



**University
of Victoria**

Graduate Studies

Notice of the Final Oral Examination
for the Degree of Doctor of Philosophy

of

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MA (Simon Fraser University, 2008)

BA (Simon Fraser University, 2005)

**“Community-Based Responses to Youth Offending: Politics, Policy and Practice
Under the Youth Criminal Justice Act”**

School of Child and Youth Care

Friday, April 15, 2016

11:00AM

David Turpin Building

Room A136

Supervisory Committee:

Dr. Sibylle Artz, School of Child and Youth Care, University of Victoria (Supervisor)

Dr. Douglas Magnusson, School of Child and Youth Care, UVic (Member)

Dr. Tara Ney, School of Public Administration, UVic (Outside Member)

Dr. Neil Boyd, Simon Fraser University (Additional Member)

External Examiner:

Dr. Russell Smandych, Department of Sociology, University of Manitoba

Chair of Oral Examination:

Dr. Carl Mosk, Department of Economics, UVic

Abstract

This research focused on diversion and community-based alternatives to custody for young offenders. For the purposes of this research, diversion, and community-based responses to youth crime include informal processes and non-incarcerating sanctions utilized for young offenders for the purposes of diverting youth away from the formal justice system at any juncture, and/or reintegrating that offender within the community. Measures of interest included extrajudicial measures, extrajudicial sanctions, conferencing, restorative justice, and intensive support and supervision under the YCJA (2002). This research followed a qualitative approach to examine policy and practice.

Phase 1 involved an examination of over a decade of policy-related discussions within the House of Commons and Senate as well as their respective committees and resulting legislation reported by *Legisinfo*. Initially, all transcripts were examined. At a later stage, a proportional stratified random sample was drawn, restricting the sample to 32 items. Phase 2 involved semi-structured interviews conducted with 14 professionals in the field of youth justice with the aim of accessing practice narratives on policy implementation. Chain-referral and maximum variation sampling techniques were employed to access a diverse group of professionals including police, youth workers, restorative justice personnel and probation officers in the regions of Greater Vancouver, the Fraser Valley and Vancouver Island in the province of British Columbia. Participants ranged in length of service from one year to over 35 years. Thematic narrative analysis of phases 1 and 2 occurred iteratively with data collection.

In this dissertation, I present findings regarding community youth justice measures at three levels: the operational/practice level, the policy making level and the macro socio-political level. Specifically, findings related to the operational level include: insufficient resources available to individual workers; narrowing the net of youth who are eligible for services; a reliance on informal and formal charitable contributions to provide basic youth justice services; and outsourcing of diversion strategies by government to community organizations. On a policy making level, I discuss findings related to the complex fusion of restorative justice and diversion strategies; the substitution of anecdotes for evidence in policy making; and the simple rather than complex stories used to frame the “youth justice problem” by policy-makers. Finally, on the macro sociopolitical level, I highlight the reversal of the welfare state and the associated implications of this reversal. I analyze and discuss the impacts that ideological and policy shifts have on policy making and individual practice, notably on the efforts of professionals who must begin the work of closing the gaps in youth justice services, and who do so based on their own understanding of social responsibility and the “ethos of care.” This research contributes to the body of work on youth justice in Canada by exploring the connections and disconnects between policy discourses at each of the political, policy and practice levels and highlights how such a multi-dimensional analysis is a meaningful way to assess an important social policy issue.