Community-Based Interventions for At-Risk Youth in Ontario under Canada’s Youth Criminal Justice Act: A Case Study of a “Runaway” Girl

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This article presents findings from ongoing research on interventions for violent and at-risk youth in Ontario through partnerships authorized under Canada’s 2003 Youth Criminal Justice Act (YCJA). After briefly describing and theoretically situating the YCJA’s “preventative partnership”
(Garland 2000) strategy, we analyse an interview with a 16-year-old Ontario high school student (one of 85 interviews with female and male youth recruited through high schools, community agencies, youth advocacy networks, and correctional facilities between 2002 and 2006). In this interview, “Connie” describes her experiences with family and peer violence and her efforts to deal with these experiences through a range of escape and help-seeking behaviours. Drawing broadly upon governmentality discourses on advanced liberal governance, our analysis focuses on the ways in which victimization, running away, child protection involvement, criminal activity, and social exclusion are linked. We also discuss the promises and challenges of efforts to address the needs of youth caught up in this trajectory through community partnership strategies.

Introduction

This article presents findings from ongoing research on interventions for violent and at-risk youth in Ontario through partnerships authorized under Canada’s Youth Justice Renewal Initiative (YJRI) and the 2003 Youth Criminal Justice Act (YCJA), its cornerstone (Canada, Department of Justice 2003a). These policy initiatives institutionalize a “preventative partnership” (Garland 2000) strategy aimed at reducing overreliance on the justice system by shifting responsibility for preventing and responding to youth crime “and its associated risks” to communities, families, and individuals. Situated broadly within a neo-liberal/advanced liberal approach to governance, the YCJA is shaped by Canada’s participation in a global trade in policy ideas and technologies of implementation that is reshaping juvenile justice, crime prevention, and social welfare across Western jurisdictions (Edwards and Hughes 2005; Feeley 2003; Garland 1996, 2000; Hughes and Gilling 2004; Léonard, Rosario, Scott, and Bressan 2005; Muncie 2005; Newburn 2002; O’Malley 1999, 2002; Pratt 2001; Schofield 2002; Shaw and Andrew 2005; Stenson 2002, 2005). In this article, we address the promises and challenges of Canada’s effort to implement this “new” approach, as exemplified in community responses to the needs and situation of a 16-year-old Ontario girl (pseudonym “Connie”) who “ran away” from an abusive home at age 15.

Our analysis of this case draws upon interview data from two qualitative research projects. The first is the study in which “Connie” participated, a Social Sciences and Humanities Research Council of Canada (SSHRC)-funded project on intervention partnerships and their impacts under the YCJA and the larger YJRI. The second
is a much smaller university-funded participatory action research (PAR) project on youth in the sex industry, which focuses specifically on problems faced by youth involved in prostitution, stripping, escorting, massage, and related "sex work." In both projects, our principal methodological tool is semi-structured audiotaped interviews, thematically analysed by the four-member research team that co-authored this article.

We use Connie’s story to exemplify themes and concerns that recur throughout our interview data to date (n = 47 staff; 35 female youth, and 50 male youth – 21 female youth and 44 male youth from the SSHRC project, and 14 female youth and 6 male youth from the PAR project). Specifically, we use Connie’s account of her struggles since “running away” from home to demonstrate how victimization, child protection involvement, and vulnerability to criminal activity are linked and how efforts to address these adversities in schools, child-protection agencies, and social-welfare agencies do and do not foster YCJA goals. As outlined in the Preamble to the YCJA, these are “to prevent youth crime by addressing its underlying causes, to respond to the needs of young persons, and to provide guidance and support to those at risk of committing crime.”

Our analysis draws broadly upon governmentality discourses on advanced liberal governance, a perspective informed by Foucauldian understandings of the ways in which competing, contradictory, and inevitably contested constellations of knowledge, interests, and actors shape governance strategies and their implementation at the present moment (Garland 1996, 1997, 2000; Rose 1999, 2000a, 2000b). This perspective acknowledges structural constraints of increasing political, economic, and cultural global interdependence; technological change; economic restructuring; and the associated inequalities. However, it also recognizes political agency and, thus, “the concurrent existence of competing, multiple, publics” and “competing sovereignty projects” (Edwards and Hughes 2005, 356). Perhaps most importantly, it sees an array of “hybrid” (O’Malley 2002) alternatives that meld neo-liberal economic strategies and rationalities with neo-conservative (exclusionary) and/or social-democratic (inclusionary) aims (see also Hannah-Moffat 2000, 2005; Muncie 2005; O’Malley 1999; Schofield 2002; Stenson 2002, 2005).

In the discussion that follows, we briefly situate the YCJA historically and review the aims, principles, and mechanisms of preventative partnering as advanced in this strategy. We then examine Connie’s
account of her struggle to hold on to her personal morality, confidence, and future in the face of multiple risks, including opportunities to resort to “sex work” to survive—an all too readily available survival alternative for female and, to a lesser extent, male youth across Canadian urban communities (Artz, Nicholson, and Rodriguez 2005; Belknap and Holsinger 2006; Bittle 2002; Corrado, Odgers, and Cohen 2000; McCarthy and Hagan 2001; Reitsma-Street, Artz, and Nicholson 2005; Schissel and Fedec 2001; Welsh and Farrington 2005).

The YCJA and preventative partnering

The YCJA represents a third wave in juvenile justice in Canada (Bala 2005). The first wave prioritized child saving under the Juvenile Delinquents Act (JDA, in force 1908–1984). The second wave instituted “modified justice” or a soft “law-and-order” orientation under the Young Offenders Act (YOA, in force 1984–2003). The current YCJA wave represents an attempt to reverse a YOA-fostered criminalization/incarceration spiral through the activation of a broad-based multi-sectoral preventative effort that goes “beyond the justice system to explore how society as a whole can address youth crime and its associated factors” (Canada, Department of Justice 2003a; see also 2003d, 2003e). Through the YCJA, the YJRI, and the National Crime Prevention Strategy (NCPS), through which YJRI funds are channelled, the federal government calls upon established and emerging “partners” across domains and sectors to participate in the innovation of “holistic interventions” that address the “root” or “underlying causes” of youth offending and re-offending so as to promote “the long-term protection of the public” (see YCJA, Preamble and s. 38; Canada, Department of Justice 2000, 2003a, 2003b, 2003c). This call is accompanied by a renewed, if insufficient, commitment to funding to “restore community capacity,” funding that is to be
directed particularly towards enabling greater citizen/community participation [by strengthening and expanding] the involvement of a wide range of organizations, associations and community groups that are directly and indirectly involved with youth justice as they address the needs of youth. (Canada, Department of Justice 2003e)

David Garland is among those who characterize partnering strategies as “institutionally radical” and inherently problematic, requiring the formation of “hybrid organizations which traverse public and private boundaries” (2000, 348). However, like other emotionally laden
advanced liberal constructs, partnering is a “discursive resource” (Schofield 2002), shaped by the contingencies of its application. It therefore varies across jurisdictions and manifests as less radically new in some instances than in others. Indeed, the widespread cross-jurisdictional embrace of partnering and related constructs arguably has as much to do with their symbolic or emotional appeal as with their substance (Edwards and Hughes 2002; Garland 1997; Hughes and Gilling 2004; Muncie 2005; Stenson 2002, 2005).

YCJA/YJRI/NCPS texts employ community, partnering, responsibility, and related constructs to elicit and reinforce a “Gemeinschaft” of interest (Pratt 2001). These constructs were clearly expressed in assertions that “it takes a community [or village] to raise a child” at roundtables hosted for seven “traditional and non-traditional” justice-system partners in 1999–2000 (Canada, Department of Justice 2000). In YJRI/NCPS texts, the term “communities” refers to collectivities and networks across which interests in, and responsibilities for, youth are shared. As explicitly stated, “communities may be defined by geography, as in the case of neighbourhoods or towns, or by shared goals and experiences” (Canada, NCPS 1998).

“Partners” and “partnering” are not explicitly defined. As employed in YJRI/NCPS texts, however, these constructs have at least three meanings. First, “partners” refers to all individuals and agencies that have an interest and share responsibility in preventing crime and supporting youth, including “youth themselves” (Canada, Department of Justice 2000). Second, and more concretely, “partners” refers to existing and potential beneficiaries of crime-prevention and youth-rehabilitation grants, and also to agencies and organizations with which grantees “network.” This wide range of partners ideally innovates, shares, and implements “long-lasting solutions to preventing and dealing with youth crime,” ideally but not exclusively through “inter-sectorial, collaborative, multidisciplinary, and integrated programs and services” (Canada, Department of Justice 2003e). Third, “partners” refers to co-grantees, especially provincial/territorial and/or municipal levels of government, and also to funders from the private sector (see also Canada, NCPS 1998, 2005).

“Responsibility” is a third key construct. In the YCJA, and in a host of associated YJRI/NCPS texts, the federal government stresses that government alone cannot prevent crime. Rather, “members of society share a responsibility [and should] take reasonable steps to prevent youth crime by addressing its underlying causes” (YCJA, Preamble).
Governance theorists call this “responsibilizing” strategy “at-a-distance” governance (e.g., Garland 1996; Rose 1999). This approach offers and calls forth a “whole new infrastructure” (Garland 2000: 349), an infrastructure that diffuses lines of accountability and, ultimately, places blame for failures of responsibility on the subjects of governance – youth themselves. Youth must meet their responsibility as “partners.” Those who refuse or fail to be “responsibilized” effectively “choose” their own marginalization and exclusion (Rose 1999, 2000a; see also Bauman 2000; Bittle 2002; Edwards and Hughes 2002, 2005; Garland 1997; Hannah-Moffat 2000; Muncie 2005; Newburn 2002).

These rhetorical tactics draw upon Canada’s established tradition of partnering. Especially in Ontario, partnering across governmental and non-governmental domains is an established component of youth protection and youth justice delivery (Chunn 2000; Mishra, Laws, and Harding 1988; Valverde 1995). Under the JDA, treatment-oriented interventions were implemented through a pluralism of cooperating private and public agencies to which youth were diverted and referred. Mandated to identify and meet the needs of youth and their families, both in the community and in carceral and protective institutions, community-based agencies functioned as co-participants in legislatively authorized and court-coordinated webs of surveillance and support that cut across the social body (see especially Chunn 2000). The YCJA/YJRI rhetorically re-authorizes and reactivates this tradition; it effectively re-moralizes the social, renaming it “the community.” As Steven Bittle (2002), Kelly Hannah-Moffat (2000, 2005), and others have observed, despite rhetorical shifts and “empowering” practices that name the subjects of governance as participants or partners, neo-liberal/advanced liberal governance strategies bear a strong resemblance to welfare-era interventions (see also Bala 2005).

**YCJA mechanisms**

To be effective, the YCJA must further YJRI goals, including, in particular, the goal of reducing “overreliance” on the justice system and on incarceration (Canada, Department of Justice 2000, 2003a, 2003b, 2003c, 2003d; see also Bala and Anand 2005; Roberts 2004). To achieve these goals, the YCJA institutes warnings, cautions, extrajudicial measures, and extrajudicial sanctions for minor youth offending, broadly defined (ss. 6–10) (e.g., property offences and minor or “level one” assaults). Custody, as is reiterated in the
preamble and throughout the act, is “reserved” for serious youth offences, including especially “serious violent offences,” defined as “offences in the commission of which a young person causes or attempts to cause serious bodily harm” (s. 2(1)).

Coinciding with the YCJA’s emphasis on custody as a remedy suitable only for serious offences, the act places restrictions on the use of pre-trial detention. Specifically, it prohibits the use of custody to meet child protection, welfare, or mental-health needs and institutes safeguards against the overuse of presumptive (adult-length) sentencing of youth found guilty of aggravated sexual assault, attempted murder, murder, or a series of other serious violent offences (ss. 28, 29, 72). Importantly, all youth are to be tried in youth courts; only upon conviction is an adult-length sentence applicable. Moreover, no matter how serious an offence, the act requires the courts to consider all available sanctions other than custody, to apply the least restrictive sentence that is consistent with this aim, and to choose a sentence that is “most likely to rehabilitate the young person and reintegrate him or her into society, and promote a sense of responsibility in the young person” (YCJA s. 38(2)(ii)(iii)).

The purpose of youth sentences, including adult-length sentences, is expressly not to deter or punish, though a youth subjected to an adult sentence will very likely see it as such. Rather, it is to “responsibilize” (Garland 1996, 2000; Rose 1999, 2000a, 2000b) and support youth in their presumed struggle toward citizenship (see also Roberts 2004).

**Gender and other differences**

In Canada, as in other jurisdictions (Belknap and Holsinger 2006), correctional providers are turning to “gender-specific” interventions, which are, in practice, interventions for female offenders (Shaw and Andrew 2005). The YCJA explicitly instructs both courts and community-based and justice interveners to “respect gender and [other] differences” (s.3(1)(c)(iv)). This instruction draws upon research that consistently finds that male and female youths’ pathways to offending differ, and thus their intervention needs differ (Belknap and Holsinger 2006). For female youth, to a greater extent than for their male peers, trauma, victimization, and delinquency appear linked, with familial and extra-familial physical, psychological, and, especially, sexual abuse playing a major role (see also Artz et al. 2005; Hannah-Moffat 2004, 2005; Hannah-Moffat and Maurutto 2003; Reitsma-Street et al. 2005; Schissel and Fedec 2001). To be consistent with the YCJA, therefore, community-based
interventions for at-risk and offending girls should aim to mitigate the debilitating effects of such experiences, including the negative impacts of sexual objectification and exposure to patriarchal control at the hands of parents, peers, and boyfriends (Artz et al. 2005).

Particularly at risk are adolescents who qualify as runaway youth. Runaway youth, girls especially, stand out for their special vulnerability to sexual victimization and, even more importantly, youth prostitution (Bittle 2002; Corrado et al. 2000; Schissel and Fedec 2001). While the latter is defined in Canada’s Criminal Code as child abuse (s. 212(4)), youths’ participation in this activity is characteristically interpreted as a “choice” from which they need protection (Bittle 2002; Corrado et al. 2000). As is substantiated in our SSHRC and PAR interview data, involvement in the sex industry is one of a number of unhealthy choices (Bittle 2002) facilitated by the special vulnerabilities that homelessness fosters and by the limited opportunities for survival that street life, underemployment, and unemployability afford (McCarthy and Hagan 2001).

Unfortunately, intervention and “partnering” practices across schools, child protection services, student welfare, and other services designed to alleviate youths’ risks and support their struggles toward citizenship may propel youth toward criminal activities and the related dangers and adversities of “the streets.” This is in part because policy instruments and intervention strategies rarely address relational, accomplished, and negotiated aspects of gender and other differences (Shaw and Andrew 2005; see also Mann 2003; Totten 2003). This omission is salient to the YCJA’s aim of preventing youth crime and violence, including battering, harassment, and rape of girls and women by boys and men. As Connie’s story demonstrates, gender-based victimization is, for girls, an all but unavoidable component of life on “the run.” Connie’s experiences also indirectly make visible the relationship between masculine identity and physical and sexual violence against women that has been explored extensively in other contexts (e.g., Mann 2003; Pleck, Sonenstein, and Ku 1993; Senn, Desmarais, Verberg, and Wood 2000; Totten 2003).

One youth voice – a “runaway” girl

We have chosen Connie’s story of her struggles with family members, peers, police, child-protection professionals, student welfare offices, youth shelters, and her school to exemplify themes and concerns that have recurred throughout our interviews with youth and interveners
alike. Connie's story is particularly valuable for its insights into the gendered nature of runaway and "throwaway" (McCarthy and Hagan 2001) youths' experiences, as revealed in previous research and in our PAR data. Furthermore, it offers insights into the situations and needs of female and male youth who find themselves caught in what social-service professionals, and Connie herself, refer to as the "gap" in service provisions for youth between the ages of 16 and 18. During this vulnerable period, "rights" to education and physical care mutate into choices that youth can "contract" into and out of, yet youth are denied resources and trust to manage their own survival.

Connie was recruited through one of several classroom presentations made at her high school. During these presentations, we invited youth to add their "voices" to those of other youth on issues of youth violence and the ways in which schools, community agencies, and the justice system respond to this problem. Connie told her story in a 90-minute interview conducted in her school's guidance office. Employing a dialogic "creative interview" approach that recognizes that interviews are interactions and encourages the interviewer to allow the interviewee to take the lead in a discussion on an issue or set of issues, we asked three primary questions, followed by a small set of demographic and identity questions. Our three primary questions were as follows:

1. What do you think about the issue of youth violence and what has influenced you to hold these views?

2. What do you think about the ways the schools and other social agencies address this problem?

3. What do you think about the new youth justice act [described during recruitment and again during the interview]?

In the following discussion we rely as much as possible on Connie's own words. We do so recognizing that in qualitative research transcripts do not, in themselves, constitute findings. We concur with Laurel Richardson (1990) that narrative is quintessential to understanding and communication of the sociological and that sociological narratives are the productions of academic authors. Even in PAR, when community "gatekeepers" co-participate as researchers, the interview data must be fashioned into a narrative by an individual or team. As Richardson states, "there is no principled resolution, no alternative, to the problem of speaking for others"
The best we can do is endeavour to provide a faithful and empathetic rendering, to concur as a team that we have done so, and, when feasible, to invite key research participants to provide feedback and input. This is both important and problematic in the case of youth. Only those aged 16 and older can elect to participate in research without a parent’s consent; in schools, however, except for youth who are legally no longer under parental control, written parental consent is required up to age 18. Connie is one of a number of school-recruited youth under age 18 and living independently who seized the opportunity to participate in an interview of her own volition. Importantly, we do not claim that Connie’s narrative speaks to the situation of all youth. Rather, we use Connie’s case as a point of entry into the institutional matrix of youth crime prevention in Ontario (Smith 1999, ch. 5). We also use Connie’s story to demonstrate the importance of listening to each youth’s voice.

We have arranged and edited the following excerpts from the 92 pages of text that capture our interaction with Connie under headings that help organize what our four-member research team sees as most important in her story, in light of our body of interview data and the governmentality perspective that grounds our interpretation. As is standard, we have altered details to safeguard the identity of Connie herself, everyone she refers to, her school, and her community. We have left her hesitancies, her inventive verbal style, and her neologisms intact, however, to ensure that her voice is communicated as we heard it. We recognize that our edit and her “first draft” are not fully congruent, but we have chosen to stay as close to Connie’s words as possible so as to vividly capture her intelligence, thoughtfulness, spunk, and creativity.

The following few sections present Connie’s story without our editorial comments. We do this to provide a backdrop for our discussion of her experiences with community-based supports through schools, child protection, and other “partners” in prevention. However, we would like to emphasize that Connie’s accounts of victimization, retaliation, and resistance are remarkably similar to those of other young and adult women who have experienced violence (see, e.g., Comack 1996).

**Initial risk: Family violence**

Connie related that her problems started when she was 14, when her mother remarried. Her account of abuse and conflict in her split family
or families is a version of a common story that youth recount across our SSHRC and PAR data sets. Connie’s case is notable for violence and related problems in both her mother’s and her father’s reconstituted households.

Um, my stepdad is pretty much what caused me most of the problems. Me and mom used to have a great relationship. And then um my step dad came around and things changed a lot. . . .

Um. All the, every phone was taken off the wall and hidden in their [her mother’s and stepfather’s] room with a padlock doorknob at the time, so that I couldn’t call anybody. I was locked in my room, which didn’t have a door at the time, because they took my doorknob off and then my door and then disconnected the electricity to my room. All my stepdad’s ideas. Yeah, it was, it was crazy.

I’ve been restrained. I’ve been, like even restrained as an excuse. My stepfather was attacking me. And he used it as an excuse to my mother that he was restraining me. When I’m alone in a room, cleaning myself, like I’m just by myself, and he comes and attacks me, and starts trying to physically hurt me, when he’s a full-grown man. And if he needed to restrain me, he’d just [kicking noise] you know what I mean, like hold me down.

**Being kicked out and running away**

Between the ages of 14 and 16, Connie was repeatedly “kicked out” of both her mother’s and her father’s households. Finally, shortly after she turned 16, Connie simply left.

And he [her stepfather] like plays them [mind games] in real life. Like it’s, he is really like issues with that. And he like, I don’t know, we fought before, me and him, like physically fought. Like he had attacked me before. And I had, I had, after I had left to like, I got kicked out of my dad’s. And then I decided that I didn’t want to come back, cause my mom always kicked me out for a little bit and then “hey you come home now.” But then I, I uh, she kicked me out and I’d hate it at my dad’s because he smokes and drinks. And then she’d, I’d keep wanting to come back. And that’s what she wanted. She wanted him to scare me back home. But the last time she did that, I didn’t come home, I stayed there. . . .

Everything went, was okay and I was living with my dad for five months and then, he’s an alcoholic. And then I got kicked out during one of his
alcoholic rages, when he was gonna like attack me. So um, I had to go back to my mom’s and that’s when, they went crazy again, and I just walked out of the house.

Youth violence: Rape, rage, retaliation

I’ve been raped and everything. Like absolutely everything that could happen has happened basically.

Previous research identifies girls who flee abusive homes as particularly vulnerable to peer victimization and other forms of violence, especially those who run away from or are “kicked out” by their family (Artz et al. 2005). During one runaway episode, Connie was raped by the cousin of a “supposed best friend,” whose extended family included a number of youths and adults with criminal records, including the man Connie referred to throughout the interview as “my rapist.”

And um, so, I remember not believing it happened. I remember pushing it totally out of mind, to the point where I forgot it happened. And then every once in a while I had this creepy feeling like something had happened to me. Something bad had happened to me that I needed help for, and I didn’t know what it was. And it doesn’t sound, like that sounds crazy. [And], like I needed to hear him. I needed to hear if he felt like he had any remorse of any kind. Not with him actually saying anything, but his response was telling to me.

Initially, like other girls and women we have interviewed, Connie suppressed her knowledge of the rape and her need for help. She came to realize, however, that she had to deal with the “creepy feeling” that something had happened. Her efforts to talk to her rapist about their sexual encounter confirmed her feelings and knowledge that he had indeed raped her:

Interviewer: You confronted him?

Connie: In a sense, yeah. At here [the high school] I did, actually. And I had uh, I had um just said “Do you remember what happened last time we saw each other?” And as soon as I said that, he got immediately defensive and started yelling at me. He’s like [changes voice] “What are you trying to say? You’re trying to say I raped you?” And at that point is when I really, yeah, okay. He knows. Like he wouldn’t be doing that if he didn’t, you know what I mean?
Youth violence: Escalation

Connie was equally traumatized both by her experience of rape and by the actions of her “supposed best friend,” who refused to believe that she had been raped, insinuated that Connie invited and enjoyed the rape, and disclosed to the rapist where Connie lived and worked. The rapist, whose offending history is similar to those of many male youth in custody in our research, assaulted her again.

My rapist attacked me again. . . . And um, my supposed best friend, she allowed him in the house. And he attacked me. Like he was choking me; throwing me around. He was trying to kiss me as he was attacking me. Like just to taunt me, like, like, like oh man, like it was bad. And he tripped out, cause he’s like a drug dealer and stuff like that. And he’s already done time for like a B and E and stuff like that.

To date, very few male youth in our SSHRC or PAR studies have admitted to physical or sexual violence against a girl or woman. Many, however, revel in stories of their own and other male youths’ fights, stories marked by bravado and bragging, as other researchers note is common (Totten 2003). In contrast, Connie, like other girls, frames her assault on her previous friend as an out-of-character and “nuts” encounter, rooted not in enjoyment of or fascination with fighting but in out-of-control anger created by her victimization:

Connie: I’m a lot angrier because of it [the rape]. And it was my supposed friend. It was her cousin who had raped me. She told me, she, she said, she didn’t believe me. It didn’t happen. Uh-huh. Um she told, she was telling mutual friends of ours that hadn’t known about the incident, saying that I was lying, that it didn’t happen. . . . So, she was like mimicking how, noises I was probably making during the thing, about me enjoying it.

So I had actually, I have never been in a fight in my life. . . . But like when I heard that, I just got so enraged that I, like waited for her after work, and then I chased her down. I jumped out of a moving vehicle, cause it wasn’t going fast enough . . . And I, I chased her down. And I was able to like, I went nuts on her. Like she, she’s terribly afraid of me now. And like I beat her ass basically.

Interviewer: How do you feel about that?

Connie: Not bad at all, because she was supposed to be my best friend. She’s, she gave him my phone number and address when he was out of,
when he was getting out of jail and he was telling her he wanted to kill me. She also, um, let him in the house when I was there.

Connie’s unapologetic attack on her previous friend unfortunately exacerbated an escalating chain of threats and dangers to herself and to those she loved, including in particular her father, brother, and boyfriend:

I had threats from his [rapist’s] family, from his sister, who’s 25. A 25-year-old prostitute actually, who um, or ex-prostitute. She already said if anything ever happens to him, she’s going to automatically assume it was from me and come after me. He knows where I work. He knows where I go to school. He doesn’t know where I live [since moving in with her boyfriend]. He wouldn’t be able to get me there anyway, cause I live with my boyfriend and he’s terrified of him, so . . .

There’s a lot of people that I know want him. Not like, hmm. Want to hurt him. Like badly. Like, I’m not trying to get anybody after him or anything, I’d rather him just be out of my life. . . .

It’s gonna happen. He lives next door to my father. My dad knows, my dad, my dad sees him everyday. My dad, my dad’s waiting for the perfect point in time. And I know it.

Despite intense anger at her rapist, Connie recognizes, or believes, as (to a greater or lesser extent) do many researchers and service providers (e.g., Canada, Public Health Agency 2005), that this young man’s actions are rooted in his own, undeserved, family history of abuse and neglect and in failure of the “system,” which is to say child-protection services and justice services, to heed his needs for care and protection:

I wouldn’t mind if he died the most excruciating death ever and I watched it. Really wouldn’t. But I wouldn’t want anyone I love to have to either do that and live with the fact that they did something to him. . . .

For him [the rapist], the only, he, he’s been so, like his mom is messed up. Like he doesn’t have a father. He’s been in foster care and Children’s Aid since he was young. Um his mom tried killing him and telling him that it was his fault, herself or whatever and, and all that. Um like he’s so messed up to the point like. There’s no helping him . . . He doesn’t care about other people any more, because no one showed care for him.
Dangerous/desperate pathways

Except for Connie’s decision to sell drugs rather than engaging in far more lucrative sex-industry activity, her account of the dangers she navigated “just to survive” during various runaway phases is remarkably similar to those of many of our PAR interviewees, who were recruited specifically because of their involvement in the sex industry.

Connie: It’s from there that we take our paths in life. And from there, our, her [Connie’s roommate’s] path was um to, we needed money... I've sold drugs. I've done everything I could to basically survive without having to compromise my morals. My morals in that, ah, prostitution, and um, selling people out. Like, you know, like I don’t want to do either of those things because, both are dangerous... But um, my roommate, who's hopeless. Like, she’s a prostitute....

Interviewer: So some people talk about when kids are in your situation, girls especially, that they’re really vulnerable to pimps and people like that coming up to them.

Connie: The only thing they can do is that [prostitution]. I mean, me and her, like look at us. We both left our homes, right? And, or she was kicked out, either one of us, right? She was kicked out, I left. We met at the Girls’ Refuge, that’s where we met. Basically, at this point, we’re on the same stone. Like we’re, we’re at the same place right now...

In Connie’s view, in the view of girls and some boys in our PAR project, and in the research literature (e.g., Artz et al. 2005; Belknap and Holsinger 2006; Bittle 2002; Corrado et al. 2000; McCarthy and Hagan 2001; Reitsma-Street et al. 2005; Schissel and Fedec 2001), sex-industry involvement emerges as a specific risk and survival opportunity for girls.

There’s no way to make money. I started selling weed. I wasn’t making money doing that.... She [Connie’s roommate] went right to massage parlours. Rub-and-tugs, hand jobs, all that nasty, dirty crap that I would never go near. And she was the one making the money, not me.

That’s how you do it when you’re a girl. That’s how you have to do it. So it’s true. That’s why. That’s why there’s prostitutes.
Youth supports: The police

At the level of formal interventions, one important protection and support for youth and adults in Canada is the police, the YCJA “partner” whose specific mandate is “to serve and protect” as well as to work with citizens, including youth. In both our SSHRC and PAR projects, however, youths again and again describe their experiences with police in negative terms. Youths report feeling harassed and abandoned, being disbelieved, and being treated like children. Typically based on a prior (often minor) encounter, many youths, Connie included, indicate that they avoid calling on the police because they assume the police will not help them, will make them return to a potentially violent family situation, or will “turn them in” to Children’s Aid.

Connie’s negative view of the police is rooted in her unsuccessful attempt to get the police to protect her from her stepfather. Based on this experience, she believes it is pointless to seek police protection, even from repeated and ongoing death threats. Again, Connie’s statements could have come directly out of our PAR interviews:

Connie: I’ve called the cops on my stepdad for the time he attacked me, and I had a goose egg on my head. I had nasty welts all over my body, and including like ones on my hips, where between my pants and my shirt it was often noticed. I called the cops the night that happened actually, and they didn’t do anything for me. My parents, they walked in, they talked to both my parents. “Your parents love you, your house doesn’t have faeces on the floor, you can stay here.” ... So like I would never call them, and that’s why I haven’t called them about the rape or anything. Because what are they going to do? You know. ...

Interviewer: He’s [the rapist] threatened to kill you?

Connie: Oh, oh several times. I remember um right after it happened, I didn’t accept it. And I just made, um, that’s another reason why I couldn’t have called the cops even, was because I waited too long. I, I uh, I didn’t, I made tons of mistakes. Like to, to press charges. Because they [police] would be, they wouldn’t believe me. ...

Interviewer: Did you think about a restraining order or anything like that?
Connie: Nnnnn, cops, don't talk to them really because they, they never did anything for me during like domestics for, with my family. And they always just brought me right back to my home, my house and said to smile and get used to it basically, until I turned 16 and could do something about it. Because when I was 15, they kept threatening me with foster care, which I've heard nothing but horror stories about.

**Youth supports and responsibilizations: Child protection services**

The Children's Aid Society (CAS) is a non-profit agency working in local communities to provide help and support to children and their families. . . . [The CAS] is the voice of child welfare in Ontario, dedicated to providing leadership for the achievement of excellence in the protection of children and in the promotion of their wellbeing within their families and communities. (OACAS 2005)

The Ontario Association of Children’s Aid Societies (OACAS) has been a traditional partner in youth justice since the 1893 Ontario Children’s Protection Act (Mishra et al. 1988: 122), when Ontario launched its dual system of social and youth-justice services, one set operated by local or provincial governments and the other by church and secular organizations with public subsidy – a solution maintained throughout the YOA era (see also Bala 2005; Mann 2000; Valverde 1995). As stated in an online OACAS brochure (OACAS 2005), the dual mandate or goal of child-protection services is to “help and support” not just children and youth but also families. Connie’s account of her experiences with the CAS demonstrates how this dual mandate translates, from the perspective of youth, into parental empowerment and youth disempowerment, expressed, in Connie’s view, in rude treatment of youth whose parents present well:

I went to Children’s Aid because my mom was trying to bring me home after running away, when I was too young to be gone. And I had three months exactly before I was 16. . . .

I noticed the people at Children's Aid were very rude, very rude to me. Like they’re like, “Sorry you have to go home.” Because my parents are very well spoken, and they’re, they’re um. My mom, [sigh] like I, like I said, she does love me, so when she speaks to them about me, they obviously believe her, ‘cause she’s telling the truth.
After leaving her mother’s home at age 16, Connie “stayed” with various friends. After the rape, she resided briefly in a refuge for homeless adolescents. When the refuge “kicked” her out, staff convinced her to attend a CAS group-home orientation, after which she could have voluntarily chosen this form of “protection.” However, Connie found the group home and its responsibilization strategies excessively impersonal and controlling, and she chose instead to navigate the dangers of survival on her own.

Connie: I went to the orientation and everything. I said it’s not for me. They were going to take away my cell phone even. Like I said, that was a very emotional weekend for me as well. Like I just realized what happened to me [the rape]. I needed my phone in case I needed to talk to somebody. I couldn’t have them take my phone away from me.

Interviewer: Why do they do that? What’s their idea? What’s their argument?

Connie: To be bitches? I don’t know. I tried asking them too. I read their rule books. Their rule books are insane. Cause they’re like “the blinds have to be open this much, blah blah blah”…. And um no boys on the porch.
Huh [slight laugh]. Like what? Okay. But um, like, your boyfriend has to be like approved by them!

To Connie and the other youth we interviewed, the overbearing, rule-bound environment of group homes seems unjustifiable, beyond sense. In the view of group-home staff, however, clear rules as outlined in the CAS “rule book,” consistently enforced, are essential to foster responsibility and keep youth who chronically get “out of control” more “in control.” The unfortunate outcome is that for many youth, group homes do not feel as though they are, or could possibly be, homes.

Interviewer: Like could the group home have [been] different so that you could have stayed there, so it could have really been a place for you?

Connie: No. At that point for me, I needed to be with family. I needed to be around people. I needed to be around a good environment. No, the group home wasn’t a home, it was an office building. It had actual offices in it. . . . You, you, you were run on military time basically, and it was, it’s not something [pause]. No. It’s not home.
Youth supports and responsibilizations: The schools

Schools are a “new” or non-traditional youth-justice partner (Canada, Department of Justice 2000; also see note 6 below). Across Ontario, however, well before the introduction of the YCJA, schools instituted a range of supports intended to alleviate risks related to violence and victimization. In Connie’s high school, anti-violence and anti-bullying aims are promoted through guest speakers on various forms of violence (sexual assault, dating violence, etc.); anger management and other educational counselling programs; peer mediation workshops; a relationship awareness curriculum; and an anti-bullying hotline. Most important, however, in Connie’s view, is the school’s Child and Youth Worker (CYW), a “compensatory” resource the school board provides to schools designated “high needs.” In schools, CYWs supervise lunchrooms, hallways, and other extra-curricular spaces; assist youth in problem solving; deliver anger management and other psycho-educational programming and workshops; and refer youth with special needs to school board social workers and community-based agencies and services.10

Our CYW, he is the one who told me that “Connie, you need to get help for that [the rape] right away. The longer you wait, the worse it’s gonna be.” So that’s the only reason why I even made the appointment at the Sexual Assault Centre. . . .

[O]ur CYW, he’s, he’s honestly the best. He cares about the kids. He’s not there to try to scare them or try to threaten them about getting kicked out of school or anything like that. He’s not, he’s more compassionate. . . . Like he knows how, he’s one of the type of people that knows how to connect with them. And really, truly help them.

And then, he’s [CYW] also not afraid to pick up the phone if he needs to, for other like excessive help, like um, he helped me get into the refuge, when I had nowhere else to go. . . . I got kicked out of it [for allowing a friend who had already been expelled to sleep over].

Unfortunately, schools in Ontario also exacerbate risks through various “zero-tolerance” policies. As is reportedly the case across Canadian and U.S. jurisdictions, rates of student suspensions and expulsions have escalated dramatically (Brautigam 2002; Moak and Wallace 2003). Students are suspended for fighting, drugs, and disrespect toward teachers, especially including swearing at teachers. They are also suspended for academically unacceptable behaviours
such as chronic lateness. Most salient to Connie, and the demanding university-bound course stream in which she hopes to maintain her place, youth over age 16 who exhibit poor attendance or poor marks may be “refused a timetable.”

Right now, there’s a high, high rate of people getting kicked out by the principal. Like I might be kicked out soon because, um, I missed a lot of school last semester.

I am a good student in the sense, like I am capable of really decent marks. And um, like before I even got into high school and all that social stuff got in the way, like I graduated with an 89 average. And I was a valedictorian and everything else. But all this stuff’s happened to me, that it’s hard to concentrate in school.

Connie’s school employs responsibilization “contracts,” which compel youth to agree to attend classes regularly and raise their marks or accept that the school will not make a place for them in the next academic term. In Connie’s view, this is a mechanism for “kicking” students out of a chance for a viable future, a perspective that academic critics of such policies share (Moak and Wallace 2003). As Connie’s testimony and our PAR interview data demonstrate, school suspensions and expulsions propel at-risk youth away from social and community supports and toward dangerous and criminal alternatives.

Connie: Now I’m on contract. I got, I’m assigned on contract….Um, which means I, I, because I had missed so much school, for a semester and had failed all my classes, they had signed me a contract where uh. The conditions are if I miss, I believe, more than five days for the rest of the year, I could get kicked out…. And then um, if I, uh, if I’m not passing every single one of my four classes, by midterm, when marks are due, then I can get kic—I—, I will get kicked out. . . .

Interviewer: So, the school’s threatening to suspend you for non-attendance.

Connie: No, not suspend me. Kick me out.

Youth supports and responsibilizations: Student welfare

Student welfare, another “non-traditional” justice partner, is a form of social assistance that exists to ensure that youth over age 16 who
do not have the support of their families can complete high school. The “system” requires, however, that the youth find a trustee – someone who will assume responsibility for ensuring the welfare monies are spent on rent and food. The trustee requirement assumes that youth between the ages of 16 and 18 are not sufficiently responsible to manage survival on their own. More problematically, it assumes that a youth who cannot live with her or his parents has another trustworthy family member or acquaintance willing to take on this responsibility.

Connie: Um for, because I’m under 18, I can’t collect cheques from student welfare . . . I have to have somebody collect them for me, I have to have a trustee.

The system isn’t really good at all. There’s a gap between 16 and 18. There’s nothing that anyone can do for me. Like, I haven’t received, I’ve been out for more than four months, I have had nothing the whole time. . . . Like I didn’t have one adult I trusted. “Too bad, you don’t have anyone who can help you out, then we can’t help you.”

Because who was I gonna get? My, my aunt almost did, but then my mom called her telling her she was interfering and whatever else. . . . And my aunt’s crying and telling me all this. . . . And like, I don’t want to hear my aunt crying on the phone. That’s not cool. And then um, I didn’t have any adults I trusted. Who, who am I gonna, I’ve been screwed over by my own parents? I’m gonna trust some adult with receiving cheques and making sure I get the money? Making sure I have rent?

Interviewer: So do you think there shouldn’t be this requirement for a trustee?

Connie: I think an assessment should be done for a, like a psychology assessment, to really see where that person is, to see if they’re mature enough to handle it.

Interviewer: Did you get a trustee?

Connie: Um yeah. I found, my boyfriend’s mom has agreed to it.

Youth supports and advocacy: Counselling services

A key support in Connie’s story is yet another non-traditional “partner,” counselling services, to which she has been referred by
schools, the CAS, and, most recently, student welfare. Connie is required to attend counselling through a mental-health association as a condition of receiving student welfare, a condition that she in fact welcomed. It was the practical assistance of her CYW and crisis counsellors, however, that put her on track first for student welfare and then for more in-depth counselling. As Connie's story of her struggle to access and then qualify for student welfare makes clear, for a youth on her own, access to services is a major problem. In Connie's words, youth need a voice, or, rather, someone who will be a voice for them:

"It wasn't until I went to my meeting at the Sexual Assault Centre, where she's like, "You know what, you can't even deal with this right now. Rape is not even something that you need to worry about right now. Right now you need to get food and shelter and order, and stay in school."

So she picked up the phone for me. She picked up the phone for me and it's the only, the one and only time I've seen her. And she's the one who called social assistance right away, and basically got a hold of the person I need to get student welfare. . . .

I was trying to call social assistance. I was getting the run around. Like no one would, I needed somebody who had a voice.

I don't have a voice, I'm 16 years old. I don't have a voice until I'm 18. I have to, my landlord thinks I'm 18. To sign the lease, I have to lie for that I'm 18. I have to do things I'm not allowed to do, just to survive.

Youth's need for and right to a "voice" is recognized in the YCJA and in two documents cited in the YCJA Preamble: the UN Convention on the Rights of the Child and the Canadian Charter of Rights and Freedoms. From Connie's perspective, the major positive change that "the system" could make is to learn from those within it who listen to youth and who help to give youth a voice:

Interviewer: So do you, you don't think there's anything this system can do for you?

Connie: There um, probably many things they can do I guess. Like maybe, listen, for once. I mean, I'm 16 years old. As soon as I basically let that out of my mouth, like basically there's no point in talking to them anymore, cause they're not listening. You need somebody to do it for you. Basically, somebody who is a, a voice for you.
Learn from our CYW. Learn from people that actually know how to deal with kids, talk to kids, and make kids feel like they actually care.

**Youth resources: Connectedness**

Connie’s ability to forge personal ties is perhaps her most important strength as she struggles forward toward a viable future. In her view, her most important support at the time of the interview was her “amazing” boyfriend and his family. Importantly, Connie’s hold on student welfare hinges on her ability to maintain her relationship with the mother of her boyfriend. This creates a dependency that Connie seems intuitively to recognize is a potential danger. At the time of the interview, however, Connie’s boyfriend and his family were helping her get back on track.

Connie: I have an amazing boyfriend. Like, do I? I didn’t want a boyfriend. The last thing I wanted right now was a boyfriend, just to screw me over even more right now. But he’s amazing....

I have stopped selling weed. I, I’m not, I haven’t received anything from student welfare, but I, I’m okay enough that I don’t have to do that anymore. Now that I’m with my boyfriend, and living with him and, like I eat there all the time. Like, it’s not a problem. Like his mom gives us lunch money each. Like his dad answers phone calls and refers to me as his daughter....I have a ride to school.

Interviewer: So that’s, feels good?

Connie: Yeah. Like it’s just like, very protected.

Connie’s ability to hold onto a viable future, as noted above, also hinges on her ability to maintain her place in the demanding academic program in which she is enrolled. Maintaining her academic space, however, depends on her ability to convince her school’s “caring” and “amazing” vice principal to waive or extend her “contract.” Connie’s dependence on and admiration for this school authority underscores the importance of connectedness in formal as well as informal contexts:

Our VP is amazing....she’s the best vice principal that’s been here, since I’ve been here. She’s very, very, she cares. She really wants to know what’s going on. I want to talk to her about my contract. Because ever since I’ve
been with my boyfriend, I've been trying my absolute hardest to focus 100% in school.

I'm now passing first period. My teacher just told me this morning, that I've just reached 51%. I had 39 two weeks ago. ... If I get kicked out, then I have to go to the Alternative [general/remedial stream] High School, and I can't go to post-secondary education after that. ... I really want to ensure that I'm not getting kicked out.

**Youth resources: Identity**

Like most youth interviewed to date, Connie reported that religion and ethnicity have little to do with who she feels she is as a person; her identity is anchored instead in what she does, and especially in what she does as a “good” or “moral” person. Moreover, like a surprising majority of youth interviewed, including many in custody, Connie volunteered that she hates “prejudism of any kind.” These aspects of youth identity emerge as important and arguably overlooked sources of resilience and strength upon which interveners and intervention partners could draw.

I don't really have one [religion, ethnic identity]. I don't, I don't have religion and I don't have an ethnic background because I have six nationalities. ... My morals are my identity. And that is like, I, I can't stand racism, prejudism of any kind, sexism. Oh my goodness, I'm a feminist, like insane! [Laugh] Um, I, I very much like, um, I'm, good people. Like, I don't, I don't care if you're a punk, a thug, a, you know what I mean, a prep. It doesn't matter. If you're a good person and you're like decent, then that's awesome.

Especially important to the hope and resilience that resonate throughout Connie’s story is her confidence in herself. Connie knows herself as a person who can have a future. This confidence is grounded in her past school successes, which include having been school valedictorian at her Grade 8 graduation. Unfortunately, many, perhaps most, at-risk youth interviewed in our study lack such confidence and the history of academic competence upon which it draws. Being true to oneself, and one’s morals, appear more possible when one has a vision of a viable future.

And being a true person to myself 'cause I understand who I am. I know who I am. I'm 16 years old and I can tell you, I know who I am and that's awesome. Because I know a lot of people can't tell you that when they're
Youth voices

The themes, experiences, perceptions, and intervention challenges that Connie’s story gives voice to include a trajectory of adversity, victimization, and violence; a mix of support and non-support at the hands of family members, peers, and interveners; and a considerable portion of personal resilience and hope. Our interview data from the SSHRC and PAR projects capture other stories of resilience and promise, told by female and male youth from a variety of ethnic and class backgrounds. But our research also captures stories of seemingly unrelenting adversity; of less perceived support, or none at all; and of overwhelming despair and hostility. The latter pattern is especially evident in the testimony of male youth in custody, whose offending profiles, masculine identities, and family backgrounds commonly fit Connie’s description of her “rapist.” It is important to note that her description of this youth matches empirical findings for males who perpetrate sexual and physical violence against women and girls (e.g., Malamuth, Linz, Heavey, Barnes, and Acker 1995; Mann 2003; Senn et al. 2000; Totten 2003).

Given the special sensitivity to gender and other differences mandated by the YCJA, the voices of youth have distinctive salience. Each youth speaks to the relational realities through which he or she has constructed his or her identities and actions. Future analyses are therefore needed to systematically compare and contrast voices of youth across various categories of difference, to better hear and, in the future, more viably address the needs of all.

Conclusion

Through the YCJA, the government of Canada has re-authorized and re-responsibilized communities, via publicly funded community-based agencies and services, to address and prevent youth crime and its associated risks. This reactivation of “the social” (Muncie 2005) follows upon two decades of a more law-and-order approach, during which youth crime and incarceration rates escalated while community supports declined, especially, perhaps, in Ontario, where neo-liberal and neo-conservative forces came together under the stewardship of premiers Mike Harris and Ernie Eves (1995–2003). At the time
of this writing, in Ontario and, specifically, in the research community where our SSHRC project is based, services and programs aimed at supporting and responsibilizing youth have been enhanced in schools, student welfare services, child-protection agencies, and counselling agencies, in part because of the provincial Liberals’ embrace of the YCJA project under current premier Dalton McGuinty – a neo-progressive, social-democratic, “advanced liberal” project that aims not to exclude and punish but, rather, to explicitly include and support (Bala and Anand 2004; Reid 2005; Reid and Zuker 2005; Roberts 2004; see also Feeley 2003; Muncie 2005; O’Malley 1999, 2002).

Connie exemplifies the category of youth for whom the YCJA’s supportive mechanisms are arguably designed – she is an “us of yesteryear,” propelled toward and attracted by resistance and rebellion, but struggling toward citizenship and inclusion. But Connie’s experiences and involvements, including opportunities and, presumably, temptations to participate in sex-industry activities, coincide with serious incidents of physical and sexual victimization, death threats, the potential for serious or even lethal violent encounters across her and her rapist’s family and social networks, and her own perpetration of violence. These experiences with violence and associated risks are not unlike experiences commonly reported in the histories of adult women in conflict with the law (Comack 1996).

To date, Connie’s criminal acts have been relatively minor and have remained under the official radar. Her rapist, however, has a record of youth offending and youth incarceration and is, in Connie’s view, beyond remorse and rehabilitation. Others would undoubtedly also believe this to be true of some of our male interviewees recruited in correctional contexts. Regardless of the validity of such assessments, Connie’s rapist, and soon all the youth in our interview set, will inevitably age out of the YCJA’s protective regime. As adults, they will emerge as full moral agents, for whom youth responsibilization efforts of community agencies and justice services have failed and against whom truly punitive sanctions are authorized.

As Connie’s account of her experiences with existing supports underscores, an ongoing re-tooling and expansion of services and referral practices across justice, educational, and social service sites needs to better make space for, and heed, the voices of youth. Youth seek support in their struggles to achieve autonomy, freedom from abusive control, and educational and occupational success.
Instead of offering this support, however, schools, child protection, student welfare, and other services offer responsibilizations that foster youth alienation – exclusionary vestiges of YOA-era neo-liberal/neo-conservative alliances (Muncie 2005; O’Malley 1999, 2002) that effectively shift responsibility from communities, and the agencies put in place to serve communities, back onto individuals and families.

Our research will continue to map the efforts of community-based services to meet the YCJA mandate and challenge and the impacts of these efforts on Ontario’s youth. Through this research, we hope to contribute to knowledge on the promises and limitations of preventative partnering. In Canada, this approach seeks to foster youth justice that is also justice for youth (Mann 2000). In Canada and across our globalized world, realizing this hope is the real challenge of youth justice renewal.

Notes

1. The research for this article was funded by the Social Sciences and Humanities Research Council of Canada, the Federal Department of Human Resources and Skills Development, and the University of Windsor.

2. The SSHRC project combines participant observation in intervention sites, content analysis of governmental and agency literature and youth correctional files, and semi-structured interviews with interveners and youth. As of 15 March 2006, approximately 85% of 150 interviews (n = 132) had been conducted and preliminary coding completed. Community workshops designed to elicit “member feedback” and parents’ perspectives are scheduled for the spring of 2007. The research is conducted in a southern Ontario urban community. Names and details of participating individuals and agencies have been changed to safeguard confidentiality.

3. The Participatory Action Research (PAR) project was conducted by Dr Charlene Senn with Dr Kathryn Lafreniere (Department of Psychology, University of Windsor) and three youth who do not wish to be named, one of whom continues to provide feedback on our ongoing efforts to integrate the findings into scholarly analyses in the fields of youth and violence against women. The “action” portion of the project was necessarily reduced when those youth who had wanted to control the community education/activism emerging from the project were no longer able to participate. The three youth initiated the project, recruited
the other participants, and conducted the interviews, with training and assistance from the two university researchers. A small amount of funding for this project was obtained from the federal Department of Human Resources and Skills Development.

4. The youth team researchers involved in the PAR study strongly reject the idea that youth exploitation in the sex industry is “work” like any other.

5. Quebec stood alone among the provinces as a supporter of the YOA (Trépanier 2004). Through the YOA, the federal government sought to “balance” youths’ rights to due process, their needs for rehabilitation, and society’s need for protection (Reid and Zuker 2005). Outside Quebec, however, this balance resulted in alarmingly high youth charge and incarceration rates – a development rooted in an escalating, media-fuelled “fear” of crime and in populist/interest-group demands, particularly in English Canada, for “tougher” youth justice measures (see also Hartnagel 2004; Hogeveen 2005).

6. The YCJA’s “preventative turn” (Edwards and Hughes 2005) draws upon neo-liberal rationalities of governance associated with what Nicolas Rose (1999, 2000a, 2000b) and other governance scholars identify as a “retreat of the state” and a contraction of “the social” in the face of economic globalization (Bauman 2000; Garland 1996, 2000; Hogeveen 2005; Pratt 2001). It also draws upon a post-Martinson (1974) rediscovery that rehabilitation and prevention work; the co-emergence of restorative and actuarial justice; a realization that publics support rehabilitation and prevention as well as punishment; and the urgings of Canada’s “progressive social policy sector” (McKeen 2004; see also Bala 2005; Cesaroni and Doob 2003; Doob 2000; Hannah-Moffat 2005; Matthews 2005; Muncie 2005; O’Malley 1999, 2002; Shaw and Andrew 2005; Tufts 2000; Welsh and Farrington 2005).

7. The Community Partnerships Symposium on Youth Justice Renewal Summary repeatedly calls for input and participation by both justice and “non-traditional partners” who are to network, collaborate, and share information. The text specifies that non-traditional partners include “educators, health professionals, arts and sports practitioners, and social workers” as well as “parents, victims and youth themselves” (Canada, Department of Justice 2000).

8. Presumptive sentences were pronounced unconstitutional by the Quebec Court of Appeal just before the YCJA came into force. The federal government accepted this ruling and stated its intention to revise the act
(though as of this writing it has not done so). Adult sentences are constitutional; however, there can be no presumption of an adult sentence (see Bala and Anand 2005; Trépanier 2004).

9. Bill McCarthy and John Hagan (2001) observe that the term “runaways” implies that a youth has chosen to leave home and that a return is possible or viable. They coin the term “throwaways” as an alternative to capture the situation of youths who flee abusive environments, many of whom are in fact “kicked out.”

10. Child and Youth Workers in Ontario hold a community college diploma, earned over three years. CWYs work in correctional facilities and schools.

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