

PUBLIC REPORT NO. 34 June 1994

# **BUILDING RESPECT**

A REVIEW OF YOUTH CUSTODY CENTRES IN BRITISH COLUMBIA

**Ombudsman**  
PROVINCE OF BRITISH COLUMBIA

# **BUILDING RESPECT**

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### BUILDING RESPECT A Review of British Columbia's Youth Custody Centres

#### Open Letter From the Ombudsman June 1994

This report is based on a review of peer abuse in British Columbia's Youth Custody Centres. Throughout the period of the review many issues came to our attention, some directly and others indirectly related to peer abuse. In keeping with our preference to review matters systemically, this report takes a more comprehensive approach to issues in youth custody centres.

Peer abuse is a serious problem in youth custody centres. Youth have told us about the distress they experience when confinement prevents them from getting away from their abusers. Many of the staff at these facilities are also discouraged about this issue, believing that peer abuse is a systemic problem within institutions of all kinds and will always be with us. We believe that it is a symptom of deep-rooted problems within the system providing custody services for young offenders.

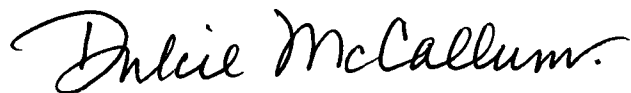
The Ombudsman's Public Report No. 22 - *Public Services to Children, Youth and Their Families in British Columbia: The Need for Integration*, (November 1990) dealt with the broad issues of service to young people in this province. Other Ombudsman reports have reviewed and will review other aspects of child and youth services. However, the focus of this report is to inform the adults responsible for caring for children and youth about the extent of the problem of peer abuse and to recommend possible solutions. The report highlights the pressing need for adequate staffing, appropriately qualified staff, enhanced programming and improved facilities.

Very recently youth at one major facility stated that they were reluctant to report peer abuse because they believed the consequences of reporting were worse than the original abuse. Therefore, the response to the phenomenon of peer abuse must be to implement safeguards to prevent it from occurring and to make our facilities safe. We believe that the recommendations contained in this report will assist in this process.

The Office of the Ombudsman believes that youth facilities must be safe and caring. The aberrant conduct of youth living in custody centres cannot be used to relieve officials from the responsibility of providing a respectful environment. Comprehensive change is required, not band-aids. A complete overhaul of the way youth services are delivered must be undertaken if youth in residential facilities, particularly youth custody centres, are to live without the fear and threat of violence.

I want to particularly thank the Peer Abuse Task Force members for their dedication and the range of expertise they provided. We understand that the Corrections Branch has already undertaken significant steps to implement many of the recommendations contained in this report based on the work of the Task Force and the Office of the Ombudsman.

Respectfully submitted,

A handwritten signature in black ink, reading "Dulcie McCallum". The script is fluid and cursive, with a large initial 'D' and a trailing flourish at the end.

Dulcie McCallum  
Ombudsman of the Province of British Columbia

## **BACKGROUND TO THIS REPORT**

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A Task Force on Peer Abuse was established in November 1990 by the Ombudsman's Office to assist in the systemic review of peer abuse within British Columbia's youth custody centres. The Task Force received information and perceptions from youth and staff within youth centres and made suggestions to the Ombudsman's Office intended to assist in reducing or eliminating incidents of peer abuse within youth centres.

The Task Force included representatives of the Ombudsman's Office, four senior staff from the B.C. Corrections Branch, one staff member from each of the Ministries of Health and Social Services, a representative from privately contracted Corrections agencies, a professor from Simon Fraser University's School of Criminology and two youth who had been "through the system." The focus of this review was limited to peer abuse, recognizing that it is only one of the many facets of institutional life that requires persistent scrutiny.

We want to acknowledge the contribution of the members of the Task Force. Their dedication and commitment to enhancing the quality of service to all youth in institutions deserve special recognition. This public report relies heavily on information provided by the Task Force. However, it is not a report of the Task Force. The report, with its findings and recommendations, is the sole responsibility of the Ombudsman.

As part of the Ombudsman investigation, we developed a questionnaire for staff and conducted personal interviews with young people in youth centres throughout the province. In total, 82 youth who were, or had been, residents in a youth centre and 136 staff gave us their views. Appendix A provides a summary of responses by youth and staff. We also visited two centres in another jurisdiction to evaluate how they were coping with the issue of peer abuse.

The possibility of conducting a cross-ministry review of all major youth institutions in British Columbia was considered. However, given the scope of the problem and aspects unique to life in a custody centre it was decided that the report should be limited to the issue of peer abuse within youth custody centres. Some of the recommendations are nevertheless applicable to non-correctional youth programs.

The principal investigators for this report were Keith Henders, Marisol Sepulveda and Del Phillips.

The members of the Task Force were Gary Allan, Keith Barnard, Jeff Carter, Ray Corrado, Chris Hawks, Keith Henders, Gordon Hogg, Marisol Sepulveda, Helga Stopper, Joan Warner and two youth who had lived in youth custody centres.

# INTRODUCTION

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## ■ THE PROBLEM OF PEER ABUSE

Peer abuse is defined in this report to mean the victimization of a vulnerable person by individuals of a similar age or in a similar situation. It may include physical, verbal, emotional or sexual domination of one member of a group by one or more members of the same group. It can happen almost anywhere: within families, in schools, or within correctional, mental health or social services institutions. Peer abuse among youth differs from general child abuse because the abusers are not parents, staff or other normative authority figures. The abusers are other youth.

Why youth abuse one another is the subject of considerable debate. Peer abuse has been a well-known, long-standing phenomenon especially in youth facilities in the United States. It is not unique to British Columbia youth centres. Given the magnitude of this problem, the phenomena has attracted some academic attention. "Deprivation" and "importation" are two leading theories that have been proposed to explain why peer abuse occurs in institutions. The deprivation model relates peer abuse in youth correctional centres to regimentation and depersonalization within a coercive and restrictive environment. The importation model, on the other hand, attributes peer abuse to the attitudes, values and experiences of youths that are acquired before they are placed in an institution. They are then brought in, or imported, to the institution. Appendix B provides a brief summary of the research in this area.

It is reasonable to assume that the institutional environment will significantly influence peer relationships. The feelings of anger, frustration and powerlessness that many youth bring with them into an institutional setting may be compounded if they are being held against their will. Isolation from family and friends and other natural advocates, the alienating and impersonal nature of the centre, the stigma of going through the legal system and being in custody, the fear and frustration associated with being confined and being subjected to authoritarian relationships are all factors that can make peer abuse more likely to occur within youth correctional centres.

The youth's experiences prior to institutional placement may be a significant factor. A review of 60 randomly selected case files indicated that a large proportion of the youths had experienced family violence and abuse as children. Many reported alcohol and drug abuse in their families. Physical, developmental

and behavioral disorders were common. Most youth and their families had received services from several social service agencies and, in most cases, the youth had been identified at a young age as having extraordinary needs, including learning disabilities. A significant number had been in the care of the Superintendent of Child Welfare of the Ministry of Social Services at least once.

Peer abuse within custody centres differs significantly from peer abuse in other settings. The major difference is that, in a custody centre, youth who are captive and cannot extricate themselves from the circumstances have little hope of escape or relief from the abuse. In schools, for example, victimized youth can retreat or leave, at least temporarily. In a custody centre, the abusive youth and the victim might be living in the same unit or cabin, involved in the same programs or sports, and eat at the same table. When youth are unable to lock their bedroom doors, many fear attack during the night when staff supervision is most limited.

The most prevalent form of peer abuse within centres is verbal abuse, such as threats, bossing and “calling down.” Calling down refers to the acts of berating, belittling, humiliating or making fun of a youth. Nearly as prevalent are incidents of random, opportunistic physical abuse that usually takes the form of quick punches. Victimizors punch other youth sporadically throughout the day when supervisors are not watching and particularly during periods of lowered supervision, such as recreation times, evenings, shift changes, or meal times. Peer abuse in centres includes taking personal possessions and meals through force or intimidation. Other more extreme occurrences include “blanket parties,” where victims are covered with a blanket and beaten by a group, and being “piped” or hit with objects such as broomstick handles, sticks or pipes. Socks and pillow cases filled with soap or rocks are also used to beat victims. Homemade knives are occasionally used to threaten victimized youth. Some victims stated that they had had their heads pushed into toilets and some had been grabbed by their underwear and thrown around. Sometimes a victim’s property or bed is urinated on; toothpaste between the sheets is a common trick. Severe beatings do occur, but are very infrequent.

Verbal and physical abuse translates into psychological abuse. Victims who fear further abuse often are unable to sleep because they expect something will happen to them at night. The constant anticipation of abuse is stressful and may lead to attempted escapes or self-harm.

For example, in a letter to our Office a youth stated the following:

*My name is “J” and I am presently incarcerated at “X” Custody Centre. I recently went AWOL from the camp fleeing for my life. A fellow resident*

*held a black handled paring knife to my throat. I only had two weeks left on my 2 ½ month sentence my release would have been on September 30.*

*I ran out of the open custody program and down the highway. A police car cruising the road spotted me. I submitted to police on sight. I gave my story to police.*

*The Judge sentenced me to remain in "X" for an extra 3 months to serve. I do not feel 3 months is appropriate for wanting to protect my life. I now live in fear of other residents and peers for telling my story to police and camp officials.*

Sexual abuse is rarely reported by incarcerated youth. In our review only one youth reported knowing of an incident of sexual abuse. However, more than one third of the staff reported awareness of at least one episode of peer sexual abuse. The fact that staff reported a higher awareness of peer sexual abuse may be because youth, especially males, are less likely to report sexual abuse, or only report abuse many years later, or that sexual interference/abuse is not perceived as "abuse."

## **PRINCIPLES OF THIS REPORT**

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*Young people should not have to fear for the safety of their person or their property while attending a provincially run or funded residential youth program.*

This guiding statement was the basis for initiating the Ombudsman's investigation and the work of the Task Force. It guides the recommendations of this report. It is consistent with the B.C. Corrections Branch's Beliefs, Goals and Strategies statement of 1986, which says:

*All persons in institutions have a right to be protected from victimization by offenders.*

Although youth are in custody centres because the court has decided they need to be temporarily removed from the community, they still have the right to live in safety. Their physical, mental and emotional well-being must be assured. The principles upon which this report is based are outlined as follows.

### ■ **PRINCIPLES**

1. All children and youth, regardless of their situation, have the right to be valued and to be treated with respect and dignity.
2. All children and youth have the right to understand, to be heard, to be listened to, and to have access to appropriate advocacy services.
3. All children and youth have the right to the benefit of the fundamental human rights provided in the *United Nations Convention on the Rights of the Child*.
4. All children and youth have a right to a safe physical and emotional environment.
5. All children and youth have the right to receive appropriate programs from appropriately trained and properly motivated staff.
6. All children and youth should have the opportunity to access publicly funded services in their home communities or as close to their home as possible.
7. All children and youth have the right to receive culturally and developmentally appropriate services.

***RECOMMENDATION***

1. All residential programs and services for young people, regardless of the administering authority, should be managed in accordance with explicitly stated government principles including those listed above. Policies and procedures should be established to ensure that residents and staff are aware of these rights and principles.

In order to be clear, government should develop legislation that outlines the rights of all children, particularly those who are receiving or should be receiving services from government.

## **YOUTH CUSTODY CENTRES IN BRITISH COLUMBIA**

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British Columbia's ten Youth Custody Centres house a total of approximately 320 youth. Four centres provide secure custody, including one centre that has a section designated as "open custody." Three of the secure custody facilities, located in Victoria, Prince George and Burnaby, receive admissions directly from the police after court hours, and accommodate youths awaiting court or transfer, youths sentenced to open custody that have been moved to secure custody for disciplinary reasons and youths sentenced to secure custody. Five Centres are designated as open custody and are used exclusively for youth with open custody dispositions (sentences).

Section 24(1) of the *Young Offenders Act* defines open custody and secure custody and requires that the Court specify the level of custody to which a youth is committed. The Act states that open custody means "a community residential centre, group home, child care institution, or forest or wilderness camp or any other like place or facility."

The *Young Offenders Act* states that secure custody is "for the secure containment or restraint of young persons." Secure custody is intended as a last resort for youth where the protection of society is the primary consideration. Appendix C provides a more detailed description of youth centres in British Columbia.

### **■ OPEN CUSTODY PROGRAMS**

The Corrections Branch, through the Lieutenant Governor in Council designates Youth Custody Centres as "open" or "closed" to accommodate the range of dispositions available to the Courts under the *Young Offenders Act*. It appears that in the past the government's designation of custody facilities focused on "custody" with minimal differentiation between "open" and "secure." Recent visits to Youth Custody Centres have confirmed our concern that some youths, sentenced to open custody, are currently being held in secure locked facilities. In one case open custody and secure custody youths are held in the same facility and are provided with similar program options. Although designated as open Custody Centres, these facilities have locked doors, or are situated in remote locations

presumably to dissuade youth from escaping; creating, for all practical purposes, a closed custody setting.

The Act envisions a range of programs for youths receiving open custody dispositions. Section 24.1 (1) of the Act states:

- 'open custody' means custody in**
- (a) a community residential centre, group home, child care institution, or forest or wilderness camp, or**
  - (b) any other like place or facility designated by the Lieutenant Governor in Council of a province or his delegate as a place of open custody for the purposes of this Act,...**

The current open custody system is limited to three isolated forest/wilderness camps (Lakeview, Centre Creek and High Valley), two residential centres and one group home in Burnaby. The Ministry is currently planning a new community-based Native operated transition house in the Smithers area. Although the closer to home open custody options such as community residential centres, group homes and child care facilities are currently not available, except in Burnaby, corrections officials state that residential attendance programs provide a suitable alternative. Young offenders attend residential attendance programs through court ordered probation. The probation order is usually worded so that the probation officer can instruct the youth to reside where directed. Failure to follow this or other conditions can lead to a breach of probation and a return to court.

Corrections officials stated that when the first open custody centre was established in 1984, there were many escapes because of lack of physical security. This led to a loss of credibility with the courts, with a higher proportion of youth being committed to secure custody. Youths charged with escape also received lengthier custodial sentences in secure custody. Community opposition in selecting sites for staff operated custody group homes was cited as a practical obstacle to implementation of this option.

Section 3(f) of the *Young Offenders Act* promotes the principle of least possible interference with freedom. The effective application of this principle requires a continuum of services for youth that provides the least intrusive level of control and supervision necessary to protect the community. Although many of the contracted attendance programs are community based and provide a level of supervision, government-operated open custody programs in local communities could provide a level of control greater than contracted attendance programs, but less restrictive than the locked or isolated secure custody facilities. This option would be in keeping with the spirit and intent of the Act.

### **RECOMMENDATION**

2. The Corrections Branch should develop, as part of its continuum of services, government-operated open custody programs in local communities as an intermediary stage between residential attendance programs and secure custody (also refer to Recommendation 11).

## **RESPECT FOR RIGHTS**

### **■ THE RIGHT TO BE SAFE FROM ABUSE**

Abuse, including peer abuse, should never occur. A policy of zero tolerance towards abuse in any of its manifestations—verbal, physical, emotional or sexual—must be adopted throughout British Columbia’s child and youth serving systems, both public and private. Good intentions are not enough. The safety of youth in institutions must be viewed as a basic right of youth. Policies should cover every aspect of institutional life that might have an influence on peer abuse and its elimination.

### **RECOMMENDATION**

3. Government should adopt a formal policy of zero tolerance towards the abuse of children and youth, including peer abuse in institutional settings, and policies and procedures that incorporate the goal of zero tolerance of resident abuse should be established at all facilities. These policies and procedures should address prevention, detection, supervision, notification, discipline, case management, classification, response to victims, and all other related matters.

### **■ THE RIGHT OF YOUTH TO BE HEARD**

The right to be heard is a fundamental requirement of administrative fairness and a key principle of the *United Nations Convention on the Rights of the Child*. We believe that a system that encourages open communication, and provides the opportunity for the concerns and views of youth to be listened to and heard, will have fewer incidents of peer abuse.

Centres should ensure that opportunities for resident input are in place. Meaningful youth participation permits residents to take some ownership of the events and decisions that shape their lives. It also provides a school for positive leadership training and a means of enhancing self-worth. In addition such measures can help administrators stay in touch with those most affected by events, actions and

decisions within the organization. Youth should have input into the daily life of the centre through Resident Advisory Councils with unit representatives and centre meetings. Most centres have resident councils and in one institution all the youth meet weekly for a two hour session with the director and deputy director while the staff do in-service training.

The right of young people to contest decisions affecting them or to seek administrative review has been thoroughly discussed in the Ombudsman's Public Report No. 22.<sup>1</sup> A more comprehensive statement of rights was prepared as part of the *Advocacy for Children and Youth in British Columbia: An Ombudsman Discussion Paper*. In all centres there are mechanisms in place to deal with resident complaints. However, some residents expressed the view that these mechanisms were not effective. If complaints procedures are to be effective, residents must be informed of their existence, receive positive support when they use them, and believe that they really will get a fair hearing. Fear of retribution, criticism, passive resistance and unfair decisions provide strong disincentives for following through with complaints.

When a resident claims to be suffering abuse, staff must be careful not to discount such claims. Many of these youths have been in abusive situations prior to being detained. It may be a significant step that the resident is able to see that the abuse is in fact wrong and something about which he or she can complain. Staff, therefore, should be supportive of youth who complain of victimization, recognizing that making a complaint is often a very difficult step for an intimidated youth to take. Too frequently, the responses to such youthful allegations are along the lines of: "That type of thing doesn't happen here," "You're imagining it," or "Well, that's life." A beleaguered youth deserves a more responsive attitude than evident in these quotes. An appropriate and supportive response is necessary. Standards of Conduct for youth workers may help address this issue.<sup>2</sup>

Youth centres should establish a mechanism to obtain direct feedback from the residents at entry, during their stay and upon their release. To encourage youth input, authorities should conduct confidential interviews. Information that youth may have been reluctant to disclose while at the centre would likely be forthcoming once the fear of retaliation is reduced or eliminated. One such mechanism could be a formal exit interview conducted by a person not directly involved with the centre, such as the youth's community probation officer or social worker, if appropriate.

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<sup>1</sup> See Recommendation 16.

<sup>2</sup> See Recommendation 33 of this Report.

This approach would also resolve the problem of a centre's missing the opportunity to interview a youth released at court. Youth must be given a clear message that their opinion will be heard, and that, where necessary, steps will be taken to improve conditions. This procedure would require a firm commitment from management and staff to review their practices and policies in light of the information provided by ex-residents. We believe such a measure could assist centres to combat victimization.

### ***RECOMMENDATIONS***

4. Where they are not currently in place, youth custody and residential centres should establish active Youth Advisory Councils or similar mechanisms to ensure that residents have appropriate opportunities for input into the operations of the program. These mechanisms should be reviewed regularly to ensure their continued effectiveness.
5. Staff should be instructed to take every youth complaint seriously and to investigate each complaint thoroughly. Youth must be informed of their right to complain about inaction on the part of staff and that there will be no reprisal for initiating a complaint. They must also be advised of the range of options available to deal with complaints, including internal review procedures, and access to the Corrections Branch's Inspection and Standards Division, the Ombudsman's Office and Legal Aid.
6. Confidential interviews, purposefully undertaken by the probation officer or social worker, should be conducted with youth upon entry, at prescribed intervals during their stay and upon or shortly after their release from custody. These interviews should be standardized across centres and include specific questions related to peer abuse.

## COMMUNITY SUPPORT AND ADVOCACY

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Advocacy is one of the best hopes for effective monitoring of what happens to young people when they are placed in state care. Vulnerable youth need to know that there are adults willing and available to “go to bat” for them especially when they are caught up in a complex and frightening “system.” Some staff do provide this support function for youth who are in their care and custody. However, many staff believe that their employee status and custodial role within the custody centre limit their ability to advocate. Policies should be developed to support the advocacy function of staff.

The *Young Offenders Act* declares that parents have responsibility for the care and supervision of their children. Clearly that role is diminished when the youth is placed in a custody centre. But the role of parents or guardians should not disappear entirely. Parents and guardians can play an advocacy role for incarcerated youth and they can be assisted to do this more effectively. Parents for this purpose should be broadly defined to include foster parents and other alternate care givers. Willingdon Youth Custody Centre operates a parents’ support group to help encourage the parents and legal guardians of that centre’s residents to continue to be involved effectively in the lives of their children. It is a model that merits consideration by all youth serving agencies. This model respects the principle in the *Young Offenders Act* that family involvement is to be encouraged.

In addition to parents, social workers, school counsellors, mental health professionals and others in the community are possible resources to provide an advocacy function. However, some staff may see such advocates as “outsiders” who do not really understand the issues within the centre and who are not entitled to be involved or informed. This is a narrow perspective. Policies and procedures should be developed and implemented to support the advocacy role of parents, friends and professionals in the community. For young people who do not appear to have natural advocates in the community, custody centres, in collaboration with the community, could usefully explore the possibility of establishing a volunteer advocacy service to visit centres on a regular basis.

Within the correctional system, the youth’s probation officer also can and should serve as an advocate. Although part of “the system,” the probation officer is removed from the day to day activities of institutional life and may bring an

objective perspective concerning the needs and interests of youth. Probation officers are expected to maintain at least monthly contact with the youth in their care. However, a centre cannot enforce this requirement and case loads are often heavy. Institutionalized youth who have no one else to call upon would benefit greatly from knowing that they have someone who will listen to their concerns and liaise with the centre on their behalf.

On October 29, 1993, the Ombudsman circulated a discussion paper entitled *Advocacy for Children and Youth in British Columbia*. The principles and proposals in the discussion paper are highly relevant to all youth in state care. The discussion paper is available upon request. The paper's proposals will be used as part of a process of consultation with young people, including those who are placed in state operated and funded facilities. This consultation process will complement the work of the committee on child and youth advocacy established by the Ministry of Social Service's Superintendent of Family and Child Service. The Ombudsman's paper, however, looks at all child service ministries and concentrates on consulting with youth. Sometime in 1994, the Ombudsman expects to report to government on issues of Child and Youth Advocacy. This is in keeping with the limited child advocacy role that government asked the Ombudsman to play as part of its response to Public Report No. 22.

### **RECOMMENDATIONS**

7. Policies should be developed and implemented to enhance the natural advocacy or support role of staff, parents and friends. More active measures should be taken to promote and support parent and natural advocate involvement, including, where feasible, parent support groups and improved communication/feedback to parents. Barriers to natural advocacy should be identified and eliminated in each youth custody centre, and staff should ensure that someone else takes on the advocacy role when it conflicts with their role as a staff member.
8. Probation officers, social workers, mental health professionals, family court counsellors and other community professionals should be informed and educated about peer abuse, and their workloads adjusted to facilitate a minimum of monthly contact with institutionalized youth on their case loads.

## A SAFE ENVIRONMENT

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A safe, caring environment is integral to a system of youth custody. Supervisors and staff have the power to greatly influence many aspects of a safe environment, for example, youth programs, food, case management and communications. In this and following chapters, we will be looking more closely at these areas.

### ■ LICENSING OF GOVERNMENT AND CONTRACTED FACILITIES

Both government-operated and contracted youth correctional agencies often house young people in deficient buildings. Inadequate facilities can be detrimental to the safety and well-being of the young people and their involvement in appropriate programs.

As called for in the 1990 Ombudsman's Public Report No. 22,<sup>3</sup> it is essential that unified care standards, incorporating health and safety standards, be developed and consistently applied in all child and youth serving resources. Specialized regulations for child and youth resources would include minimum standards of care with respect to staff qualifications, staff-to-resident ratios, supervision, program descriptions, annual program evaluations, individual care plans and complaint resolution mechanisms.

Since the release of Public Report No.22, little progress has been made to establish common standards of care for children's resources. The *Community Care Facility Act* regulates some child and youth resources, but this Act is in need of major revisions if it is to be used as a primary instrument to establish and monitor standards. Youth Custody Centres operated by the Corrections Branch and contracted residential programs are currently exempt from the *Community Care Facility Act*, which, although limited in scope and effectiveness, does provide some safeguards for children and youth. For example, all incidents of resident abuse and injury must be reported to the Provincial Medical Health Officer who investigates the matter independently. Also under this Act, the Medical Health Officer has the authority to ensure compliance with standards related to areas such as resident records (including medication and diet information), nutrition, staff qualifications, supervision and discipline.

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<sup>3</sup> To date government has failed to implement important recommendations contained in Public Report No. 22 released in November 1990 (Refer to Recommendations 5 through 9 of Report No. 22).

Over three years have passed since the release of Public Report No. 22. The Ombudsman remains concerned about the limited scope and effectiveness of current regulatory safeguards for children in state care programs. However, there are a number of current initiatives that could be expanded in scope to provide a regulatory foundation for health, safety and care standards in all child and youth care programs. For example, the Child and Youth Secretariat has recently developed cross-ministry standards that could be applied in jointly funded child and youth programs. The Ministry of Social Services Residential Standards Committee has, for a number of years, been working on the development of residential standards. At the same time, Community Care Facilities Branch of the Ministry of Health, is leading a related initiative to develop a framework that will be used to determine whether, and how or not, a service should be regulated. The Child and Youth Secretariat paper recognizes that ongoing consultations will need to address initiatives of the Community Care Facilities Branch. The Child and Youth Secretariat's initiative recommends that an ongoing process be established to develop integrated standards for jointly funded programs through either the continuation of the existing working group coordinated by the Child and Youth Secretariat or a similar body, or a like model sustained by statutory authority. The Ombudsman believes that standards in child and youth care programs and a requirement that they be in place should have a statutory foundation.

Government's approach to standards in the child and youth care field continues to be scattered. Integrated approaches to planning are still not evident. The Secretariat's work is limited, with no apparent reason, to jointly funded programs. Given the interrelated nature of these initiatives, it makes sense to integrate them. The Ombudsman can see no valid reason why the work being done by the Secretariat to develop standards for jointly funded resources could not be expanded to cover *all* child and youth care services. We agree with the Secretariat's proposal that an ongoing process be established that is sustained by statutory authority. This process must not be limited by irrelevant criteria, such as which department of government is funding a particular child or youth care program.

### *RECOMMENDATION*

9. All residential child and youth care facilities, including correctional youth programs, should be licensed under the *Community Care Facility Act* unless government acts to immediately establish, by legislative enactment, a more appropriate and comprehensive mechanism to establish, monitor and enforce uniform standards for all residential child and youth programs, regardless of the department of government providing the funding. Standards intended to prevent peer abuse and that respect the goal of zero tolerance should be an integral part of any licensing or certification requirements.

### ■ FACILITY CHANGES

Government must put adequate resources into the construction of its youth facilities. Most of British Columbia's Youth Custody Centres are oversized, inadequate and outdated and require significant renovations or replacement. Earlier Ombudsman Reports<sup>4</sup> noted that the Willingdon facility was inadequate in many respects and did not lend itself to easy supervision of residents. Hallways and corners obscured from staff view posed a hazard for vulnerable youth. In the 1985 report, the Ombudsman's Office called for significant structural changes. The report recommended the construction of a new facility that would maximize staff-resident interaction and would enable the staff to maintain effective supervision. This request was repeated in the 1989 report and we had hoped that such a new facility or facilities would have replaced the existing institution 1992. Corrections officials state that they are working on the replacement project, but that the project has experienced significant delays because community resistance to site location. While the lack of progress is discouraging, we understand that most of the difficulties have been resolved and the project is moving forward.

The need to replace the Victoria Youth Custody Centre is also critical. Highly institutionalized in appearance, and operating in cramped and stuffy quarters, Victoria Youth Custody Centre lacks room for necessary program expansion and has no green outdoor space where residents can enjoy normal out-of-doors activity. Such a structure does not assist staff to reduce tensions among youth. In both the case of Willingdon and Victoria, new, safe and smaller alternatives are urgently required.

The Prince George facility has a definite institutional appearance, with uniformed staff stationed on an elevated platform in the common area to accommodate visual

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<sup>4</sup> *Special Report No. 13 to the Legislative Assembly of British Columbia - The Willingdon Case, June 1985; and Willingdon Youth Detention Centre - Public Report No. 17, January 1989.*

supervision. This inhibits good communication and positive relationships between staff and residents. Architectural forms employed in the design of youth centres should be residential in character. This approach certainly is more aesthetically pleasing, and it gives youth a clear message that they are young people in need of rehabilitation not punishment.

Several facilities, both secure and open, use razor wire for security purposes. This wire portrays an ominous sense of oppressiveness and is reminiscent of the concentration camp era. It is unacceptable for use in or around youth facilities when other more suitable alternatives are available.

It has been argued that large facilities benefit from “economies of scale” and can offer more varied programs than small centres. Medical specialists, programmers, counsellors, crafts instructors, and others may be more attracted to a larger centre that can offer them full-time employment. Amenities such as swimming pools are more economically viable at large facilities. However, a sense of community is necessary to give meaning and purpose to one’s life. Smaller settings are more likely to allow the development of positive relationships between youth and with adult staff as care givers. With appropriate role modeling, and facilities designed to foster these positive relationships, youth have a better chance of experiencing positive development. Smaller community based facilities can also take advantage of public facilities and services such as swimming pools.

The Living Unit concept may provide a viable alternative. This involves a small number of residents being assigned to living units. These units are physical areas that have individual rooms for residents, washroom facilities, and living and dining space. Staff need not be isolated in a “staff station” but can and should interact with residents in the common areas. Most activities occur with one’s own living unit peers. Thus, even within a relatively large facility, the living unit concept can help achieve the benefits of the small group experience while also providing access to common use facilities such as pool and gym. Discrete units allow youth to be grouped together based on their compatibility. A key to the effectiveness of this approach is consistency of staffing. When caring and competent staff members are regularly assigned to a given unit, residents gain from the stability of these relationships.

### *RECOMMENDATION*

10. The Ministry should continue with the work currently underway to replace the Willingdon and Victoria Youth Custody Centres as quickly as possible. When building new or replacement facilities, the Corrections Branch should use designs that maximize positive relationships among residents and between staff and residents. To minimize the negative impact of an institutional setting, new or replacement facilities should be designed to create a more typical home-like environment both internally and externally. Barbed or razor wire should not be used for new or existing youth facilities.

The decision to build additional facilities in the future must take into account the need to develop community correctional programs as an alternative to secure or remote institutions for young offenders who are not a serious threat to the community. Funds that might otherwise be used to build and operate very costly facilities may have much greater positive impact for both the youth and society if used to develop effective community alternatives. In spite of the existence of a range of residential community based child and youth resources across different ministries (the great majority funded by the Ministry of Social Services), some young people who could more appropriately be placed in the community continue to be placed in existing custody centres. Reasons for this cited to us by complainants and front-line professionals include:

- difficulty accessing resources between different ministries;
- lack of adequate professional support for existing community residential resources;
- apparent resource gaps in the continuum between family-based and institutional services;
- lack of appropriate secure treatment programs;
- particular difficulty recruiting care givers willing and able to care for teens with emotional and behavioral problems.

The growing awareness of how institutional environments can adversely affect the normal emotional and psychological development of young people should reinforce the importance of developing appropriate community programs. We believe that the use of locked institutions and remote camp facilities should be minimized.

### **RECOMMENDATION**

11. The Ministry of the Attorney General should give priority to developing small, community based programs to provide an alternative for youths who need supervision provided by correctional youth workers but do not require secure, locked or isolated facilities. Such programs could also accommodate the transition back to the community for youths released on temporary absence programs.

### **■ LOCKED DOORS**

Youth have a right to privacy, security and safety. To accommodate this, some custody centres have replaced dormitory residences with individual rooms for each youth. But many of these rooms are still open and accessible to persons bent on mischief. Many youth told us that they preferred to sleep in a locked, individual room. They generally agreed that they felt safer behind a locked door at night while staying at a centre. Staff should appropriately supervise the locking process.

Residents should be able to lock their door from the inside, without a key, with a staff override for security and safety purposes. We would not want to leave open the possibility of a victimized youth being ordered by his victimizers to leave the door unlocked at night. Centres with individual rooms that lock simply have no peer abuse problems during the night-time hours.

Forest camp custody centres are comprised of separate buildings. Cabins provide living quarters, each accommodating six to eight residents. A cabin may seem the ideal housing arrangement to facilitate group relationships. However, several problems make these centres unsafe for many youth. These include insufficient staffing to permit interaction with residents throughout the day, the lack of individual bedrooms that can be locked from the inside, and inadequate staffing at night to provide supervision (apart from periodic checks) to protect youth against attack. Residents in dorm style settings are even more vulnerable because of the greater number of youth and minimal supervision. We understand that plans are under way to ensure that all centres have only private individual rooms. In fact such renovations have been completed in some centres, although adding individual rooms may adversely affect program space.

***RECOMMENDATION***

12. All centres should have individual rooms capable of being locked from the inside by youth, with a staff override on the locking system for security and safety purposes. In addition, centres should have ample common space and adequate program facilities.

■ **SHOWERS**

Like dormitories, common shower areas have proven difficult to supervise. This difficulty can be overcome by subdividing the common shower area into individual shower stalls to give youth more privacy and safety. Staff would have to continue to be alert to any resident who might be at risk for self-harm.

***RECOMMENDATION***

13. In all centres, shower areas should ensure privacy and safety.

■ **PERSONAL EFFECTS**

While in a custody centre, a youth may bring or obtain, considerable personal possessions. In addition to whatever is worn and carried into a centre, items are brought by visitors, purchased from the canteen or during an outing, or shipped or mailed to the youth. Some of these items may be coveted by the youth's fellow residents. A stronger youth may demand the trendy shoes worn by a vulnerable youth. In fact, much peer abuse involves such instances of acquiring the property of others by coercion. As part of their effort to address this issue, staff in youth centres must consistently record, secure and supervise the handling of residents' personal effects. As a corollary to this practice, custody centres should adopt a policy of discouraging, if not prohibiting, borrowing and lending of personal goods among residents. Ascertaining the legitimacy of any trade is a contentious undertaking at best. So called "trading," where it has been permitted, too often becomes an effective disguise for victimizing tactics.

***RECOMMENDATION***

14. All personal items should be recorded on the resident's personal effects record on admission and during his or her period of residence to safeguard against personal effects becoming a focus for peer abuse. Borrowing and lending personal goods among residents should be discouraged.

## ■ FOOD

Dispute over food is one of the leading causes of peer abuse in youth centres. The Corrections Branch strives to ensure that the meals served to residents are adequate, appetizing and nutritious. They succeed to a remarkable degree. Unfortunately, food is often an excuse for bullying or “heavying” in youth centres. Food is the leading noncontraband item perceived as desirable by bullies or “heavies” within a correctional youth centre. Desserts and milk tend to be the most coveted items. An entire meal can be demanded as a guarantee of continued physical safety. Canteen items such as pop, chips, chocolate bars, are also in demand. In a busy dining area, it is often easy for a bully to mask aggressive overtures. Once consumed, the evidence is gone. We have encountered youth in custody centres who have gone hungry for fear of physical retaliation.

Much of this intimidation could be avoided if centres undertook to ensure that food was readily available to residents in good supply. Canada Food Guide Standards are being met, but many youth still feel that they need more food. In the Maples Mental Health Treatment Centre, youth are allowed almost unlimited access to food. When all youth receive sufficient food to satisfy their needs, there is little need to “heavy” other residents out of their food.

Bullying for food is made easier by the use of individualized container portions. To reduce this possibility, bulk supplies should be used wherever possible. For example, in many centres, 250 ml. containers of milk are dispensed at meals. Many growing youth do not regard this amount as sufficient, and may try to convince smaller residents to give up their share. At Boulder Bay Youth Custody Centre, milk is placed on the table in a carton and all residents may help themselves. Similar considerations apply to other foods and condiments that come in individual container portions - juice, syrup, catsup. Individual containers are neat for serving - but can create serious problems among residents.

Many potential problems around food could be eliminated by simply having staff join the youth for meals. Staff would not merely sit as a group in the same room; rather, each staff person would find a place among a group of residents at a table and use this opportunity to foster positive interaction and prevent food confrontations. There are cost implications in such a measure, but we believe the result of such informal involvement in a relaxed environment would benefit a centre’s overall program.

***RECOMMENDATIONS***

15. Procedures should be established to ensure that food is always available in adequate supply. Individualized container portions should be avoided as much as possible. Bulk supplies should be used instead.
16. The Corrections Branch should explore with its staff an arrangement whereby the residents would be accompanied by staff members during meal times. These discussions may require the involvement of the Union to discuss appropriate compensation.

## **CASE MANAGEMENT ISSUES**

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Case management is the process through which staff ensure the orderly progress of a youth from the time of entering an institution to the time of leaving. It entails careful planning and a thorough knowledge of each youth to ensure that appropriate actions are taken. Corrections officials state that potential victimization is a key consideration in developing individual case plans. Known victims and abusers should have this aspect of their institutional life dealt with in a case plan that discusses goals and strategies to reduce problems and give youth appropriate coping and behavioral tools with adequate institutional and external supports.

### **RECOMMENDATION**

17. Case plans should include goals and strategies that equip vulnerable youth with appropriate coping and social skills and should include giving information to youth about advocacy supports

### **■ POWER TO PLACE—ADMINISTRATIVE REVIEW OR THE COURTS**

Currently, the courts have the task of deciding whether a young offender being sentenced to containment will spend that period of incarceration in open or secure custody. In the Declaration of Principle the *Young Offenders Act* states that:

**in the application of this *Act*, the rights and freedoms of young persons include a right to the least possible interference with freedom that is consistent with the protection of society having regard to the needs of young persons and the interests of their families.<sup>5</sup>**

The Courts, in sentencing youth, must consider the protection of the community and the needs of the youth. Corrections officials cannot expect the Court to impose a secure custody disposition based on how the youth might act while in the institution. Directors of secure custody centres have pointed out that many young people have behaved in exemplary fashion and should be rewarded with a mid-sentence move to an open setting. Currently such transfers are accommodated through a review by a Youth Court Judge. We believe this process provides the

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<sup>5</sup> Section 3(f).

appropriate mechanism for assessing risk to the community in relation to the youth's needs. We know of no evidence to support the position that the behaviour of a youth in a custodial institution is any indicator of whether or not the youth will re-offend if released into the community.

In making a disposition, the Youth Court Judge relies heavily on information provided by the professionals involved with the youth. This places a significant onus on the professional staff within the various systems to ensure that the Court has at its disposal all relevant information pertaining to the youth's needs and the services available to meet these needs. Information sources may include parents and other natural advocates, elders, probation officers, social workers, school counsellors, medical professionals, psychologists, child and youth care workers and other professionals. The changes suggested earlier to encourage their ongoing involvement may greatly improve the quality and quantity of information these people are able to give to the court.

#### ■ TRANSFERS

Youth should be placed in a facility as close as possible to their home community to accommodate the continued involvement of local community services (before, during and after sentence) and access by family and friends. Currently, young people may be transferred from one secure Custody Centre to another, and from one open Custody Centre to another, with little notice, for administrative convenience. The decision to move a youth must be based on the needs of the youth, rather than on operational criteria.

### *RECOMMENDATION*

18. Youths should be placed and maintained in a facility as close as possible to their home community.

#### ■ GROUPING

Appropriate grouping of youth is important in ensuring a safe and smoothly functioning youth custody centre. Factors such as age, physique, mental and emotional maturity, type of crime committed and history of previous peer victimization should be considered in order to maximize positive interaction and constructive relationships. Centres should provide flexibility to accommodate such groupings. Although some jurisdictions maintain an "end-of-the-line" facility, we do not believe that moving the most difficult residents into one centre is the answer.

*RECOMMENDATION*

19. Each centre should group youth to maximize positive interaction, youth development and constructive peer relationships. This recommendation should be considered in planning for the renovation or construction of facilities.

■ **CONSEQUENCES**

One would think that some youth would feel a sense of justice in knowing that victimizers are punished. However, most youth interviewed placed punishment of victimizers low on the list of what staff could do to stop victimization. Several recommended counselling be provided to make abusers aware of the effect, other than the obvious physical pain, of their actions on the victims. Consequences must be logical, timely and appropriate. In most centres, victimizers are either locked up or transferred to a higher security institution. These responses may be logical from a management point of view, but we wonder about their effectiveness in the rehabilitative process. Intervention is required that helps youth change their behaviour through understanding its effects and why they act as they do. Punishment without counselling promotes more anger and retaliation; it simply perpetuates the problem.

*RECOMMENDATION*

20. Counselling for youth who are abusive to others must be one of the program options available to youth centres in their efforts to deal with abuse.

■ **CHARGES**

Some respondents believe that laying charges for peer abuse will diminish the number and severity of abuse incidents. Police are often reluctant to recommend charges against abusers to the Crown Prosecutor; or, if they do, the Crown may determine that the evidence is not sufficient to warrant proceeding or that proceeding is not in the public interest. We, too, question whether charges are an effective way to deal with this issue in all cases. However, there may be isolated instances that are so stark and brutal in nature that the justice system must respond. It is important to note that the Ombudsman's Office has no jurisdiction over the actions of the police and the Courts, and restricted jurisdiction over the Crown's discretion to prosecute.

## **APPROPRIATE PROGRAMS**

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Youth centres normally offer youth a variety of programs designed to provide some positive learning experiences while keeping them active and engaged. British Columbia's youth custody centres offer a patchwork quilt of programs that depend on the availability of resource persons, the varying talents of staff and the personal priorities of administrators. Some very useful programs have been offered, but only on a sporadic basis. Although many programs must be adapted to youth in specific centres, we believe that there are essential and key programs, such as cognitive skills training, psychological services and abuse counselling, that should consistently appear in the centres' programming to combat peer abuse. Our concern is that with the short duration of contact some youth have with the system, they may miss out on the opportunity for exposure to such programs. We cannot overlook the significant role of programming in fostering a safer institutional environment for residents. If staff become programmers, as we recommend elsewhere in this report, more positive opportunities would be created for youth. Staff delivery of these core programs could well improve the chance for consistent availability.

Youth should participate in a comprehensive orientation program shortly after entering a centre. Orientation provides an excellent opportunity for staff to communicate that peer abuse is unacceptable and that appropriate avenues are available for addressing it when it occurs. At orientation, staff should demonstrate that they are willing and able to help youth overcome problems. Helping a youth new to the centre know what to expect would go a long way towards removing the uncertainty that augments the vulnerability of the "new kid on the block." Most centres do offer some orientation; however, more needs to be done to prepare youth for their future in the youth centre. An audio-visual cassette and/or a resident's handbook could explain the centre's rules, programs and expectations as well as the resident's rights and the resources available. This means of presenting information would augment, not replace, informative and personal contact between the newly arrived youth and staff. It would also be helpful to post much of this material in a location where youth could have easy access to it. Peers could be involved in a positive buddy role to assist in orientation.

During the orientation process youth should be provided with information about what they can do if they experience problems. This should include information about access to internal complaint procedures and support systems, the Inspections and Standards Division, the Superintendent of Child Welfare, the Ombudsman's

Child and Youth Team, Legal Services and, where available, other advocacy offices.

Many youth in centres are already survivors of some form of abuse and/or neglect. Each centre should offer programs for youth who have been the object of abuse prior to entering the youth centre. Courses that build self-esteem furnish an excellent vehicle for participants to examine the problem of peer abuse.

Anger management programs should be a high priority in all youth centres. Youth with behavioral problems often have a "short fuse" that leads to difficult confrontations. Some centres lack qualified professionals to provide this type of program. This may be rectified when the staffing problems are corrected. In the meantime, authorities should ensure that financial resources are available so that every centre can offer this essential youth program.

Empathy training and victim awareness programs are another vital part of youth programs. Many who have grown up in emotionally impoverished environments have a limited capacity or willingness to appreciate the impact of their actions upon others. Residents who learn to care about what they are doing to others are less likely to become or continue to be abusers. Empathy training programs have been employed in the federal correctional system to help people acquire these skills. Programs conducted in youth centres in some other jurisdictions operate on similar principles. The leader of a "Roots of Violence" workshop suggested that youth have to form appropriate adult attachments before they can develop empathy for others.

Youth feel more secure knowing there is someone in the centre upon whom they can depend. A number of staff suggested the possibility of establishing a "buddy" system. Some directors fear that any peer mentor scheme may itself establish a basis for abuse. Although there may be drawbacks to the buddy system, peer counselling is a program that is well established in some British Columbia high schools. Components of peer counselling including peer counsellor training could provide a model for developing a similar program in custody centres where a stable base of longer term residents exists. Staff must encourage a constructive atmosphere where residents can value the support and help that they can provide to a troubled or vulnerable newcomer. When an atmosphere of trust is established within a custody centre such a step becomes more feasible.

Programs based on positive peer relationships may also provide promise. In one survey (Carr)<sup>6</sup> of several youth centres across the continent, those that reported

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<sup>6</sup> Carr, R., deRosenroll, D., and Saunders, G. (1992) *Peer Helping: An Information Booklet for Parents and Professionals*, Victoria, B.C.: Peer Resources.

providing positive peer culture or similar programs claimed to have little problem with peer abuse. We met with youth in a facility outside British Columbia that offered one such program. The young boys were longer term residents who had been in the program for several months. Their involvement in group processes seemed to have given them some control over the events in their lives. Their articulated insights into their own behaviour were nothing short of amazing. The manner in which they interacted with each other through conversation was impressive. We were similarly impressed when we met with a group of youth involved in the Link program at the Langley Youth Resource Centre. These young people had been learning to use positive peer relationships to foster group and self-development. Something similar had been used at the Syl Apps Centre in Oakville, Ontario in daily business sessions involving all residents and staff of a unit, including teachers and others. The gathering discussed every subject that impinged on the life of that particular group. One value of these sessions was the objective dealing with conflict between any members of the group.

Youth may respond to differently to different programs and so we are not advocating one model over another. However, we support an approach that treats each youth as a unique individual. Staff must be able to respond in a personal way to a youth's particular needs and in this way facilitate a growth experience for the individual within the group. This form of learning has impact on all areas of a resident's life.

Aboriginal youth make up a significant percentage of the population in custody centres. Therefore, culturally relevant programs must be provided. These programs should be developed in consultation with aboriginal communities.

A comprehensive review of all approaches that could help reduce peer abuse should be explored.

### **RECOMMENDATION**

21. A comprehensive review of programs in each youth custody centre should be conducted to ensure that the following types of programs are adequately and consistently available in every centre:
  - a comprehensive orientation program for each new resident that emphasizes the centre's position on peer abuse, reporting and complaint resolution procedures
  - programs for the identification and treatment of youth who have been the victims of child abuse and neglect

- appropriate anger management programs consistently available to all residents
- cognitive skills training
- programs that have demonstrated effectiveness in building a positive group experience
- programs along the lines of a peer counselling model to support peer mentoring and orientation, for centres with longer term residents
- appropriate mental health assessment and treatment services
- empathy training or victim awareness programs for and available to all residents
- drug and alcohol assessment and treatment
- social skills training
- programs for the identification and education of youth with learning disabilities, and
- programs that respect and enhance the unique cultural interests of aboriginal children

To deliver the programs effectively, existing staff must be given reasonable opportunity to participate in training to upgrade their skills, and the recruitment qualifications of new staff should include the required skills.

#### ■ GROUP PUNISHMENT/CONSEQUENCES

Institutional staff should always avoid the temptation to use group consequences. Staff sometimes withdraw a privilege for the whole group, such as an outing, because of the poor behaviour of one or two members of the group. In addition to being unfair, group consequences may turn the group against the person blamed for causing the group to be punished. Faced with the prospect of the group being punished for the misbehaviour of one or a few, the “heavies” in the group may coerce an innocent youth to step forward and claim the blame for whatever is amiss. This constitutes peer abuse.

We recognize that this does not apply to acceptable security procedures. For example, all youths in a particular area may have to be kept in their rooms while the centre is searched for a missing article, such as a knife, that may compromise the safety and security of the centre.

### *RECOMMENDATION*

22. The Corrections Branch should adopt a policy to ensure that discipline measures are fair and reasonable in the individual circumstances. Group consequences should not be permitted. Group reward, on the other hand, is consistent with positive group growth.

## **SMOKING**

The no smoking policy, enforced in every youth custody centre, is the most controversial issue being dealt with by youth and staff. After staffing, smoking was identified by youth as the most significant influence on the dynamics of peer abuse in youth centres.

Recent provincial government amendments to the *Tobacco Restraint Act* make it an offence to provide cigarettes to persons under the age of 19, and the federal government has enacted legislation making it an offence to sell tobacco products to persons under the age of 18. The health objectives for such legislation seem infinitely reasonable. Legislators and government officials must take appropriate steps to reduce the health risks to youth by preventing addiction. However, such legislation raises two serious issues. Youth may reasonably object to continuing inconsistencies among laws and governments concerning the age at which young Canadians achieve legal adult status, and such legislation has serious consequences for the care and treatment of youth in institutional settings. Youth are also attuned to the fact that adults continue to convey the message "Do as I say, not as I do." They recognize that it is the adults who approve, manufacture, market and sell tobacco products and that governments benefit from this. One might ask how much of the revenue from tobacco taxes is directed to smoking prevention and stop smoking programs specifically designed for youth?

Most youth arrive at institutions having been smokers for a considerable period of time. This is a particularly traumatic time in their lives and withdrawing from cigarettes "cold turkey" only adds to their anxiety and makes coping even more difficult. Such trauma may actually interfere with treatment and other programs designed to assist them. With proper information and support some may choose to quit smoking while in the centre. But, to be effective, this needs to be a voluntary process.

Enforcement of legislation controlling the sale of tobacco is virtually impossible except in the most restrictive settings such as youth custody facilities. Smoking, although it has lost much of its social status because of recognized health

problems, remains a common practice in our society. Hopefully, over time, efforts to inform the public will have the desired effect and smoking will be eliminated as a problem for both youth and adults.

The vast majority of incarcerated young offenders were smokers before entering the correctional system. They tend to smoke at every available opportunity while serving their sentence. Turnover in the system means that the branch usually has only a relatively short time to expose youth to a healthier smoke-free standard. With many, this issue has become an obsession: many youth devote the bulk of their waking hours to devising ways of obtaining a cigarette. Staff devote a great deal of their energy to preventing youth from smoking. This effort would be better spent on involvement in programming and other constructive interactions with the residents. Cutting youth off from the normal means of obtaining cigarettes leads to threats, intimidation and other forms of peer abuse. Black marketing, vandalism, and self-endangerment through risking burns or electric shock to obtain "a light" are additional problems. The pressures of incarceration may be more keenly experienced by the confirmed smoker who no longer has the solace of "cooling out" with a few "drags" on a cigarette. The fact that staff are able to smoke in designated areas heightens the sense of unfairness that many youth feel.

Some parents do not respect the no smoking policy and smuggle their children contraband cigarettes. This jeopardizes the youth's access to future visits and increases the chance of other forms of punishment. Continued contact with families is a leading principle articulated in the *Young Offenders Act*; yet one centre was forced to suspend an average of three parent visits per month because of smuggling of cigarettes. In one instance, a family member used a sympathetic staff person as a conduit to supply a youth with tobacco. On another occasion, one mother was caught dropping off packages of cigarettes for her son, to protect him from older boys who had demanded that he obtain cigarettes for them.

Ministry officials believe that it is unconscionable to permit youths to smoke, and from a health perspective we agree. However, a key question to be addressed is how far ought the government to go in attempting to enforce something in custody centres that it is not enforceable in society in general. If a young person is found smoking in the community, no action can be taken by authorities to impose punitive consequences. If a youth is found with tobacco products in a youth custody centre, serious disciplinary action can be imposed including cutting off participation in program activities, stopping visits and access to the community. The B.C. Corrections Branch statement of "Beliefs, Goals and Strategies" makes the point that, "offenders are committed to Correctional programs as punishment, not for punishment." The branch's Youth Programs Statement of Philosophy states it that a young person "... has a right to the least possible interference with

freedom.” By imposing punitive consequences for possessing tobacco products, the Corrections Branch may be acting in an oppressive manner, even if it is doing so for some understandable, medically sound reasons.

We believe that the issue of youth smoking ought to be revisited when amendments to the Acts are being considered. This issue should be dealt with and resolved in the context of the larger community. The resolution of a major societal problem should not be focused on a group of youth who may be experiencing one of the most profoundly stressful periods of their lives.

We have tended to treat this subject more comprehensively because of its magnitude, especially for residents in institutions. At the time the branch's no-smoking policy was implemented, the branch also conducted “Quit-smoking” programs in every youth detention centre and substitute satisfactions in the form of gum, sunflower seeds, etc. were made available to residents, sometimes to the detriment of the centre's housekeeping standards. Since that time, most centres have offered such programming only on a rather sporadic, hit-or-miss basis. While we concede the likelihood of most residents continuing to smoke, those youth who want to give up the habit should have programs to help them give it up. Quit smoking programs should be available through other agencies once the youth returns to the community.

We recognize that cigarettes themselves may continue to be a source of conflict and smoking may be replaced by other sources of tension. Given our concerns and the fact that changes to the Acts controlling tobacco are unlikely in the foreseeable future, we believe that the branch should review its current policies and procedures for dealing with smoking related issues. Significant improvement is required in the area of stop smoking programs including the use of medically approved substances to reduce the effects of nicotine withdrawal.

### **RECOMMENDATION**

23. Nicotine withdrawal should be viewed as a medical issue with significant psychological, emotional and physical effects and the Branch, in partnership with the residents and the centre's medical professionals and community health agencies, should:
  - a) develop comprehensive stop smoking programs and provide tobacco substitutes to alleviate the effects of withdrawal, and

- b) implement policies and procedures in all Youth Custody and residential centres that will eliminate the punitive action taken against youth who are found in possession of tobacco products. Confiscation of the products should be a sufficient response. The policies should reflect the change in the law making it will be illegal to sell cigarettes to a youth of a given age, not for a youth to be in possession.

## **COMMUNICATION**

### **■ NEED TO KNOW**

Ensuring that information concerning any previous involvement in peer victimization is made available to the staff immediately upon the resident's arrival at a centre may help predict or reduce potential peer abuse problems. Often community agencies have been tardy in providing abuser information. Probation Officers and other professionals who must supply information about youth in attendance programs should ensure that relevant information is forwarded expeditiously to the youth centre.

### **■ INFORMATION EXCHANGE**

To enhance the safety of youth and staff, we believe that centres should review their shift overlap procedures to ensure the timely, accurate and smooth exchange of information about the youth, staff, programs and facilities. Time should be allowed to permit discussion of the progress of individual residents, as well as the overall atmosphere of the centre. Different centres employ different procedures for accommodating information exchange at the shift change-over. Some procedures seem to be more effective than others. In hospitals, nursing staff provide taped reports for the oncoming shift to share information while maintaining services. Such measures ensure staffing continuity over the shift-change period. Staff coming on shift should never go on "cold."

Progress logs and other informational records should be used regularly to enhance staff's awareness of residents' situations. Some centres that have not done well in this regard in the past have improved their performance; however, it is an area that requires continual reinforcement. Prince George Youth Custody Centre uses a Unit Shift Review sheet, which contains observations about residents' behaviour, unusual occurrences, etc. Room is provided for the Principal Officer's comments. This seems a useful tool for keeping administration in touch with the day to day operation of individual units. It is one more aid in assisting staff to cope effectively with problems of peer abuse. It also provides information for management in

developing policies for the centre. Tapes of shift reports could be transcribed for management for this purpose.

***RECOMMENDATION***

24. Shift-change procedures in each centre should be reviewed to ensure adequate information exchange between shifts and adequate supervision during the shift change period.

■ **FEEDBACK**

From our discussions with young people, we learned of the need for authorities to be certain that they report back to victims the results of abuse investigations. Young people are sometimes not aware when staff have acted upon an abuse complaint. In certain instances, staff had taken very definite steps to address residents' concerns but had not informed the complainants for fear of creating further dissension in a centre. The net effect for the complaining victims was that they felt that their disclosure had been futile.

***RECOMMENDATION***

25. A Corrections Branch policy should be developed to advise staff of the need to ensure that youth know what actions have been taken to address their complaints of abuse and to ensure documentation of the feedback given.

■ **CONFIDENTIALITY**

Some staff expressed concern about certain of their colleagues disclosing to other residents sensitive personal information concerning a resident. We, too, have been aware of occasions where staff have inappropriately discussed with others residents' offences or other sensitive information concerning them. This violation is something more than just a privacy issue - important as that is. Such unauthorized disclosure can fuel aggressive behaviour or identify vulnerabilities. Ongoing staff training should include reminders to staff of the need to maintain confidentiality.

***RECOMMENDATION***

26. Staff should receive ongoing reminders, through training and information, to reinforce the importance of maintaining confidentiality about residents.

## ■ PROMPT INFORMATION

Some staff commented on the need for case management co-ordinators to provide youth with prompt information concerning matters such as release date, court dates, etc., to dispel anxiety. We have heard of instances where officials were slow in providing youth with information. People want to know what is going to happen to them. Not knowing contributes to tension. It is the youth's right to be informed.

### *RECOMMENDATION*

27. Policies and procedures must be developed to ensure that youth receive prompt and accurate information about decisions that may affect them.

## CONTACT WITH OTHERS

Maintaining contact with family is a principle supported in the Preamble of the *Young Offenders Act*. Contact with natural advocates (e.g. parents, foster parents, a family friend), may also serve to prevent peer abuse. This can be accomplished through liberal visiting access and/or contact by telephone. Correspondence with others should be permitted except where there are reasonable and probable grounds to believe that such correspondence compromises the safety and security of an individual or the centre.

## ■ VISITING

In most custody centres visiting is severely restricted. Often only immediate family members are permitted to visit, and visiting hours are limited to specific periods of time that fit with the custody centre's schedule. Visiting space is inadequate in most centres and there seems to be inadequate staffing to supervise visits.

Visits from natural families, alternate families and friends should be encouraged. Many youth do not have contact with relatives. Their friends may be the only family they have. Where youth have limited access to natural or alternate family members, priority should be given to maintaining contact with friends. Visiting should be given much greater emphasis as a valid and comprehensive program activity. Visiting areas within Centres need to provide privacy and be "child friendly" to accommodate young siblings.

**RECOMMENDATION**

28. Procedures should be established to maximize the youth's contact with family and friends. Where access is restricted, written reasons and appeal procedures should be provided to the youth.

■ **TELEPHONE**

Residents should be encouraged to maintain contact with family/care givers, especially when access is limited by geographic distance. Given that it is not practicable or necessary to have custody centres in all communities, other means of maintaining contact with the youth's local community must be developed. Telephone access is an economical way to achieve this. The provincial government should assume responsibility for the costs for long distance phone calls and Prov Net, the provincial telephone exchange, should be utilized where possible. Youth should not be required to place their calls collect.

**RECOMMENDATION**

29. All residents should be provided with liberal telephone access to their families without cost to the youth or the youth's family.

■ **CORRESPONDENCE**

We understand that correspondence between a youth and persons on the outside is generally not a problem. However, correspondence between youths in different centres may sometimes be restricted for no apparent reason.

Contrary to the positions of a few staff respondents, we believe that correspondence between residents in different centres should be permitted. Corrections officials have assured us that such banning no longer takes place; but we have decided to include this issue in this report for two reasons. First, we could find nothing in regulations or policy that guarantees this freedom. Second, the staff members who saw this as an issue at the commencement of this study deserve a reply to the concerns they raised.

The motive behind the suggestion of several staff to prohibit correspondence between residents appears to be based on safety concerns. These officials want to discourage negative peer group contact that may be a channel for promoting retaliatory peer abuse. The fear is that a youth in one centre might correspond with a friend in another to arrange a retaliation against an enemy who cannot otherwise

be reached. However, such an ill-intentioned order could just as easily be written from the community.

Supportive relationships are good for an individual. A blanket ban on correspondence between residents would prevent any positive effects such contacts may provide. While there might well be times when direct communication between residents in different centres could be mischievous or inappropriate, it is just as likely that direct communication would be beneficial to the individuals concerned. This has to be determined on the individual merits of a situation and based on specified concerns.

If fears about a negative peer contact cycle are taken to their logical conclusion, each youth at a centre would have to be isolated physically from all others to avoid negative influences. Part of Correctional staff's professional duties is to make decisions on the appropriateness of contact between residents. Staff would be aware of specific, court-ordered prohibition of contact with certain individuals from the record and would be able to ensure adherence to that order, including the restricting of correspondence. The *Young Offenders Act* (s. 3) states:

- (e) young persons have rights and freedoms in their own right, including those stated in the *Canadian Charter of Rights and Freedoms* or in the *Canadian Bill of Rights*, and in particular a right to be heard in the course of, and to participate in, the processes that lead to decisions that affect them, and young persons should have special guarantees of their rights and freedoms;
- (f) in the application of this Act, the rights and freedoms of young persons include protection of society, having regard to the needs of young persons and the interests of their families.

The B.C. Corrections Branch *Youth Manual of Operations* further states: ..young persons have rights including those stated in the *Canadian Charter of Rights and Freedoms*. Section 2(d) of the Charter guarantees freedoms of association, subject to only such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society...

...restrictions shall not be imposed arbitrarily or without good cause but shall be for one or more of the following reasons:

1. The contact or communication is or may adversely affect the health, safety or well-being of the concerned youth(s)...

2. The contact or communication represents a real or potential interference to the management, operation, discipline or security of the youth custody centre.

Although such a policy statement allows for some administrative discretion, some centres have in the past applied a blanket policy that does not take account of individual circumstances. Unless shown to be inappropriate, correspondence with friends in other custody centres should be permitted. The exit interview of residents may be an opportunity to discuss whether the resident had any problems with exchanging correspondence.

### *RECOMMENDATION*

30. Correspondence between residents in different custody centres should be permitted, except where prohibited by the courts, or where there are reasonable and probable grounds to believe that information contained in the correspondence would jeopardize the safety and/or security of the centre, the youth or others. A regulation or policy should be developed to formalize this practice.

### ■ LANGUAGE

Words are important. They have the power to evoke images and emotions. The way they are used or selected affects the way people interact with their environment and people around them. Words can denote respect, or the lack of it, between people. Recently, while a youth was undergoing a routine pat-frisk upon returning to her unit after speaking to an Ombudsman investigator, a staff person asked her what she had been doing. When she answered, his response was: "Oh, so you've been ratting out on us, eh?" From the tone of his voice, he clearly intended his remark as a joke. But we had to wonder what message the words sent to a youth subjected to all the vulnerabilities that accompany life in youth centres. Too many of the terms still in vogue in youth centres are words that can only help foster the kind of institutional environment where peer abuse can flourish.

In the past, staff in some youth centres were referred to as "guards." The trend today is to designate them as youth workers or youth supervisors. They could also be known as counsellors as they attain higher levels of professionalism, as recommended elsewhere in this report. Other facets of institutional life might be considered for a name change as well. For example, a term like observation centre might replace "control centre." We leave it to the creativity of those involved in the field to determine what positive-value translations need to be made.

### ***RECOMMENDATION***

31. The Corrections Branch should develop policies to ensure that the language used is plain and upholds the principle that youths served are valued and are entitled to be treated with respect and dignity.

## **STAFF RECRUITMENT AND TRAINING**

In our society, parents or guardians are charged with the legal and moral responsibility to protect their children's rights and interests. When these children are in custody, this responsibility rests with the government. This means that staff must assume parental responsibility to some extent. Trying to meet the unique needs of youth in custody, youth who are often victims of abuse and neglect, is a challenge. To meet this challenge, staff must be highly skilled and knowledgeable. Therefore, special attention must be given to staff recruitment, training and support.

### **■ STAFF TRAINING AND RECRUITING**

Staff in custody centres have a mix of training and experience. Most supervisory staff have youth corrections experience and some post-secondary education. Some staff have been drawn from the adult prisons. Younger staff tend to have more formal education.

Some institutional staff are not oriented towards dealing with youth issues from a treatment or rehabilitation perspective. Many have received no specialized training to assist them in dealing with complex behavioral issues. The portion of the youth centres' staff who come from the adult system may continue to use the same frame of reference that they used in that system. Many staff members told us how difficult it is to deal with a population that remains young (though the individuals change) while the staff themselves get older.

Youth supervisors in custody centres have diverse levels of training and education. The complexity of the population they deal with demands increasingly skilled staff. The current mandatory five week employment readiness training program provided to new recruits through the Justice Institute of British Columbia is insufficient to qualify correctional youth workers to work with youth in this type of setting. In contrast, Probation Officers must have a minimum of a university degree, or two years college plus experience, or seven years experience in a similar field. The minimum requirement for Ministry of Social Services Level III Specialized Family Care Homes (the homes requiring greatest skill) is a certificate, diploma or degree

in a discipline related to family care, plus child-related experience in a home residential setting.

Professional training, for example the B.A. program in Child and Youth Care offered at the University of Victoria, would constitute a more appropriate level of training for institutional staff. To upgrade the skills of staff currently in the system professional training could be offered; for example, the Douglas College one year Child and Youth Care Counsellor diploma program. The goal of educational upgrading should not be too difficult to attain. Of the 136 staff who responded to our questionnaire, 85 already had at least some post-secondary level education, an additional 11 had engaged in graduate level studies, and many had taken youth-related and counselling courses at the Justice Institute or other training centres.

We were unable to obtain specific information about staff turnover in youth custody centres. We know, however, that staff changes because of promotions and lateral transfers are common. Thus, there is a continuing need to train new staff.

We see a need to expand and enhance the scope of professional training to include preparation on issues such as normative development with emphasis on adolescence, conflict resolution skills, anger management, behaviour management, peer abuse, mediation, children's rights, advocacy, life-skills training and other topics included in basic child and youth care workers' training.

A comprehensive approach to the issue of peer abuse requires that all staff be oriented to the problem. This includes youth supervisors or security officers, teachers, nurses, kitchen staff, support staff, contractors and volunteers. Each one of these people should be seen as an essential part of the system because they share responsibility for the youth's protection and rehabilitation while in the centre.

Staff need specific training on child abuse including peer abuse. They need to know what causes abuse, who is at risk, what are the symptoms of abuse and how to respond appropriately and effectively. They need to understand power dynamics in relationships that can lead to abuse. Staff need to know how to assess a youth's needs and when to seek the assistance of, or refer to, the appropriate professional. Youth workers are asking for the opportunity to equip themselves to meet this challenge. We propose that the relevant authorities work through an agency such as the Justice Institute to provide the training that staff require. As an alternative to Justice Institute training, it has been suggested that an itinerant peer abuse counsellor could travel to the various custody centres and be available to assist both residents and staff.

Moving in the direction we are suggesting would have challenging implications for any currently accepted facets of staff life. As job requirements are modified, the skill levels and educational background necessary for the job will require upgrading. Upgrading should be undertaken at the expense of the government and should be acknowledged by incremental pay increases. Staff who choose not to improve their skills in working with youth should have the opportunity to transfer to other branches of the ministry. Appropriately trained staff may lessen the need to rely on large custody centres. Indeed, staff trained to work in youth centres may feel more a part of a ministry dedicated to children and youth.

This recommendation concerning staff should be regarded as one of the most important recommendations contained in this report.

### ***RECOMMENDATION***

32. All aspects of youth corrections administrative structure, system of service delivery and staffing should have a youth-centred orientation that will maximize the development of specialized expertise, enhance the capacity to focus on youth correctional matters and establish a youth-focused system. To achieve this, the following should be implemented by the Corrections Branch:

- Develop competency-based hiring criteria that establish the minimum qualifications for youth worker positions, such as a B.A. in Child and Youth Care or equivalent or, at a minimum, an appropriate diploma.
- Explore mechanisms, such as salary incentives or classification on the Social Program Officer series, to encourage recruitment of the most qualified candidates.
- Establish a clear expectation that current staff who do not meet the minimum preferred qualifications must upgrade their skills and education.
- Establish a separate recruitment and basic training process, possibly through the Justice Institute or other accredited educational facility, for youth supervisors working within any corrections, mental health or social services institutions. This training should include a youth-centred curriculum.
- Establish separate, youth-centred, multi-disciplinary advanced training programs for youth institutional staff and youth probation officers.
- Provide educational leaves, secondment to other youth programs, and tuition subsidies for staff to help them upgrade their qualifications.

- Establish a consultation process with the British Columbia Government Employees Union (BCGEU) to look at mechanisms for transferring some existing unqualified staff to other branches of the Ministry without any economic or career detriment.
- Consult with the BCGEU, Corrections Component, to move existing youth institutional positions within the Correctional Component to the Social and Health Services Component, and in the interim and short term, separate youth custody centres from seniority lists.
- Provide all staff, including contractors and volunteers, who deal with youth in a custodial setting, with orientation and specific training on child abuse in general and the problem of peer abuse in particular.
- Provide staff with advanced training in constructive intervention skills, such as non-violent crisis intervention.
- Develop specialized advanced multi-disciplinary training programs on the dynamics and management of abuse in group living programs through the Justice Institute. All staff employed in youth custody centres should be thoroughly trained in this program.
- Identify one position in each centre as an in-house trainer to assist staff and youth to deal with peer abuse.

## ■ STANDARDS OF CONDUCT

Most staff in youth centres treat residents with courtesy. Too often, though, we have observed or heard of staff swearing at or verbally abusing residents, actions for which the residents are punished if they emulate them in any way. Though infrequent, such behaviour bespeaks an appalling lack of professionalism. Whether staff are openly berating a youth over some shortcoming, or just engaging loosely in name-calling, a victimizing atmosphere is being encouraged. The trend towards increasing professionalism and enhanced staff-resident relations may help overcome this.

A number of features discussed in this report, such as proper maintenance and confidentiality of records, appropriate case planning, prompt provision of necessary information to both residents and staff, and staff-resident relations are usually carried out in the required manner. The deviations we have noted cause us concern because they expose an individual's vulnerabilities or increase personal or institutional tensions. These situations can jeopardize the safety of residents in youth centres. Raising staffing standards may resolve many such deficiencies. But even proficient staff can benefit from the guidance of a stated standard of performance against which they can measure their own actions. We believe it would be useful for the Corrections Branch to develop, with the participation of all staffing levels, standards of conduct for all staff working with youth.

### *RECOMMENDATION*

33. Standards of conduct based on clearly stated principles should be developed for all personnel working with residents in youth custody centres.

#### ■ STAFF SUPPORT

Overcrowding provides ideal conditions for peer abuse. High noise levels, limited access to, or disruption of, programs and recreational activities, residents doubling-up in rooms designed for one person or sleeping on the floor all contribute to heightened tension in the centre, and increased conflict in relationships among residents. These conditions also reduce staff's ability to provide individualized attention.

The attitude of staff in managing peer abuse will be affected by their own work situation. An inappropriate youth-to-staff ratio at certain times is one source of conflict between management and staff. Management finds itself caught in the middle, being responsible for the safety of both staff and youth while having to adhere to budget and personnel constraints decided at higher levels of government. The Ministry of the Attorney General should be constantly aware of the direct impact its decisions have for management, staff and youth in custody centres.

Sometimes staff are not provided with adequate supervision and consultation. Management is not always receptive to hearing about issues and concerns; some staff fear they may be labelled incompetent if they raise concerns. This thinking, whether justified or not, does not promote an atmosphere of trust in which policies and practices can be examined openly. Staff need to be encouraged to propose changes that will improve institutional life and morale.

To promote common ownership of a goal, there needs to be meaningful, ongoing communication between management and staff. Staff must have input into issues affecting the operation and general well-being of a centre, not just those affecting staff-management relations. Both sides must work together to find ways of implementing a common philosophy and to find the best way to handle the difficult environment they face. Authorities will also have to find ways of addressing constructively the issue of staff burn out, recognizing that working with troubled youth, while rewarding, is very demanding.

### *RECOMMENDATIONS*

34. Mechanisms should be implemented that foster ongoing dialogue among management, staff and residents over all issues that affect the life of a centre. The Youth Advisory Council would provide one option for youth input. Existing structures such as the Joint Union Management Committee should be part of this process. The information shared in the course of these dialogues could be helpful in setting priorities and budgets at the various levels in the decision-making process.
35. Staff/resident ratios within youth custody centres and residential attendance centres should be reviewed with a view to improving the adequacy of supervision and programming for residents. This review should particularly focus on afternoon and night shifts in open custody and camp settings. For those facilities to be newly constructed, this factor should be given paramount consideration.
36. In consultation with the Corrections Component of the BCGEU, the Corrections Branch should review and assess current mechanisms designed to deal constructively with staff burn out.

#### **■ A NEW DIRECTION - REDEFINING ROLES**

A local director of a youth custody centre commented that youth work should not be seen as a job—it must be seen as a mission. The comment was a criticism of some staff members who see each day as an ordeal to endure. British Columbia's youth centres ought to encourage a high level of professionalism among their staff.

In the current model, staff are responsible mainly for security, while contracted specialists operate most of the programs. What we wish to see evolve is an interactive staffing style. This does not mean that staff would simply play cards with the residents (although they might also do this). It means that staff would be involved with the residents in every aspect of their day, at meals, in recreation, and especially in programming. Staff would have the capability of conducting resident programs and providing care as professional youth care workers, but would not provide highly specialized counselling and treatment programs requiring the skills of professional counsellors or therapists. Staff would be able to deal constructively, from an overall program perspective, with incidents that occur in the course of daily living. Staff would be friends, leaders, teachers, counsellors and mentors to the youth. Security would be enhanced by relationships developed with youth through program activities.

Without the stipulated change in staffing focus - from a custodial stance to a more developmental approach—*implementation of almost all the other recommendations contained in this report will be little more than a band-aid.* To ensure the success of these proposals, the calibre of staffing set out here will have to become the institutional norm. Such far-reaching changes will take time to accomplish, but the social climate may be ripe for such renewal. Child welfare systems and other youth-related program areas are currently under review. The time may be opportune for youth-serving facilities across the government service to review some fundamental features of their operations.

In youth corrections several staffing models do exist that contribute to the positive growth and development of youth. For example, corrections officials in one jurisdiction we visited stated that specially trained staff have demonstrated an ability to minimize the incidence of peer abuse. If such incidents do occur, staff are able to use their skills to make such episodes the basis for a constructive learning experience for the residents. Staff are able to create an environment of trust. During our visit we saw no evidence of a criminal sub-culture that can pressure youth into silence. The youth seemed quite comfortable about sharing their concerns with staff and seeking together positive remedies to problems.

Many youth in British Columbia's custody centres told us that youth are often victimized when they are insecure, fearful or lacking in social skills. This implies that youth who have a positive self-image and feel accepted by their peers and adults are less likely targets of abuse. From this perspective, staff who promote confidence and positive attitudes can be seen to be reducing victimization. To achieve this, staff must redefine their roles to empower the youth with positive attitudes. Youth who are appropriately empowered will have more confidence in themselves and as a result will be less likely to be victimized.

We appreciate that this recommendation entails a re-design of the philosophy of the Corrections Branch. The traditional approach is based on hierarchical lines of authority and power with the youths at the bottom. Unable to express their frustration against staff, youth may seek relief by victimizing their peers. To break this cycle, correctional workers must become counsellors entrusted with the responsibility of ensuring the youth's growth, appropriate expression and rehabilitation. Some staff may fear that this approach will undermine the control and security of the centre. We believe that such an approach will in fact reduce staff's reliance on control through authority-based supervision and will enhance security within the custody centre.

Under such proposed changes, uniforms would be replaced by civilian clothes. Dispensing with uniforms would help dispel the "jail" mentality for both youth and

staff. Because of current union agreements, suitable alternate work clothes would have to be provided for some staff in forest camps.

### **RECOMMENDATIONS**

37. The roles of staff must be redefined to include and reward skills that empower youth and support the development of positive attitudes and appropriate problem solving and dispute resolution skills as alternatives to the use of physical force. Position descriptions should emphasize the employee's ability to interact constructively with youth, including participation in group process.
38. Uniforms should be replaced by appropriate civilian clothes throughout youth corrections. Suitable work clothes should be provided for staff working in forest camps.

#### **■ USE OF RESTRAINT**

Within institutional settings, staff must use physical restraint only as an absolute last resort. Highly skilled staff rarely have to resort to physically restraining a youth. However, sometimes there may be no other alternative and a youth may have to be restrained to maintain her/his safety or the safety of others. Some youth may be quite large and strong, making the task of restraint difficult for staff. Training in passive restraint techniques will equip staff to face these situations with greater confidence. Such training also ensures that there is less likelihood of injury to residents and staff.

We believe that the following five basic tests as outlined in the text *Professional Child and Youth Care*,<sup>7</sup> should be applied in the use of physical restraint:

1. The objectives must be lawful. There must be an act or regulation that permits the use of force to obtain compliance or control. The legal authority for use of force should be reflected in agency policy.
2. The resistance to the attainment of the lawful objective must be evident. The degree of force required must be linked to the resistance. Resistance may be either verbal or physical.
3. Reasonable alternatives to the use of force must be either unavailable or have been tried and proven unsuccessful. Force should be used as a last resort and then only to the extent necessary to effect control. The resident should be given 'space' and time to 'cool off' in an effort to

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<sup>7</sup> *Professional Child and Youth Care*, page 76. Edited by Ferguson, R., Pence, A., and Denholm, C. (1993), Vancouver, B.C.: UBC Press.

avoid the use of physical force. If force is required, the resident should be advised in advance that force will be used.

4. The force used must be minimal (that is, no more force than is required to overcome the resistance or to effect control). Force may be incrementally escalated as the resistance by the resident increases. The force used involves 'restraint'; not strikes, blows, arm-bending, headlocks, or other methods of inflicting pain. Inflicting pain is not an acceptable means of control or restraint for youth. It increases anger and hostility and makes physically hurting others an acceptable practice.
5. The force used must be directly related or limited to the attainment of the lawful objective. For example, if staff are moving a resident to a secure room he/she must be free to move about. Physically restraining him/her for an additional period of time to 'get the point across' is not acceptable.

Putting the use of force by staff into this context will assist youth to better understand that peer abuse is not acceptable conduct.

#### ***RECOMMENDATION***

39. Institutional policies and procedures should incorporate the above five basic tests and all youth institutional staff should be trained in methods of passive restraint. Appropriate documentation should be completed for every incident involving any form of restraint and be reviewed regularly by the Corrections Branch.

## **CONCLUSION AND NEXT STEPS**

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One Corrections Branch staff member stated that “peer abuse will only be licked when the Branch takes it seriously.”

Perhaps the greatest value of the Ombudsman's investigation has been to raise the profile of the problem of peer abuse in provincial youth institutions. The process of this investigation coupled with the involvement of the Task Force has resulted in an upsurge of energy, particularly within the Corrections Branch, directed at the problem of peer abuse. While this report has mainly focused on issues within youth custody centres, we recognize that problems of peer abuse exist in other youth institutions, including schools.

Peer abuse is but one form of abuse too often suffered by young people placed away from their homes into programs, operated, funded or regulated by the provincial government. The societal costs, both human and financial, of abuse in all forms, are significant. The common goal for youth and their care givers should be to live and work together in a helping environment in which each individual feels safe and is treated with dignity and respect. Common sense suggests that abuse is less likely to occur in such an environment. This is true within families and within child and youth care institutions.

However, this is no easy task within institutions that house so many childhood victims of past neglect and abuse. Too quickly, we tend to focus on problem behaviours and forget their source—the troubled childhood histories of young people who populate provincial institutions. This situation poses significant challenges for professionals who must struggle to balance competing public expectations with limited resources to respond to the needs and aspirations of youth residents.

Notwithstanding what has been learned about residential schools from the experiences of First Nations and deaf students, many youth institutions still tend to emphasize control and reward conformity. Empowering young people through the provision of individualized, developmentally appropriate treatment or rehabilitation programs too often becomes, at best, a distant secondary objective.

Ombudsman concerns about the need for major systemic reform of child, youth and family services are not new. The Peer Abuse investigation reinforces many of

our findings from, for example, investigations involving the Eagle Rock Youth Ranch, and Jericho Hill School.

Developing more coherent, integrated and advocacy-oriented policies, programs and practices on behalf of children and youth should be an immediate priority for government. Problems of fiscal restraint must not be used as an excuse to avoid long overdue reforms in this province's child and youth services sector.

### **RECOMMENDATION**

40. That the Corrections Branch, in close consultation with child welfare, children's mental health, youth forensic and educational authorities, develop an implementation plan to address the recommendations in this report, and that this implementation plan be made available, upon request, to interested communities for their comment.

The Ombudsman believes that peer abuse within our child and youth caring institutions is but one symptom of a deeper malaise that requires swift action to eliminate its harmful effects. New approaches and philosophies of child and youth care are being urged in this report. Past and subsequent Ombudsman reports have placed and will continue to place these and other issues in a broader context.

The Ombudsman has recently completed a series of community consultations with young people and their advocates. This is part of her review of child and youth advocacy in B.C. as follow-up to Public Report No. 22. The Ombudsman's suggestions for a *Children's Charter*, and for the establishment of a "fixed point of responsibility for young people...such as a newly created Ministry and/or Cabinet Commission exclusively concerned about young people, and integration of services," are among possible proposals being considered in preparation for the Ombudsman's promised follow-up to Public Report No. 22.

In November 1991, the Minister of Social Services appointed the Community Panel to review child protection legislation in British Columbia. In October 1992, the Community Panel released its Public Report, *Making Changes: A Place To Start*. Panel members recognized the seriousness of problems affecting young people in Youth Custody Programs and reported:

We were deeply troubled by our visits to youth in correctional institutions. All community and institutional programs authorized by the *Young Offenders Act* are delivered through the Ministry of the Attorney General. The Ministry of the Attorney General is also responsible for a much larger adult corrections system. It is our belief that young people are not served best in a system where

the adult corrections model is the focus and the driving force. The adult correction system influences how youth's needs are met within institutions.

The *Young Offenders Act* intends to provide youth with treatment and rehabilitative services but, in our view, the current system, no matter how hard it tries, cannot accomplish this goal.

Frankly, we were appalled by the lack of inter-ministerial planning for young people. The current system can be likened to a game of hot potato: once a youth is in a correctional facility, everybody else drops the potato. Protocols and procedures for the ongoing involvement of families and other ministries while children are in correctional facilities are sadly lacking.<sup>8</sup>

The Community Panel recommended that "responsibility for all programs and institutions administered under the *Young Offenders Act* must be transferred from the Ministry of the Attorney General to the Ministry of Social Services" and that "all other related ministries must share responsibility for these youth in the community before and after release."

Although the Community Panel's analysis of the treatment of youth in correctional institutions reinforced our findings, the Ombudsman believes that the scope of the organizational change necessary to rectify the systemic flaws, both within and external to the Corrections Branch, requires a more comprehensive approach. A significant paradigm shift is necessary in our provincial child and youth caring institutions. Making this shift is a cross-sectoral challenge because of the overlapping populations and vital inter-dependence among child welfare, youth correctional, children's mental health, youth forensic and special education programs. We plan to address this issue in more detail in the Ombudsman's upcoming Report on Child Advocacy.

In the meantime, the Ombudsman strongly supports the need to fully separate the youth and adult correctional systems. There is an immediate need to establish clearer goals and a greater level of specialized skills among staff working with young offenders.

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<sup>8</sup> At page 76 of the *Community Panel Report*.

***RECOMMENDATION***

41. The Ministry of the Attorney General should act immediately to separate youth from adult correctional services through the establishment of a separate division with exclusive responsibility for services delivered pursuant to the *Young Offenders Act*.

The Ombudsman will continue to advocate for needed systemic reforms within this public service sector. The commitment of many communities and front-line service providers to tackle the vexing problems of child abuse, in all of its forms, must be matched with strong, unified support from the provincial government.

## **SUMMARY OF RECOMMENDATIONS**

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1. All residential programs and services for young people, regardless of the administering authority, should be managed in accordance with explicitly stated government principles as stated on page 6 of this report. Policies and procedures should be established to ensure that residents and staff are aware of these rights and principles.

In order to be clear, government should develop legislation that outlines the rights of all children, particularly those who are receiving or should be receiving services from government. p. 7

2. The Corrections Branch should develop, as part of its continuum of services, government-operated open custody programs in local communities as an intermediary stage between residential attendance programs and secure custody (also refer to Recommendation 11). p. 10
3. Government should adopt a formal policy of zero tolerance towards the abuse of children and youth, including peer abuse in institutional settings, and policies and procedures that incorporate the goal of zero tolerance of resident abuse should be established at all facilities. These policies and procedures should address prevention, detection, supervision, notification, discipline, case management, classification, response to victims, and related matters. p. 10
4. Where they are not currently in place, youth custody and residential centres should establish active Youth Advisory Councils or similar mechanisms to ensure that residents have appropriate opportunities for input into the operations of the program. These mechanisms should be reviewed regularly to ensure their continued effectiveness. p. 12
5. Staff should be instructed to take every youth complaint seriously and to investigate each complaint thoroughly. Youth must be informed of their right to complain about inaction on the part of staff and that there will be no reprisal for initiating a complaint. They must also be advised of the range of options available to deal with complaints, including internal review procedures, and access to the Corrections Branch's Inspection and Standards Division, the Ombudsman's Office and Legal Aid. p. 12

6. Confidential interviews, purposefully undertaken by the probation officer or social worker, should be conducted with youth upon entry, at prescribed intervals during their stay and upon or shortly after their release from custody. These interviews should be standardized across centres and include specific questions related to peer abuse. p. 12
7. Policies should be developed and implemented to enhance the natural advocacy or support role of staff, parents and friends. More active measures should be taken to promote and support parent and natural advocate involvement, including, where feasible, parent support groups and improved communication/feedback to parents. Barriers to natural advocacy should be identified and eliminated in each youth custody centre, and staff should ensure that someone else takes on the advocacy role when it conflicts with their role as a staff member. p. 14
8. Probation officers, social workers, mental health professionals, family court counsellors and other community professionals should be informed and educated about peer abuse, and their workloads adjusted to facilitate a minimum of monthly contact with institutionalized youth on their case loads. p. 14
9. All residential child and youth care facilities, including correctional youth programs, should be licensed under the *Community Care Facility Act* unless government acts to immediately establish, by legislative enactment, a more appropriate and comprehensive mechanism to establish, monitor and enforce uniform standards for all residential child and youth programs, regardless of the department of government providing the funding. Standards intended to prevent peer abuse and that respect the goal of zero tolerance should be an integral part of any licensing or certification requirements. p. 17
10. The Ministry should continue with the work currently underway to replace the Willingdon and Victoria Youth Custody Centres as quickly as possible. When building new or replacement facilities, the Corrections Branch should use designs that maximize positive relationships among residents and between staff and residents. To minimize the negative impact of an institutional setting, new or replacement facilities should be designed to create a more typical home-like environment both internally and externally. Barbed or razor wire should not be used for new or existing youth facilities. p. 19

11. The Ministry of the Attorney General should give priority to developing small, community based programs to provide an alternative for youths who need supervision provided by correctional youth workers but do not require secure, locked or isolated facilities. Such programs could also accommodate the transition back to the community for youths released on temporary absence programs. p. 20
12. All centres should have individual rooms capable of being locked from the inside by youth, with a staff override on the locking system for security and safety purposes. In addition, centres should have ample common space and adequate program facilities. p. 21
13. In all centres, shower areas should ensure privacy and safety. p. 21
14. All personal items should be recorded on the resident's personal effects record on admission and during his or her period of residence to safeguard against personal effects becoming a focus for peer abuse. Borrowing and lending personal goods among residents should be discouraged. p. 21
15. Procedures should be established to ensure that food is always available in adequate supply. Individualized container portions should be avoided as much as possible. Bulk supplies should be used instead. p. 23
16. The Corrections Branch should explore with its staff an arrangement whereby the residents would be accompanied by staff members during meal times. These discussions may require the involvement of the Union to discuss appropriate compensation. p. 23
17. Case plans should include goals and strategies that equip vulnerable youth with appropriate coping and social skills and should include giving information to youth about advocacy supports. p. 24
18. Youths should be placed and maintained in a facility as close as possible to their home community. p. 25
19. Each centre should group youth to maximize positive interaction, youth development and constructive peer relationships. This recommendation should be considered in planning for the renovation or construction of facilities. p. 26

20. Counselling for youth who are abusive to others must be one of the program options available to youth centres in their efforts to deal with abuse. p. 26
21. A comprehensive review of programs in each youth custody centre should be conducted to ensure that the following types of programs are adequately and consistently available in every centre:
- a comprehensive orientation program for each new resident that emphasizes the centre's position on peer abuse, reporting and complaint resolution procedures
  - programs for the identification and treatment of youth who have been the victims of child abuse and neglect
  - appropriate anger management programs consistently available to all residents
  - cognitive skills training
  - programs that have demonstrated effectiveness in building a positive group experience
  - programs along the lines of a peer counselling model to support peer mentoring and orientation, for centres with longer term residents
  - appropriate mental health assessment and treatment services
  - empathy training or victim awareness programs for and available to all residents
  - drug and alcohol assessment and treatment
  - social skills training
  - programs for the identification and education of youth with learning disabilities, and
  - programs that respect and enhance the unique cultural interests of aboriginal children

To deliver programs effectively, existing staff must be given reasonable opportunity to participate in training to upgrade their skills, and the recruitment qualifications of new staff should include the required skills. p. 29

22. The Corrections Branch should adopt a policy to ensure that discipline measures are fair and reasonable in the individual circumstances. Group consequences should not be permitted. Group reward, on the other hand, is consistent with positive group growth. p. 31

23. Nicotine withdrawal should be viewed as a medical issue with significant psychological, emotional and physical effects and the branch, in partnership with the residents and the centre's medical professionals and community health agencies, should;
  - a) develop comprehensive stop smoking programs and provide tobacco substitutes to alleviate the effects of withdrawal, and
  - b) implement policies and procedures in all Youth Custody and residential centres that will eliminate the punitive action taken against youth who are found in possession of tobacco products. Confiscation of the products should be a sufficient response. The policies should reflect the change in the law making it will be illegal to sell cigarettes to a youth of a given age, not for a youth to be in possession. p. 33
24. Shift-change procedures in each centre should be reviewed to ensure adequate information exchange between shifts and adequate supervision during the shift change period. p. 35
25. A Corrections Branch policy should be developed to advise staff of the need to ensure that youth know what actions have been taken to address their complaints of abuse and to ensure documentation of the feedback given. p. 35
26. Staff should receive ongoing reminders through training and information, to reinforce the importance of maintaining confidentiality about residents. p. 35
27. Policies and procedures must be developed to ensure that youth receive prompt and accurate information about decisions that may affect them. p. 36
28. Procedures should be established to maximize the youth's contact with family and friends. Where access is restricted, written reasons and appeal procedures should be provided to the youth. p. 37
29. All residents should be provided with liberal telephone access to their families without cost to the youth or the youth's family. p. 37

30. Correspondence between residents in different custody centres should be permitted, except where prohibited by the courts, or where there are reasonable and probable grounds to believe that information contained in the correspondence would jeopardize the safety and/or security of the centre, the youth or others. A regulation or policy should be developed to formalize this practice. p. 39
31. The Corrections Branch should develop policies to ensure that the language used is plain and upholds the principle that youths are valued and are entitled to be treated with respect and dignity. p. 40
32. All aspects of youth corrections administrative structure, system of service delivery and staffing should have a youth-centred orientation that will maximize the development of specialized expertise, enhance the capacity to focus on youth correctional matters and establish a youth-focused system. To achieve this, the following should be implemented by the Corrections Branch:
  - Develop competency-based hiring criteria that establish the minimum qualifications for youth worker positions, such as a B.A. in Child and Youth Care or equivalent or, at a minimum an, appropriate diploma.
  - Explore mechanisms, such as salary incentives or classification on the Social Program Officer series, to encourage recruitment of the most qualified candidates.
  - Establish a clear expectation that current staff who do not meet the minimum preferred qualifications must upgrade their skills and education.
  - Establish a separate recruitment and basic training process, possibly through the Justice Institute or other accredited educational facility, for youth supervisors working within any corrections, mental health or social services institutions. This training should include a youth-centred curriculum.
  - Establish separate, youth-centred, multi-disciplinary advanced training programs for youth institutional staff and youth probation officers.
  - Provide educational leaves, secondment to other youth programs, and tuition subsidies to staff for help them upgrade their qualifications.
  - Establish a consultation process with the British Columbia Government Employees Union (BCGEU) to look at mechanisms for transferring some existing unqualified staff to other branches of the Ministry without any economic or career detriment.

- Consult with the BCGEU, Corrections Component, to move existing youth institutional positions within the Correctional Component to the Social and Health Services Component, and in the interim and short term, separate youth custody centres from seniority lists.
  - Provide all staff, including contractors and volunteers, who deal with youth in a custodial setting, with orientation and specific training on child abuse in general and the problem of peer abuse in particular.
  - Provide staff with advanced training in constructive intervention skills, such as non-violent crisis intervention.
  - Develop specialized advanced multi-disciplinary training programs on the dynamics and management of abuse in group living programs through the Justice Institute. All staff employed in youth custody centres should be thoroughly trained in this program.
  - Identify one position in each centre as an in-house trainer to assist staff and youth to deal with peer abuse. p. 42
33. Standards of conduct based on clearly stated principles should be developed for all personnel working with residents in youth custody centres. p. 44
34. Mechanisms should be implemented that foster ongoing dialogue among management, staff and residents over all issues that affect the life of a centre. The Youth Advisory Council would provide one option for youth input. Existing structures such as the Joint Union Management Committee should be part of this process. The information shared in the course of these dialogues could be helpful in setting priorities and budgets at the various levels in the decision-making process. p. 45
35. Staff/resident ratios within youth custody centres and residential attendance centres should be reviewed with a view to improving the adequacy of supervision and programming for residents. This review should particularly focus on afternoon and night shifts in open custody and camp settings. For those facilities to be newly constructed, this factor should be given paramount consideration. p. 45
36. In consultation with the Corrections Component of the BCGEU, the Corrections Branch should review and assess current mechanisms designed to deal constructively with staff burn out in consultation with the Corrections Component of the BCGEU. p. 45

37. The roles of staff must be redefined to include and reward skills that empower youth and support the development of positive attitudes and appropriate problem solving and dispute resolution skills as alternatives to the use of physical force. Position descriptions should emphasize the employee's ability to interact constructively with youth, including participation in group process. p. 47
38. Uniforms should be replaced by appropriate civilian clothes throughout youth corrections. Suitable work clothes should be provided for staff working in forest camps. p. 47
39. Institutional policies and procedures should incorporate the above five basic tests and all youth institutional staff should be trained in methods of passive restraint. Appropriate documentation should be completed for every incident involving any form of restraint and be reviewed regularly by the Corrections Branch. p. 48
40. That the Corrections Branch, in close consultation with child welfare, children's mental health, youth forensic and educational authorities, develop an implementation plan to address the recommendations in this report and that this implementation plan be made available, upon request, to interested communities for their comment. p. 50
41. The Ministry of the Attorney General should act immediately to separate youth from adult correctional services through the establishment of a separate division with exclusive responsibility for services delivered pursuant to the *Young Offenders Act*. p. 52

## APPENDIX A

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### ■ SUMMARY OF RESPONSES BY YOUTH AND STAFF

Eighty-two youth were asked to give us their views on peer abuse. They gave us information on the types of abuse that occurred, their perspective about the reasons for abuse and possible solutions to the problem. 136 staff, representing both secure and open custody centres and one major provincial mental health facility, also gave us their views by responding to a questionnaire. All respondents were assured their anonymity.

Although the youth interviews were decidedly different from the staff questionnaires in format, the two means of gathering information covered the same general topic areas. Although exact comparisons cannot be made, there were some notable similarities and differences in the perspectives of youth and staff.

Youth and staff shared a common feeling of hopelessness about eliminating or reducing incidents of peer abuse within youth centres. This despair dominated the responses of both youth and staff, although youth appeared to feel more hopeless. Youth and staff were overwhelmed by the prevalence of peer abuse and were pessimistic about change because they tended to see peer abuse as an inevitable part of institutional life. While they suggested many ways to reduce abuse, they agreed that band-aid solutions would not work. Many felt that youth custody centres need to undergo a major reform.

All youth interviewed reported knowing about at least one incident of peer abuse at a youth centre. Most knew of several incidents of this type. Almost all of the youth told us that the majority of peer abuse incidents were never reported to staff. This suggests a need for increased vigilance on the part of staff and an improvement in trust relationships between youth and staff members. Youth, more than staff, perceived peer abuse to be on the increase. Many youth said that staff attitudes were a major factor in determining how safe youth were in a custody centre. They identified active and conscientious supervision by staff as the most effective way of preventing victimization.

Youth and staff described abuse that ranged from random punches and threats to severe forms of victimizing behaviour. Key factors they identified for controlling victimization include: close proximity of staff, applying consistent consequences for misbehaviour, placing youth in more appropriate groups. Several staff

suggested improved facilities and increased staffing levels. Many staff said that they would welcome training on peer abuse.

Youth and staff agreed that the frequency of abuse incidents fluctuates over time. Youth and staff cited the need for more programs, counselling and stiffer consequences for abusers. Better classification of youth and locks on bedroom doors (especially at night) were also cited as methods for preventing or reducing incidents of peer abuse. Staff and youth agreed that the common living unit is the most dangerous place in an institution, and evenings were the most likely time for peer abuse to occur.

Youth and staff differed in some of their perspectives. Staff appeared to be generally more optimistic than youth about their ability to control the problem of peer abuse. Staff identified psychological reasons for peer abuse, such as low self-esteem and lack of coping skills in youth. Youth tended to identify more concrete reasons for abuse, such as power and status, acquiring property, frustration or revenge. Youth also tended to see an increase in peer abuse while staff generally felt that the numbers of incidents were decreasing. Youth said that most incidents of abuse went unreported to staff. Staff felt they were aware of most incidents of abuse taking place. Youth were vehement that the no smoking policy contributed to abuse, while staff held mixed opinions about the relevance of the no smoking policy.

Staff were seen by the youth interviewed as the key to preventing peer abuse. However, we were told that some staff actively encourage victimization through bribes, or allow it by turning a blind eye to victimization. In some cases staff were said to set up fights as entertainment, and even more disturbing, we heard a few reports of staff hitting residents.

More detailed information about the responses of youth and staff is available upon request.

## **APPENDIX B**

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### **■ CAUSAL THEORIES OF PEER ABUSE**

There are two very different theories about the causes of peer abuse in youth facilities. These are commonly known as the “deprivation” and “importation” models. The deprivation model posits that the often unruly and aggressive behaviour of residents in youth centres is a by-product of the “pains of imprisonment,” for example, the restrictions and consequent frustrations associated with the loss of liberty and access to material goods and services, as well as the regimentation and depersonalization of institutional life. Within such a deprived environment, peer abuse is seen as a means of expressing frustrations, gaining status and prestige, and securing goods and services. This is particularly the case, it is argued, in institutions that are more coercive and restrictive, more oriented to simple custody and control.

The importation model, on the other hand, attributes peer abuse to the attitudes, values and experiences of youths that are acquired before they are placed in an institution and then are brought in, or imported, to the institutional setting. In short, it is argued that residents have life histories that are characterized by a disregard of law, order and social convention, as well as a history of exposure to and/or perpetration of violence. With a concentration of these individuals in an institutional environment, peer abuse is seen as the by-product of the personal characteristics and backgrounds of those individuals.

These competing explanations of peer abuse are much more than just a matter of academic interest, since, at a practical level, each suggests quite different strategies to address the problem. The deprivation model attributes peer abuse to the characteristics of environment; the importation model attributes it to the characteristics of the individual. Hence the deprivation model implies that remedial measures should be directed to improving the institutional environment by, for example, adopting a more flexible and individualized approach and greater access to amenities. The importation model, however, implies that remedial action should be directed to the individual, not only, for example, through improved supervision, but also through measures such as counselling, anger management, and cognitive/behavioral interventions.

The limited research - most of which is American - into the deprivation and importation models suggests that neither fully explains the phenomenon of peer abuse. There is some research that supports the importation model as a more adequate explanation. For example, some American research has found that pre-institutional violence is the best predictor of violence within a juvenile institution, regardless of the nature of the institution. These findings tend to be supported by local research by Menzies and his associates in a seven year study of incidents reported at the Willingdon Youth Custody Centre. This study found a direct and positive correlation between youths institutionalized for violent offences and the likelihood of their engaging in violent misconduct while institutionalized. Notably, Menzies and his associates also point out that the characteristics and social background of the Canadian youth custody population is very different from that of American youth facilities and that the incidence of violence in Canadian institutions, is, relatively speaking, very low in comparison.

There is, however, a body of research that, while not discarding the effects of importational factors, suggests that incidence of violence in youth facilities is more directly related to the character of the institutional setting. Some research also suggests that, while importational factors play a role in peer abuse, the nature of the institution that is, whether it emphasizes a flexible and individualized treatment approach rather than a more coercive custodial approach -can have a moderating effect on the incidence of peer abuse.

The results of the research suggest, like most social science research, that there is not a single, simple explanation for the great complexities of human behaviour. The research also suggests that both importational and deprivational factors contribute to some degree to peer abuse or, better put, there is an interaction between the two. This understanding is important because it suggests that remedial measures to better address peer abuse should be directed **both** to the individuals who are institutionalized and to the nature of the institutional setting.

## **APPENDIX C**

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### **Youth Custody Centres in British Columbia**

#### **■ OPEN CENTRES**

##### **Burnaby Youth Custody Centre**

- located in Burnaby next to Willingdon Custody Centre and the Maples Adolescent Treatment Centre
- males, age 14-17
- admission—transfer from Holly Open Custody Centre
- up to Grade 12, some community service work
- separate house on grounds of Maples complex
- resident capacity 12, average daily count 12.1

##### **Centre Creek Youth Custody Centre**

- 36 km east of Veddar Crossing
- males, age 14-17
- admission: Transfer from an open custody reception centre
- up to Grade 12, camp maintenance, automotive, forestry, food services, landscaping work
- wilderness camp setting with separate buildings including six 5-bed cabins; outdated facility
- resident capacity 30, average daily count 31.2

##### **High Valley Camp**

- 9 km from Logan Lake
- both genders, age 14-17
- admission—transfer from open custody reception centre or direct court referral
- combination of school and small ranch maintenance, forestry, fisheries, highway and community work
- 400 acre ranch with two 8-bed units, 1 8-bed duplex and 1 6-bed duplex; newest camp facility, total 30 beds,
- resident capacity 30, average daily count 31.6

### **Holly Open Custody Centre**

- located in Burnaby, with Willingdon Custody Centre
- both genders, age 12-17
- admission—direct entry from court for open custody; serves as reception centre
- individualized academic programs and some occupational training
- one building with two floors in an urban setting; outdated facility
- resident capacity 23, average daily count 30.7

### **Lakeview Youth Camp**

- located 34 km north of Campbell River
- male youth, age 14-17
- admission—transfer from open custody reception centre of direct court referral
- grades 6-9 and grade 10 equivalency, work at camp maintenance, log salvage and sawmill
- 4-10 bed living units with individual rooms
- resident capacity 40, average daily count 31.1

### **Southview Open Custody Centre**

- located in Burnaby
- male, age 13-17
- admission—from Holly Open Custody Centre
- day programming is provided by Holly Open Custody Centre
- resident capacity 6, average daily count 6

## **■ OPEN AND SECURE CUSTODY**

### **Prince George Youth Custody Centre**

- located in Prince George
- youth of either gender, age 14-18
- admission—directly by police following arrest after court hours, an order of remand or sentence
- combination of school and yard work, maintenance, some community work
- new facility with four 12-room living units
- resident capacity 24, average daily count 28.7

■ **SECURE CUSTODY**

**Boulder Bay Youth Custody Centre**

- located in Maple Ridge
- males, age 15-17
- admission—classification from a secure custody reception centre
- up to Grade 12, kitchen, camp maintenance and forestry work
- three 6-bed cabins and two cabins each normally housing four residents. The facilities can be expanded to accommodate 34 residents if necessary.
- resident capacity 26, average daily count 29

**Victoria Youth Custody Centre**

- located in downtown Victoria
- youth of either gender, age 14-17
- admission: Directly by police following arrest after court hours, an order of remand or sentence
- up to grade 12, formal work program of building maintenance, painting, repairs
- has a 21-bed wing and a separate 6-bed unit; limited and inadequate facilities
- resident capacity 27, average daily count 34

**Willingdon Youth Custody Centre**

- located in Burnaby
  - youth of either gender, age 14-17
  - admission: Directly by police following arrest after court hours, an order of remand or sentence
  - combination on-site work and school attendance
  - main building, 4 secure side units, 4 dormitory units, 2 cottages and 1 trailer for boys, 1 cottage for girls; outdated facility
- resident capacity 91, average daily count