled feeling lonely, uninformed, restricted, and infantilized during their time in jail:

I was far from home and I got transferred so much, so they never became familiar faces and I was alone and I couldn't speak to my girlfriend. I couldn't do nothing, so I was always by myself. Sometimes, I was mad because I didn't like where I was. Like some places, they thought they were too much like God. Some things were clear, and some things weren't about why they were transferring me.

All I was thinking about was my family, how much I miss the outside. It's not a camp where you can go and have fun, they have rules and regulations. So I was like, oh my freedom, right? Every time I would go and eat, I had to walk in a line. Going to bed at 9:30pm., I am seventeen years old and I am being treated like a child.

One participant described his experience of being strip-searched upon arrival at the youth custody facility as one of fear, powerlessness, deep humiliation, and life-altering in its effect:

All I kept thinking was how can they be doing this to me? Who is going to stop them? I couldn't do nothing. I didn't trust them and I never did while I was there. I am not close with guys, I know that changed me.

POST YOUNG OFFENDING LIFE AND FUTURE OUTLOOK

Youth participants discussed their needs while in custody and during their formative years, the consequences of their criminal behaviours, their positive supports and resources, and their outlook on the future. In addition, the participants offered their assessment of the current youth criminal justice system and presented recommendations for its improvement:

Needs during contact with youth justice system. While in custody, some participants recalled needing such tangible items as money, healthy food, and cigarettes, while others spoke of needing contact with friends, family, and others on the outside. For one youth, his need for outside contact was heightened by his reluctance to connect with fellow inmates:

Attention from home, positive attention from home, for sure.

Friends were something I missed quite a bit, I couldn't hang out...there were people, most of them were like me and same people (fellow inmates) don't get along well. Like everybody is trying to be the top guy and they all end up getting mad at each other.

One participant spoke about needing treatment for an eating disorder. The youth stated that youth justice personnel and family relatives were aware of the disease, but a treatment plan was never developed:

My eating disorder, I have had it since I was twelve years old and that has totally controlled my life. I have always needed some kind of intervention with that, but I have never gotten it and people (probation officer and family relatives) knew about it, but I never got help.

Needs during formative years. Most participants recalled they needed a positive role model during their early years and later during their involvement with the youth justice system. For the males, that model was often an adult male figure, and preferably for some their father:

I was needing a role model, I was needing somebody to show me and somebody to let me know that there is other things that you can do. There is other [expletive] that you can do. You can make just as much money.

I needed guidance, I needed someone to teach me, not even teach me, someone to just tell me this is what you are going to be in the future. Like, you will still be here and it gets worse.

I needed a mentor at that age. If I had had a mentor or a father that was in my life, I would never been like this. I was stupid, I needed knowledge. I needed someone to show me where I would be if I kept doing these things. I had no clue what I was actually doing.

It is easier to relate to him (father).

Supports. The participants recalled valued family relatives and friends who they felt most supported by during their involvement within the youth justice system:

My family, they were supportive of me.

I had visits every week with my sisters, we have a beautiful relationship

I had one friend who came over (while on house-arrest). We didn't really talk about nothing, just played video games. It was fun. It was the first time I could be myself and not worry.

Some participants recalled positive and supportive relationship with youth justice personnel, such as probation officers and/or Restorative Justice personnel:

My probation officer stood up and spoke for me, saying what kind of family I came from and, you know, it wasn't me but my surroundings that made me be that way and [that] two year there [in the youth custody center] wouldn't do me good. It would just teach me more. I would see him once or twice a months since I was twelve [years old], so he knew me more than anyone and it wasn't just talking about my crimes. He (probation officer) was like a friend. He always talked to me. He made me want to stay out of trouble.

She was the woman that I had to do my community hours with and report to. She talked to me. She told me I could be a better person. When my Restorative Justice and community service hours were over, she was still in my life and would take me to eat.

We (the participant and Restorative Justice personnel) would meet up ever so often. We keep in touch, so she sees how I am getting along. She was offering to help out if I found trouble.

Some participants felt most 'supported' and cared for by their peers who were also engaged in criminal activities. One participant described creating a 'family-like' relationship with a group of peers that offered a sense of familiarity and acceptance, unavailable in his own home:

These guys became my family, they became people I cared about, it seemed like these guys were the only ones that cared about me and they became my family, so I did everything I could for the family (gang) and it didn't matter what that meant. They were all from the same situation, they all didn't have much of a family life themselves and we created our own family.

I had a lot of support from the people doing the same thing as me, so like a little mob posse.

Justification/Motivation for Young Offending

Justifications. Youth participants recollected having various rationalizations for their young offending. For some, the thought that victims of theft or property damage, especially corporations, would be covered by insurance claims served to alleviate their guilt or concerns over their offending. For one youth, the fact that she was stealing in order to provide for her children, acted as a justification for her actions:

I knew it was wrong, but everyone said that people don't have to pay it back. That was my thing. I didn't want people to have to pay it back
I didn't feel bad about it, because I was knew that I never stole from a person. I thought that was wrong, but the way I looked at it, the place that I would get my stuff from had insurance and insurance would cover it for the bigger companies, it's not going to hurt them.

I was trying to get a car-seat and things for the baby, that's what I was using it (fake credit cards) for. I always spent it on the kids. I just wanted to get things for the baby... I knew that I was going to stop, but I just wanted to get everything I needed first and then I wasn't going to do it anymore.

Motives. Youth outlined a range of motives for their young offending. One youth recalled being motivated toward crime as a response to feeling negatively labelled by others, and as a fulfillment of his forecasted criminal activity. For other youth, the prospect of quick money and money they would otherwise not have, resulted in their criminal involvement, while the struggle to meet her daily survival needs (for food , shelter and clothing) served as one youth's primary motivation to offend:

It was like they were making me want to go out and do these things by accusing me of doing these things. You are sitting there and calling me a criminal and I am bad on society or whatever. Well, I will show you who is actually bad on society, I will actually show you what a black sheep can do.

I grew up poor and I worked all the time, but still I could never have enough so this way it was fast.

Our families are poor, you know, we can't afford to actually ask our parents every day for money, it just don't work like that where I am from.

I understood that was wrong, but I was fifteen [years old] and I was out on my own and thought whatever, right. That was my way of survival.

Finally, two youth gave particular emphasis to their seeking and gaining of power, status, acceptance, and respect from their peers, or within their communities, as principal motivations behind their criminal activities:

I earned their respect by doing things like beating up kids from other neighbourhoods. I think I wanted to be accepted by this group. It was stuff I had to do to gain respect, I had to do it to gain power and I had to do it to gain fear. I had to meet these conditions and requirements to gain respect and love from this family (gang membership).

I wanted that type of respect. I wanted to be known in my community for selling drugs. I think I did it because it was just cool to do. I was more of a follower than a leader. I was following the image, right?

Consequence of Young Offending

Youth participants described the cost of their criminal behaviours on their own well-being and upon the lives of others. For one participant, recognizing the negative impact of his criminal behaviours on the lives of his family members compelled him to exit his criminal lifestyle, while for another youth, deep regret at being unable to support his pregnant girlfriend, accompanied his experience of incarceration. For yet another youth, the anxiety he experienced during his gang affiliation drew heavily upon his personal well-being:

My mother and my sister aren't anything like this and every time I got into trouble it would hurt them. It just really brought me to this point where I didn't want to do that no more.

I wasn't there for my son's mother because she was pregnant and she had to go through all that without me.

The life I was leading was very stressful. There was a lot of paranoia involved with it, you were either worried about the cops getting you, other people getting you... you had to watch over your shoulder all the time.

Outlook on the Future

One participant considered the positive skills he had acquired and developed during his involvement in criminal activities, foreseeing possible useful applications for these, on the good side of the law:

Being on my own made me resourceful and learn how to network by finding out things that were going on in the neighbourhood. It was a good way for me to become a leader, to gain leadership [skills]. I got all my entrepreneurial skills and my everything like that from being on the street. I don't knock that...I want to take all those skills I learned from being on the street and hone it into something positive, like starting my own business. There are some positive things that came from a non-positive situation

Assessing the Current Youth Justice System

Some youth assessed the current youth justice system as too lenient in its sentencing of convicted young offenders. One participant trivialized the community service hours he received as his sentence and felt the consequences should have been stricter. Another youth believed the current justice system neglects to impose judgements that discourage further young offending:

[The judge] just smacked me on the wrist, and said, 'you be good now, and here is some community hours'. It (the sentence) should be more strict, more severe.

The punishments they (youth) receive are very small, it's a slap on the wrist. I am telling you the youth justice system today is a joke. The kids know it's a joke. They are not realizing that it's going to get worse. If you keep giving them these [expletive] punishments, then what the hell are they stopping for? It just shows them that 'I can get away with this', 'I can keep going'.

Recommendations

Youth justice system. One participant suggested that youth justice personnel intervene early in the youth justice process, in order to develop appropriate treatment plans for young offenders. In particular, this youth recommended that front-line staff question and discuss with young offenders any personal factors that may have contributed to their criminal behaviours, by way of developing appropriate and responsive programming that addresses their individual needs:

They don't ask you why you did this. They don't know why I did it. They, for sure, need to know why I did it. They should have asked, 'why did you go and steal something like this, what was the point? So they can give you the proper help, so that we can make the situation, the life, better for this young person.

Community-based services. Youth participants offered recommendations for enhancing and/or creating community-based services and programs, designed to prevent or reduce young offending. One youth highlighted the necessity of youth-mentoring programs and support services for single-parent households. While reflecting on her own childhood, another participant discussed the importance of the youth justice system collaborating with community-based services, in order to intervene when the young person initially enters the criminal justice system:

They (young offenders) have to have Big Brothers or Big Sisters, or some kind of mentor program... some kind of person they can call when they are in trouble, or someone who checks in on them once a week. We have to have some kind of program for single mothers, so that the kid isn't left by themselves.

I think Children's Aid should have been involved in my life from a very early age, but they never were. When I started to get into crime and stuff, you would have thought somebody would have come in then to look around or discuss with me what was going on. Nobody ever asked me.

The role of the family. One participant recommended early intervention at the family level to reduce and eliminate young offending. This youth emphasized the critical importance of regular, informative, and respectful communication among family members in order to provide guidance in and education about the consequences of criminal behaviour:

I think that families need to talk more and let you know that those things are out there. They need to let you know where you can go when it happens. If you want to sell drugs and make bad money, and your boys think you are a big man, here are the consequences. You are on your way to die, or you are on your way to jail.

CHAPTER V: DISCUSSION

The findings from this study provide valuable insight into the perceived lived-experiences of young people who have been in contact with the Canadian youth justice system. During these interviews, the youth participants voiced their viewpoints willingly, with openness and with frankness, as they reflected on their early years, their criminal involvements, and their experiences within the youth justice system. This Discussion chapter is organized by the research questions that guided the overall study.

Research Question #1:

What factors lead young people to engage in criminal activities?

Youth participants identified multiple influences and motivators that contributed to their involvement in criminal activities. Many participants talked about their unhealthy and dysfunctional home environments. They talked about their family members and their peers, who served as negative role models and mentors. These groups and the media became sources of introduction to the nature of the law and criminal offending. The lack of positive guidance and caring connections within their homes led some participants to seek support and a sense of belonging from accepting peers, many of whom were themselves involved in delinquent or offending behaviours. Once affiliated with these peers, and at times in gangs, many of the participants became increasingly motivated by the prospect of personal power, status, financial reward, and the coveted 'respect' of their peer groups.

Research on home conditions related to early and ongoing development of children is extensive. Notably, such research strongly suggests that children who come

from homes in which there exists forms of addiction, violence, child neglect/abuse, parental psychopathology, and a profound absence of positive parental guidance are much more likely to engage in anti-social and delinquent behaviours that lead to criminal offending (McWhirter, McWhirter, McWhirter, & McWhirter, 2007).

Further, research has revealed the ongoing benefits of the development of an early secure attachment and supportive relationship between parent and child and that these are no less significant in adolescence than in childhood (Santrock, 2008). A strong and positive bond between a parent and infant offers the child the caring and security to explore their environment and to develop toward competent independence. The continuation of this early secure relationship into the child's adolescence later benefits the youth in their selection of healthy relationships with peers and other adults (Collins & Laursen, 2004). Studies have noted lower levels of anti-social and young offending behaviours when such positive attachments between a parent and youth had been fostered (Palmer & Hollin, 2001; Thornberry, Lizotte, Krohn, Farnworth, & Jang, 1991). Similarly, a study by Palmer and Hollin (1997) revealed that when a healthy attachment, support, and positive guidance is lacking between the parent and child, or perceived by the child/youth to be absent, then, youth are considerably more likely to engage in anti-social and offending behaviours. The significance of the parent-child relationship and profound influence of the home environment upon the healthy growth and development of the child, speaks to the ongoing need for home supports and parental education and support programming to assist caregivers in reducing risks factors in their children lives, stemming from home conditions and parental behaviours.

In the context of peer influences, studies have noted their heightened effects as children become more social and individuated from their parents (Brown, 1990). This is particularly so as children grow into later childhood and adolescence, when positive characteristics of friendships, such as consistency, equality, and reciprocity, assist in the development of a young person's healthy and secure identity (Brown and Klute, 2003). Positive peer relationships and friendships also allow children, and later youth, to develop confidence to respond, with enhanced competence, to various challenges encountered in their lives and to form closeness with individuals outside of their immediate families (Brown and Klute, 2003). Henggeler (1989) states that a young person's negative involvement with peers is the most significant and consistent correlate of criminal behaviour during adolescence. Several of the interviewed youth in this study stated that they sought out peers for support and the acceptance that was not available in their own homes. These findings support earlier research which has identified that children raised in neglectful/rejecting homes are more vulnerable to unhealthy guidance from negative peers and to be influenced by these peers toward antisocial behaviours (Bednar & Fisher, 2003; Kim, Hetherington, & Reiss, 1999).

Some participants spoke of their desire to obtain recognition, power, and/or credibility within their peer groups. These findings support research which reports that many young people join gangs in order to gain such status, which they view as unattainable in law-abiding contexts (Flannery, Hussey, Biebelhausen, & Wester, 2003). The unhealthy influence of negative peer relationships in the lives of young offenders, and their role in the antisocial and offending behaviours of these youth, speaks to a critical need for youth-oriented programs and services that offer opportunities for youth

to form positive peer relationships. Such mutual and supportive relationships provide for the development of healthy self-images and the acquisition of appropriate recognition within pro-social peer groups.

The present study found that living in high-crime communities was a major factor leading to participation in criminal activities, with some youth participants noting that personal 'respect' was gained not only from their peers but within their neighbourhoods when they engaged in illegal activities, possessed a criminal record, and had possibly spent time in prison. In this regard, studies indicate that a child who perceives his/her neighbourhood to be trustworthy or honest, and feels safe when traveling unaccompanied through the community, is less likely to report emotional and conduct disorders (Meltzer, Vostanis, Goodman, & Ford, 2007). However, when a child perceives criminal activities in their community, such as drug dealing or prostitution (Byrnes, Chen, Miller, & Maguin, 2007) or witnesses violence in the neighbourhood (Patchin, Huebner, McCluskey, Varano, & Bynum, 2006), they are more likely to report engaging themselves in criminal behaviours. Thus, the significance of the child's immediate neighbourhood surroundings upon their healthy development speaks to the necessity for community-based programming and outreach services that engage youth, within their own communities in healthy, pro-social interactions and activities.

Consistent with previous research addressing causes of young offending (Kraus, 1977), many of the interviewed youth noted that a lack of money compelled them to break the law. Most of the participants had grown up in low-income neighbourhoods and viewed committing crimes as the most expedient method of obtaining necessary and desired material goods, both for themselves and others. In this regard, research that

addresses child development and socioeconomic status provides much evidence that children raised in impoverished homes and communities, characterized by high rates of unemployment and limited work opportunities, are at notably higher risk for delinquency (Compas, 2004). Accordingly, young people from low-income families would clearly benefit from increased availability of community-based vocational training programs and job-finding services that prepare young people for lawful employment and other healthy sources of income.

Finally, two participants noted the negative influence of violent and anti-law images and messages they had received from television “cop” shows and certain music and lyrics. As Roberts, Henriksen, and Foehr (2004) note, young people are increasingly taking control of their media choices, with wide-ranging and relatively uncensored access to media sources containing powerful anti-law and anti-social sentiments; this, at time when many vulnerable youth are self-socializing to the adult world. Such significant effect of the media, particularly the viewing of repeated violence upon aggression by children and youth and later criminal behaviour by youth, has been reported for several decades (Huesmann, 1986). Likewise, studies have found a link between exposure to violent songs, self-reported feelings, and cognitions of aggression (Anderson, Carnagey, & Eubanks, 2003; Johnson, Jackson, & Gatto, 1995). The profound influence of the media, in its various print and electronic forms, on the development of young people speaks to the on-going need to educate parents, teachers, and child and youth care professionals regarding the role that the media plays on the developing child, how to foster and support positive media choices, and the importance of inviting open dialogue with youth about the media images and messages to which they are exposed.

Research Question #2:**Do youths' experiences differ depending on their particular criminal activities and their court sentences?**

Youth participants cited a range of criminal activities in which they had engaged, with theft being the most common among these. As a group, they reported having received a variety of sentences, including custody, probation, and Restorative Justice programming.

Participants, who had long histories of engaging in minor theft prior to their first apprehension, tended to minimize the nature and seriousness of their criminal behaviours, and to express more vulnerability, confusion, and compliance during the court process, as well during the serving of their sentences. Two participants recalled, as part of their initial apprehension, fearing incarceration and possible prison brutality. As one youth voiced, “just [for] stealing shoes”, while the other commented, “Ok, I am criminal, but I am not a murderer”. These responses indicate a need for youth to have emphasized by those in authority and whom they respect that consequences exist for actions, regardless of the scale. In this regard, schools and child and youth care professionals might work more closely with parents and directly with youth themselves to convey clear messages about the consequences of personal actions and the law.

In terms of their actual sentences, youth who recalled having positive experiences while in custody were more likely to have had regular and welcome contacts with fellow inmates, justice personnel, and family members. These participants additionally gave positive assessments of the custodial programming/services, in which they had participated and generally acknowledged the overall personal benefit of their involvement within the youth justice system. To the contrary, the youth participants who negatively

recalled their time in youth prison spoke of having kept largely to themselves during their custodial sentence. They also tended to be more reluctant to interact with fellow inmates, and had little or no contact with people outside the prison setting. In this regard, research suggests that young people who seek contact with available social supports demonstrate higher levels of self esteem and optimism when confronted with future stressful situations (Jorgensen and Dusek, 1990). Conversely, individuals who employ avoidant-type coping styles (such as self blame and avoidance) report more adverse reactions during stressful events (Seiffge-Krenke, 2000). Given these findings, young offenders would clearly benefit from opportunities to connect and interact with individuals within the custody facility, such as custodial staff and fellow inmates, as well as with others outside the prison. Sullivan (2004) noted that young people often find it difficult to reconnect with their families and their communities when they are released from custody. As such, opportunities to positively retain connections with family members and friends outside of prison, and to develop healthy relationships with peers (fellow inmates) and justice personnel while incarcerated, may ease many of the social and emotional challenges faced by young offenders, both while in custody as well as upon their release.

Participants who were not incarcerated and served their sentences in community-based justice programs, through one or a combination of making ‘direct amends’ or ‘community reparations’, recalled generally positive experiences with the exception of one youth who felt out of place and awkward with those within his designated community-service setting. This is consistent with research by Gray (2005), in which interviewed youth who made ‘direct amends’ to the victims, through paying restitution or letters of apology, gave positive assessments of the Restorative Justice process and

appreciated the objectives of such programming. They stated that the opportunity to make amends to victims of their criminal offences was an important to them and a valued component of the Restorative Justice process. Unlike the findings of the current study, in which youth spoke making community reparations as an essential first step towards taking responsibility for their criminal actions, Gray's (2005) research indicated that young offenders who participated in 'community reparations' (i.e., community service hours) tended to view these experiences much less favourably. The overall positive evaluation of Restorative Justice programming by the interviewed youth in the present study speaks well of the nature and reception of such programming by young offenders themselves and lend support to the need to adequately fund and develop such alternatives to youth imprisonment

Research Questions #3 & #4:

Which individuals hold significance for young offenders during their contact with the Canadian youth criminal justice system?

Which support and/or programming requirements, if any, do the youth perceive as either beneficial or detrimental within their experiences?

Youth participants recalled, both favourably and unfavourably, family members and youth justice personnel who played significant roles in their lives during their contact with the Canadian youth justice system. For some, their families offered positive support and encouragement, through such activities as letter writing, telephone conversations, and regular visits. In terms of positive family supports, literature has found that offenders whose families demonstrate an active interest, through regular visits, express more positive adjustments during their incarceration as well as upon their release (Borgman,

1985; Kemp, Glaser, Page, & Horne, 1992). Based on such research and the positive responses from the interviewed youth related to the supportive relationships with family members, young offenders would clearly benefit from family-oriented programs and services that encourage positive family interactions.

Other youth reported that lack of positive home support and care continued during and following their sentences. In this regard, one participant's father's own criminal activities and encouragement to ignore the law, significantly contributed to his own feelings of ambivalence towards the law, his criminal behaviours, and his convictions. This negative influence of certain home environments and key family members is consistent with research that has found offending and antisocial behaviours may concentrate in families and can transmit from one generation to the next (Farrington, Jolliffe, Loeber, Stouthamer-Loeber, & Kalb, 2001). Given the profound negative influence of families who are involved in criminal activities upon their children, young offenders serving their sentences in the community would benefit from the availability of in-home and community-based support and supervision services that assist in monitoring young offenders' activities in their homes and communities and place young offenders in contact with supportive adults who model appropriate pro-social attitudes and skills.

Some interviewed youth recalled developing relationships with specific youth justice personnel that acted as supports and deterrents during their experiences within the youth justice system. For one youth, a probation officer served as a confidant and mentor, strongly discouraging him from further involvement with the law. For another youth, his relationship with a custodial staff member eased his transition into the custody center and provided him with guidance, support, and encouragement during his incarceration. These

positive relationships, as they developed for some, reflect earlier research that speaks to the benefits for youth offenders of connections which draw from the understanding and caring of legal justice personnel toward youth who offend and the willingness of young offenders themselves to engage in such relationships (Giordano's, 1976; Peterson-Badali & Koegl's, 2002).

Several youth cited their Restorative Justice workers as playing positive and significant roles in their experiences, by offering support and assistance both within the criminal justice system and following the completion of their sentences. While this speaks well of the nature and benefit of such relationships, and indicates the valuable role Restorative Justice workers may play in conjunction with other personnel, there currently exists little research that specifically examines young offenders' assessments of the roles of these particular front-line workers. Notwithstanding, given the positive assessments of justice personnel by youth within this study, and literature that identifies the positive influence upon youth of caring, invested relationships between youth justice professionals and youth in the youth justice system, the value of such relationships is evident and speaks to the need for youth justice personnel to have on-going education and training related to the social-emotional needs of offending youth and the nature of appropriate relationship-building.

Not surprisingly, youth who had more positive experiences in specific youth justice programs tended to report these as beneficial to their lives, while youth who had less welcome or negative experiences in particular Restorative Justice programs tended to denigrate and see little value in their experiences. These reports accord research by Peterson-Badali and Koegl (2002), in which interviewed youth, as a whole, positively

recalled their experiences of a range of programs within the Canadian youth penal system. Likewise, in the present study, participants commented that engaging in a variety of recreational and creative activities had kept their minds occupied and focused on pro-social activities, while interned. In this regard, one participant recalled enjoying a daily support group that provided a trusting environment in which to learn and develop pro-social skills. This and other positive recollections of custodial programs and services highlight their importance for youth in custodial settings, and suggest their similar value for those serving their sentence in the community-based programs.

Although the majority of interviewed youth spoke positively of youth justice programming, one youth described having a negative impression of two mandatory programs. In one, he felt self-consciousness as the young member of the group, while in the other he did not feel he had related needs/issues to the mandate of the service. The negative recollections of this participant, while not expressed by others in the study, speaks to the need to consider justice requirements that are not only suited to the offence, but also to the offender.

In terms of their perceptions of the personal benefits and/or detriments of the youth court process, most interviewed youth identified negative impressions and experiences. Similar to reports by youth in research by Langley et al. (1978), several participants in the present study described feeling confused, vulnerable, and uninformed during their judicial proceedings. As Langley and colleagues (1978), suggest, feeling uninformed, combined with high levels of stress and anxiety, may foster feelings of injustice within young offenders. In the present study, such feelings on the part of two participants became directed toward their legal representatives. More fully explaining the court

process and matters related to their arrest and later sentencing, may serve to mitigate such unnecessary or avoidable feelings based on young offenders feeling disregarded and outside the critical decisions involved in their court experiences.

Research Question #5:

How are young offenders' experiences within the justice system reflected in their daily psychosocial processes and functioning?

Transitioning emerged from the participants' narratives as a central concept, or core category, as youth described a variety of psychological and social processes which they undertook in order to cope with, or otherwise adjust to, their unwelcome experience of being within the Canadian youth justice system. In broader terms, 'typical' or 'normative' adolescence is characterized by numerous and profound biological, social, and psychological changes and *transitions* (Lerner, Lerner, Von Eye, Ostrum, Nitz, Talwar-Soni, & Tubman, 1996). Youth within the present study were seen, as group, to also engage in notable psychological and social transitions particular to their experiences as young offenders in contact with the law. In this regard, the overall theory generated by the current research is that 'youth offenders in contact with the law undertake distinctive psychological and social *transitions* as they respond to their, at least initially, unwanted involvement with the youth legal justice system'.

Youth described a variety of physical changes and movements while in the youth justice system, including facility transfers, repeated court appearances, and follow through contacts with justice personnel related to sentencing conditions and requirements. For some youth, these physical transitions led to confusion and resentment

on their parts, over feeling uninformed about decisions and procedures affecting their lives. For these youth, such experiences resulted in their becoming less communicative and further withdrawing from those in authority, on the justification of feeling unfairly treated and controlled by others. These reports accord with research that describes many young offenders as experiencing frustration and uncertainty related to the youth justice system and process (Baum & Wheeler, 1968; Dimond, Misch, & Goldberg, 2001; Hazel et al., 2002; Langley et al., 1978; Peterson-Badali et al., 1999) and speaks to the need to better inform young offenders about legal procedures and available support during their involvement with the law.

Youth participants also described numerous psychological and social movements/adjustments related to their experiences within the Canadian youth justice system, some undertaken as strategies to manage and cope with the effects of their contact with the law.

Facing Apprehension

The experiences of youth within the youth criminal justice system begin for each with their individual apprehension by the law. For some, this experience involved, as coded, *feeling intimidated* and *fearful*, while for others *feeling angry* and *victimized*, and others, still, *feeling respected* and *fairly treated*.

Feeling intimidated and fearful. Upon their apprehensions, some youth, particularly at the time of their first arrest, felt immediately and highly struck both by the reality and gravity of their situations and of the authority of the law. In brief, as more than one youth commented, they felt ‘really caught’. Youth also described being fearful

of the reactions of others to their apprehension and of the prospect of possible incarceration. In this regard, one youth was particularly anxious of his mother's reaction to his arrest ("Oh man, I am in trouble... my mom is going to be mad!"), while several youth recalled being deeply concerned and apprehensive of possible violence and brutality in youth custody. Generally, youth who felt intimidated and fearful tended to remain quiet during their arrests period and to follow closely the instructions of police officers and other legal authorities.

Feeling angry and victimized. During their apprehensions, some youth felt deep resentment towards the arresting police officers and the youth justice system. Several youth felt victimized due to their perception of unfair treatment by law enforcement during their apprehension. In this regard, one youth was particularly frustrated over the lack of information he received from the arresting officers about his rights and what would occur following his apprehension. This participant also described numerous derogatory comments made by the arresting officer regarding his clothing and his group of peers ("I felt like I was treated unfairly because of the way I dress and who I hung out with"). Generally, youth who felt angry and victimized during their apprehension recalled being uncooperative and disregarding the instructions of the arresting officers. One youth recalled directing verbal threats and insults toward the police, while another youth recollected attempting to spit on and physically attack the arresting officer. These feelings of resentment towards law enforcement, as they had previously existed and further developed for some participants at the time of their apprehensions, accords with previous research (Hazel et al., 2002) that speak to the negative feelings of many young offenders toward the law, deepened by their negative experiences at the time of their

arrests. This underlines the need for better education and the development of understanding attitudes both on the parts of children and youth toward the law and law enforcement, and on the part of legal authorities toward youth and young offenders, the latter of who they often interact under highly stressful circumstances. This points, in turn, to the need for relaxed, educational and social opportunities between police, children, and youth in which greater mutual comfort and heightened appreciation of one another. Such positive relationship-building, would contain far-reaching benefits as a preventative approach to later offending. The finding of this study also suggests the need for ongoing awareness and sensitivity training requirement on the part of police and other legal representatives toward the nature and needs of children and adolescents.

Feeling respected and fairly treated. Contrary to the youth above, two participants did recall feeling regarded and fairly treated by police officers during their apprehensions. Both commented that the officers respectfully communicated the reasons for their apprehensions and outlined what would follow their arrests. One youth recollected in particular having a respectful and personal conversation with police officers and his parents at the police station, during which the seriousness of his criminal activities and their consequences were discussed. Both youth recalled having regard for the police and following their instructions dutifully.

Making Sense of the Court Process

Following their apprehensions, many of the interviewed youth were charged with one or more crimes and consequently required to appear in court. For some, this

experience involved *feeling confused, intimidated, and uninformed*, while for others *feeling informed and supported*.

Feeling confused, intimidated, and uninformed. Prior to and during the court process, some youth felt uncertain and vulnerable with regard to appropriate procedures and their role within the proceedings. For one youth, this involved not understanding how to acquire legal representation, while another youth was perplexed over how to manage transportation to and from his court appearances. Several youth stated that they did not understand procedures within the courtroom and that they were uncertain of the approaches taken by their lawyers in their defences. One youth angrily recalled the indifference of his lawyer toward his case. In such states of feeling overwhelmed and intimidated by legal system, most of these youth tended to remain quiet and passive during court proceedings, voicing neither their questions nor concerns about the court process and judicial decisions. As one participant commented, ‘I just felt lost and confused’. These feelings of uncertainty, intimidation, and ignorance, as they developed for some participants, are in keeping with previous research speaks to the benefit for youth offenders to receive initial and on-going personal supports and resources upon their initial contact with the youth justice system (Baum & Wheeler, 1968; Erickson, 1982; Hazel et al., 2002; Langley et al., 1978). Such services would provide young offenders with detailed information and instructions useful for navigating through the legal process and, in turn, and may alleviate those feelings of deep anxiety and ambivalence of some youth as they experience a sense of being ‘outside’ of the events and decisions so critically affecting them.

Feeling informed and supported. Unlike the above youth, some participants felt relatively comfortable and prepared for court, owing to the support, encouragement, and practical information they had received from various youth justice personnel. One youth recalled his probation officer who speaking positively on his behalf by describing the effects of his upbringing and making supportive recommendations to the court. Another youth recollected a mutually respectful relationship with his legal representative in which the lawyer regularly informed him about the court proceedings and encouraged his questions and input. Generally, these youth tended to participate more effectively in the court proceedings and to respect the authority of the judicial process.

Considering Past/Future Involvement with the Law

For many interviewed youth, contact with the legal system provoked their consideration of their pasts and possible future involvement with the law. These processes variously involved developing a sense of the impact of their offending behaviours upon others and themselves (*developing awareness of young offending impact*), considering the circumstances leading to their young offending and their current situations (*reflecting on factors contributing to young offending*), and deliberating on their futures, particularly with regard to future offending (*deliberating on future offending*).

Developing awareness of young offending impact. During their involvement with the youth justice system, some youth recalled developing an increased awareness of the impact of their criminal activities, both upon themselves and upon significant others in their lives. One youth was particularly distressed and regretful that he was unable to

care for his pregnant girlfriend owing to the terms of his custodial sentence (“I wasn’t there for my girlfriend. She was pregnant and she had to go through all that without me”). Another youth felt remorseful that his criminal behaviour and contact with the justice system was a source of great stress for his mother (“I seen that it was too hard on my mother”). Another youth, still reflected on the personal cost of his offending activities (“I didn’t know that it had serious consequences, it has really damaged my life, big time!”).

Reflecting on factors contributing to offending. For many youth, involvement within the youth justice system led to thoughtful reflection on the personal and social factors that had contributed to their criminal behaviours. In this regard, one youth considered that he may have developed a more law-abiding lifestyle if he had spoken earlier and been more forthcoming with his mother about his offending activities (“If I had been a more open youth, I would have talked to her about what was going on”). Another youth wondered if her later criminal behaviour may have been prevented if community-based agencies had intervened when she first offended. As a group, these youth felt that positive differences in themselves or the actions of others may have mitigated their criminal behaviours.

Deliberating on future offending. Some youth recalled firmly resolving to themselves during their involvement with the law to never offend again. As one youth recollected, offending was “just too stressful”, while another youth commented that his time with the law had been all the education he required in that area to cease his behaviour (“I got out when I was 17 and I have done nothing since... it taught me my lesson”). For one participant, however, a strong desire to exit from criminal offending was insufficient to counter the rewards he was receiving from his illegal activities at the

time. For this youth, eventually leaving criminal activity was a more gradual process ('I didn't want to do it for the rest of my life [but] I couldn't stop because I needed this right now').

The occurrence of these moments of deep personal reflection, as they ultimately served (notwithstanding certain struggle and pain) a positive purpose and function for these youth, speaks to the need to recognize, encourage, and support such rich and resilient contemplation by young offenders, as called for within recent literature (Ashkar and Kenny, 2008). Given that youth who were given to such reflection, nonetheless experienced different levels of commitment to positively changing their lives, it remains critical to develop understandings and interventions (Farrington, 2004) that recognize individual needs, circumstances, and readiness on the parts of young offender, as youth justice staff look to guide youth offenders toward leaving their lives of crime.

Connecting with Others

From their initial contact to their eventual leaving of the youth justice system, youth participants were involved in a wide variety of interactions and relationships with others, including existing and changing relations with family and friends, and with individuals new to their lives within the context of the law. For many, relationships with family or friends tended to either strengthen or flounder, while relationships with others within the system tended to be welcomed and sought or avoided and rejected. For each youth, the kind and nature of their relationships, both with those within and those outside of the justice system, were key components in their adjustment to the youth criminal

justice system. As coded, the range, variety, and meanings of these connections are discussed:

Maintaining, developing, and amending relationships. Some participants experienced immediate and ongoing support from family members, fellow young offenders, and front-line staff, during their involvement in the youth justice system. One youth was particularly grateful for the regular visits that he had with his sisters during his time in custody, while another youth recalled being appreciative of the constant words of encouragement he had received from his parents as he undertook his community service hours. One participant recollected amending his relationship with his primary caregiver while he was incarcerated. As a result of his contact with the legal system, he had developed further appreciation for his grandmother's meaning and role in his life, and consequently sought to rebuild that relationship ("While I was there, I was missing everyone and I just realized that she's my family").

Some youth described developing positive relationships with fellow young offenders that offered solace, support, and guidance during their incarceration. For one, a romantic relationship which had developed between himself and a fellow inmate in a co-ed facility had alleviated the depressing elements of his being in prison. For another youth, the positive advice and direction he received from older and more experienced youth, provided needed support and social connection while in custody ("I would talk to anybody who was good, guys in there long term, because they had knowledge"). Several participants also described building positive and encouraging relationships with front-line staff, Restorative Justice workers, and probation officers. In this regard, one youth described engaging in many conversations with a custodial staff member who affirmed

his self-worth and offered him a hopeful view of the future (“I really talked to him and he said, ‘you don’t look like the type that belongs here’. He was telling me, ‘you don’t got to be here, there’s more...’). Generally, youth who felt supported and cared for by others tended to more participate in available programming, seek out additional support and guidance, and concentrate on fulfilling the requirements of their sentences.

Feeling abandoned by family. In contrast to the above youth, one participant recalled a deep and painful deterioration in his relationship with his primary caregiver, during his time in prison. He described having minimal contact with his mother and, consequently, feeling unsupported and neglected as a result. In this regard, research outlines that young offenders often experience feelings of isolation and a loss of contact with family during their incarcerations (Dimond et al., 2001). Research also suggests that the justice system is not providing sufficient social supports to establish healthy and supportive relationships for its youth inmates (Gray, 2005).

Avoiding others. Several youth described isolating themselves from youth justice personnel and fellow young offenders, from the moment of their apprehension until the completion of their sentence. Among these, one youth commented that he had felt ‘on my own’ during his experiences within the penal system, while others, as previously mentioned, had felt vulnerable and intimidated by fellow offenders, legal personnel, and custodial staff. One youth was particularly apprehensive of prison staff after being strip-searched upon his arrival at the custody facility. He had consequently never felt comfortable in the presence of those in positions of authority and quickly turned inward for self protection and preservation. Another youth was particularly unwilling to interact with fellow inmates for fear of their negative influence and possible negative outcomes of

associating with others too similar to himself (“most of them were like me and same people don’t get along well. Like everybody is trying to be the top guy and they all end up getting mad at each other”).

Research has demonstrated that loneliness is a common feature of the incarceration experiences of many young offenders, and may lead some to engage in unhealthy coping strategies (Rokach, 1997). The present findings speak to the need to provide supportive and healthy custodial programming and services to young offenders that promotes social connection, inclusion, and opportunities for positive relationship building with others while serving time in prison. Safe, non-threatening small group gatherings and relaxed social activities that allow youth to positively interact and learn about one another may assist many incarcerated youth to feel more attached and valued while in custody. The overall findings of the present study speak to the profound importance and influence that continuing and new relationships with others have upon the experiences of youth in criminal justice system. Attention to the social needs of young offenders remains a critical issue for our penal and community-based Restorative Justice systems.

In summary of Question #5, youth participants engaged in discovered and identified psychological and social ‘*Transitions*’ as they were involved within the Canadian youth justice system. Based on the findings of the present study, the following theory was generated to account for and explain the adjustments engaged in by young offenders as they responded to their experiences, namely: that ‘youth offenders in contact with the law undertake distinctive psychological and social *transitions* as they respond to their, at least initially, unwanted involvement with the youth legal justice system’.

During their apprehensions, some youth experienced intimidation and fear, leading to their dutifully following the instructions of the arresting officer, while others experienced anger and felt victimized by the law, leading to their disregarding arresting officers. Still other youth, however, recollected positively feeling respected and fairly treated by the arresting officers during their apprehensions and having a relatively high opinion of the law. Youth participants also described undertaking various psychosocial processes as they endeavoured to make sense of the court process. Most participants recalled feeling uninformed, confused, and intimidated prior to and during their court appearances. Those youth who could not understand the legal proceedings tended to remain passive and silent during the court proceedings. To the contrary, youth who recalled more positive experiences in the courtroom tended to describe feeling informed and supported as a result of the encouragement and information they received from a variety of youth justice personnel. These participants were consequently more likely to willingly participate in the court proceedings and appreciate the authority of the judicial process.

Contact with the legal system encouraged several participants to consider their past and potential future involvement with the law. Many youth developed an understanding of the impact of their criminal activities and subsequent convictions upon their own lives, as well as upon the lives of significant others. In addition, their experiences within the legal system triggered their consideration of the various personal and social factors that had contributed to their criminal lifestyles. For some, their experiences resulted in deep consideration regarding their future participation in illegal activities. The negative effects of their criminal behaviours or their experiences within the legal system motivated some participants to immediately exit their life of crime, while

for others, their good intentions involved a more extended and gradual process, as a result of the benefits they continued to receive from their criminal affiliations.

Youth participants engaged in different levels and forms of interaction with others from the moment of their apprehensions until the completion of their sentences. Some youth described maintaining strong connections to family members through regular contact and most youth reported developing positive and supportive relationships with a variety of individuals (e.g., fellow inmates, youth justice staff) during their contact with the law. For some, their contact with the justice system significantly changed their exiting relationships. Where one youth sought to repair his relationship with his primary caregiver, another youth recalled the breakdown of his connection to his mother. While many youth, as mentioned, sought relationships with others for comfort, understanding, and as a means of coping with their experiences, others were noted as isolating themselves related to their feeling vulnerable and intimidated by youth justice personnel and/or fellow offenders.

In overall summary of the Discussion and Implications chapter, where most of the interviewed youth described growing up in unhealthy, dysfunctional, and unsupportive homes and neighbourhoods in which family members, peers, and their community conditions and attitudes served as negative role models, mentors, and influences, in terms of their regard and behaviour toward the law, there remains a critical need, often cited in the research literature, to provide education and direct social support at the family and community level (through schools, community groups, and law promotion initiatives) that address factors leading to negative perceptions of the law and possible criminal activity, as a means of illegally obtaining either basic or desired goods. In this regard, the

attitude of several youth toward their criminal activity, in that they tended to minimize the nature and impact of their crimes upon others, speaks to the need to not only better inform youth of the legal consequences of their actions, but to also provoke in youth a deeper regard for the law and the value and rights of others.

In terms of their sentences, youth who received a custodial sentence and sought out relationships with available supports were more likely to describe positively youth justice programs and services, as well as their overall experience in custody. To the contrary, participants who described negative experiences in prison were more likely to recall keeping to themselves and avoiding others within or outside the youth justice system. Such differences in experiences and responses on the parts of young offenders speaks to the benefits of having youth become engaged meaningfully and in a non-threatening manner with supportive others in the youth criminal justice system, through formal and informal social contacts, and the need to actively reach out to those who feel unconnected and apart from others.

As youth participants recalled both positive and negative relationships they had with others within and outside of the youth justice system, the meaningfulness of such relationships, regardless of kind, was highlighted. That youth are so significantly influenced and affected by their existing and developing relationships, speaks to the need for youth justice personnel to be attuned to the meanings they hold for young offenders and to provide opportunities for these youth to discuss, reflect upon, and develop useful skills to maintain valued connections to family and peers, and to engage in healthy, mutual relationships with those new to their lives. Relationships with others, as much as anything shared by youth in the current study, seemed to act, for better or worse, as key

sources of support or challenge and barrier as they *transitioned* through the youth criminal justice system (as outlined in the summary of Question #5 above).

The following recommendations are suggested for the Government of Canada, the Nova Scotia Department of Justice, the Nova Scotia Department of Community Services, the Nova Scotia Department of Education, and future research in order to recognize and support at-risk children and families as well as to provide programs and services that are responsive to the identified needs of young offenders.

RECOMMENDATIONS

In order to reduce the probability of young people becoming involved in criminal activities as well as reduce the number of repeat young offenders, it is suggested that a systemic approach is utilized. Given the wide variety of influences and motivators that lead to youth offending, it is necessary to provide support and resources to the systems that powerfully shape the development of young people. The profound influence of the home environment upon the child's development speaks to the necessity for the Nova Scotia Department of Community Services to increase the number of early intervention programs dedicated to parental education and support services in order to identify and support families identified as at-risk. In addition, it is suggested to that there is increased collaboration between the Nova Scotia Department of Justice and the Nova Scotia Department of Community Services to share where relevant young offenders' case information in order to better manage the case planning of young offenders. Improved cooperation between various community-based agencies and the Nova Scotia Department of Justice could provide young offenders programs and supports services designed to address their individual needs in a timely manner.

Recommendations for the Government of Canada:

That the Government of Canada:

1. Review the YCJA in order to determine areas of the Act that may benefit from the incorporation of the experiences and recommendations of young people who have had contact with the youth justice system.

2. Increase federal funding of restorative youth justice programming, in order to provide the necessary financial support to develop resources that are responsive to the identified needs of young offenders.
3. Increase federal funding for early intervention and outreach services targeting at-risk children, youth, and families.

Recommendation for the Nova Scotia Department of Justice:

That the Department of Justice:

1. Provide sufficient and stable funding for the hiring and ongoing training of front-line youth justice personnel responsible for supervising and supporting Nova Scotia's young offenders.
2. Increase the number of custodial and community-based justice programs related to young offenders' mental health and psychosocial needs to assist with successful adjustment during their contact with the Canadian youth justice system.
3. Share, where appropriate and relevant, young offenders' case information with community-based services and agencies in order to better co-ordinate case planning with, and service provision to, young offenders.
4. Conduct standardized and regular assessments of youth justice programs and services.
5. Incorporate family-oriented programming within youth justice services to support positive family involvement during the young offender's contact with the youth justice system.

Recommendations for the Nova Scotia Department of Community Services:

That the Department of Community Services:

1. Develop, in collaboration with the Department of Justice, services and programming for offending youth, designed to enhance and promote personal efficacy, healthy group association, and the choosing of positive alternatives to criminal behaviour.
2. Increase the number of programs dedicated to early intervention, including parental education and support services, in order to identify and support at-risk children and families related to individual and familial needs.
3. Provide sufficient and stable funding for the hiring and training of youth workers from agencies such as the Youth Advocate Program that offers personalized contact and support to at-risk children/youth within the Halifax Regional Municipality, and other Nova Scotian communities.
4. Increase the availability of youth-oriented, community-based early intervention programming, including youth drop-in centers, to assist young people in developing positive peer networks within healthy and pro-social environments.

Recommendations for the Department of Education:

That the Department of Education:

1. Increase provincial funding for the hiring and ongoing training of school support personnel, such as school psychologists, guidance counsellors, and student support workers. Such individuals would consult with youth, parents,

school personnel, and community-based agencies, in order to provide early supports to children and youth recognized as at-risk educationally, socially, and in terms of their personal development.

2. Develop classroom curriculum related to the law, to better educate and familiarize children and youth regarding criminal activities and their consequences, and with the roles and responsibilities of youth justice personnel.

Recommendations for Future Research

1. The development of hypotheses related to the generated theory for purposes of exploration and examination.
2. The investigation of experiences of young offenders currently involved with the Canadian youth justice system, as well as those subsequently sentenced to the Canadian adult justice system, in order to enlarge and provide dimension to the findings of the present study, with its focus on former youth offenders, and now non-offending, young adults.
3. The investigation of the perspectives of young offenders and front-line staff, who participate in/deliver Restorative Justice programming, in order to assess their nature and effectiveness of such services.
4. To explore the experiences of female young offenders, as they offer essential and valuable perspective on the youth criminal justice system.
5. To explore the perspectives of families of young offenders, in order to better develop supportive programming related to their identified needs.

LIMITATIONS of the RESEARCH

1. The research findings are limited to the opinions expressed by the young people who participated in the present study. The opinions do not, therefore, represent the perspectives of all young offenders in the provinces of Nova Scotia and New Brunswick, or elsewhere.
2. Given that the current study did not receive ethics approval from Nova Scotia Department of Justice to interview young offenders currently involved in the youth justice system, the available pool of participants was limited to those young people who had completed their sentence and were no longer under the direct supervision of the Nova Scotia Department of Justice.
3. That the sample of the current study included but one female participant, the findings of the research essentially represent mainly the perspectives of male young offenders (see: Recommendations).

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APPENDICES

APPENDIX A

Letter of Information to the Organization
Letter of Information to the Youth (Participant)
Letter of Information to the Parent/Guardian

Letter of Information (Organization)

To Whom It May Concern:

My name is Larisa Hanssen and I am a graduate student in the Master of Arts in Child and Youth Study at Mount Saint Vincent University. I am looking to conduct a supervised research study exploring the youths' perceptions of their experiences within the Canadian youth justice system. The proposed study is in partial fulfillment of the requirements for the degree of a Master of Arts in Child and Youth Study.

The goal of this study is to provide young people the opportunity to share their perceptions of their experiences within the Canadian youth justice system in order to reflect upon their needs and suggestions to improve the Youth Criminal Justice Act and current programming. I would like to interview between six and twelve young people who are currently involved or have had prior contact with the youth justice system in Canada.

I would appreciate the participation of any young person who has had contact with the Canadian youth justice system. An individual interview will be conducted with each participant. The interview will take approximately one hour and will be audiotaped. The participant's confidentiality will be protected during the data analysis process and later reportage. Also, the participants may discontinue or withdraw from the study at anytime without any repercussions. The purpose of the study and the research process will be explained to each participant prior to the interview.

If you have any questions regarding this research project, please contact the student researcher, Larisa Hanssen, by telephone (902) 457-0641 or by email at [REDACTED]. In addition, you may contact my thesis supervisor, Dr. Michael Fitzgerald, by telephone at (902) 457-6382, or by email at Michael.fitzgerald@msvu.ca.

If you would like to speak to someone who is not directly involved in this research project, please contact Dr. Elizabeth Bowering, the chairperson of the University Ethics Board, by telephone at (902) 457-6535, or by email at Elizabeth.bowering@msvu.ca. This research study has met the standards of the University Research Ethics Board at Mount Saint Vincent University.

Thank you for your time and consideration. I look forward to meeting with you to discuss the prospect of your organization participating in this research study.

Sincerely,

K. Larisa Hanssen
Graduate Student, Child and Youth Study
Mount Saint Vincent University

Letter of Information (Participant)

Dear Youth,

My name is Larisa Hanssen and I am a graduate student in the Master of Arts in Child and Youth Study at Mount Saint Vincent University. I am looking to conduct a supervised research study exploring the youths' views of their experiences within the Canadian youth justice system. The proposed study is in partial fulfillment of the requirements for the degree of a Master of Arts in Child and Youth Study.

The goal of this study is to provide young people the opportunity to share their views of their experiences within the Canadian youth justice system in order to reveal your needs and suggestions to improve the Youth Criminal Justice Act and current programming. I would like to interview between six and twelve young people who are currently involved or have had prior contact with the youth justice system in Canada.

I would appreciate hearing your views concerning the abovementioned topic. This will be accomplished by your participation in an individual interview that will take approximately one hour and will be audiotaped. Your participation is voluntary and you may stop and/or leave the interview at any time without any repercussions. In addition, your identity and confidentiality will be protected during the data analysis process and reportage. All the research materials will be safely stored and disposed of when the study has finished.

If you would like to participate, please contact (*name of contact person*), (*name of organization*) or contact the student researcher directly and I will contact you to explain the purpose of the study and the research process, and to obtain your informed consent.

If you have any questions regarding this research project, please contact the student researcher, Larisa Hanssen, by telephone (902) 457-0641 or by email at [REDACTED]. Also, you may contact my thesis supervisor, Dr. Michael Fitzgerald, by telephone at (902) 457-6382, or by email at Michael.fitzgerald@msvu.ca.

If you would like to speak to someone who is not directly involved in this research project, please contact Dr. Elizabeth Bowering, the chairperson of the University Ethics Board, by telephone at (902) 457-6535, or by email at Elizabeth.bowering@msvu.ca. This research study has met the standards of the University Research Ethics Board at Mount Saint Vincent University.

Thank you for your time and consideration. I look forward to meeting with you to discuss the possibility of your participation in this research study.

Sincerely,

K. Larisa Hanssen
Graduate Student, Child and Youth Study
Mount Saint Vincent University

Letter of Information (Parent/Guardian)

Dear Parent/Guardian,

My name is Larisa Hanssen and I am a graduate student in the Master of Arts in Child and Youth Study at Mount Saint Vincent University. I am looking to conduct a supervised research study exploring the youths' perceptions of their experiences within the Canadian youth justice system. The proposed study is in partial fulfillment of the requirements for the degree of a Master of Arts in Child and Youth Study.

The goal of this study is to provide young people the opportunity to share their views of their experiences within the Canadian youth justice system in order to reflect upon their needs and suggestions to improve the Youth Criminal Justice Act and current programming. I would like to interview between six and twelve young people who are currently involved or have had prior contact with the youth justice system in Canada.

I would appreciate hearing your child's perspectives regarding the abovementioned topic. This would be accomplished by his/her voluntary participation in an individual interview that will take approximately one hour and will be audiotaped. Your child's confidentiality will be protected during the data analysis process and later reportage. Also, he/she may discontinue or withdraw from the study at anytime without any repercussions. The purpose of the study and the research process will be explained to your child before the interview begins.

If interested, please pass your child's name on to (*name of contact person*), (*name of organization*) or contact the student researcher directly and I will contact you to explain, in detail, the purpose of the study, the research process, and to obtain your informed consent.

If you have any questions regarding this research project, please contact the student researcher, Larisa Hanssen, by telephone (902) 457-0641 or by email at [REDACTED]. Also, you may contact my thesis supervisor, Dr. Michael Fitzgerald, by telephone at (902) 457-6382, or by email at Michael.fitzgerald@msvu.ca.

If you would like to speak to someone who is not directly involved in this research project, please contact Dr. Elizabeth Bowering, the chairperson of the University Ethics Board, by telephone at (902) 457-6535, or by email at Elizabeth.bowering@msvu.ca. This research study has met the standards of the University Research Ethics Board at Mount Saint Vincent University.

Thank you for your time and consideration. I look forward to meeting with you to discuss the possibility of your child participating in this research study.

Sincerely,
K. Larisa Hanssen
Graduate Student, Child and Youth Study
Mount Saint Vincent University

APPENDIX B

Letter of Informed Consent

Letter of Informed Consent

I, _____ (Please Print), consent to participating in the research study entitled, “*Young Offenders’ Perceptions of their Experiences within the Canadian Youth Justice System*”. The student researcher, Larisa Hanssen, has informed me about the purpose of the study and the research process.

I consent to participate in an individual interview conducted by the student researcher, Larisa Hanssen. I have been informed that the interview will take approximately one hour and will be audiotaped.

I know that my participation in this project is voluntary and that I do not have to answer any questions that I do not want to. In addition, I understand that I am allowed to stop and/or leave the interview at any time without repercussion.

I understand that my confidentiality will be protected during the data analysis process and the later reportage of the research findings. I have been informed that the student researcher, Larisa Hanssen, will adhere to all the standards set forth by the University Research Ethics Board regarding storage and disposal of all research materials.

If I have any question regarding to this research project, I may contact the student researcher, Larisa Hanssen, by email at _____, or by telephone at (902) 457-0641. Also, I may contact her thesis supervisor, Dr. Michael Fitzgerald, by email at Michael.fitzgerald@msvu.ca, or by telephone at (902) 457-6382. In addition, if I would like to speak to someone who is not directly involved in this project; I may contact Dr. Elizabeth Bowering, the Chairperson of the University Research Ethics Board by email at Elizabeth.bowering@msvu.ca, or by telephone at (902) 457-6535.

I understand that by signing below, I have read the information and I consent to participating in the abovementioned study.

Participant: _____ (Please Print)

Signature: _____

Parent/Guardian: _____ (Please Print)

Signature: _____

Researcher: _____ Date: _____

(A copy of this letter of consent will be given to you)

APPENDIX C

Sample Interview Questions

Sample Interview Questions

1. Please tell me how you recall learning about the rules and regulations of home and school as a child and later as a teen?
2. Please tell me how you remember learning or becoming aware about the 'laws' of society while you were a child and later into your teens?
3. How do you recall learning about criminal activities and their consequences as a child and later as a youth?
4. While you were growing up, who or what do you feel most influenced how you felt about or behaved toward the law?
5. Describe your earliest memories of breaking the law.
6. When you were first arrested, how would you describe your behaviours and attitudes towards the law and the youth criminal justice system?
7. When you were sentenced, how would you describe your behaviours and attitudes towards the law and the youth criminal justice system?
8. Describe your relationship with other people during your involvement/time with the youth criminal justice system (e.g., parents, teachers, friends, probation officers, restorative justice workers, other young offenders).
9. While you were in contact with the law, how would you describe yourself as an individual?
10. Tell me what you felt your most important needs were during your contact with the law and the youth criminal justice system (e.g., support, understanding, respect, privacy, fairness, and contact with others).

APPENDIX D

Demographic and Background Information Survey

Demographic and Background Information Survey

1. Gender: Male____ Female____
2. Age: ____ years
3. What crime(s) were you convicted of? _____

4. What is your sentence? _____
5. Is this your first conviction? Yes____ No____
If no, what were you convicted of before this current conviction, and what was your sentence? _____

6. Are you currently attending school? No____ Yes____
7. What grade/level have you completed in school?
High school grade level ____
GED ____
Vocational Training Program _____
College (program) _____
University (program) _____
8. Do you think your sentence was fair? Yes____ No____
Please explain _____

9. Have you learned anything from your sentence? _____

10. Are there any programs or services that you feel were helpful to you during your sentence? Please explain _____

11. Are there any programs or services that you did not feel helped you during your sentence? Please explain _____

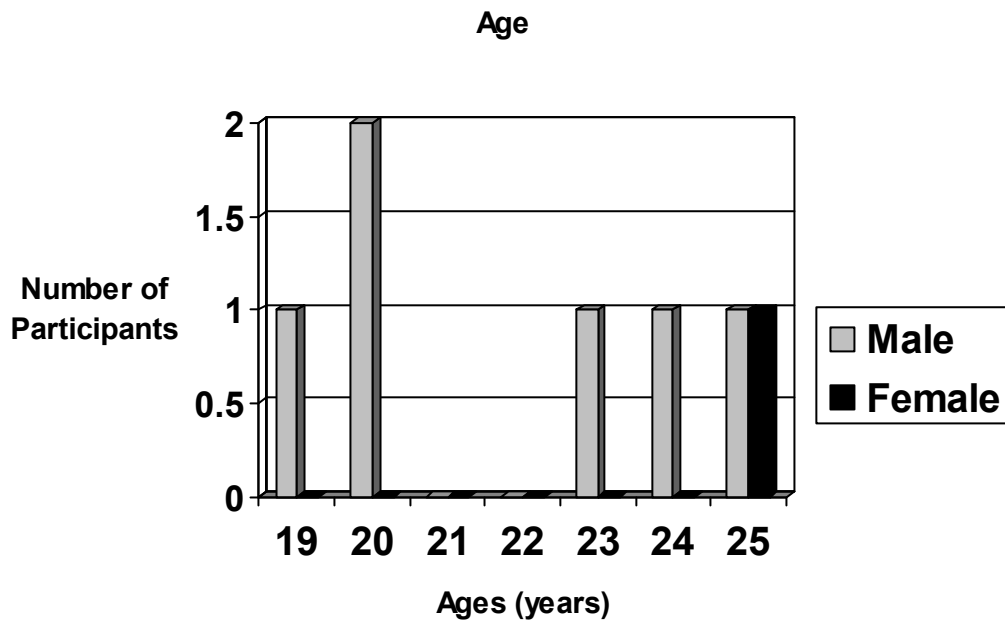
12. Can you think of any programs or services you would have liked to have had during your sentence? Please explain _____

FIGURES

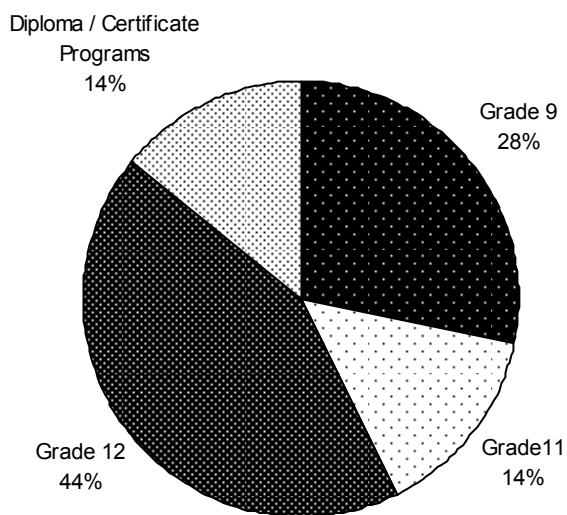
FIGURES 1

Participants' Profiles

PARTICIPANTS' PROFILES



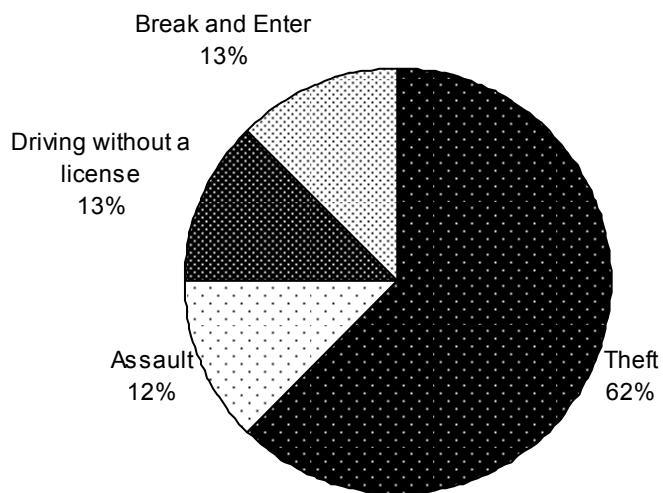
Level of Schooling Completed by Participants



Participants' Profiles



Earliest Criminal Activities



FIGURES 2**Selected Sample of Coding**

Selected Sample of Coding

1 st Level	2 nd Level	3 rd Level	Category
<ul style="list-style-type: none"> • Disregarding police • Fearing incarceration-early • Fearing physical violence in custody • Positive view of police • Physical apprehension experiences • Emotional apprehension experiences 	First arrest		
<ul style="list-style-type: none"> • Positive assessment of legal system • Negative emotional courtroom experiences • Positive relationship with court personnel • Accessibility/transportation to courthouse-challenge • Lacking fear of legal system 	First court appearance		
<ul style="list-style-type: none"> • Positive assessment of youth sentence • Sentence requirements • Challenges of sentence 	First sentence	Early Young Offending Life	Young Offending and Youth Justice Experiences
<ul style="list-style-type: none"> • learning criminal strategies from older family members • feeling criminal pride • becoming criminally proficient • increasing criminal activities • deepening criminal activities • gaining status • prolonged young offending involvement • feeling powerful over others 	Developing criminal knowledge/skills/pride/status		