“Care” and Carcerality in a Colonial State:
A Critical Exploration of Secure Residential Youth Care in Ontario

by

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B.A., Simon Fraser University, 2016

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In the School of Child and Youth Care

We acknowledge with respect lək̓ʷəŋən peoples on whose traditional territory the university stands and the Songhees, Esquimalt and W̱SÁNEĆ peoples whose historical relationships with the land continue to this day.

Supervisory Committee

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Abstract

Secure residential youth care has been employed as a mechanism of both protection and control for young people deemed vulnerable or "at-risk." There is little academic literature in the Canadian context on this topic; this study will provide an overview of the historical and current landscape of secure residential youth care in Ontario including the identification of populations that are uniquely impacted by state-sanctioned confinement as a mechanism of "care." I explore this topic through a critical discourse analysis that makes visible the ideological and political underpinnings responsible for the development of the legislative framework that enables secure care. I employ Critical Race Theory, Anti-Carceral/Abolitionist Feminism, and intersectionality as theoretical foundations and lenses through which I analyze the data which reveal the disparate experiences of Black, Indigenous, and queer youth in secure care. The results of this research will provide important implications for practice and considerations for further research. I propose that care models, extricated from carceral logics that contribute to the criminalization of youth, are possible and must be built upon the provision of robust, youth-informed, and dignity-centred supports.

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Dedication

This thesis is dedicated to every young person I worked alongside, each of whom irrevocably impacted me and compelled me to commit to practicing, writing, and researching in more radical and justice-seeking ways. This thesis is also dedicated to every child and youth whose life was stolen by the secure care system in Ontario.

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I extend my deep gratitude to Mandeep Kaur Mucina for providing me the opportunity to pursue my graduate studies journey when I had previously been denied from other programs. I consider myself forever blessed to be moulded as an academic through your wisdom, guidance, lived expertise, and support over the last three plus years. Thank you does not suffice.

Finally, my gratitude to all the lands that have held me and carried me throughout my life as an uninvited settler.

Chapter One: Introduction

Purpose and Research Questions

There currently exists a dearth of Canadian research on the secure residential youth care system in Canada, and even fewer sources and studies which utilize critical lenses to analyze legislation, policy, and other historical documents in relation to the development of secure residential youth care. Most of the research on this topic has emerged out of the Netherlands (Harder et al, 2011; 2012; 2016; Bramsen et al., 2018; van Dorp, 2021) with a few articles out of Sweden (Hjern et al, 2018; Vinnerljung et al, 2018; Enell and Milińska, 2020), Switzerland (Völlm and Nedopil, 2016), the United States (Lemieaux, 2012) and the United Kingdom (Ellis, 2018). My thesis will attempt to fill this gap by documenting the historical, political, and ideological underpinnings that led to the development of the secure residential youth care system in Canada. Specifically, I will draw on the context of Ontario, as this is both where my practice experience in this field was situated and where the legislative context with some of the greatest carceral power is wielded. It is also the region within Canada that is under the greatest historical and ongoing scrutiny regarding secure care, the child welfare system, and youth mental health, with numerous high-profile cases and investigations having taken place in the past decade.

Through my research, I will seek to highlight the lived experiences and resistance of those who have been criminalized through *transcarceral systems*. Transcarceral systems are defined by de Finney et al. (2018) as interconnected "state-run, government-funded colonial systems, including the criminal, legal, education, immigration, health care, and child welfare systems" (p. 29). Though my attention will turn to the criminalization and confinement of youth through secure care, this term is integral to my research as it identifies the alternate (i.e. school-

prison pipeline and child welfare-prison pipeline) systems through which youth are funneled, ultimately resulting in their criminalization and containment (see Marshall and Haight, 2014; Bergen and Abji, 2019).

I intend to trouble the use of the term "care" within carceral systems, providing a critical analysis of the ways in which the concept is used to invisibilize violence. Rodriguez et al. (2020) importantly recognize that institutions of "care," (e.g. the child welfare system, mental health facilities, and schools) are implicated in and perpetuate carcerality and carceral logics. In fact, they are said to be "no less carceral than the detention centers, jails and prisons that dominate our image of incarceration" (p. 541). This can be obscured by "well-meaning" policies and practices employed by social workers, educators, and folks who work in other "helping" professions—often asserting that they exist to uphold the rights and safety of children and youth—but from whose perspective? Additionally, I will aim to uncover the systemic mechanisms that target youth pushed to the margins, particularly Black youth, Indigenous youth, and queer[1] youth. It is important to acknowledge that Black trans youth, Indigenous trans youth, and trans youth of colour experience some of the most intensified forms of interlocking carceral violence, harm, and targeting. Though through my practice experience, I only worked alongside one young person who identified as a trans person of colour, another important area of research would be an examination of the unique and disparate experiences of Black trans youth, Indigenous trans youth, and trans youth of colour. My four guiding research questions for this study are:

[1] I use the umbrella term 'queer' here to capture the self-identified and politicized term used by the young people I worked with in my practice who also identified with Two-Spirit, Trans, Non-binary, Lesbian, Gay, Bisexual communities.

1. What historical, political, and ideological underpinnings led to the development of the secure residential youth care system in Canada, and more specifically Ontario?

2. What mechanisms are Black, Indigenous, and queer youth disproportionately targeted and harmed by in the enactment of secure residential youth care through policy, legislation, and practices?

3. How is language such as "care," "safety," and "secure" utilized to obscure carceral practices within the legislation, policy, and other powerful and persuasive documentation?

4. How do youth confined to secure care resist and engage in reclamation of dignity and self-determination?

Self-Positioning and Social Location

Moreno and Mucina (2019) assert that "by grounding who we are, we seek to illuminate how we walk and practice in the world" (p. 87). Snelgrove et al. (2014) note that "for Tsalagis (Cherokees), there is a word, digadatsele'i, which means 'we belong to each other'" (p. 3). Taking the notion of belonging to one another seriously, I must be willing to name and speak to the power that is at play in my work and in my desire to disrupt discourses that reinscribe the colonial status quo. I move into my self-positioning with these sentiments top of mind and heart. I am a hetero-presenting, able-bodied, White, cisgender, settler woman. I am a first generation Canadian, a rape survivor, a daughter of political refugees. My ancestors on my mother's side are Ashkenazi Jews (from Lithuania) and my ancestors on my father's side are British. I am an uninvited occupier of Turtle Island, and specifically, the stolen and un-surrendered territories of

the Lək̓ʷəŋən and W̲SÁNEĆ peoples, through which I continue to benefit from ongoing colonialism, and the dispossession of Indigenous peoples.

My mother was born in Cape Town, South Africa (the un-surrendered territory of the Griqua and Cape Khoekhoe peoples) and my father was born in Bulawayo, Zimbabwe (the un-surrendered territory of the Tshwa peoples). My dad moved to Cape Town as a young child and met my mom in high school. They married young and my mom gave birth to my oldest brother at the age of 22. When my brother was only two years old, my parents made the decision to leave the country. Under the *Defence Amendment Act* (1967), my dad would have been forced to enlist in the army and uphold the government's stance against liberation movements, anti-Apartheid activists and, what was termed the 'communist threat.' In 1989, during the latter years of Apartheid and four years before conscription ended, my parents and older brother came to Canada as political refugees. Two years later, my brother was born, then myself in 1992, and in 1996, we became a family of seven with the arrival of twins. It would be many more years before I would understand the privilege my parents held as White South African's who were afforded safety, freedom, and mobility to migrate to Canada without the oppressive barriers racialized immigrants face.

I grew up in a Christian household wherein conservative, patriarchal values were upheld and woven into my worldview as well as my understanding of myself. I was taught that girls and women must conform to strict, ascribed gender roles that render us subservient and dutiful—particularly toward men. This sense of dutifulness also extended to those considered "less fortunate" which frequently translated to poor folks and Black people, Indigenous Peoples, and People of Colour (BIPOC). Though, in principle, this is not necessarily a negative thing; without critical analysis, it is simply thinly veiled White saviourism and is inextricably rooted in colonial

ideologies. In fact, as Kumsa (2007) contends, the concept of "help" was appropriated by the social work profession to obscure its own function of control (p. 98). My parents were missionaries when I was an infant and toddler with a Christian organization called ACTS. The undoing of the religious belief system I was raised in was the first and perhaps most important step in my journey to becoming politicized and radicalized in the way I viewed myself, my community, my accountabilities, and how I wanted to move in the world in relation to others.

These reflections on my identity and where I come from are crucial for a practitioner who aims to develop a politicized practice that is in alignment with decolonial praxis. Reynolds and Hammoud-Beckett (2018) note that, "decolonizing praxis refers to our intention to centre the wisdom and experience of Indigenous people in resistance to the colonial project of Eurocentric psychology practices that subjugate Indigenous people and reframe their resistance and responses to oppression as symptoms of mental illness and pathology" (as cited in Dupuis-Rossi and Reynolds, 2018, p. 294). Critical, White settler CYC scholars such as Kouri (2019) and MacKenzie (2019) emphasize the cruciality of naming the systems from which we receive unearned benefits and privileges; those which continue to perpetuate harm and inflict violence onto BIPOC bodies.

I come humbly and cautiously to this research as my lived experience and connection to secure care is through the lens of a practitioner formerly working within it. The tensions of working in an unjust system and not fully understanding the gravity of the covert and overt harms perpetrated in that space are many. Reckoning with these tensions and slowly building my ethical lens and framework throughout my young adult years led me to an unmistakable desire, about three years ago, to approach my masters thesis as a piece of relational accountability. I hope, by doing this work in a mindful and reflexive way, I can bring to light some of the many

ways young people contested these harms, rendering what has been intentionally invisibilized, visible. I hope that by holding their stories and lived experiences in my heart and mind as I research and write, I will honour them, their dignity, and personhood in a small and imperfect way.

Significance of the Study

This study holds both deeply personal significance and systemic significance that is hyper-visibilized in the context of Ontario. I will begin by addressing the personal significance. As identified above, my connection to this research topic comes from my previous work experience. In 2016-2017, I worked as a psychiatric crisis counsellor in the acute support unit of a secure residential youth care facility in Ontario. In my role, I was mandated to uphold legislation, policy, and practice guidelines that were incongruent with my own ethics. I saw the ways in which youth (particularly Black youth, Indigenous youth, and queer youth) were traumatized/retraumatized, criminalized, and dehumanized through the system I was working in. These youth became key targets for regulation and control. The harms that I witnessed and was mandated to reproduce included isolating young people from peers and family, stripping them of all personal belongings, engaging in surveillance of their bodies even while bathing, dressing, and sleeping, forcing them into physical, mechanical, and chemical restraints, pushing them to take medication they did not consent to, and revoking their privileges as a disciplinary tactic (such as not being allowed to watch movies with their peers or use the computer). These intrusive and invasive measures were justified by the notion that they were put in place to uphold and protect the youth's "safety." No value or emphasis was placed on the preservation and honouring of the youth's dignity, and I truly believe that staff and management felt that this was a given. At the time, I did not have the critical capacity and language to fully articulate why this

felt so wrong to me, but I knew that the organizational ethos did not align with my own. Regardless of the strong sense of injustice I felt regarding the violence that was wielded through this organization and through professionals with power such as myself, I remained employed with them for a year.

Despite my concerns, I actively participated in practices that I felt were intensely unjust. I recall several times when I pushed back and challenged the organization's leadership. Nevertheless, my small acts of resistance during the year were not enough to compel leadership to shift any of the practices, let alone transform the system. Both the staff and clients were subject to a high level of surveillance and rigorous oversight, the clients to a higher degree and to a greater detriment. I felt a sense of personal relief when leaving the organization alongside a tremendous sense of collective grief and rage. I knew I could not engage in this type of work and claim that I sought to practice in a relational, ethical way that honoured and centered youths' dignity. I knew that I needed to explore what it would mean for me to be accountable to the youth I worked alongside and all those who are marked and targeted by transcarceral systems. When I speak to the marking and targeting of certain bodies, I am referring to the colonial logics and tools that are employed to "mark" BIPOC bodies for difference. This marking enables and justifies targeting for particular social and carceral interventions including forced assimilation and increased policing. (see Allspach, 2010; de Finney and Kaur Mucina, 2021; TRC, 2015).

A few years later, when I began applying to graduate programs, I gave considerable thought as to how I could be accountable for the harm that I had caused while actively embedded in the system that I now critique and decry. I contemplated how I could honour the stories and lived experiences of the youth with whom I built relationships during my time with this

organization, as well as those who came before and those who will come after. I have a responsibility to be accountable for my involvement in these harms by way of committing to working alongside youth in a way that honours their dignity, their stories, and their resistance while fighting for emancipatory transformation of the current material conditions youth continue to be harmed through.

Further to this, my hope is that young adults who will be future practitioners seeking to work in relational and ethical ways, such as my younger self, can be better equipped with the critical lenses and frameworks to support the development of their own practice framework as an anti-carceral and justice-seeking framework, by way of engaging with my work. Johansson and Lalander (2012) contend that "in order to change things, we have to be prepared to confront ourselves, to become undone in relation to others" (p. 1086). Reflexive knowledge of the self and one's own social location is a critical step towards resistance (Sahni, 2020). It is integral that I note here that my work would not be possible without the relentless, brilliant, and brave scholarship, lived expertise, and dedication of BIPOC authors, many of whom are women, queer, and/or gender diverse. Folks for whom the fight to have their work viewed as legitimate, rigorous, evidence-based, and to hold significance against the work of mostly White, mostly cis-male academics has been relentless and exhausting. I am continually inspired by, moved by, and deeply challenged by the work of these scholars and am endlessly grateful for the opportunity to engage with their work. I am thinking about Kimberlé Crenshaw, Patricia Hill Collins, Audre Lorde, Angela Davis, Sherene Razack, and Lee Maracle to name a few.

To address the systemic significance of this study, I would like to point to the landscape of secure care, and peripheral, co-located transcarceral systems such as child welfare, mental health, and youth justice in Ontario. The province continues to face calls for accountability from

Indigenous nations, community advocates, grassroots organizations, mental health professionals, families/caregivers, and youth and young adults who have been harmed and failed by these systems. In addition, there has been a great deal of high-profile legal action recently regarding the Ontario government's lack of action in addressing serious, systemic issues, and in many cases, direct harmful action deepening the systemic issues already in force. This lack of action has resulted in the tragic and preventable deaths of many young people. In fact, in 2018, Ontario's chief coroner Dirk Huyer released a report following an inquiry into the deaths of twelve young people who were in the care of Ontario's child welfare system (between 2014 – 2017). These youth, 8 of whom were Indigenous, were found to have been met with "fragmented, crisis-driven and reactionary services, and in some cases, no services at all"; "notably high frequency of the use of physical restraints," and the dismissal of their attempts to communicate their needs which were deemed "attention-seeking" behaviours (Monsebraaten & Contenta, 2018).

The coroner's report further highlighted the fact that those 8 Indigenous youth who were removed from their communities were also facing racism, the loss of land-based teachings, traditional ceremonies, and severing of their connection/relationships with elders. Each of these factors contributed to the unjust deaths of these young people. Dr. Kim Snow, a professor at Toronto Metropolitan University and a leading expert in child welfare, is frequently asked to lead investigations regarding systemic issues in child welfare in Ontario. An Aboriginal Peoples Television Network (APTN) journalist notes that in response to the gross underfunding of Indigenous child welfare organizations in the province, Dr. Snow stated "the end result is kids die. Kids are always at the epicentre of structural inequality" (Jackson, 2019, n.p.).

Jackson also quotes Dr. Cindy Blackstock, Gitxsan scholar and child welfare activist, in his article; Children died waiting for Canada. “That’s the problem with them saying, oh well, we are making good first steps … be patient with us. The reality is that children’s lives are really on the line while we’re waiting and many more children lost their lives during the time we litigated this case and for the many years before when they had a chance to fix it” (Jackson, 2019, n.p.). Depending on which year or years are being analyzed, data shows that between 25% - 50% of deaths of young people involved in Ontario’s child welfare system are Indigenous when Indigenous people make up just 3% of Ontario’s population. Additionally, as noted by McKenzie et al. (2016) due to “colonial stereotypes of Indigenous communities as spaces of dysfunction, binge drinking, and sickness continue to circulate in Euro-Canadian society […], Indigenous children are more likely to be flagged as “at risk” by child welfare workers than Euro-Canadian children whose families are dealing with the same or similar conditions” (p. 10).

In 2018, a lawsuit (which was certified as a class action by Superior Court Justice Paul Perell) saw Ontario owing $125M for placing youth in solitary confinement. There were 9 justice facilities operated by the Ontario Ministry of children and youth services named in the case, all of which young people under the age of 18 were said to have been improperly placed in “youth segregation” (CBC, 2019). Further, there have been numerous reports conducted by Ontario’s former Office of the Provincial Advocate for Children and Youth. The Ontario government, under Doug Ford’s leadership, officially repealed the *Provincial Advocate for Children and Youth Act* in December 2018, initially investigating powers into child welfare, residential care, and children’s secure treatment to the Ontario Ombudsman.

Theoretical Perspectives

In this thesis, I explore and utilize two unique and intersecting theoretical perspectives that help me to understand carceral violence through a critical lens. These frameworks are Critical Race Theory (CRT) and Anti-Carceral/Abolitionist Feminism. CRT intersects fundamentally with Anti-Carceral/Abolitionist Feminism, particularly in relation to the ways in which BIPOC folks are overrepresented in carceral systems. It is important to name that prior to the formal creation of both CRT and Anti-Carceral/Abolitionist Feminism, there was enormous labour, activism, and scholarship undertaken, largely by BIPOC folks that informed the foundations of the ideas we are contending with today. Benson (2020) notes that Indigenous feminism has been overlooked by contemporary abolitionist praxis, yet Indigenous communities have been leaders in this work since before the words “prison” and “abolition” were placed together. In order to utilize these perspectives in a responsible and ethical way, I intend to write and analyze with these recognitions at the forefront.

Intersectional and Anti-Carceral/Abolitionist Feminisms

Intersectionality is a theoretical framework that recognizes the complex and interconnected nature of social identities and systems of oppression. Coined by legal scholar Kimberlé Crenshaw (1989), intersectionality highlights the ways in which various forms of discrimination, such as racism, sexism, classism, ableism, and homophobia, intersect and interact to shape individuals' experiences and societal structures. Harrison (2017) notes that though intersectionality is not frequently theorized specifically in relation to youth, the concept of intersectionality can be a tool for understanding how the intersection of social locations can reinforce disparities among youth and result in heightened, violent targeting, particularly

regarding race and gender. These disparities are made highly visible through secure care facilities and the ways in which some youth are treated versus others. Harrison (2017) notes that intersectionality is grounded in Black feminist, critical race scholarship. Akom (2008) classifies the recent move toward acknowledging the intercentricity of racialized oppression as being methodologically unique in that it seeks to generate knowledge by centring epistemologically repressed voices while rebutting colour blindness and race neutrality. I employ intersectionality as a prism in which to understand the complex relationships youth have to these carceral systems and how their intersecting identities shape their encounters, not as a methodology.

Imperative to Anti-Carceral Feminism is the understanding that interpersonal forms of violence are rooted in and directly connected with structural violence and all forms of institutional oppression. It is also crucial to recognize that the carceral state is the primary mechanism of perpetuating violence and targeting oppressed subjects (Palacios, 2016). Bergen and Abji (2020) cite Alexander (2012), Bassichis et al. (2015), and Chandler (2018) on their assertion that Anti-Carceral feminism employs a radical analysis to uncover and highlight the carceral logics of colonialism, anti-Blackness, and systemic racism that renders certain bodies dispensable. This analysis represents a critical transference from reformist strategies for addressing harm to revolutionary mechanisms, such as transformative justice and abolition. Every social intervention made must be one directly challenging the destructive, ever-expanding carceral state. The absence of such efforts and the emphasis on reformist strategies keeps us grounded within the limitations of colonial ideologies.

Bergen and Abji (2020) credit Korteweg & Williams (2019), Bhuyan (2012), Kim (2018), Mehrotra et al. (2016), and Whittier (2016) for detailing feminist social worker's involvement with and contributions to carceral systems. The field of feminist social work has had a hand in the expansion of the carceral state via advocacy efforts during the 1980s and 1990s to hold the state accountable for confronting gender-based violence. Coupled with state tactics to mitigate other "social problems," this led directly to mass incarceration and mass deportation of racialized bodies among settler-colonial countries. Anti-Carceral Feminism, in many ways, emerged as a direct response to Carceral Feminism. Mimi E. Kim (2020) importantly notes that the shift from Carceral Feminism to Anti-Carceral Feminism has been led by those most minoritized and subjugated. Their voices and reimagining of liberation from carceral systems have guided this work from day one. Importantly, Richie and Martensen (2019) delineate between liberal feminist social work and Anti-Carceral Feminist social work, rooted in abolition praxis. Positioned as alliance-building with targeted communities, this work must centre the liberation of those most impacted by the punishment industry.

Palacios (2016) writes extensively about the ways in which intergenerational activism grounded in Indigenous feminisms acts as a driving force and central point from which current feminist struggles emerge. She asserts that "the historical legacies and activist genealogies of Indigenous and race-radical feminists continue to guide feminist anti-violence activists in strengthening contemporary movements capable of dismantling both race-based and gender-based violence sustained and perpetuated by the carceral state" (Palacios, 2016, p. 145). Shaw (2009) refers to the work of iconic, abolitionist feminist Angela Davis (2003) on the function of

the prison system. Davis contends that it operates ideologically as an abstract container for the disposal of unwanted bodies. This is a powerful analogy in that it negates the need for us as a society to be accountable to those communities experiencing carceral violence, capture, and detention in vastly disproportionate numbers by invisibilizing them. It allows us to turn away from systemic causes of violence and injustice such as institutional racism and global capitalism.

Critical Race Theory (CRT)

CRT as a formal school of thought emerged from the early work of civil rights lawyer, Derrick Bell, who was also the first Black person to teach at Harvard Law School. Bell developed CRT as a branch of critical legal theory, which was itself rooted in Marxist philosophical frameworks (Oremus, 2012). According to Delgado and Stefancic (1998) in the early 1970's, Bell wrote about a component of CRT known as interest convergence, noting an example of this as the idea that "whites will support minority rights only when it is in their interest as well" (Slate, 2012). This is to say that the idea of racial liberation only becomes of value to White folks when they believe it will result in something from which they can draw a direct benefit as well. If White folks can see themselves in the "fight," only then do they become invested. Bell, alongside an emergent collective of other marginalized activists and scholars, saw that the advancements made through the civil rights era had begun to halt and even decline (Delgado & Stefancic, 1998). Rolón-Dow (2011) notes one of Bells' key assertions of CRT is that it holds race and racism to be an enduring and fixed phenomenon of [North] American life (Rolón-Dow, 2011). Torre (2009) notes that Kimberlé Crenshaw, Black legal scholar, and foundational critical race theorist argues that a key underpinning of CRT is the understanding that the production of knowledge is deeply political in nature. Further, Crenshaw asserts that

critical race theorists must ask deeper questions when investigating knowledge production such as what constitutes knowledge? Who is allowed to define it? Produce it? etc. (Torre, 2009). According to Crenshaw, CRT made visible the integral part that law played in both civil rights reforms and in solidifying the very systemic oppression that the civil rights movement sought to tear down (Lang, 2021).

Patrick Webb et al. (2020) cite prominent critical race scholars, Delgado and Stefancic identifying two central tenets of CRT. The first is that racism is common-place and has been broadly normalized within our social, cultural, and political systems, echoing the works of Derrick Bell. The second is that white supremacy tactics are wielded as tools to reinforce racial subjugation, in both implicit and explicit ways. Bonilla-Silva (2015) borrows Marx and Engels' view of ideology, noting that ideology is material and intimately connected to domination. He asserts that racial domination is solidified through mechanisms and practices at the social, economic, ideological, and political levels. As such, I will borrow the following assertions and key questions from Black scholars when using CRT as one of the frameworks to analyze my data: (1) racism is an enduring and fixed phenomenon of North American life, is common-place, and broadly normalized within systems; (2) the production of knowledge is deeply political and racialized; (3) what constitutes knowledge? Who is allowed to define it? Produce it? (4) White supremacy tactics are wielded as tools to reinforce racial subjugation; (5) ideology is material and intimately tied to domination.

Introduction to Methodology

My chosen methodology is heavily informed by Critical AntiRacist Discourse Analysis (CARDA) (Laughter and Hurst, 2022) and feminist CDA (FCDA) (Lazar, 2007). The combination of these two methodologies, both derived from Critical Discourse Analysis enables

a more robust methodological framework that seeks to make visible power relationships and violences, in this case, within systems of "care." An important intersecting element of both CARDA and FCDA that I draw from and ground my work in is the intentional move beyond an analysis of text as simply an academic and theoretical exercise toward a distinct investment in creating pathways for social action and transformation.

Overview of the Chapters

Chapter 1 has provided an introduction and social positioning of the author, outlined the purpose and background to this study, identified guiding research questions, the significance of the research, as well as the theoretical perspectives and methodology that will frame the study. In Chapter 2, I provide a historical and material context to the study including, situating the historical and ongoing mechanisms of colonization and Black enslavement, the Prison Industrial Complex (PIC), transcarceral systems, and the pipeline(s) (i.e., school-prison pipeline and child welfare-prison pipeline) through a literature review. I also locate the origin of secure care legislation throughout Canada. Chapter 3 identifies the chosen texts for analysis and describes the methodology and methods employed in this study. I speak to the process of coding the data and elucidate the emergent themes. In Chapter 4, I provide an analysis and thematic discussion of the data. In Chapter 5, I call attention to the intergenerational, anti-carceral, grassroots efforts that communities and organizations have employed to actively disrupt and contest carceral forms of "care." I highlight prefiguration and the dreaming of liberatory futures as mechanisms through which these efforts have been realized. I conclude with a summary of recommendations and wise/promising practices in creating alternate visions for systems responses to youth who are marked and impacted by the secure care system.

Chapter Two: Literature Review

Historical and Material Situating

Connecting lineages of colonial and carceral violence is an integral piece of comprehending the historical and ideological underpinnings that led to the development of the secure care system. Further to this, these genealogies have proliferated colonial and carceral violence in ways that craft the Canadian state and its transcarceral systems as blameless and even benevolent. These mechanisms include, but are not limited to the Doctrine of Discovery, the concept of *terra nullius*, the *Indian Act*, the Sixties Scoop, and Black enslavement in Canada. This section will provide a brief and cursory overview of the ways in which these structures and forces have worked in succession and conjunction with one another to perpetuate and uphold these multiplicities of violence. It is important to note here the limitations of my thesis in its ability to fulsomely unpack minority histories related to the development of the system of secure care. There are subaltern histories inevitably, but not intentionally, left behind in this work, that most certainly shape these discussions in powerful and enduring ways. It is also important to note here that there are additional, minoritized populations of youth who are impacted by colonial systems that employ carceral logics. Immigrant and refugee youth (see Rovamo et al., 2023; Warf and Grant, 2020), youth of colour, disabled youth (see Hackett et al., 2020; Stienstra et al., 2012) unhoused youth, and low-income youth (see Warf and Grant, 2020) are marked for difference in connected ways. However, for the purpose and scope of this study, I focused my research predominantly on the disparate impacts and targeting experienced by Black youth, Indigenous youth, and queer youth as these were the identities and lived realities that I witnessed most frequently in my work in secure care.

History of Colonization and Black Enslavement

Beginning in the 1400s, a framework known as The Doctrine of Discovery was used by European colonizers to justify claiming and conquering lands beyond the European borders (Shah, n.d.). One of the Papal "Bulls of Discovery," the Romanus Pontifex (Jan 8, 1455) authorized Portugal to conquer Africa and beyond, and to engage in the slave trade. An excerpt below:

> "…— to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever, and other enemies of Christ wheresoever placed, and the kingdoms, dukedoms, principalities, dominions, possessions, and all movable and immovable goods whatsoever held and possessed by them and **to reduce their persons to perpetual slavery**, and to apply and appropriate to himself and his successors the kingdoms, dukedoms, counties, principalities, dominions, possessions, and goods, and **to convert them to his and their use and profit**" [emphasis added] (As cited in Indigenous Title and Doctrine of Discovery, 2022, n.p.).

Terra nullius, one of the terms used within the Doctrine of Discovery, is a Latin word used in international law which translates to "no man's land," "vacant land," or "territory without a master" (Cornell Law School, 2022, n.p.). Garba and Sorentino (2020) refer to terra nullius as "[a] settler colonial fantasy; attempt[ing] to clear land of all non-empirical impediments to its aim, be they alternative modes of sovereignty, personhood, memory, or relationality" (p. 767). Land was defined as *terra nullius* based on the fact Christians had not yet occupied it. As a result, when European colonizers "discovered" land, they also claimed legal sovereignty, title, and jurisdiction over said land. In doing so the Doctrine of Discovery "invalidated the

sovereignty of Indigenous nations and gave Christians the right to subjugate and confiscate the lands of Indigenous Peoples" (Indigenous Title and the Doctrine of Discovery, 2022, n.p.). While the Doctrine of Discovery has been repudiated around the world, McIvor (2022) notes that "the Supreme Court of Canada has grounded its interpretation of section 35 of the constitution on the dubious and racist legal principles that underlay the Doctrine of Discovery. The often-used phrase 'assertion of Crown sovereignty' is a Canadian euphemism for the Doctrine of Discovery" (n.p.).

Nettelbeck (2016) notes that with the creation of the *Indian Act* (1876) and the subsequent establishment of the Department of Indian Affairs in 1880, Indigenous peoples from what is colonially known as Canada, […] "many now confined to reserves, would become increasingly subject in all aspects of daily life to the intervention of federal government management, overseen by Indian Agents as the Department's local representatives" (n.p.). Nettelbeck goes on to describe the ways in which Indigenous peoples in Canada as well as in Australia were controlled and regulated through colonial strategies that "were so similar among geographically distant Indigenous communities [which] indicates something of a strategic leverage and the global reach […]" (n.p.).

Many scholars have written extensively about the far reaching, devastating, and destructive paths of colonial warfare documenting genocidal acts by the state and other, peripheral forces from first contact to today. Recognition must be given to the fact that throughout the history of what is colonially known as Canada, the colonial tactics and mechanisms have shifted, moulded, and transformed in ways that continue to degrade, diminish, and erase Indigenous ways of knowing and being.

Arguably, the first and most organized effort, led by the federal government of Canada, the Royal Canadian Mounted Police (RCMP), and the Catholic church, was the design and implementation of the Residential School System (IRSS). The residential school system was developed with a deeply erroneous purpose and intention – to assimilate Indigenous children into "Canadian society" by way of the violent expulsion of their language, traditional practices, spiritual beliefs, and cultural traditions that were held most sacred (see Corrado and Cohen, 2003; Kirmeyer et al., 2003; Bombay et al., 2014; Truth and Reconciliation Commission of Canada, 2012, as cited by Wilk et al., 2017). In other words, as quoted in the Truth and Reconciliation Commission of Canada, the aim was to "civilize and Christianize Aboriginal children" or as quoted by Sir John A MacDonald in the House of Commons (1883) "[...] to resolve the Indian problem, Indian children should be withdrawn from the parental influence, and put in centralized training industrial centers and schools" (as cited by de Finney et al, 2018, p. 28).

Residential schools were operational in Canada from the 1870's up until the mid-1990's, attended by over 150,000 Indigenous (First Nations, Inuit, and Métis) children, forcibly removed from their families (www.trc.ca, 2017, as cited by Wilk et al., 2017), to which many children would never return. In fact, as of May 24, 2022, the Royal Society of Canada reports that there have been 4,130 confirmed names of children who died while at Indian Residential Schools across the country, with this number growing (2022, n.p.). Further to the above mentioned cultural and social impacts of being torn from their families and forcibly brought to residential schools, many children also endured horrific violence and abuse (physical, sexual, psychological, and spiritual). This reality has had devastating inter-generational impacts on these children, their

families, and communities including higher rates of suicide and homicide, and poorer health outcomes, among many others (see Corrado and Cohen, 2003, as cited by Wilk et al., 2017).

Alongside and during the latter years of the residential school system, another phenomenon of colonial power emerged through the child welfare system – the Sixties Scoop. The Sixties Scoop is described by transracial adoptee and Sixties Scoop survivor, Wright Cardinal (2017) as a "large-scale effort by social work professionals to assimilate Indian children by removing them from their homes and adopting them into white families" (2017, p. 1). This era lasted from the late 1950's until the early 1980's, during which time approximately 20,000 Indigenous (First Nations, Inuit, and Métis) children were "apprehended and adopted out of their communities" (Johnston, 1983; Kimelman, 1985, as cited by Wright Cardinal, 2017, p. 1). Alarmingly, Fee (2012) identifies that today, there are more Indigenous children who are in the "care" of the child welfare system than the number of children who were in residential schools at their height (p. 10, as cited by Wright Cardinal, 2017, p. 4-5). Canadian Census data sheds light on the overrepresentation of Indigenous children in care. Census data from 2016 finds that across Canada, 52.2% of children in care are Indigenous, but account for only 7.7% of the national child population (Hobson, 2022, n.p.).

Over the last several years, there have been numerous reports, laws/legislation, and commitments made to truth-telling and reconciliation on a provincial, federal, and international level. These include but are not limited to the Truth and Reconciliation Commission of Canada (2015), the Final Report on the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019), The *United Nations Declaration on the Rights of Indigenous Peoples Act* (2021), The *Declaration Act* (2019), The Draft Principles that Guide the Province of British

Columbia's Relationship with Indigenous Peoples (2017), and *The Federal Act Respecting First Nations, Inuit, and Métis Children, Youth, and Families* (2019).

The experiences of Black children and youth in Canada's child welfare system are similarly disparate and overrepresented to those of Indigenous children and youth in Canada's child welfare system. For example, the Ontario Association of Children's Aid Societies (OACAS) note that while Toronto's population is comprised of 8% of African Canadians, they represent 41% of children and youth in care in Toronto (as reported in Toronto Star, "Why are so many black children in foster and group homes?" 2014; Turner, 2016). OACAS further identifies that "children of African descent remain in foster care longer, move more often, receive fewer services, and are less likely to be returned to their home or adopted" (Roberts, 2002, p. vi, as cited in OACAS, n.d.). In a study analyzing the experiences of Black children placed in White homes through the child welfare system in Ontario, Akuoko-Barfi et al. (2021) ground their research with the recognition that the practice of "addressing poverty" through the removal Black children from their homes and subsequent placement into White homes following decades of mass removal of Indigenous children should raise concern and call for a deeper analysis of into the impacts of this practice couched as a desire to "assimilate" (p. 213). While working at the secure care centre, I recall a number of times where Black youth would make culturally grounded gestures to one another or use African American Vernacular English (AAVE). These behaviours were marked as "disrespectful" and "inappropriate" by some staff members as well as those in leadership. These children and youth were seen as needing discipline (for example, separating them from each other; i.e., segregation) as they demonstrated acts of refusal to "assimilate" to expected social behaviours within the group including surrendering to staff surveillance of interactions with other youth and avoiding use of slang language or swearing.

Speaking to the intersections between Black and Indigenous women's experiences in Canada, Benn-John (2016) cites Lawrence and Dua (2011) and Yeh (2007) who contend that "Black women's herstory intersects in similar yet distinct ways from that of Aboriginal and other racialized women who are colonized, thereby rendering them geographically, linguistically, socially, politically and culturally in/visible" (p. 150). The unique histories and experiences of Black Canadians have been, as Pashang et al. (2018) note, diminished and erased due to "the inability of many scholars and intellectuals to entertain the idea that there are any black people in Canada whatsoever, let alone constituting a historic presence, and/or that our presence has consequences—including for the articulation of any comprehensive, inclusive notion of an African diasporic politics and poetics" (p. 163). The arrival of Black (African) populations in Canada began through the French and English slave trade during which time Africans were captive and forcibly brought to the Americas and the Caribbean (Brown, 2008). The formalized proscription of Black people as enslaved people took place in 1687 through the Code Noir [1687] in New France as well as through the "Slave Codes" of that time in the British territory. During this period, a racial hierarchy, developed by Enlightenment thinkers, classified "white skin as the top, yellow and brown next, and black at the bottom", signifying their "inferior[ity] to all" (Brown, 2008, p. 375).

Thibault (2016) describes the ways in which colonial logics continue to define Indigenous and Black bodies[2] as "primitive" and White bodies as "civilized." Further, Thibault elucidates how "Indigenous and Black bodies are interpellated through a colonial lens and carceral logics and therefore become managed and disciplined by these logics […]" (p. 16-17). Leeuw and colleagues (2010) also note that "discourses of Indigenous deviance have been

[2] It is important to note that Black people relegated to slavery are representative of many unique communities and nations with distinct cultural connections and Indigenous identities.

shaped by a range of institutional practices, beliefs, policies, and laws in Canada over the past 150 years […] directly shap[ing] Indigenous Peoples' health by regulating relations between the state, Indigenous children, and Indigenous communities more broadly" (p. 286). Marshall and Haight (2014) note that there is a propensity to perceive "noncompliance" more frequently in Black youth, even though research demonstrates that Black youth are no more likely to engage in "deviant" behavior than White youth. This inclination towards discrimination has greater implications than mere perception as it results in disproportionately higher incarceration rates, police brutality, poverty, and poor education outcomes. It is important to note that this perception translates to resistance as well. Indigenous youth, Black youth, and youth of colour who employ resistance against transcarceral violence are met with much more punitive responses than White youth. De Finney et al. (2019) cite Maynard (2015) noting that "racialized children and youth from other colonized communities also encounter systemic state violence stemming from a long history of slavery, indentured migration, and colonial structural violence and racism impacting their everyday lives" (p. 28-29).

A historical, contextual, and situated understanding of the origins of resistance, self-determination, contestation, and resurgence is paramount, as it assists in delineating the trajectory of violence that is being confronted when BIPOC youth revolt. The "civilizing mission" of colonialism was a guise for "brutal access to people's bodies through unimaginable exploitation, violent sexual violation, control of reproduction, and systematic terror" (Lugones, 2010, p. 744, as cited in Mack and Na'Puti, 2019, p. 350). Arvin et al. (2013) argue that "too often the consideration of Indigenous peoples remains rooted in understanding colonialism (like state-sanctioned slavery) as a historical point in time away from which our society has progressed" (p. 9, as cited in Mack and Na'Puti, 2019, p. 350). Further, Mack and Na'Puti

emphasize that "if colonialism is catalogued as primarily "in the past," then it is not seriously considered as a structure that must be continuously confronted and challenged in the present" (p. 350). Specifically, when Indigenous youth resist transcarceral systems, they are actively opposing over 500 years of injustice, displacement, extraction, and degradation. McKinley et al. (2019) cite Morris (2016) and Vaught (2011, 2017) in identifying that only a small proportion of studies appropriately situate the historical context—growing out of ongoing colonial practices of racialization and the proliferation of White supremacy in the United States and Canada—that co-locate Indigeneity, Blackness, or "otherness" with danger and criminality, effectively deepening racial disparities. I seek to deepen and make visible these direct connections between ongoing colonialism and the secure residential youth care systems that are employed today.

Colonial Logics (Transcarceral Systems, Prison Industrial Complex, and the Pipeline(s))

As previously described, this thesis is exploring secure care as one of many intersecting systems of state violence and intervention that can be encapsulated under the term *transcarceral systems*. Transcarceral systems are defined by de Finney et al. (2018) "[…] state-run, government-funded colonial systems, including the criminal, legal, education, immigration, health care, and child welfare systems" (pg. 29). In their paper they explore these systems in the context of child and youth care praxis, advocacy, and research, identifying the racialized, gendered, sexualized, and ableist violence that is enacted and legitimized through them (de Finney et al., 2018). I will address the ways in which youth creatively and courageously resist and contest these systems further in this thesis.

As I move into exploring the colonial logics embedded in the secure care system, in relation to the Canadian state and the colonial systems that have constructed and upheld the

carceral violence that underpins its continued existence, I feel it important to name that the majority of my training, both academic and career, has been taught from a White-western lens. This lens privileges colonial knowledge systems while subjugating Indigenous epistemologies and ontologies. Additionally, this lens proliferates a neoliberal, medicalized, and pathologizing ideology that responsibilizes individuals for their trauma and suffering. As Clark (2016) states, "Western values systems […] regulated through State interventions serve to further colonize and pathologize Indigenous children and youths' health and their bodies" (p. 3). The same harms, rooted in White supremacy, are targeting Black youth and Youth of Colour. In fact, the field of child and youth care itself is embedded in White supremacy (MacKenzie, 2020). Skott-Myhre (2017) argues that "nothing…White people achieve materially under the current economic system of capitalism would be possible without slavery and colonialism" (p. 13, as cited in Moreno and Mucina, 2019, p. 90).

Neoliberalized social services delivered via the state, such as child welfare, use carceral logics to hide systemic and structural violence. Sandrina de Finney et al. (2018) argues that the same ideology that Sir John A. MacDonald held regarding Indigenous children needing to be "withdrawn from parental influence" to "resolve the Indian problem" (House of Commons, 1883) continues to live on today in the child welfare system, targeting Indigenous and racialized children (p. 28). This ideology continues to justify the ongoing control and subjugation of racialized children and youth in order to reify and uphold White supremacy, anti-Blackness, patriarchal violence, and the ongoing colonial project (Bergen & Abji, 2020). Marshall and Haight (2014) note that there is a propensity to perceive "non-compliance" more frequently in African American youth, even though research demonstrates that African American youth are no

more likely to engage in "deviant" behavior than European American youth. De Finney et al. (2018) cite Maynard (2015) noting that "racialized children and youth from other colonized communities also encounter systemic state violence stemming from a long history of slavery, indentured migration, and colonial structural violence and racism impacting their everyday lives" (p. 28-29). They further note that according to Canada Border Services Agency (2010), roughly 650 refugee children were detained every year between 2005 to 2010 in "prisonlike" centres or into the child welfare system (p. 29). Migration scholars have studied the surge in the hyper-criminalization of noncitizens shortly following 9/11, termed the "crimmigration system" by Juliet Stumpf (2006). Bergen & Abji (2020) note that there exists a gap in academic literature regarding the links between crimmigration and child protection systems.

Webb, et al. (2020) highlight the lack of literature and in-depth analysis regarding the relationship between wrongful conviction and youth of colour, though it is well documented that racialized people are more likely to be wrongfully convicted of crime. Under carceral logics, it is integral to construct the "racialized other" as a "threat to the social order" (Bergen & Abji, 2020) and therefore deserving of carceral powers. This ideology is not only used to legitimize punitive state interventions, but also to conceal the shrinking of the welfare state and the neoliberalization, and privatization of social services (Bergen & Abji, 2020). Critical Race Theory (CRT) enables a more in-depth analysis of carceral logics, as it seeks to understand the ways in which these tactics are employed to disproportionately displace and "punish" racialized bodies. Angela Davis, who coined the term "Prison Industrial Complex" famously quotes "[…] prisons do not disappear social problems, they disappear human beings" (Impact Justice, 2020). I argue that secure care acts as an extension of the prison system, operating in similar ways to

juvenile detention centres but utilizing mechanisms that are veiled as therapeutic by utilizing terms such as “safety” and “care.”

Kim (2019) asserts that by critically analyzing the neoliberalization of the welfare state alongside the enormous expansion of incarceration [through the prison-industrial complex], we can clearly see that carceral systems work to sustain conditions of structural punishment. Kim (2019) cites Smith (2010) arguing that one cannot trust said systems to intervene with any harm-reductive strategies. She contends that we must go beyond tactics of reform and restoration and instead work toward radical transformation.

The carceral nature of child welfare systems, as previously identified by de Finney et al. (2018), is highly visible through the ways in which they converge with other carceral systems. The pipeline of youth with lived experience in care to prisons/juvenile detention centres is well-documented in academic literature. Though racialized youth are considerably more likely to be criminalized and to interact with the “justice” system, Boyd et al. (2017) and note that this risk is exponentially increased for children with experience in the child welfare system (Bergen & Abji, 2020). Heather Bergen and Salina Abji (2020) write about the carceral logics wielded by the neoliberal state to justify and facilitate the pipeline between child protection and growing “crimmigration” system. Though some youth are funnelled from child welfare into prisons/juvenile detention centres, some youth (often those whose behavioural profiles do not include “criminal activity”) are instead funnelled into a secure care centre.

Secure Care Literature

Current literature on secure residential youth care identifies an ongoing challenge of succinctly defining what secure residential youth care represents. Secure residential youth care has various names as well, including "institutional youth care" (Bates, English, & Koudiou-Giles, 2019; Hair, 2005, as cited by De Swart, 2012, p. 1818), "secure care programs", "stabilization programs" (Charles, 2016), and "residential interventions" (Hermanns, 2012, as cited in Souverein, 2013). Secure residential youth care has been characterized in diverse ways and has been said to respond to a vast array of social, moral, behavioural, and psychiatric issues. Secure residential youth care encapsulates a suite of services and institutions whose aims are also multifaceted and not necessarily aligned with any consensus about protocols, treatments, interventions, and policies. Charles (2016) purports that "depending on the jurisdiction, the term is used for services ranging from longer-term criminal justice to medium term mental health treatment to shorter term crisis or substance misuse programs" (p. 1). Bates et al. (1997) and Hair (2005) state that "institutional youth care is carried out in 24-hour group living facilities […] [within which] the daily living environment is often used as a therapeutic means (as cited by De Swart, 2012, p. 1818).

Secure residential youth care is frequently recognized as an invasive, radical intervention, often positioned as a "last resort" (Enell and Wilinska, 2020; Frensch and Cameron, 2002; Knorth et al., 2007). Charles (2016) differentiates between two types of secure programs that exist in Canada. He notes that the first of these, known as *secure care programs*, "tend to be of a shorter duration and focus their interventions on stabilization, assessment and, in the case of substance misuse, detoxification" (p. 1). The second type are known as *stabilization programs*,

which Charles (2016) refers to as an "involuntary 'time out'," (p. 1) said to create space to diffuse crisis and attend to health needs including psychological and emotional regulation.

The lack of consensus regarding the commonalities that encompass and succinctly define secure residential youth care is a challenge, per Frensch and Cameron (2002), "however, the common denominator is that treatment requires children and youth to reside away from their home in a non-family setting" (p. 307). Charles (2016) asserts that secure care can serve as a period of 'respite' for the caregivers and professionals. A concerning, defining feature of secure care identified by Enell and Wilinska (2020) is the far-reaching power it holds, in comparison to other, less invasive, interventions; "Includ[ing] both the possibility to apply restrictive measures, such as incarceration, body searches, temporary isolation and resources to surround the institution with surveillance cameras, fences and barbed wire" (p. 30). Under secure care systems, the change process rests upon the use of these kinds of carceral measures masked as "care," not upon relational or therapeutic work. Repression and coercion are two powerful carceral forces wielded within secure facilities, noted as "necessary to set boundaries and prevent chaos and anarchy" (Souverein et al., 2013, p. 1942). Importantly, in *Through the Eyes of the Judged*, a series of autobiographical sketches by incarcerated young men, Guilloud (2002) states "any time you are without freedom of choice you are incarcerated" (p. 28).

Enell and Wilinska (2020) problematize secure care from the perspective of young people, noting the fallacy of the term "care" being used to simultaneously respond to what is termed the "dangerous child and the child in danger" (p. 31). This conception is guided by a dualistic notion of a child [or youth]: "On the one hand, there is the vulnerable child in need of protection and care; on the other, there is the dangerous child who is the source of problems, an

offender" (Egelund & Jakobsen, 2011; Goldson, 2000 as cited in Enell and Wilinska, 2020, p. 29). What remains troublesome about this conception is that the child marked as "dangerous" is deemed responsible for their behaviour, and therefore, it is justifiable to respond with coercive, carceral measures. Goldson (2002) asserts that "as such, they [secure care systems] are a place for both protection and punishment, care and control" (as cited in Enell and Wilinska, 2020, p. 29). In secure residential youth care contexts, the responses to the "child in danger" and the "dangerous child" can become blurred and what Enell and Wilinska (2020) term the "double face of secure care" is made highly visible (p. 29).

It is crucial to recognize that the carceral state is the primary mechanism for perpetuating violence and targeting oppressed subjects (Palacios, 2016). Bergen and Abji (2020) cite Alexander (2012), Bassichis et al. (2015), and Chandler (2018) revealing how Anti-Carceral Feminism employs a radical analysis to uncover and highlight the carceral logics of colonialism, anti-Indigeneity, anti-Blackness, and systemic racism that renders certain bodies dispensable [or deserving of confinement]. This analysis represents a critical transference from reformist strategies for addressing harm to revolutionary mechanisms, such as transformative justice and abolition. De Finney et al. (2018) argue that the same ideology that Sir John A. MacDonald held regarding Indigenous children needing to be "withdrawn from parental influence" to "resolve the Indian problem" (House of Commons, 1883) continues to live on today in the child welfare system, targeting Indigenous children (p. 28). This ideology continues to justify the ongoing control and subjugation of BIPOC children and youth to reify and uphold White supremacy, anti-Blackness, patriarchal violence, and the ongoing colonial project (Bergen & Abji, 2020). I turn to the work of Achille Mbembe (2019), who would refer to these conditions as *necropolitical*; that is, embedded within and intrinsically linked to "the capacity to dictate who is able to live and

who must die" (pg. 66). Additionally, de Finney et al. (2019) also borrow from Mbembe, with reference to the colonial politics of necrowarfare, deservedness, and disposability which operates to legitimize the ceaseless apprehension of and violence toward Indigenous children, women, girls, and 2Spirit folks through interconnected transcarceral systems and structures that include the Indian Act, residential schools, and the justice, health, child welfare, and education systems, among others.

In The Wretched of the Earth (1963), Frantz Fanon discusses the psychopathology of colonization. Fanon proposes that psychology as a Eurocentric colonizing force is used to pathologize the colonized, when in fact, as Reynolds (2020) suggests, our inquiry should be turned toward the unwellness of the colonizer (p. 349). I argue that this analysis could be taken further to uncover the particularities of the ways in which BIPOC children are both pathologized and infantilized through ongoing colonization and how that impacts their development. Colonization brought about and justified the proliferation of systems that actively target and disproportionately harm BIPOC children and youth. Holmes and Hunt (2017) note that "family and kinship structures have always been at the heart of the wellness of Indigenous communities and their ability to function as self-determining peoples" (p. 7). Robertson et al. (2022) cite Muir and Bohr (2019) in speaking to the cultural impacts on Indigenous families and how deeply that has transformed familial structures and how their respective roles are enacted within the family unit (p. 3). According to the Truth and Reconciliation Commission (TRC) (2012), in many Indigenous communities, "children learned through story-telling, through example, and by participation in rituals, festivals and individual coming of age ceremonies . . . this teaching method was strong enough to assure the survival of identity, history, traditions and beliefs" (p. 8 as cited in Robertson et al., 2021, p. 3). Fontaine and Craft (2015) discuss the Indian Residential

School System (IRSS), notably, drawing the chronology from 1834 and the Mohawk Institute in Brantford, the first residential school, to 2000 when all residential schools closed. They assert that "for over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada" (p. 3). Many scholars have cited the ways in which the residential school system's legacy has continued to this day through the Sixties Scoop and the ongoing vastly disproportional removal of Indigenous children into the child welfare system and over-representation in rates of incarceration (both juvenile and adult).

Dr. Wright Cardinal (2014) discusses the profound impacts of the Sixties Scoop, during which time Indigenous children were forcibly removed from their families and communities and adopted by White families—one of the many ways in which the Canadian government furthered the colonial project, informed by a "belief in the inherent superiority of the European way of life" (p. 2 and 6). Wright Cardinal also cites Steritt (2011), who notes that the child welfare system became the "new agent of assimilation" (p. 5). Sinclair (2018) as cited by de Finney and Mucina (2021) states that "per capita, more Indigenous children are currently apprehended in the child welfare system [in Canada] then during the height of the residential school era" (p. 22). Similarly, In Australia, Aboriginal children were removed from their families solely based on their race, not due to neglect or abuse. Ainsworth and Hansen (2005) note that these children have been called the "Stolen Generation" (p. 196). Children were removed from their parents, families, and communities and placed in institutional care—a commonplace practice until the 1970s. This was a tactic to effectively strip Aboriginal children from their culture while forcing them to assimilate into White society (Ainsworth and Hansen, 2005). Thibault (2016) notes how

the capture of Indigenous children and their relegation to institutions that mimicked prison systems worked to "expunge Indigeneity from Indigenous children" (p. 20). Further, Mohawk scholar, Patricia Monture-Angus (2013) names the direct and inextricable connection between the devastating impacts of residential schools to the over-representation of Indigenous people in prisons. This phenomenon also extends to the over-representation of Indigenous children and youth in other transcarceral systems such as child-welfare, where Indigenous children and youth made up 67% of the children and youth in care in B.C. in 2020/21 (MCFD open data, n.d.); and correctional services, where Indigenous youth represented 43% of admissions in 2018/19, despite representing only 8.8% of the youth population in Canada (Statistics Canada, 2020). De Finney and Mucina (2021) cite Allspach (2010) in describing the reach and power of Canada's transcarceral pipeline which is "wielded through [a] shared ideological investment in tracking and policing nonwhite children and families" (p. 20).

Secure Care Legislation in Canada

This research is timely, as on June 23, 2020, the government of British Columbia introduced amendments to the *Mental Health Act* to include the provision of "short-term involuntary emergency stabilization care following an overdose" for youth under the age of 19 (Pilarinos et al., 2018, p. 1). This comes 20 years after Bill 25 – 2000: British Columbia Secure Care Act was brought forward as a government bill in 2000 and received Royal Assent on July 6, 2000, but was never put into force. Following this, in 2017, Bill M 240 – 2017: *Safe Care Act* was brought forward and did not move beyond the First Reading Stage. One year later, Bill M 202 – 2018: *Safe Care Act* was brought forward but did not progress beyond the First Reading stage either. In 2019, Bill M 207 – 2019: *Safe Care Act* was brought forward and passed First Reading, but ultimately was never put into force. Pilarinos et al. (2018) note that in BC, Bill M

202 – 2018: *Safe Care Act* "dictates the process by which youth are apprehended, detained and discharged from safe care facilities, but offers no details on the types of treatment to be provided" (p. 1). Further, Pon (2019) notes that the 2017, 2018, and 2019 bills are "substantially similar to the original Secure Care Act bill" (n.p.).

Currently, secure care legislation has been enacted in seven Canadian provinces.

Figure 1: Secure Care Legislation in Canada

Alberta	*Child, Youth and Family Enhancement Act* (2013); *Protection of Sexually Exploited Children Act* (2013), and *Protection of Children Abusing Drugs Act* (2006)
Saskatchewan	*Youth Drug Detoxification and Stabilization Act* (2006)
Manitoba	*Youth Drug Stabilization (Support for Parents) Act* (2006)
Ontario	*Child and Family Services Act* (1990) – now known as the *Child, Youth and Family Services Act* (2017
Quebec	*Youth Protection Act* (1979)
New Brunswick	*Family Services Act* (1983)
Nova Scotia	*Nova Scotia Child and Family Services Act* (1990) Section 55 (in force December, 2003)

The models vary by province; however, their primary aims are cited as stabilization and "detoxification." Though I felt it important to touch on the legislative and political contexts in various Canadian provinces to draw comparisons, for the purpose of this research, I will focus on Ontario.

The body of literature reviewed in this research revealed the disparate and misaligned definitions and intentions of secure care. There is also a widely-recognized sentiment across the

literature that secure care is a highly intrusive measure that should be utilized only in extreme cases and as a "last resort." Driven by a dualistic conception of the child who is both dangerous and vulnerable (in need of protection from harm), the literature identified that secure care often employs its power through the use of restrictive measures including isolation, surveillance, and incarceration. The literature situates the justification for coercive and repressive tactics in the ongoing pathologization of [particularly BIPOC] children and youth in systems of "care." The literature does not fulsomely link the advent of secure care with lineages of colonial violence in Canada, nor does it highlight subjugated populations experiencing disproportional violence in secure care systems. I did not come across literature that was authored by a former staff in secure care that included critically reflexive, personal narrative. Additionally, the imperative need for youth voice to be at the centre of transformative work in secure care also appeared to be missing. My research attempts to fill these gaps by identifying lineages of colonial violence, focusing on the disparate experiences of Black, Indigenous, and queer youth, weaving youth voice in, and reflecting critically on my experiences as an agent of secure care.

Chapter Three: Research Methodology

Introduction to Methodology

My research is qualitative by approach and utilizes a critical paradigm, which is "[...] aimed at emancipation from overt and covert forms of domination" (Tripp, 1992, p. 114 as cited by Lichtman, 2013, p. 114). My research employs a solely textual analysis. To support this, I have collected textual records such as: legislation and policy, staff training and procedures, and government/oversight agency reports, with the aim of painting a picture of the landscape of secure residential youth care in Ontario. This has allowed me to decipher what the governing and hegemonic ideological perspectives have been throughout the development of secure residential youth care in Ontario. This analysis has surfaced the discursive intentions and frameworks that guide the landscape versus the ways in which this system is operationalized and mechanized in material reality. Gordon (2001) illustrates this well in stating that "public memory is fundamentally "a discourse about power" which serves to "legitimize states, ideologies, or political factions by offering imagined communities a sense of shared posterity and common descent" (as cited in Freeman, 2010, p. 22).

I employ a critical discourse analysis (CDA) in order to elucidate the emergent themes from the data. I will first describe the intent of CDA before elucidating more fulsomely the discursive frameworks I utilized for my research, as they are both grounded in and informed by CDA. Nijjar (2015) cites Fairclough (1995) who suggests that utilizing CDA allows researchers to obtain a robust understanding of what discourse is and how it operates by way of

> "dissect[ing] the form and function of a text through a textual analysis; […] explor[ing] the pre-existing socio-cultural genres that are embedded in a text through a discursive analysis, [and] evaluat[ing] the potential consequence of the way in which a text has

interpreted and framed an event or issue for broader social relations through a socio-cultural analysis" (p. 3).

Critical Discourse Analysis, therefore, involves a multi-analytical approach including textual, discursive, and socio-cultural components. I view this process as necessarily and productively iterative. As a White researcher who is recalling working in a carceral system, critical reflexivity is a crucial part of how I conduct my analysis. Ristock and Pennell (1996) state that "the goal of being reflexive is not to resolve "power plays," rather, it is to deliberately increase the complexity of the research process by employing an analytical approach that doubles back on itself" (as cited in Reid et al., 2006). In their interpretation of CDA, Gee (2005) puts forward "seven building tasks of language" (p. 1). I am particularly interested in the fifth building task of language which they term the "politics (the distribution of social goods)" and how meaning is made through interpretations of what is "normal," "good," "correct," "valuable," etc. (p. 12). Since my research has emancipatory aims, I draw on Creswell (2003) who notes "The critically positioned researcher purposefully adopts an action agenda with the purpose of empowering people and transforming political and social realities (as cited in Hardcastle et al., 2006, p. 1).

I draw most heavily from Critical AntiRacist Discourse Analysis (CARDA) (Laughter and Hurst, 2022) and feminist CDA (FCDA) (Lazar, 2007) to build a critical discursive framework that seeks to uncover concealed power relationships and violences in an intersectional manner. Laughter and Hurst (2022) identify that though racism is emergent and present in policy documents, it is not often in overt ways; as they suggest, racism frequently shows up as "neutral or objective in policy documents." They also identify policy documents as "represent[ive] [of] a space for struggle between master narratives and counter narrative" (p. 3). CARDA was created

during the resurgence of the Black Lives Matter movement in early 2020 which Laughter and Hurst (2022) identify as "a time of increasingly visible racial counternarratives around police brutality, economic marginalization, and health disparities [where] we see how specific CDA tools can expose the ways institutional [W]hite supremacy and systemic racism reify master narratives through official policy documents" (p. 3). The radical origins of CARDA are largely what drew me to this research method as I felt it was an appropriate fit for a study analyzing carceral violence within a system of "care."

Though the CARDA method was created with the intention of conducting analysis of educational discourses, it is well suited to this study and the documents I analyze. Policy, legislation, training materials, et cetera contain public education, ideologically persuasive, and legally-mandated goals and expectations to be carried out by professionals who hold tremendous power and are responsible for the "care" of young people made vulnerable through systems. FCDA, complimentary to CARDA is "motivated by goals of social emancipation and transformation [...and…] aims to advance a rich and nuanced understanding of the complex workings of power and ideology in discourse in sustaining (hierarchically) gendered social arrangements" (Lazar, 2007, p. 141). Lazar further describes that FCDA allows for the unveiling of the ways in which "...hegemonic power relations are discursively produced, sustained, negotiated…" (p. 142). An important intersecting element of both CARDA and FCDA that I draw from and ground my work in is the intentional move beyond an analysis of text as simply an academic and theoretical exercise toward a distinct investment in creating pathways for social action and transformation.

My hope is that through collating relevant documents, my research will shed light on both the social and material conditions that led to the development of an ideology of confinement

as way to "serve to protect and rehabilitate young people" (Henriksen et al. 2021, p. 6) and the disparate impacts it has on youth living at particular subjectivities. Importantly, Goodyear et al. (2020) note that "[…] key subpopulations of youth (e.g., those who are structurally vulnerable due to Indigeneity, racialization, LGBTQ2+ identity, or involvement with the child welfare system) are likely to face additional and heightened harms" (p. 3). As discussed in chapter one, my intention to not contribute to the harm youth experience in this system led me to the decision not to engage in interviews or any primary data collection related to youth. My research is instead enlivened with the voices and perspectives of youth as they emerge through selected texts without reliance on the reproduction of harm.

Methods

I loosely (imprecisely) follow CARDA's method (articulated below) with the addition of a gendered investigation (FCDA component), and my personal additions in brackets to add nuance and aid in a robust analysis of the data.

Figure 2: Adapted CARDA Method

	Adapted CARDA Method*
1	"Select the discourse *related to race or racism* [and gender or sexism in institutional, legislated spaces holding carceral power];
2	locate and prepare data sources *that might be a site of negotiation between individual and institution*;
3	explore the background of each text b*y grounding them in a socio-historical context, including individual [critical] self-reflection*;
4	code texts and identify themes *using appropriate analytical methods*;

5	analyze the external relations *that control the production and use of the text, [situating the ways in which they are employed within the system]*;
6	analyze the internal relations *through linguistic analysis of what the text intends and represents*; and,
7	interpret the data *by describing major themes and implications grounded in steps 4 through 6"*

*Derived from (Laughter and Hurst, 2022, p. 8-9).

Selection of Key Texts/Data Sources

When reflecting on the landscape of secure care, and more broadly, the transcarceral systems in Ontario, I found myself overwhelmed with the sheer volume of relevant and meaningful material that could support my research. There are hundreds of news articles (from the last decade alone) calling out the failings of the system, advocating for transformative change, highlighting case after case of violence, harm, and deaths of children and youth in "care." In addition, there are resource guides, reports, investigations, training manuals, policies, procedures, and legislation, guiding, sustaining, and responding to this system in Ontario. It was vital that I put parameters in place and selected texts carefully given the scope and capacity of this study. I would like to acknowledge that this research is, as such, limited.

I have selected a, non-exhaustive, collection of legislation[3], policy and staff training materials for secure care centres in Ontario, and reports/reviews for analysis with the above-described methodological approach. Recognizing the scope of my research and making the decision to focus solely on the landscape in Ontario, I identified below all the provincial

[3] Though there are seven provinces that currently have legislation governing secure care within Canada, for the purposes of this study, I will focus on Ontario's legislative context.

legislation that enables and governs secure care across Canada, however, I only utilize Ontario's *Child, Youth and Family Services Act* (2017) for my analysis. In addition to legislation, I felt it important to include five additional domains of text. (1) Ontario Ministry of Children, Community and Social Services-approved training programs, (2) The (former) Office of the Provincial Advocate for Children and Youth Investigation Reports, (3) Ontario Coroner's Report, (4) Ontario's Quality Standards Framework, and (5) Ontario Ministry of Children, Community and Social Services Strategies and Resources Guides.

The first domain is significant as these documents guide, inform, and dictate the ways in which staff in secure care centres (among other contexts where "vulnerable" young people may be accessing services, supports, or care) work with young people; the protocols and practices they are expected to uphold. The second domain includes reports from the Office of the Provincial Advocate for Children and Youth, which has since been dissolved. This is significant as they formerly acted as an oversight body for the ministry, holding the ministry accountable and performing advocacy duties for children and youth in the care of the ministry. The third and fourth domain cover Ontario Coroner's Report on the death of children and youth in residential care placements and Ontario's Quality Service Framework which provides guidelines for the quality of care of children and youth in residential care placements. The fifth domain provides a sense of the areas of focus the ministry has been working to improve and be responsive to.

After identifying domains of text, I decided to organize each text by whether it represented a "framework" (legislation and crisis intervention training) that was to be followed by those working in the system or a "response" to gaps, harms, and disparities identified in the system and/or to offer guidelines for best practices (see Figure 3: Table of Selected Texts). While the documents that represent frameworks speak largely to what is required of staff working, the

documents responding to said system are, in many ways, calls to action; bids for transformation. Additionally, I have added a column to the table that reflects the intention or purpose of the documents and/or how a practitioner would use these documents.

Given my experience as a psychiatric crisis counsellor in the field in Ontario, I have decided to include a few critical reflections and insights gathered through my time to weave a critically reflexive, personal narrative into my analysis (represented in dark blue text). Several years after my time working in secure care and as I was approaching my practicum, I found myself spending a large amount of time reflecting on some of the stories, experiences, and reflections that had an impact on me and informed the way that I wanted to work alongside folks in the future. Here, I draw from the principles of critical autoethnography, which has roots in queer theory (see Jones, 2016) and CRT, among other critical methodologies (see Camangian et al., 2021). Critical autoethnography, or what Camangian et al. (2021) refer to as generative autoethnography, "scaffolds one story into the creation of a collective one" (p. 58). Further, they put forward the notion that "as our stories emerge, our articulations of our experiences are connected to each other in word and deed" (p. 59). To my mind, these definitions call us to relational accountability, recognizing that our stories situate us within structures and bind us to one another in relational ways that bare complicities. Holding these truths, I reflected on the impacts of my decision as a White settler, cis-gender woman to work in secure care where there were overrepresented populations of Black youth, Indigenous youth, and queer youth. I found the process of reflecting and transposing my experiences into narrative to be challenging emotionally and spiritually, though a vital component of my acknowledgement and acceptance of my complicity in the harms I call out through this research. It is my hope that the decision to include personal narrative will allow future CYC-practitioners who are seeking critical ways to disrupt

the carcerality inherent within the systems in which they work to see themselves reflected and to be compelled to resist in bold and generative ways.

Data Analysis: Coding, Theming, and Collapsing

After selecting my key texts for analysis, I began with searching for the use of key terms I was particularly interested in locating in instances that may be related to discourses of power. This allowed me to have a very brief, cursory image of the frequency of terms pertinent to my research in advance of the coding, theming, and analyzing of the data themselves. I searched for "secure," "safe," "care," therapeutic," "rights," "control," and "relational." Though there are many more relevant terms that would likely elicit meaningful insights into the landscape of secure care in Ontario, the discourses of power, and the ideological underpinnings that maintain the system, for the purpose and scope of this project, I selected these terms as my starting point. Across the eleven selected texts identified above, there are a total of:

- 195 references to "secure;"
- 794 references to "safe;"
- 2,173 references to "care;"
- 15 references to "therapeutic;"
- 285 references to "rights;"
- 75 references to "control;" and,
- 0 references to "relational."

My first round of code identification resulted in 37 codes which I grouped into 3 "families" utilizing Quirkos qualitative data software. The code "families" consisted of:

1) Legal requirements, current state of Ontario's system, quality/service standards, expectations of staff, cultural awareness/agility, oversight/investigations, theoretical

lens/value, police/policing, rights of the child/youth, staff safety, child/youth safety and protection, and the health/well-being of the child/youth, secure treatment, de-escalation, recommendations, system improvements, therapeutic, relational/relationship, care, clinical/medicalized "care," restraint/physical intervention, observation/surveillance, and incident reporting.

2) Pathologization, violence/punishment (carcerality), failure of the system, race/racism, disability, queerness/2SLGBTQIA+, power/inequity, confinement/isolation, gaps, parent/guardian concerns, characterization of the youth/child, and child/youth behaviour.
3) Youth/child voice.

After organizing the codes into "families," I subsequently identified themes to correspond with each of the families. They are, respectively:

1) Street-Level Bureaucracy[4]
2) Impacts on Black, Indigenous, and queer youth
3) Youth Voice and Resistance

Following this step, I categorized my analysis in response to the predominant themes that emerged with consideration for the initial research questions that guided my study.

Limitations and Ethical Considerations

Perhaps the most notable limitation in the scope of this research is that it is not participatory or youth-led, meaning that the "knowledge" produced through this work is developed through the lens of a someone who is not directly impacted by secure residential youth care. Kincheloe and McLaren (2003) assert that "critical research traditions differ from other forms of research, as they recognize that claims to truth are always discursively situated

[4] Term derived from Lipsky's (1980) Street-Level Bureaucracy: Dilemmas of the Individual in Public Services.

and implicated in relations of power" (as cited in Hardcastle et al., 2006, p. 152). This consideration will be carried throughout my work, as I hold firmly to the belief that youth are themselves the holders of imperative knowledge and expertise on their own lived experience navigating transcarceral systems.

It is with intention and discernment that I have chosen not to utilize interviews with young adults, and other forms of primary data collection. This decision was informed by my desire to avoid additional trauma to that which most youth experience when being asked to share their stories and lived experiences without any tangible, material commitments to systemic and transformative change. In my view, that practice can be exploitative and extractive, particularly if it is not done with extreme care and attention to one's own positionality and social location as a researcher. Instead, I have purposed to highlight youth voice wherever possible. Exploration of youth-voice (through projects, stories, lived experiences) is a crucial piece of this research, as youths' voices breathe life into the literature and legislation which can quickly become de-politicized, de-humanized, and detached. Youth-voice brings not only richness and nuance, but also critical calls to action for transformative change. As Yeats (2019) asserts "one of the goals of qualitative research is to share lived experiences" (p. 39). As I have grown to conceptualize my understanding of youth-voice, I have leaned on some of the ideas Fletcher (2023) puts forward – namely, the notion that youths' voices cannot be contingent upon adult approval or dependent on "acceptability." He states that youth-voice is "[…] both the suit and tie *and* the graffiti can; shaking hands *and* beating fists […]" (n.p.).

This work begins with interrogating the colonial ideologies and systems of knowledge that I have internalized and an acknowledgment that "the 'knowledge' [I] produce is limited and partial" (Rose, 1997: 307 as cited in Henriksen and Schliehe, 220, p. 848). An important aspect

of reflexivity that I have intended to embed in my research is my process of growth and learning in what Rose (2020) calls an "analytical meaning-making tool" (p. 3). Rose notes that ethnographers frequently document their evolution through a research project and highlights the importance of understanding the ways in our "developing researcher positionalities" deeply inform each step of our methodological process (p. 3).

In consideration of ethics, I have purposed to remain alive to the fact that though, for me, this research is predominantly theoretical, for the youth who have lived experience, the possibility of transformation and reimagining of systems of care that are not entangled in carceral logics is palpable. I have feel humbly equipped and well positioned to maintain this lens through my work due to my experience working in a secure care setting and witnessing the impacts of transcarceral systems on the young people I worked alongside.

Critical Discourse Analysis and CYC

CARDA and FCDA, under the critical paradigm of research, have many interlocking principles that align well with my research and my positionality as researcher. I also find these paradigms to be particularly well-suited to research within the field of CYC, given that CDA recognizes that language in text communicates particular values – *experiential, relational, and expressive* (Al Ghazali, 2007) – and CYC is an intentionally relational and distinctly justice-oriented field of practice. Yakhnich (2022) identify the four core elements that CYC practice consists of: "(1) focus on the developmental needs of young people and families with a *commitment to social justice*; (2) an *equitable,* active, and engaged *relationship* between individuals to *facilitate meaningful change* and improve the lives of young people; (3) engagement of young people in their life spaces to facilitate growth through the *relational interplay* between Self and Other; (4) *valuing individuals as capable agents* of their own desired

change" (CYC-Net, 2021 as cited in Yakhnich, 2022, p. 1176-1177 – emphasis added). The values expressed through these core elements align with the emancipatory aims of CARDA, FCDA, as well as my own ethical accountabilities and commitments to relational work that is justice-centred.

Critiques on CDA Methodology

CDA and anti-racist research methodologies broadly, though intended to be critical and disruptive to hegemonic, colonial paradigms, can still cause and reproduce harm. This is at least in part related to who the researcher is, how they position themselves in relation to their research, and how they approach/work alongside the population(s) they are seeking to understand more deeply. Barros and Resende (2023) call for a decolonizing of discursive studies. On the resulting impacts of the colonialism of knowledge, Resende (2010) identifies a "lack of engagement in a reflective process when applying imported key concepts and methodologies to our local research context in critical discourse studies" (as cited in Barros and Resende, 2023, p. 54). This contextual piece is perhaps one of the more concerning limitations of research that does not include human participants, as there is rich nuance and sharing of locally-situated ways of knowing, doing, and being, that are ascertained through dialogue and relationship with participants. To address this, Resende (2010) asserts the cruciality of maintaining "a critical watchfulness not only in applying theories and powerful discourses to our local contexts […]." (p. 194, as cited in Barros and Resende, 2023). The absence of employing a "critical watchfulness" could result in harm and the proliferation of colonial ideologies.

A personal critique that I maintain toward CDA and textual analysis is the risk of depoliticizing and depersonalizing, the data and therefore invisibilizing those most impacted.

Though I am solely analyzing text and not engaging any human participants in my research, it would be irresponsible and harmful for me to not recognize that these data are representative of enormous power wielded over young peoples' lives. They are also rife with the lived realities and harms that are direct, material impacts of the operationalization of legislation and policy. In an effort to remain alive to these concerns and critiques and to engage in critical reflexivity, I turn to central questions Madison (2005) poses for analyzing and interpreting data[5] "[…] how do we reflect upon and evaluate our own purpose, intentions, and frames of analysis as researchers? How do we predict consequences or evaluate our own potential to do harm? […] how—in what location or through what intervention—will our work make the greatest contribution to equity, freedom, and justice?" (p. 4). I will return to these questions in my concluding chapter as I consider implications of my research in relation to the CYC field (including future practitioners and those they work alongside) as well as promising practices and recommendations.

I would also like to name the ever-present tension that exists in my commitments and intentions to divest from White supremacy as a White person. My desire to disrupt colonial practices of punishment exists alongside my acute awareness that I benefit from this system under which my body is largely protected. In addition, my perspectives are historically viewed as more "valid" as I am a member of the hegemonic group that holds "the most legitimate way to view the world" (Strega, 2015, p. 201 as cited in Mackenzie, 2019, p. 52).

My work also seeks to call for imaginings of more just futures, for dreaming anti-carceral and nonpunitive ways of relating to and supporting youth experiencing the challenges that secure care attempts to address into existence. This prefigurative politic is one that has been held by

[5] These questions are posed for the analysis and interpretation of critical ethnographic data; however, I feel they lend themselves well to other critical research methodologies such as CDA as well.

global Indigenous populations for centuries and has been the driving force for social movements, rallies, protests, injunctions, and countless resurgent efforts to disrupt and dismantle colonial systems. In a commentary on Coulthard's 'Red Skin, White Masks: Rejecting the Colonial Politics of Recognition' (2014), Hunt (2016) identifies one of the core teachings from the book as the assertion that "Indigeneity is not just an ideology, but something that must be lived, embodied, felt, and materialized. Coulthard states that resurgence is at its core a prefigurative politics: The method of decolonization prefigure its aims" (as cited in Hallenbeck et al., 2016, p. 112). The critique I attempt to illustrate here is the risk of White scholars claiming long-held ways of knowing and resisting as their own, neglecting to ground them rightly in centuries of anti-carceral struggles against capitalist states across the world. The very belief that another system outside of capitalism is rooted in Indigenous resurgence. Smith (2005) writes, "when we do not presume that [settler colonial states] should or will always continue to exist, we create the space to reflect on what might be more just forms of governance, not only for Native peoples, but for the rest of the world" (p. 311 as cited in Snelgrove et al., 2014, p. 18).

Chapter Four: Discussion

Approach to Analysis

When making meaning from the data, I reflected on my research questions: what historical, political, and ideological underpinnings led to the development of the secure residential youth care system in Canada, and more specifically Ontario? What mechanisms are Black, Indigenous, and queer youth disproportionately targeted and harmed by in the enactment of secure residential youth care through policy, legislation, and practices? How is language such as "care," "safety," and "secure" utilized to obscure carceral practices within the legislation, policy, and other powerful and persuasive documentation? How do youth confined to secure care resist and engage in reclamation of dignity and self-determination? With an adapted application of the CARDA method (as described in chapter 3), I engaged in a fluid, iterative process to analyze and make meaning of my data. This process followed the steps outlined below:

1) Gathered relevant texts and selected those that felt appropriate to the particular research questions I was seeking to engage with;
2) Researched the context, socio-historical, and political landscape that existed during the time in which the text was developed or published;
3) Carefully read each text line-by-line and developed codes as they emerged through the discourse (specifically those which related to race/racism, gender/sexism, and legislated spaces holding carceral power);
4) Consolidated codes into families by looking at the ways in which portions of text represented sites of negotiation between individual and institution;
5) Developed corresponding themes;
6) Reflected and revised;

7) Began taking notes on the emergent realities, truths, and questions falling under each theme;
8) Analyzed the external relations (how the text is intended to be employed within the system) and internal relations (how the texts are employed in the day-to-day operations);
9) Reflected and revised;
10) Interpreted the data by describing the major themes and produced first draft of the analysis;
11) Reflected and revised; and,
12) Brought critical, reflexive narrative into the analysis.

Locating the Data in Context

It was important to me to have a grounded and situated understanding of each of my selected texts as I prepared to analyze, so my first task was to ascertain the origin, author, timeframe, and local context of the texts (step 3 of the CARDA method). First, reflecting on the Ontario provincial legislation, originally enacted in 1990, came into force under the leadership of the New Democratic Party (NDP). Interestingly, that was the only time during which the province of Ontario has had an NDP government in power, and since 1990, the province has either been under Liberal leadership (2003-2018) or Progressive Conservative (1995-2003 and 2018-present). Figure 3 below indicates the history of provincial government leadership in Ontario from 1990 until the present.

Figure 3: Table of Ontario's Political Leadership

Premier	Incumbency	Dates in Office	Party
Bob Rae	4 years, 268 days	1990–1995	New Democratic
Mike Harris	6 years, 292 days	1995–2002	Progressive Conservative
Ernie Eves	1 year, 190 days	2002–2003	Progressive Conservative
Dalton McGuinty	9 years, 111 days	2003–2013	Liberal
Kathleen Wynne	5 years, 138 days	2013–2018	Liberal
Doug Ford *(incumbent)*	5 years, 65 days	2018–present	Progressive Conservative

Figure 4: Table of Selected Texts

Source	Category	Title	Use/Purpose
Legislation	Framework	Ontario's *Child and Family Services Act* (1990) – now known as the *Child, Youth and Family Services Act* (2017)	Legal framework that guides secure care in the province of Ontario and prescribes the powers of actors within the child welfare and youth justice system.
Ontario Ministry of Children, Community and Social Services-approved training program[6]	Framework	Safe Management Group Crisis Intervention Training Program Participants Workbook (1st edition – 2021)	Training for staff in secure settings (among others) that guides crisis intervention including the use of physical restraints

[6] Crisis Prevention Institute, SafeGuards, and Hy'N'hancement Consulting Inc. offer ministry-approved training programs as well - Nonviolent Crisis Intervention, Therapeutic Crisis Intervention (TCI), and Understanding and Managing Aggressive Behaviour (UMAB) respectively. I reached out to each organization to request access to their materials and either did not receive a response or was not granted access.

Ontario Ministry of Children, Community and Social Services Strategies and Resource Guides	Response	A Resource Guide to Improve the Quality of Care for Children and Young Persons in Licensed Residential Settings (July 2020)	An 54ducationnal tool that provides guidance (not clinical or legal advice) "Describes promising and best practices for […] high-quality care in licensed residential settings […]" (p. 2)
	Response	Child Welfare Redesign (introduced in July 2020; most recent update in February 2023)	An iterative and progressive strategy, informed by extensive engagement, that seeks to transform child and family services by achieving a set of "successful outcomes" for families as well as for the child welfare system
	Response	Ontario Indigenous Children and Youth Strategy (originally published August 2021; updated May 2023)	Overlapping with the child welfare redesign strategy, this strategy aims to build a holistic, culturally-based, and community driven approach to child and youth services, informed by a 10 years of engagement with Indigenous communities and service providers
	Response	Serving LGBT2SQ Children and Youth in the Child Welfare System: A Resource Guide (2018)	A resource guide to help children's aid societies, residential services providers, and caregivers better meet the needs of LGBT2SQ children and youth they serve
	Responses	One Vision One Voice: Changing Child Welfare in Ontario to Better Serve African Canadians – Practice Framework Part 2 (2016)	Led by the African Canadian community and funded by the province, this practice framework addresses the overrepresentation and experiences of disparities faced by African Canadians coming into contact with the child welfare system and recommends race equity practices to ensure systemic change occurs
Office of the Provincial Advocate for	Responses	Johnson Children's Service Inc.	Initiated by a call from a JCS employee who reported that staff were poorly trained and ill-

Children and Youth Investigation Reports		(Thunder Bay) Office (2019)	equipped to meet the complex needs of children in their care, this investigative report makes 10 recommendations to the ministry
	Responses	Emilie (2019)	Initiated by a concerned father who wanted to ensure that his daughters needs were being addressed while living in care, this investigation did not result in recommendations to the ministry. The investigation included an assessment of whether "Emilie" was an appropriate candidate for secure care and she was deemed not to be.
	Responses	Alex (2019)	Initiated by a lawyer on behalf of a foster parent due to her experience of being threatened by "Alex" who was in her care, CAS failing to provide relevant info, and "Alex" ultimately not getting the help that was needed. This investigative report makes 22 recommendations to various actors (the ministry, CAS Algoma, and Summit)
Ontario Coroner's Report	Responses	Safe with intervention: Report of the expert panel on the deaths of children and youth in residential placements (2018)	After five young people died in residential placements in Ontario in the first half of 2017, the public, stakeholders, and the Office of the Chief Coroner (OCC) felt further exploration was required. The OCC identified twelve young people (eight of whom were Indigenous) who died while in residential placements in Ontario (Jan 1, 2014 – July 31, 2017). Five recommendations emerged (to federal and provincial governments), calling for strengthened accountability, and equitable, culturally, and spiritually safe services, among other recommendations.

The Safe Management Crisis Intervention Training Program Participant Workbook was developed by Dr. Colin Pryor, Dr. Bruce Linder, Benji Wu, and Brandie Stevenson in 2021 to support the delivery of community and social services in residential, day treatment, custody, and community outreach settings. On their website, they identify their organization as a leader in Crisis Intervention and Prevention training programs across Canada. They define their vision as "[…] creat[ing] safer workplaces for anyone working or visiting them" (safemanagement.org).

The three investigation reports conducted by Ontario's (former) Office of the Provincial Advocate for Children and Youth (Thunder Bay, Emilie, and Alex) were all released in 2019. This was shortly following the announcement by the Progressive Conservative government that they would be repealing the *Provincial Advocate for Children and Youth Act* and closing the office, making the largest Canadian province one of the only ones without an independent child advocate. The Provincial Office of the Advocate for Children and Youth was initiated in 2007 under Liberal government (*The Provincial Advocate for Children and Youth Act*), through the passing of Bill 165 to "promote the views and preferences of children and youth" and "partner with children and youth to bring [their] issues forward" (ocaarchives.wordpress.com).

The Ontario Coroner's Report 'Safe with Intervention: Report of the expert panel on the deaths of children and youth in residential placements' was developed pursuant to section 15(4) of the *Coroners Act*, R.S.O. 1990, c. 37. The investigation was brought on by growing concern from the public, stakeholders, and the Office of the Chief Coroner (OCC) following the deaths of five young people in residential placements in the first half of 2017. The OCC undertook an initial analysis of available data to determine the amount of young people who had lost their lives under similar circumstances. This analysis identified the deaths of 12 young people, all of which

occurred in residential placements between January 1, 2014 and July 31, 2017. Importantly, eight of the 12 young people were Indigenous [note: the report does not identify the racial or cultural identity of the other 4 young people, simply that they were non-Indigenous]. The invisibilization of racialized identities who are not Indigenous (in this case First Nations, Inuit, or Métis) in the Canadian context is well known. Owusu-Bempah and Gabbidon's work (2020) illuminates this erasure, particularly in the context of Canadian policing agencies. They note "[…] despite the fact that very little race-based data is made publicly available in Canada, information on race and Aboriginal status is routinely collected from alleged offenders and crime victims processed in the justice system (p. 105). They go on to identify that racial data suppression as "rampant in Canadian policing" (p. 105) citing that despite Canadian criminal justice institutions collecting race-based data, "[…] national reporting on racial and Aboriginal data is sparse and inconsistent, especially when looking beyond the Aboriginal category" (p. 106). The decision to not report the racial or cultural identity of the 4 non-Indigenous young people whose deaths were investigated in the Coroner's report is a furthering this erasure not only through these young peoples' lives but in their deaths as well. The Panel noted "[the eight Indigenous] young people, their families, and communities were impacted by colonization, the legacy of residential schools, and intergenerational trauma" (Safe with Intervention, 2018, p. 5). The Panel found that "in the twelve cases of young people that were reviewed, the systems that were involved repeatedly failed in their collective responsibility to meet the fundamental needs of the young people" (2018, p. 2).

A Resource Guide to Improve the Quality of Care for Children and Young Persons in Licenced Residential Settings (Ontario's Quality Standards Framework) was developed and published by the Ministry of Children, Community and Social Services in 2020 under

Progressive Conservative government. The intention of the Quality Standards Framework was to examine and provide an overview of "what high-quality residential care looks like across all sectors [child welfare, youth justice, child and youth mental health, and special needs] and settings that make up licensed residential services for children and young persons in Ontario" (Rogers, 2020, n.d.). It is also noted in the Quality Standards Framework that it was "developed with substantial input from youth with lived experience, First Nations, Inuit and Métis partners and Indigenous service providers, other community-based service providers, experts in the field, cross-sector partners, and by using research on emerging and best practices (2020, p. 7).

The four additional selected strategies and resource guides were either published or commissioned by the Ministry of Children, Community and Social Services between 2016 and 2023. I will briefly situate them in chronological order. One Vision One Voice: Changing Child Welfare in Ontario to Better Serve African Canadians – Practice Framework was published on September 29th, 2016, through the guidance and leadership of the African Canadian community in Ontario under One Vision One Voice (OVOV – launched in 2015). OVOV developed the comprehensive Practice Framework (which includes Part 1 – the Research Report, and Part 2 – the Race Equity Practices). The Framework was informed by nearly one thousand community members, service users, and youth in care and it calls for "sweeping reforms to the child welfare system to address systemic racism and to reduce the over-representation of Black children in care" (oacas.org). Serving LGBT2SQ Children and Youth in the Child Welfare System: A Resource Guide was developed in 2018 during transition between Liberal and Progressive Conservative governments. The intention of the resource guide was "to help children's aid societies, residential service providers, and caregivers better meet the needs of the LGBT2SQ children and youth they serve" (youthrex.com). The framework acknowledges the

overrepresentation of queer children and youth in the child welfare system due to many queer children and youth facing violence, harm, and abandonment from their families of origin. In addition, the framework speaks to continued harm many queer children and youth face within the child welfare system including but not limited to lack of safe and affirming homes/placements, lack of awareness and understanding of their needs from staff and caregivers, and harassment and violence in group home settings.

In July 2020, the Ministry of Children, Community and Social Services released their plan to redesign the child welfare system with a focus on prevention, early intervention, and better permanency planning. The Child Welfare Redesign was informed by "youth, families, caregivers, First Nations, Inuit, and Métis partners, lawyers, community organizations, frontline workers, and child welfare sector leaders" through engagements sessions and online survey responses (everykid.on.ca). The Ontario Indigenous Children and Youth Strategy was originally published in August 2021 and most recently updated in May 2023 (both under Progressive Conservative government). The strategy was co-developed after 9 years of collaborative engagement with First Nations, Inuit, and Métis communities and Indigenous service providers to "better understand their perspectives on improving outcomes for First Nations, Inuit, and Métis children, youth, families and communities" (Ontario.ca). The intention of the strategy was to enhance existing services to better meet the needs of Indigenous children and youth while supporting Indigenous communities in working toward exercising their jurisdiction over child and family services (Ontario.ca).

From my initial data analysis, 37 codes emerged, which I grouped into three code "families" and then identified corresponding themes. The first theme (Street-Level Bureaucracy)

makes visible the intentions, legal obligations, guidelines, standards, and framing values around the system of secure care in Ontario versus the way in which the system is made operational. This theme brings together the disparities that exist in language utilized in documents holding the force of law and those which do not have enforceable powers. The second theme (Impacts on Black, Indigenous, and queer youth) weaves the common thread throughout these documents that identify the disparate impacts on a subset of the population of young people confined to secure care – those who are marked for difference on account of their Blackness, their Indigeneity, and/or their queer identity. The third theme (Youth voices and resistance) highlights youths' perspectives, experiences, and needs within secure care. This theme explores some of the responses youth are met with when they exercise their agency and resist. I found selecting the codes that fell into each theme to be a challenging exercise as there was considerable crossover/intersection across themes which makes evident the nuance and complexities present in this work.

Street-Level Bureaucracy

The CYFSA (2017) enables secure care in the province of Ontario and prescribes the conditions under which a young person can be admitted to, released from, and returned to secure care. The legislation states that, under section 158(1) "The Minister may, (a) establish, operate and maintain; or (b) approve, programs for the treatment of children with mental disorders, in which continuous restrictions are imposed on the liberty of children." And further "The premises of a secure treatment program may be locked for the detention of children" (Part VII, 159). The legislation also includes provisions regarding the permissibility of mechanical restraints and the conditions under which consent from the child or youth is not required in relation to secure care.

Under the CYFSA, powers are granted to the Minister, Provincial Director, and Administrator. These roles are defined in the legislation as:

> ""Minister" means the Minister of Children and Youth Services or such other member of the Executive Council as may be designated under the *Executive Council Act* to administer this Act" (2017, Interpretation).
>
> "Provincial Director" means,
>
> (a) a person, the group or class of persons or the body appointed or designated by the Lieutenant Governor in Council or the Lieutenant Governor in Council's delegate to perform any of the duties or functions of a provincial director under the Youth Criminal Justice Act (Canada), or
>
> (b) a person appointed under clause 146 (1) (a).
>
> "Administrator" means the person in charge of a secure treatment program" (2017, Interpretation).

An element of the language that immediately struck me upon my first thorough reading was the granting of broad and highly interpretable powers to the administrator. Section 161(2) provides the criteria for admission, noting that the administrator may admit a child to secure treatment where they (the administrator) believe on *reasonable grounds* that:

> "(a) the child has a *mental disorder*;
>
> (b) the child has, *as a result of the mental disorder*, caused, attempted to cause or by words or conduct made *substantial threat* to cause serious bodily harm to themselves or another person;
>
> I the secure treatment program *would be effective* to prevent the child from causing or attempting to cause serious bodily harm to themselves or another person;
>
> (d) *treatment appropriate* for the child's mental health disorder is available at the place of secure treatment to which the application relates; and

> I *no less restrictive method* of providing treatment appropriate for the child's mental disorder is appropriate to the circumstances" (emphasis added) (2017, Part VII, 164(1)(f)).

I italicized language to indicate where a high level of discretionary power is granted to the administrator in determining whether a child meets the criteria to be admitted to secure care. In addition, section 160(1) enables the administrator to "use and permit the use of mechanical restraints on a child *as a means of controlling the child's behaviour*" and (2) "is *not required to obtain the consent* of or on behalf of the child before using mechanical restraints" (2017, Part VII, 160(2)). Here I have italicized the language wherein punitive and carceral measures are not only made permissible or allowable, but are legally mandated (hold the force of law). Further, through the legislation, decisions concerning the rights of a child, and the appropriate resources and treatments to support them are allocated to an individual in charge of the secure treatment program, as opposed to being a collective and collaborative decision made among individuals involved in the care and support of the child (most importantly including the child themselves).

Part II of the CYFSA identifies the rights of all children and young persons receiving services under the CYFSA, as well as the additional rights of children in care. The additional rights include:

- the right to be heard in respect of decisions,
- for their views to be given due weight,
- to be informed related to residential placement admission
- to personal liberties,
- to participate in the development of their plan of care,
- to have access to food that is of a good quality,
- to be provided with clothing that is of a good quality,
- to receive medical and dental care,
- to receive an education, and

- to participate in recreational, athletic and creative activities. (2017, Part II, 2(f))

The Act also requires that "services to children and young persons must take into account their needs and their identities, including their race, ancestry, place of origin, colour, ethnic origin, citizenship, family diversity, disability, creed, sex, sexual orientation, gender identity and gender expression" (2017, Part I, 2(iii)).

The legislation references a desire for services to be provided to young people in more comprehensive and caring ways, however they use the word "*should"* instead of "*must*" ("services to children and young persons should be provided in a manner that […]" (2017, Part I, 2(3)). According to the Law Insider "should means that a certain feature, component and/or action is desirable but *not* mandatory" (n.d., n.p.) (emphasis added). This means there is no legal obligation in enforcing the following expectations for services provided to children and young persons:

i. Respects a child's or young person's need for continuity of care and for stable relationships within a family and cultural environment,
ii. Takes into account physical, emotional, spiritual, mental and developmental needs and differences among children and young persons,
iii. Takes into account a child's or young person's race, ancestry, place of origin, colour, ethnic origin, citizenship, family diversity, disability, creed, sex, sexual orientation, gender identity and gender expression,
iv. Takes into account a child's or young person's cultural and linguistic needs,
v. Provides early assessment, planning and decision-making to achieve permanent plans for children and young persons in accordance with their best interests, and
vi. Includes the participation of a child or young person, the child's or young person's parents and relatives and the members of the child's or young person's extended family and community, where appropriate" (2017, Part I, 2(3)).

The preamble for the CYFSA states that "The Government of Ontario acknowledges that children are individuals with rights to be respected and voices to be heard" and further the paramount purpose of the Act is said to be "to promote the best interests, protection and well-

being of children." It is assumed then, under the legislation, that what is best for the child can be solely determined through the discretion of one individual holding a position of power. Further, the lack of obtaining consent for the use of mechanical restraints, an intrusive and potentially violent measure, goes directly against the recognition of the importance of respecting the rights of children and hearing their voices. How can a child's voice be heard when they are not called upon or given the opportunity to consent to such measures? They are not granted autonomy or dignity in the decision to admit, the admission process, or the most intrusive methods of "treatment" utilized; they are simply given notice of their rights to review their admission under 161(6)(a) and their lawyer or prescribed person is notified of their admission under 161(6)(b). An acknowledgement of rights and an articulated purpose within the legislation do not necessarily, in practice, result in an upholding of said rights or commitments. This seems to be in conflict with one of the rights of children and young persons receiving services under the CYFSA "to be engaged through an honest and respectful dialogue about how and why decisions affecting them are made and to have their views given due weight, in accordance with their age and maturity" (2017, Part II, 3(2). Further, Ontario's Quality Standards Framework recognizes that "paramount to the practice of upholding children's rights is respect for the child's individuality and dignity" (2020, p. 36).

Interestingly, The Safe Management Group Crisis Intervention Training Program Participants Workbook, which is approved by the Ministry to train staff working in secure care centres, situates the purpose of and appropriate time to use restraints quite differently from the legislation. They also identify the need for "approval" by guardians (where the legislation stipulates that there is no need for consent from or on behalf of the child). Under the sub-heading 'Preventing Restraints,' the Safe Management Group instructs staff to "us[e] restraints only as a

last resort and only for reducing imminent risk to an individual [and…] only if approved by various regulated health professionals, agency/organization administrators, and by parents/legal guardians/substitute decision maker" (2021, p. 5). Of note is the distinction between using restraints "to control a child's behaviour" versus "only for reducing imminent risk to the individual" with recognition that the former is that which holds the force of law in Ontario. Further, the Safe Management training document clearly indicates their view on the use of restraints for punitive purposes stating "the procedure is not used for the purpose of punishing the individual" (2021, p. 15). Despite this, the Ontario Coroner's Report cited that "young people described their care as having a 'punishment-focus'" (2018, p. 55).

The Safe Management Group (2021) appears to place a great deal of importance on preventing the use of intrusive measures and utilizing comprehensive de-escalation techniques in their training procedures. They outline less intrusive protocols for managing various circumstances where a young person may become "aggressive" (including wrist grabs, clothing grabs, hair pulls, chokes, bites, and kicks). In response to a young person who has a weapon, though they encourage police intervention in these cases due to their training, they also recommend that staff ask themselves reflexive questions in response to emotions, as opposed to reacting to the exhibited behaviour. They offer "is the weapon a fear-based response? Is there real intent to harm others? What does the individual need or want? Can you meet those needs?" (p. 89). These moments of pause and reflection in a real or perceived crisis can mean the difference between a young person experiencing anger and violence at the hands of staff and a young person being met with dignity and empathy. I remember charge staff saying "Jesse is escalated. Get ready to move in if you need to." Staff then brought the other 9 youth into the classroom and played card games. It all happened so quickly. The two largest men "took down"

the 12-year-old boy, and when he spat at them, one of them knelt on the back of his neck with all of his body weight. They asked me to move in to "support" which meant holding his ankles down so he couldn't kick. I remember holding his ankles and being struck with the juxtaposition of 9 youth playing card games in the classroom while their peer was being restrained by 3 adults. I was restraining him. I felt sick. He called me by name and said "please let me go." I wanted to so badly. Brad, the charge staff who was kneeling on Jesse's neck yelled "do not let go!" We continued to restrain him for what felt like hours. I believe it was 12 minutes. Later on, shortly before his bedtime, I debriefed with Jesse. Jesse told me he lost 4 relatives to suicide in the past year. He told me he was angry. I validated his pain and anger and I told him that I disagreed with charge staff and did not want to restrain him. He responded with "then why did you?" Jesse called me on my hypocrisy and in hindsight I am so glad he did. At this time, I think I responded with that I had to follow the direction of my supervisor, but I did not have to. I could have refused to engage in carceral ways. I could have quit and found employment elsewhere. It did not matter whether I wanted to engage in restraining Jesse or not. It matters that I did.

The Quality Standards Framework (2020) acknowledges the need for trauma-informed environments in recognition that "behaviours that lead to restraint use can also mirror symptoms of a child or young person that does not feel safe" (p. 51). According to the Ontario Coroner's Report, there are not only disparities in the understanding of different intervention models and the application of appropriate approaches but a notably high frequency in the use of physical restraints. Physical restraints made up the most frequent incident reported in a Serious Occurrence report in a six-month period (Safe with Intervention, 2018). The Ontario Coroner's report identified there were various families who noted that their children were "forcibly restrained when they were angry." Further, they noted that staff working in contexts with young

people experiencing suicidal ideation in a hospital context reported that young people were often dismissed and discharged because they were not considered to be at risk of suicide. They provide an example stating that "a young person who is consistently self-harming by cutting will be discharged because the doctor says 'cutting is rarely successful (in dying by suicide)' or they are dismissed as 'attention-seeking'" (2018, p. 51).

The Panel reported that they observed that "at multiple points in [the twelve young people who passed away] the young people communicated by 'raising flags' like self-harming, acting aggressively, or running away. Rather than interpreting these behaviours as communicating a deeper need and responding in-kind, it was, too often, responded to with a punitive approach, dismissed as 'attention-seeking' […]" (2018, p. 47). These reports from families, staff, and the Panel speak to the discrepancies between the intentions laid out in legislation, policy, and training manuals and what is carried out in practice in various contexts. Further to that, they illustrate the punitive and carceral use of restraints which have violent, and sometimes deadly, consequences. For Justin, a young person in secure treatment on Ontario, the improper use of physical restraint would result in his death.

> "Five days prior to his death at the age of 17, Justin was placed in a restraint following behavioural escalation that resulted from a disagreement with staff over whether he could ride his bicycle. Justin lost consciousness during the restraint. He was transported to the hospital but did not regain consciousness and remained on life support. His cause of death was determined to be a result of Anoxic Encephalopathy due to Desmoglein-2mutation-related cardiac arrest, with contributing factor of struggle/restraint" (Safe with Intervention, 2018, p. 24).

The staff, and the system, failed Justin in the most egregious way on this day. One of the findings that the panel employed as part of the Ontario Coroner's Report identified was their "overwhelming sense that the young people in Ontario's care are in precarious, unsafe situations

now – they cannot wait […] years for meaningful action" (2018, p. 63). Despite the assertion under Ontario's Quality Standards Framework that "all residential settings are maintained in a manner that supports the cultural, spiritual, physical, emotional and mental safety, accessibility and needs of the children and young persons who live there," Justin was not offered this support when he pushed back on a decision made by staff. His life was taken from him.

Serious Occurrence Reports (SORs) are submitted to the Ministry of Children and Youth Services pursuant to the governing legislation and regulation to document actions taken to manage a serious occurrence (e.g., a physical restraint) from inception to resolution. The expert panel employed as part of the Ontario Coroner's report reviewed SORs. Their findings indicated that the information provided was not substantial, was at times, inaccurate, "careless," and there was an overall concern regarding the lack of ministry oversight or monitoring of SORs for opportunities for improvement (Safe with Intervention, 2018). The panel expressed concern around the appropriate use and efficacy of SORs and incident reports broadly. Perspectives provided from young people with lived experience supported this finding. They noted that SORs "created an opportunity for negative perceptions of young people to be fostered amongst staff" and further recommended that "staff […] should not read about [SORs] until they have spent time with each young person, so that they can form their own opinions, instead of 'reading about us through someone else's eyes'" (2018, p. 60). I recall my first time working with Shayla. She was identified as a "frequent flier" because she had been admitted to the secure care unit numerous times. Staff were very familiar with her, and I noticed the way they spoke about her lacked any empathy or care. Almost as if they had complete distain for her. Typically, we were instructed to read a young person's file before working 1-1 with them but in this particular case, the floor needed support and my charge staff "briefed" me on Shayla's "presenting issues" and

sent me out on the floor. They said she was “traumatized,” “attention-seeking.” The very first words Shayla spoke to me were “I’m fucked up. You already know that though…you read my file.” I had not read her file so I told her that and said I would learn about her as we work together. After spending a bit of time together, I remember thinking that Shayla did behave in ways that met some of the staff’s judgements of her. When the youth had all gone to bed, I had a moment to read through Shayla’s file. It did not take me long to see that Shayla was a survivor of physical abuse at the hands of a parent from infancy as well as a survivor of multiple sexual assaults. Multiple sexual assaults. She was 13. I remember feeling so sad and so enraged. I remember being angry at myself for judging Shayla’s behaviour and angry at staff for not informing me of what she had lived through. Shayla was framed as a problem when she was a child surviving unthinkable, repeated violence and continuing to (while admitted to the secure care unit) not be kept safe by those who were responsible for her care. Staff failed to employ any trauma-informed approaches with Shayla. The governing legislation does not mandate the mobilization of a trauma-informed lens in secure care environments. There is an acknowledgement of the "need" for trauma-informed environments within the Quality Standards Framework, but it does not hold the force of law, and to my knowledge, staff are not required to be comprehensively trained in trauma-informed practice.

The Ministry identified that they will be conducting random, unannounced inspections to ensure compliance with legislative requirements. What is interesting regarding these measures to increase compliance is that they are directed toward Ministry staff, who only make up a portion of the professionals who work alongside young people in secure treatment settings. For example, in the context I worked in which included psychiatric crisis counsellors, psychiatrists, nurses, shift supervisors, etc. (all of whom were trained in procedures to administer physical restraints

and other intrusive interventions) none of the staff were employed by the province/the Ministry. Additionally, in the Thunder Bay Investigation report (2019), it was found that "many of the primary duties in all JCS [Johnson Children's Services] homes […] were initially fulfilled by a 'volunteer' who was doing a "favour" for JCS, including admission planning, attendance at formal plans of care, and responding to crisis and emergency calls from foster parents and other staff" (p. 24). Now, this points to a broader issue which was thoroughly investigated in the Thunder Bay report, however, it is also illustrative of the lack of reach of the Ministry's training efforts.

Impacts on Black, Indigenous, and queer youth

Black and African Canadian Youth

Safe Management Group guidelines (2021) identify that "client welfare can be improved with the help of medical and psychiatric assessments and treatment." Interestingly, there is a glaring absence of the mention of therapeutic, relational, or other types of treatments that may improve client welfare. The Ontario Quality Standards Framework indicates that "Each child should have the opportunity to fully develop and embrace their identity while in residential care. Supporting children to build positive self-identities, using an intersectional, anti-oppressive, anti-racist and anti-colonial lens, will contribute to their sense of belonging and self-esteem" (p. 55). In One Vision One Voice (2016), a few recommendations were put forward relating to diagnoses and clinical treatment for African Canadian youth, specifically:

"11.11 to minimize the over-diagnosis of African Canadian youth in care, ensure no diagnosis is formed unless the full psycho-social history of the child is included as part of the initial medical and clinical treatment.

11.12 ensure medical and clinical treatment providers are African Canadian or have an in-depth understanding of African Canadian cultures and anti-Black racism to ensure they are better able to service these service users." (p. 19).

These considerations regarding the over-representation, over-diagnosis, and over-policing of African Canadian youth in care are not built into legislation, regulation, or, in any meaningful way (where compliance is required) in other documentation guiding the delivery of secure treatment. Though this document was endorsed by the ministry, the calls to action, the compelling language imploring the system to change does not hold enforceable power. Further, and perhaps even more concerningly, there are no explicit commitments or tangible efforts being made by the Ministry to address the disparate treatment and outcomes that African Canadian youth face. One Vision One Voice identifies the interconnected experiences of African Canadian youth and Indigenous youth (citing the known "disproportionality and disparities in the child welfare system" (p. 1) experienced by both populations). They further note that there will be overarching benefits to the system in better-serving an "increasingly diverse provincial population" (p. 1) should recommended practices be implemented. The Resource Guide for Serving LGBT2SQ Children and Youth in the Child Welfare System, similarly, identifies that "all children and youth benefit from positive spaces in which gender identity, gender expression, sexual orientation, and all forms of diversity are supported, made welcome, and promoted in visible ways" (2018, p. 59).

The Quality Standards Framework (2020) fulsomely acknowledges the overrepresentation[7] of Black and African Canadian children and young persons (both in child welfare as well as youth justice). They speak to the intergenerational trauma caused by "slavery,

[7] "While African Canadians make up 8.5% of the general population of Toronto, they constitute 40.8% of the children and youth in care of the Children's Aid Society of Toronto" (One Vision One Voice, 2016, p. 4).

colonization, policies and practices of segregation, separation of families, systemic racism and oppression […]" (p. 17). This point is further emphasized in One Vision One Voice which notes that in 2012 and again in 2016, the United Nations Committee on the Rights of the Child "raised concerns about the significant overrepresentation of Indigenous and African Canadian children and youth in [Canada's] child welfare system[s]" and called upon Canada to "take effective measures to address the root causes of [the] overrepresentation" (2016, p. 3). Ontario's Quality Standards Framework calls upon residential service providers to not only recognize both the overt and covert biases that inform these realities but to take tangible actions within their organizations including reviewing their direct service practices to ensure they "support, value and are guided by anti-Black racism, equity, diversity, community empowerment, transparency and accountability" (Turner, 2016, as cited in 2020, p. 17), They further identify the crucial importance of building meaningful and collaborative relationships with Black and African-Canadian communities surrounding their efforts to strengthen support for Black and African-Canadian children and young persons.

The CYFSA includes provisions specific to providing appropriate services to First Nations, Inuit and Métis children and youth, but no such provisions exist for Black and African Canadian children and youth. The Quality Standards Framework identifies that "all service providers are required by the CYFSA to ask how [First Nations, Inuit and Métis children and youth] would like their cultures, heritages, spiritual connections to community, and the concept of the extended family to be considered in all aspects of their lives" (2017, Part I, 6).

Indigenous Youth

The CYFSA states that "First Nations, Inuit and Métis peoples are constitutionally recognized peoples in Canada, with their own laws, and distinct cultural, political and historical ties to the Province of Ontario" (2017, Preamble). Further, the legislation identifies that the Government of Ontario is committed "in the spirit of reconciliation, to working with First Nations, Inuit and Métis peoples to help ensure that wherever possible, they care for their children in accordance with their distinct cultures, heritages and traditions" (n.p.). The language "wherever possible" here implies discretionary decision-making regarding what is deemed possible in any given situation. In practice, I have seen these decisions made in ways that do not honour the distinct cultures, heritages and traditions of Indigenous people and their communities. For example, there was an Indigenous young person from a Nation in northern Ontario who was admitted to the secure care site I was working in and he requested that his traditional foods be made available to him. He noted that those were foods he was accustomed to eating throughout his life and he articulated a desire to honour his culture, values, and traditions in this way. Conversations were had amongst leadership about this possibility and, by many of the folks in leadership, it was deemed to be simply a "preference" and I recall one person in particular noting that "this isn't a restaurant – we can't accommodate what every kid wants." Chalking this young persons' desire to have culturally-appropriate foods available to them as a "preference" was deeply disrespectful and dismissive of the values of this Indigenous youth and indicative of a broader, systemic dismissal of Indigenous ways of life. The Thunder Bay Investigation report emphatically states "there is no question that there is an alarming lack of appropriate services for Indigenous youth in care" (2019, p. 65). These are some of the ways that anti-Indigenous racism shows up in secure care.

The panel employed as part of the Ontario Coroner's Report found that "despite the complex histories and high-risk nature of [Indigenous] young people's lives, intervention was minimal and sometimes non-existent" (Safe with Intervention, 2018, p. 5). They identified that this finding was consistent with what they heard from youth regarding their lived experiences as well. The way Indigenous young people's lives are characterized here is indicative of a level of responsibilizing the individuals and/or communities, as opposed to appropriately situating the targeting and harm that Indigenous young people experience within the transcarceral systems that wield power over their lives. Indigenous youth are often described as a "high-risk" or "at-risk" population. Reime (2017) reports that in their study, youth did not describe themselves as vulnerable, at-risk, or in need of control. Follesø (2015) found that "'at risk' is related to the individual youth's actions, and thus, the term underestimates and overlooks complex life situations and structure" (as cited in Enell and Wilinska, 2020, p. 31). The Panel's findings regarding the realities faced by Indigenous young people were staggering given the commitments that exist in legislation. They found that "the services provided to the eight Indigenous young people were largely unresponsive to [their] needs; there was a lack of culturally safe, trauma-informed approached with a focus on prevention and family supports" (Safe with Intervention, 2018, p. 5). They further noted "when [an Indigenous young person] could not remain in their homes, they were often removed from their communities altogether. Following removal, there was minimal connection to Elders, land-based teachings, traditional ceremonies, and wholistic care" (p. 5). The Panel also recognized and situated these findings within the broader landscape of the lived realities of Indigenous people and their communities in Ontario including "limited access to resources," "inadequate shelter, water, and food," "[inequitable] access to education, healthcare including mental healthcare, social services, and recreational services" (p. 5).

The philosophy of wholistic care was introduced to the Panel by the three Indigenous Elder members. They asserted that "all services should be provided in ways that address the continuous interaction of the physical, mental, emotional and spiritual aspects of individuals. While this concept is age-old in Indigenous communities, it is not widely embraced in Ontario's westernized system of care" (p. 13). The Panel also identified staggering inequities in resources and supports for mental health that are available in northern First Nations communities, meaning young people The Coroner's Report was that "traditional Indigenous approaches […] be incorporated into child and family services because they are more effective in meeting the needs of Indigenous families in Ontario," (p. 57). Further, the Panel named the need for "culturally appropriate oversight that is developed by Indigenous communities and takes into consideration structural barriers" and for "Indigenous communities [to] be enabled, supported and funded to self-govern in a nation-to-nation relationship with Ontario" (p. 60). They call upon both federal and provincial governments to "immediately provide equitable, culturally safe and relevant services to Indigenous young people, families and communities in Ontario (p. 8).

The Ontario Indigenous Children and Youth Strategy's vision is that "First Nations, Métis, and Inuit and urban Indigenous children and youth are healthy, happy, resilient, grounded in their cultures and languages and thriving as individuals and as members of their families and Nations or communities" (2021, n.p.). The Strategy articulates an aim of "build[ing] holistic, culturally-based and community-driven approach[es] to child and youth services" (2021, n.p.) and is supported by Ontario's Long-Term Strategy to End Violence Against Indigenous Women and Ontario's Commitment to Reconciliation with Indigenous Peoples and Family Well-Being program.

Queer Youth

One of the goals articulated in Ontario's Quality Standards Framework is that "children and young persons feel that the licensed residential setting where they reside is safe (culturally, spiritually, physically, emotionally and mentally), inclusive, and accessible" (2020, p. 48). Further, they call upon residential service provisors to "adopt anti-racist, anti-colonial, and anti-oppressive practices […]" (p. 14). The Framework recognizes that there are instances where it is not in the best interest of the child to be placed within close proximity to their home community. An example they provide to illustrate this point is a queer youth whose identity is not accepted by their home community. They emphasize the importance of grounding decisions regarding placing priorities in the child's safety and what environment would best meet their needs.

The LGBT2SQ Resource Guide states that "for two-spirit and LGBTQ Indigenous, Black, and racialized children and youth, culturally appropriate placements and facilitating connections with community members, mentors and cultural spaces that affirm and support their sexual and gender identities is critical to providing good care" (2018, p. 47). They note that "a trauma-informed service provider understands and promotes psychological safety for children and young persons by supporting them to have an active voice in their care" (p. 47). This is of particular importance in the context of queer youth experience a much higher rate of attempted suicide than the overall youth population in Ontario. The LGBT2SQ Resource Guide further notes that "approximately one-third of LGBT2SQ youth who have been bullied have attempted suicide in comparison with 7% of the total youth population" (p. 28). The Resource Guide also references the 2015 national study of children and youth who experience homelessness in their identification of child welfare involvement as a "key risk factor" for homelessness and note that "a disproportionate number of LGBT2SQ children and youth experience homelessness" (p. 28).

The Resource Guide also speaks to the higher rates of suicide attempts and suicidal ideation that is experienced by Two-Spirit and Indigenous LGBTQ children and youth, recognizing that the reasons for this are rooted in ongoing impacts of systemic anti-Indigenous racism, colonization, and intergenerational trauma (2018).

The LGBT2SQ Resource Guide offers a number of important considerations for staff who are consulting safety and risk assessments to consider when working with LGBT2SQ young people, which again, are simply recommendations and do not hold force of law. They note a number of examples of "maltreatment and rejecting behaviours" that a child protection worker "may wish to consider" (p. 42):

- "Physical punishment because of the child or youth's sexual orientation, gender identity, and/or gender expression;
- Verbal harassment or name-calling related to the child or youth's LGBT2SQ identity;
- Being forbidden from dressing, grooming, or expressing their gender in a way that is consistent with their gender identity;
- Being prevented from accessing healthy LGBT2SQ supports and community, such as peers or mentors;
- Being prevented from accessing gender-affirming health care and transition support;
- Refusing to acknowledge a transgender or gender diverse child or youth's choice of name and gender pronouns; and/or
- Subjecting the child or youth to reparative therapy, religious conversions, or other treatment designed to attempt to change sexual orientation and/or gender identity" (p. 42).

I found myself curious about this use of soft or weak language ("may wish to consider") when speaking to the lived realities of queer youth, where in other sections of the Resource Guide, stronger language was used to speak to the needs and unique experiences of queer youth. Examples of this include describing an intersectional approach as "central" to the provision of services for youth "impacted by the risks and challenges associated with their gender identity, gender expression, and/or sexual orientation" as well as stating that "Indigenous, Black and

racialized LGBT2SQ children and youth need access to holistic supports and services" (2018, p. 19). The Ontario Quality Standards Framework also highlights an intersectional lens as important in recognition of children and young people being multi-dimensional and requiring supports that are responsive to that recognition (2020).

Youth Voice and Resistance

In the same ways it feels important to name the carceral violence and ongoing harms inflicted upon these youth, it feels ethically and morally accountable to name their resistance to said violence. Safe Management Group's Crisis Intervention Training Program Participants Workbook, concerningly, describes circumstances under which a staff is being "coerced" by a young person as when the following occurs:

- "an individual begins unacceptable behaviours in response to something you have done that the individual does not like[;]
- The behaviour only terminates when you provide whatever it is the individual wants" (2021, p. 55).

Framing young peoples' resistance or their dignity-seeking/justice-seeking behaviours as "coercive" implies that the young person is being manipulative and furthers the justification for the use of intrusive and violent measures by staff. I cannot help but wonder if that this is what transpired in Justin's case and ultimately, led to his tragic death.

Reynolds (2020) refers to resistance as "all of a person's or people's responses against abuses of power and oppression, and the many ways that they maintain their dignity and move towards justice" (p. 353). In situating the concept of youth resilience, I borrow from journalist, anti-racist educator, and author of new podcast called Don't Call Me Resilient, Vinita Srivastava who states that "continuously asking whole communities to be resilient in the face of police violence, land theft, lack of healthcare and job security, can cover up many things, including

ongoing state-sanctioned violence against Indigenous communities, and public health biases." (Toronto.com, February 16, 2021). To contextualize Srivastava, I turn to the work of Achille Mbembe, who would refer to these conditions as necropolitical; that is, embedded within and intrinsically linked to "the capacity to dictate who is able to live and who must die" (Mbembe, 2019, pg. 66). Additionally, de Finney et al. (2019) also borrow from Mbembe, with reference to the colonial politics of necrowarfare, deservedness, and disposability which operates to legitimize the ceaseless apprehension of and violence toward Indigenous children, women, girls, trans, nonbinary, and 2Spirit folks. For youth who are targeted by transcarceral systems, sometimes the only way to survive is to be resilient in the face of that violence or the threat of death; the only "choice" one is presented with.

According to the Thunder Bay Investigation report, the Ministry was in the process of revising SOR guidelines (in 2019) with the intention to clarify expectations regarding information to be included, when SORs need to be submitted, and by whom (2019). The Ministry further indicated, according to the investigation report by the Office of the Provincial Advocate for Children and Youth titled "Alex," that Ministry staff had been trained in 2017 on "documentation requirements […and…] business practices" and that they will also receive training on "note taking and interview techniques to ensure licensed files are documented in a standardized format" (2019, p. 5). In that same year, the Provincial Office of the Advocate for Children and Youth conducted a comprehensive analysis of SORs submitted to the Ministry (4, 436 in a three-month period). They found that an alarming 59% of the SORs were missing the child's view which is a specific requirement. (ocaarchives.wordpress.com). While the importance of the inclusion of the child's view should be captured under "documentation requirements," for which the Ministry indicated staff had been trained, there is no explicit

mention of this requirement which is concerning considering the majority of SORs were noncompliant in this area.

The expert Panel employed for the Coroner's report reflected the views and perspectives of Indigenous young people summarizing the key pieces:

- "because their communities have a recent history of growing up without parents (in residential schools), they do not have any parenting skills;
- […] Lack of parenting supports and classes in, and appropriate to, their home communities;
- […] westernized parenting classes "[forced] a foreign model onto a culture";
- […] a model where families heal together would be a better fit in their communities;
- […] communit[ies] raising a child;
- […] the nuclear family model is not in practice in most Indigenous communities;
- […] parents are often told that they will get their children back when child protection services apprehend but they don't, contributing to the mistrust of the societies in the communities;" (p. 41)
- "[…] the importance of connection to the land;
- […] wanting opportunities to go out on the land, and to hunt and fish;
- […] culture shock they experienced when they were removed from their communities;
- […] facing racism in urban settings;
- […] using alcohol as a way to escape" (p. 42)
- […] it might be better to remove parents from their communities for treatment and support, rather than apprehending young people" (p. 43)
- "[…] the United Nations Declaration on the Rights of Indigenous Peoples should be honoured and implemented in Ontario, and these rights should be taught to Indigenous young people early in life;
- […] need for mental health services on-reserve to be available 24/7;
- […] communities need more education on suicide prevention;
- […] services should be available in the Indigenous languages spoken by the people they serve" (p. 74)
- "[…] substance use treatment services, counselling and traditional healing services
- […] are […] necessary" (p. 74).

Chapter Five: Conclusions and Recommendations

Discussion

In recognition of the dearth of research on secure residential youth care in Canada, my research seeks to fill this gap by providing both a historically situated view of the system and a critical lens on the unique ways in which this system impacts Black youth, Indigenous youth, and queer youth. Through chapter 4, I engaged in discussion around the discrepancies emergent in the legislation governing secure care in Ontario versus the operationalization of the system and its various agents. This included my own critically reflexive narratives, recounting memories and learnings from my experience working in secure care. I also attempted to highlight youth voice and youth resistance in this research in ways that aligned with my values and ethical commitments to not contribute to the harm often caused to young people through the extraction of their stories and experiences for research.

This research has explored the following questions: What historical, political, and ideological underpinnings led to the development of the secure residential youth care system in Canada, and more specifically Ontario? What mechanisms are Black, Indigenous, and queer youth disproportionately targeted and harmed by in the enactment of secure residential youth care through policy, legislation, and practices? How is language such as "care," "safety," and "secure" utilized to obscure carceral practices within the legislation, policy, and other powerful and persuasive documentation? How do youth confined to secure care resist and engage in reclamation of dignity and self-determination? First, I provided a review of the literature that speaks to secure care in an international context, provided a historical and material situating of the system, and briefly identified the landscape of secure care across Canadian provinces. I then

grounded this work within the history of colonization and Black enslavement and a discussion regarding the enactment of colonial logics (transcarceral systems, Prison Industrial Complex, and the pipeline(s)) to uphold and sustain this system. Then, using an amended Critical Anti-Racist Discourse Analysis methodology, I critically examined the data, identifying emergent themes and how they came into conversation with my research questions.

My first research question was largely attended to through my literature review and historical and material situating; while reflections speaking to my second, third, and fourth research questions predominantly came through analysis of the data. It is my hope that this thesis will provide support and guidance to readers who may be working in secure care, or any transcarceral system, who are seeking to practice in more radical and justice-seeking ways alongside young people. Through my critically reflexive narratives, I hope other practitioners will see themselves and find inspiration to transform the way they come to their work, and particularly, their relationships with young people. Through the youths' stories, voice, and resistance, I hope other practitioners will be compelled and moved to reflect on how they can engage in tangible acts to support the liberatory efforts of young people they work alongside.

Promising Practice

Many times, throughout my research, I found myself becoming increasingly challenged by the idea of how the secure care system could either be radically transformed into something entirely different than what exists today or dismantled altogether. I recognize that one of the reasons this thought is challenging for me is because I have been steeped in the logics of

Western, colonial, transcarceral systems throughout my life; systems that are punitive and not care-centered.

In colonial states, we are continuously taught to believe that these transcarceral systems are "as they should be"… not because they are most effective, not because they result in better outcomes for children and youth, and not even because they are more cost-efficient than anti-carceral alternatives. Simply because the success of colonialism and the capitalist system that governs colonial states is upheld through the simultaneous centring of Western ideologies and the dismissal of Indigenous[8] systems of care and governance. Kim (2019) asserts that by critically analyzing the neoliberalization of the welfare state alongside the enormous expansion of incarceration, we can clearly see that carceral systems work to sustain conditions of structural punishment. Kim cites Smith (2010) arguing that one cannot trust said systems to intervene with any harm-reductive strategies (Smith, 2010). Kim (2019) contends that we must go beyond tactics of reform and restoration and instead work toward radical transformation. Radical transformation demands radical reflexivity on the part of those who are working in, and upholding said systems, in which I include my former self. Mack and Na'Puti (2019) offer "Rather than seek justice from the legal and political systems of settler colonial nation-states, Indigenous activists often provide alternative approaches that privilege Indigenous forms of community building to confront gendered violence" (p. 348). Though this quote refers specifically to gendered violence, it applies aptly and beautifully to confronting carceral violence in the many ways it emerges. The crux of this quote being the intention to move away from the state when seeking justice. Centring that notion, what might it look like to seek justice [and care]

[8] Here I refer to global Indigenous populations, as Indigenous systems of care and governance are marginalized, dismissed, erased, and criminalized all over the world.

from other places? What if justice and care were sought amongst our communities? In our families? I would like to point to an example of a community effort seeking to do just that to illustrate alternative approaches to justice and care.

Oba Olufunke (2018), a former social worker in the child welfare system in Ontario, and a Black parent, developed a research approach informed by CRT called Youth and Elders in Solidarity (YES). The YES approach builds on qualitative methods by facilitating an exploration of marginalization and oppression through an Afrocentric lens, honoring suppressed voices. It is unique in its use of ceremony, celebration, food, fellowship, and reciprocity. Importantly, it hails participants as knowledge creators, not research subjects. Olufunke identifies that their "search for a meaningful way of telling the untold stories of Black youth led to creating the Youth and Elders in Solidarity approach […] which reflects its intergenerational collaboration, solidarity movement, community healing, and capacity building features" (p. 3). In fact, Olufunke used the YES research approach for their doctoral dissertation, noting that this "demonstrated that Indigenous epistemology can produce intellectually and ethically sound research" (p. 4). In African nations, elders are resource persons or opinion leaders in the community based on status, age, knowledge, skills, and ability to transmit values from one generation to the next. Their knowledge derives not from individual acumen but from collective knowing (Asante, 2003; Dei et al., 2000) as demonstrated by the proverb, "By listening, the elder is considered wise" (Nigerian proverb, n.d.). Knowledge comes not from experts or institutions but is synthesized from and within the community (Baskins, 2016).

The first time I read Olufunke's work, I remember reflecting on how different the young peoples' outcomes who are often targeted by transcarceral systems could have been had this lens

been applied to the work from the ground up. From the way the supports are imagined and conceptualized to the way they are operationalized and mechanized, putting young people, their elders, and culturally-grounded practices at the centre has the capacity to radically transform their experiences and outcomes. Olufunke (2018) demonstrated this when she evaluated the efficacy of YES as both a research approach and a therapeutic and community building tool, citing this approach as being both "empowering and transformational for youth, elders, parents, community, and the researcher" (p. 11). Within the system of secure care, there are numerous micro and macro ways in which the voices of youth, their elders and community members are not only dismissed or disregarded, but frequently not sought to begin with. A few examples where I witnessed this happening were in relation to food choices, observing sacred days, cultural gestures and language being marked as deviant, and the lack of Indigenous language learning opportunities.

The efficacy of supports provided often was not evaluated or reflected on in meaningful ways, as young people came in and out of secure care "like a revolving door" (one of the staff at the secure care centre used this language) while others were rendered homeless or died by suicide or toxic drug supply. These instances were deemed tragedies, at times inciting calls for action to transform the conditions of the system, spurring inquests and commissioned reviews, with little material change to the structures and the embedded carceral logics that underly them. Some jurisdictions are establishing lived experience advisory panels to provide collaborative feedback on projects and initiatives. The Canadian Association for Mental Health (CAMH)'s Provincial System Support Program has established the *Lived Experience & Family Advisory Panel* in Ontario citing the desire for this panel to "contribute important feedback and perspectives of lived experience to our system change work" (cmhak.on.ca). The language of

such initiatives itself is interesting as it reflects "contributions, input, feedback" – all passive components of the work, as opposed to action-oriented calls such as "lead, guide, transform." I wonder what radical shifts we would see in the efficacy of programs, projects, and initiatives professing to support young people if their voices and those of their communities were seen as vital; if their experiences reflective of lived-expertise and wisdom. As Davis (2016) states "it is in collectivities that we find reservoirs of hope and optimism" (as cited in Ford, 2016, p. 756).

Recommendations and Reflections

For social justice and human-service practice

The field of child and youth and care and the human service sector would benefit from making firm and sustained commitments regarding the centring of children and youth's voices in how curriculum, policy, practice, and programs are developed and delivered. As Clark (2012) states "just as policies are created, monitored and implemented by individuals, their outcomes are lived by individual [children and youth]" (p. 135). She goes further to offer "By viewing the stories of individual girls [children and youth] as extensions of larger sociocultural processes embedded within a historical context, the true impact of current policies and policy processes can be revealed" (p. 136). Dolores Delgado Bernal, Chicana feminist and critical race theorist notes that amplifying youth voice and utilizing storytelling enables CRT scholars to participate in redefining how and by whom knowledge regarding race and racialization in our society is produced (2002). Delgado Bernal further asserts that students of color are holders and creators of embodied knowledge and that their "histories, experiences, cultures, and languages are devalued, misinterpreted, or omitted within formal educational settings" (p. 2).

Richie and Martensen (2020) delineate between liberal feminist social work and Anti-Carceral Feminist social work, rooted in abolition praxis. Positioned as alliance-building with targeted communities, this work must centre the liberation of those most impacted by the punishment industry. Abolitionist praxis can look at a multitude of different ways because the feature of this way of working is that it is guided by, and centred on the voices, experiences, and the collective liberation of members of targeted communities. In her interview with Claire Schwartz (2021), abolitionist organizer and educator, Mariame Kaba quotes her father Moussa Kaba in his assertion of the importance of collectively. He states "everything worthwhile is done with others" (n.p.). In Kaba's book 'We Do This 'Til We Free Us' (2021) she quotes Saidiya Hartman, in connection with her father's notion of collectively, who stated that "care is the antidote to violence." These sentiments are closely connected to what Lori Gruen refers to as an abolitionist ethic of care. In her lecture titled 'carceral logics: an abolitionist critique,' she states that "an abolitionist ethic of care focuses on the particularities of caring relationship informed by differences in context as well as the racial, economic, ethnic, cultural, and differently gendered experiences of individuals and those they care for in community" (https://www.youtube.com/watch?v=XkvskZWt4oM).

For further research

Two of the primary areas for further academic research that emerged from my analysis were the need for research that is centred on and guided by youth voice, particularly with an exploration of the realities and lived experiences of targeted youth who were not highlighted in this research. For example, applying a disability lens to this research or a critical class analysis, unveiling the role poverty plays in the proliferation of state sanctioned carceral violence. In

addition, a comparative analysis of other Canadian jurisdictions who have secure care legislation may bring about further insights, identify promising practices, and landscapes for radical transformation.

Within the field of CYC, given its emphases on therapeutic relationships, and "co-created space between [a practitioner] and a child, youth, or family member" (Garfat and Fulcher, 2011, as cited by Vachon, 2020, p. 69), an interesting area for further research would be a critical examination of the relationships between agents of secure care, the young people in secure care, and their families. I did not come across any research of this kind in my literature review or data collection.

For self

This research, and what brought me to this work, has implored me to excavate the underpinnings of how I work, how I engage in relationships and community-building efforts. It has moved me to seek radical and justice-seeking ways to be a part of building new worlds. I am currently working in a role in the provincial government where I have had the opportunity to be involved in making some considerable transformations to B.C.'s *Adoption Act* and associated regulatory reforms through the passing of Bill 38. As quoted in a news release on November 25, 2022, "*The Indigenous Self-Government in Child and Family Services Amendment Act* makes B.C. the first jurisdiction in Canada to recognize an inherent right of self-government specifically in provincial legislation, which will help keep Indigenous children and youth safely connected to their families, cultures and communities. The legislative amendments remove barriers and gaps within provincial legislation, enabling the Province and Indigenous Peoples to

collaborate and ensure Indigenous Peoples can govern and provide services based on their own child and family laws." (news.gov.bc.ca).

Having the opportunity to be involved in this process, and to fulsomely analyze the political and legislative landscape that enables secure care in Ontario, shone a light for me on the power of language and commitments enshrined in legislation versus in policy documents, guides, frameworks, manuals, et cetera. What this also revealed for me was the duration of time it takes to make legislative amendments even when there is political and social pressure to do so. Bureaucratic processes are slow and, many times, lack efficacy due to the shifting of political will, ideological barriers, mandate deliverables, and budgetary allocations. It has become clearer to me through this research that it feels important for me to work in contexts where transformative change is underway, whether that be systemic or interpersonal/relational. Continuing to embed and imbue these values into my work is imperative.

Reflecting on my experience of surviving sexual traumas as a young person, working in secure care as a very young adult, moving several years later into my graduate studies, and now, thirty-one years old and preparing to complete my research and defend my thesis, I am struck by all I have learned and all the ways my lens has been transformed. This journey will be woven into my future practice as a counsellor, as a continue to seek ways to work alongside young people (and all folks I come into relationship with) in dignity-centred ways. I will hold the complex truths, tensions, grief, and enraging realities present in the existing systems and the harm they (we) cause. I will re-commit each day to tangible acts of divestment from carceral and colonial systems of "care" with renewed energy to co-create more just futures. I will close this work with a reflection from Adrienne Maree Brown from *Emergent Strategy* "How do I hold a systemic analysis and approach when each system I am critical of is peopled, in part, by the same

flawed and complex individuals that I love? This question always leads me to self reflection. If I can see the ways I am perpetuating systemic oppressions, if I can see where I learned the behavio[u]r and how hard it is to unlearn it, I start to have more humility as I see the messiness of the communities I am part of, the world I live in" (p. 146).

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