Promoting Self-Determination Amongst Youth in Conflict with the Law: Are Advocates Doing Their Part?

by

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ABSTRACT

This thesis used data from eleven advocacy reports published between 1998-2017 in the province of Ontario. The reports ranged from specific youth facilities such as the Roy McMurtry and Hamilton Wentworth centers to reports that generally focused on the experiences of youth in conflict with the law. The study aimed to understand how well youth in conflict with the law are provided with the tools to better self-advocate. To do this, a qualitative study was conducted using a grounded theory approach to uncover key themes. Three overarching themes were explored: Conditions of Confinement, Lack of Access to Advocacy, and Youth Self-Development. Ryan and Deci's (2001) Self-Determination Theory were used to analyze how well advocates promoted the self-determination of youth in conflict with the law through autonomy, relatedness, and competence. Findings suggest that youth struggle in relationships, are not provided with the tools to succeed, and lack autonomy all of which are in opposition to notions of self-determination.

Keywords: Youth Advocacy; Self-Determination Theory; Youth in Conflict with the Law

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     I hereby certify that I am the sole author of this thesis and that no part of this thesis has been published or submitted for publication. I have used standard referencing practices to acknowledge ideas, research techniques, or other materials that belong to others. Furthermore, I hereby certify that I am the sole source of the creative works and/or inventive knowledge described in this thesis.

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LIST OF ABBREVIATIONS AND SYMBOLS

SDT   Self-Determination Theory

CRC   Convention on the Rights of the Child

CFSA   Child and Family Services Act

Chapter 1. Introduction

Advocacy refers to representing or defending others. Youth advocacy focuses on representing the voices and interests of children and youth. Establishing a separate youth justice system in most western jurisdictions was the beginning of the realization young people in conflict with the law are worthy of legal rights ("*Principles of the Act",* n.d). In Canada, legislation such as the *Young Offenders Act (1984)* provided youth in conflict with law with important legal rights such as due process (Rosen, 2000). The development of youth advocacy became critical with the creation of the *United Nations Convention on the Rights of the Child* (1989). This Convention became influential as it helped further establish and protect and maintain children's rights worldwide (United Nations, 1989). As a result, youth advocacy became more of an area of interest for academic research (Reynaert et al., 2009). Youth advocates often must represent youth rights and youth voices when youth are most vulnerable.

Despite the significance and importance of youth advocacy, particularly for youth in conflict with the law, little research exists which examines and critiques youth advocacy. This thesis will attempt to do so by using Self-Determination Theory (SDT) to examine the work of youth advocates via advocate reports in the province of Ontario. SDT theory is an appropriate vehicle by which to analyze the work of youth advocates as it seeks to address the psychological needs imperative to positive youth development (Ryan & Deci, 2000). It includes analyzing the dichotomy between a person and their environment (Vallerand et al., 2008). For youth, there are several important developmental tasks that can be seen as directly related to SDT. Primary among these are in relation to self-definition, self-governance, and independence (Steinberg et al., 2004).

Chapter 2 will review the literature on advocacy, youth advocacy, and self-determination theory. Chapter 3 will outline the methodology used for this thesis. Chapter 4 will review key results. Finally, Chapter 5 will conclude with a discussion of limitations of the study, the study's contribution to research, and opportunities for future research.

Chapter 2: Literature Review and Theoretical Framework

Literature Review

This chapter's purpose is to provide a contextual background to understanding youth advocacy. The first are of discussion is what is advocacy? This section will highlight key concepts, examining what advocacy is, exploring the different types of advocacies, and key factors to consider when critically evaluating advocacy. The second area of discussion will include examining what advocacy looks like for youth. A historical context outlining the early formulation of youth advocacy will be provided. The last area of exploration will include a critical analysis of youth that highlights the benefits and critiques of youth advocacy. This chapter will also present the study's theoretical framework, Self-Determination Theory (SDT), which will be used as a means by which to critically examine youth advocacy.

What is Advocacy?

Broadly speaking, advocacy is "the act of directly representing or defending others" (Barker, 1999, p. 11). The act of representing or defending others Reid (2000) explains, often takes the form of understanding the range of individual and collective expressions related to a specific topic or policy. This is because advocacy involves understanding and interpreting issues that are brought forward to assist in helping an individual or specific cause. Casey (2011) explains that these collective expressions are influential and critical, as they can influence and affect changes in policy. An advocate agency's collective expressions or priorities become critical to an organization's operations. Pressure to change genuinely comes from within. For example should an individual or group within an advocate agency feel that the policies or goals

of the organization do not align with the best interests of the agencies mandate or does not represent the organization in an authentic manner.

One of the most influential scholars on the stages of advocacy is Hoefer. Hoefer (2019) has developed a conceptual framework outlining the stages of advocacy. Hoefer (2019) explains that the five stages of advocacy are: getting involved, understanding the issue, planning, advocating, and evaluating. Engaging in advocacy involves analyzing the psychological readiness and motivations for an advocate to engage in specific work types (Hoefer, 2019). Hoefer (2019) explains that often, people have become outraged by a particular situation, and this provides the motivation behind engaging with a specific type of advocacy work. According to Hoefer (2019) one of the most challenging stages of advocacy work is this process that involves identifying an issue or problem, and then identifying who might be most likely to be negatively or positively impacted.

Boyne and Walker (2004) also refer to this as the strategic stance, which consists of understanding the issue at hand, and planning how one can successfully operationalize a preferred solution to the problem. Hoefer (2019) suggests that this stage involves identifying what is needed to advocate effectively and determining the proper targets of advocacy. The final stage of advocacy involves engaging in dialogue with other individuals regarding what one is advocating for and evaluating one's efforts in achieving one's goal (Hoefer, 2019). Chapman and Wameyo (2001) explain that successful advocacy includes setting clear and realistic goals that are achievable. This takes into consideration both an organization's individual and collective goals.

Different Types of Advocacy

There are two main types of advocacies: Case/ Individual Advocacy and Systemic Advocacy (Casey, 2011; Dalrymple, 2004). Case Advocacy involves seeking remedies for a small group of people, such as individuals and families (Casey, 2011; Dalrymple, 2004). In contrast, Systemic Advocacy involves working to affect structural change (Dalrymple, 2004). *The Office of the Child and Youth Advocate of Alberta* (OCYA) (n.d) defines structural change as an attempt to work through broad changes in policy, practice, and legislation. This means changes that are universal and have an impact on society and social issues. For example, changes that would impact all poor children, not only children from a particular neighborhood.

Casey (2011) suggests that there has been some contention regarding the nature of the relationship between these two types of advocacies. Some scholars have argued individual concerns have equal merit in contributing to structural changes (Casey, 2011). However, others have argued that individual advocacy is a band-aid solution that avoids addressing larger overarching concerns (Casey, 2011). Mahlin (2010) draws on the problems associated with nurses advocating for individual patients. On the one hand, individual nurses who can advocate for their patients help foster stronger patient advocacy as nurses can establish and build a rapport with their clients and therefore advocate on their behalf (Mahlin, 2010). On the other hand, Mahlin (2010) argues that one of the difficulties with individual nurses advocating for their individual patients is it fails to acknowledge the need to advocate fully for all patients in need within the broader healthcare system. Both Casey (2011) and Mahlin (2010) acknowledge the tension in recognizing the role that Case/Individual and Systemic Advocacy may play when

trying to enact change. Neither form of advocacy is not more important than the other both have advantages and disadvantages (Casey, 2011; Mahlin, 2010).

Evaluating Advocacy

When evaluating advocacy, McNutt (2011) argues that it is difficult to establish and effectively evaluate the concrete benefits of advocacy. How does one address the 'essence' of a particular problem? Who identifies that something is a problem in the first place? The education of advocates provides an important skill set and impacts an advocate's conceptualization of social problems, social change, and social interventions (Greene, 1997). Therefore, advocacy isn't random, and as noted previously, reflects the individuals and groups that make up an organization and that represent a particular cause.

When evaluating the advocacy literature, Test, Fowler, Brewer, and Wood (2005) argue that there is a gap in the literature in terms of examining or exploring self-advocacy. Self-advocacy is described as taking actions on one's behalf ("Unlocking Potential", 2002). Test, Fowler, Wood, Brewer, and Eddy (2005) developed a conceptual framework for self-advocacy. They state that self-advocacy involves knowledge of oneself, one's rights, the ability to communicate, and leadership skills (Test et al., 2005). Finlay and Lyons (1998) explain that one's social identity is a key factor in successful self-advocacy. Two key elements of advocacy are important to discuss. The first is that advocacy work involves representing vulnerable groups who lack power.

A significant component of many of those involved in advocacy work is advocating for marginalized individuals. Scholars have argued that a large component of advocacy work consists of addressing the needs of the weaker and powerless (Schneider & Ingram, 1993; Andrea & Daniels, 1999). Jordan and Tuijil (2000) explain that "the underlying function of advocacy is often

to enhance the self-respect of weaker communities, to improve their self-confidence, constitute integrity and promote mutual trust: all essential ingredients to develop a healthy community" (p. 2052). To develop a 'healthy community' as Jordan and Tuijil (2000) stated, it is essential for advocacy work not only to engage and work with marginalized people but also to provide them an opportunity for their voices to be heard.

DeSantis (2010) describes this as civic participation, meaning that those directly impacted by a cause should have direct input and involvement in that cause. However, DeSantis (2010) explains that within Canada and the USA, and within nonprofit organizations, little attention has been given to connecting the relationship between advocacy processes and marginalized people. Schneider and Ingram (1993) argue that this is problematic as the social constructions of target populations are influential regarding policy and governance. Scheider and Ingram (1993) raise the importance of understanding that groups' social constructions and perceptions are problematic. This is because without being directly linked to a specific group, all it is a perception. Therefore, one cannot identify or claim to identify or understand the needs of a particular population. The scholars are provocative in stating that without being within these target populations, one is unable to understand their needs successfully. DeSantis (2010) explains that as a result, it is important for people within various communities to engage in civic participation to ensure policies that are being implemented provide the most benefit to the people needed.

By recognizing the connections between the role of advocacy work and the inclusion and involvement of those within marginalized communities, policies can be created to help benefit a greater number of people. Therefore, it is critical to include marginalized populations in their

advocacy work. This is particularly noteworthy in the case of vulnerable young people. The second element of advocacy that is important to discuss is that it is political in nature.

Advocacy is Political in Nature

It is essential to recognize that advocacy is not apolitical. Instead, Volokh (2008) explains advocacy is deeply connected to politics as it has become recognized as a public good. As a result, scholars such as Casy (2011) have drawn connections linking the nature of advocacy and government work. They have stated that the relationship between the government and advocates continues to flourish due to the intertwined relationship between the government and the nonprofit sector (Casey, 2011). Todea and Mihaltan (2013) explain that both organization types operate with a specific purpose. The only difference is that nonprofit organizations tend to always emphasize offering support and development (Todea & Mihaltan, 2013). The two institutions are similar however in that they both aim to influence society's organizational structure. The government and nonprofit organizations focus on creating and developing change within society through, the development of policies, legislation, and educational awareness. However nonprofit organizations often must rely on pressuring the government to successfully achieve the desired change and development they may seek regarding policies and legislation connected to their cause.

Advocacy is often political because political organizations financially subsidize advocacy efforts. Secondly, advocacy is often political because of the intersection between political ideologies and political orientations embedded within advocacy work. Some view nonprofits as private extensions of the state (Anheier et al., 1997). This is because agencies such as advocacy centers rely on government funding to operate programs and day-to-day activities. In their study, Schmid, Bar, and Nirel (2008) confirm the fact that human service organizations' revenue from

government sources may be as high as 80-90% of an agency's annual budget. In Ontario, the government is the largest generator of revenue for nonprofits at 49% (see Figure 1) (Scott et al., 2006). Since the government often funds advocacy work, agencies may feel that they cannot challenge viewpoints of the government of the day, or do anything that may be politically sensitive, for fear of losing their funding. Tensions may exist if the values and political views of an organizational challenge or are in opposition to the government of the day. Ultimately this may mean an organization may have to seek alternative sources of funding should they wish to hold true to their political values.

Figure 1: Ontario's Nonprofit Revenue Distribution
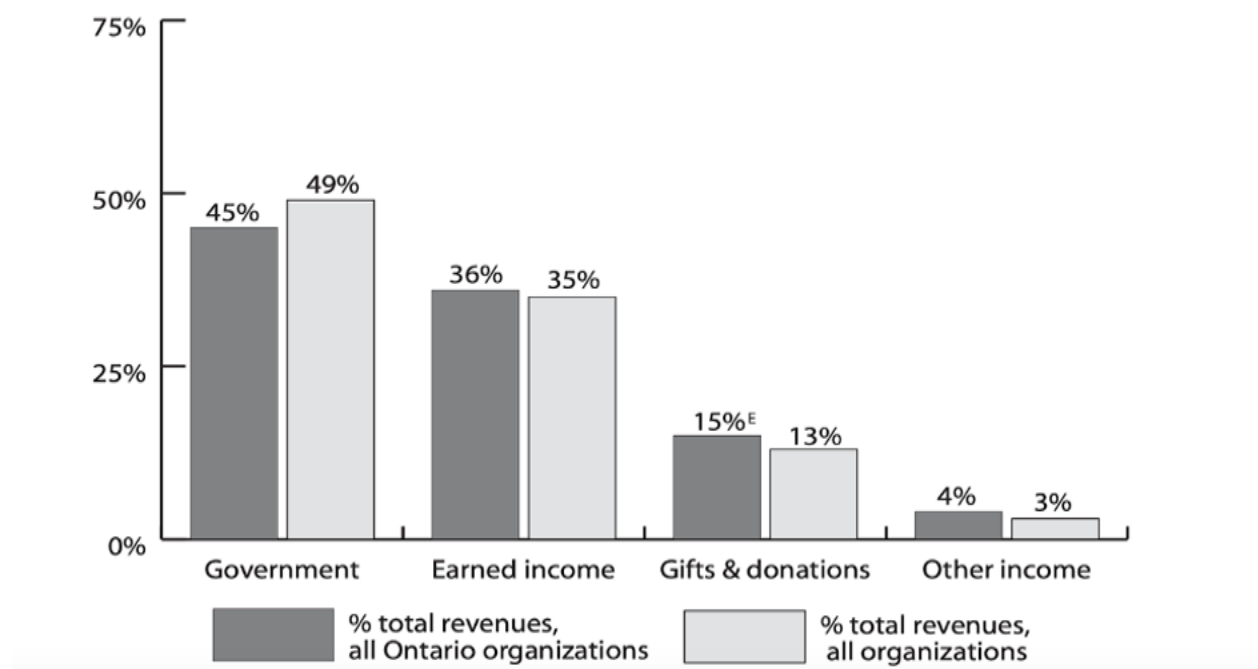
(Scott et al., 2006)

Another important component in understanding why advocacy work is often political in nature is understanding how individuals' political ideologies can impact advocacy work. A political ideology according to Jost, Federico, and Napier (2009) is "latent construct that "... helps to interpret the social world ... Specific ideologies crystallize and communicate the widely (but not unanimously) shared beliefs, opinions, and values of an identifiable group, class constituency or society" (p.309). Therefore, a political ideology is a way in which one can collectively gather one's thoughts to help understand the world around them. Through the collection of these thoughts, through one's political ideology Tedin (1987) explains that shared beliefs within society ultimately can be achieved. As a result, political ideologies are influential when analyzing organizations.

When reviewing the literature, scholars have drawn connections between one's political ideologies and the impact they have on organizations. Scholars have claimed political ideologies shape the strategic choices and values of leaders within an organization (Manson, 2015; Chin, Hambrick, & Treviño, 2013). This is because the operations of an organization will be shaped by leadership preferences. Manson (2015) explains that liberalism as a political ideology is based on the premise of supporting social change and rejecting inequality, and in contrast, conservatives protect the status quo even if this means supporting inequality. It is easy to see how, political ideologies embedded within an organization can ultimately affect the organization's identity and outcomes (Manson, 2015). This connects to advocacy work, because political ideologies within an organization, will ultimately determine the goals and nature of advocacy work that will take place. For example, if an organization has strong liberal ideologies, they are more likely to engage in advocacy work those challenges inequalities as opposed to conservative ideologies.

What is Youth Advocacy?

Early scholars, such as Andrea and Daniels (1999), have attempted to describe youth advocacy as a person that argues for and defends the rights of youth. Not only is the definition provided by Andrea and Daniels (1999) vague and broad, but there has also been a gap within the current literature providing a more accurate and contemporary definition. When referencing the term children, Khan, Kamerman, and McGowan (1972) explain that this includes children within any context with special rights and needs. According to the *Office of Child and Youth Advocate Alberta* (OCYA), youth advocacy is defined as addressing the rights and interests of vulnerable children (*Office of Child and Youth Advocate Alberta* n.d). It may be that it is best to look to the individual advocacy centers' definitions of youth advocacy to best understand how they see their mandate. One could also reference the *Convention on the Rights of the Child* (CRC) (1989) a highly influential international document.

One of the earliest establishments regarding the rights of children and youth was established through the *Convention on the Rights of the Child* (CRC). The treaty begins within Article 1, outlining that a child constitutes anyone under the age of 18 (Farris-Manning, and Zandastra, n.d.). Article 6 outlines the fact that a child has the inherent right to life and that State Parties must ensure they are optimizing the survival and development of the child (United Nations, 1989). The treaty also established d other pivotal rights of children, such as being protected from violence and abuse (Article 19) and being provided with substituted care when needed (Article 20) (Farris-Manning, and Zandastra, n.d.). Canada deciding to ratify the treaty in 1991 (*Children Rights,* n.d.). 191 countries have since ratified this treaty (Farris-Manning, & Zandastra, n.d.). This

treaty has now become recognized for its potential to assist in advancing children's well-being (*Children Rights*, n.d).

Scott et al. (2006) suggest that youth advocacy may take various forms within institutionalized settings such as education, social services, and the juvenile justice system. The authors suggest that for youth advocacy to be successful, the youth advocate must have "comprehensive,' 'integrated,' and 'holistic' approaches (are) especially needed because of the complexity of the problems youth face" (Scott et al., 2006, p. 696). Therefore, scholars have dichotomized the law and policy regarding children and children's rights into two categories (Archard, & Skivenes, 2009). The first category involves analyzing children's rights within the context of the children's welfare system, and the second category involves allowing children to express their views when it affects their interests (Archard, & Skivenes, 2009).

Benefits of Youth Advocacy

Scholars such as Botchwey, O'Connell, and Ricks (2021) have argued that youth engagement in youth advocacy has several different benefits. There are two overarching themes regarding the benefits of youth advocacy. The first benefit is in terms of how youth advocacy helps with youth's community orientation. Frank (2006) argues youth participation benefits the larger community, as it can provide insights and act as a support resource for other youth within the larger community (Scott, Deschenes et al., 2006). This is important because the more youth feel heard, the more inclined they are to experience a connection with their community (Frank, 2006). Scholars have argued that youth involvement within their communities means potential long-term civic (Clement et al., 2014). London, Zimmerman, and Erbstein (2003) explain that

when youth are isolated from opportunities to be a part of a community, there are potential effects on their development. This is because most young people's individual growth stems from real-world experiences rather than controlled activities (London et al., 2003). Therefore, through advocacy, youth are provided with opportunities to impact their development positively. This can be done by using advocacy to give direction, shape, and provide purpose to their actions (Scott et al., 2006).

Secondly, another benefit of youth advocacy is that it allows individuals to understand youth further. Frank (2006) explains that this is obtained by providing adults with a deeper understanding of youth's needs and wants. This is done by including youth at a national level where they can influence public opinion and policy (Scott et al., 2006). Through youth advocacy, there can be both the design and implementation of support for youth (Scott et al., 2006). As a result, by engaging in youth advocacy, one can begin to understand better the beneficial resources needed for youth. London, Zimmerman, and Erbstein (2003) explain that the failure to truly understand youth will ultimately lead to negative stereotypes about youth dominating rather than supporting their needs.

Critiques of Youth Advocacy

There appear to be three significant critiques within the field of youth advocacy. Firstly, the contention between promoting the child's interests versus allowing children to vocalize their wishes (Sclater & Piper, 2001). Secondly, advocate's perceptions that children are less powerful than adults (Frank, 2006) Thirdly, the final critique of youth advocacy is the lack of universally accepted advocacy principles (Dalrymple, 2004).

Within the field of youth advocacy, there is a division between the commitment to promoting the best interests of the child, which Sclater and Piper (2001) describe as the welfare principle, versus giving children the opportunity to share their views (Archard, & Skivenes, 2009). Archard and Skivens (2009) also explain that within the field of youth advocacy, there have been contentions between which promoting the child's welfare versus the child's interests should be a priority. Some scholars such as Dallago, Cristini, Perkins, Nation, and Santinello (2009) argue that promoting the child's interests is more beneficial than the welfare as it will ultimately address their concerns. This is because providing young people with the opportunity to voice their views helps promote healthy development (Dallago et al., 2009). Other scholars, such as Sclater and Piper (2001) have critiqued the division between what to promote by explaining that when assessing the child's best interests, the principle is quite fluid. In turn, this results in one considering all aspects of a child's life, which ultimately considers the wishes and feelings of the child (Sclater & Piper, 2001).

Therefore, the first critique of youth advocacy addresses the fact that whether to focus on a child's welfare versus the child's ability to voice their opinions is an area of contention in youth advocacy. Some scholars have also argued that providing youth with the opportunity to voice their own opinions places greater emphasis on the child's welfare (Archard & Skivens, 2009; (Dallago et al., 2009). While other scholars have even critiqued the fluidity of the term "the best interests of the child" and what this means in concrete terms (Sclater & Piper, 2001).

Secondly, another critique of youth advocacy is that advocates still hold a vulnerable view regarding children as Frank (2006) mentions. The vulnerable view focuses on the savior

complex, which suggests that children are less powerful than adults and, therefore, need adult

protection (Frank, 2006). Scholars such as Carter (2009) refute Frank's (2006) arguments by

explaining that children are not invulnerable, and adults are neither. Therefore, both children and

adults can be vulnerable. Therefore, stating that children need to be helped by adults due to being

vulnerable is a misguided statement. Children are capable of advocating and voicing their own

needs. In fact, it is problematic to believe that children are incapable of this.

Dalrymple (2004) explains that the notion of children needing adults help from advocates

stems from esoteric knowledge. Esoteric knowledge refers to the fact that young people do not

have the skills or knowledge to advocate for themselves, hence the need for assistance

(Dalrymple, 2004). This assistance is often recognized as needing help from adults due to the

perceived increase of vulnerabilities that children face. Archard and Skivenes (2009) explain that

such views are problematic as it leads advocates to make assumptions regarding the child's

maturity, and understanding (Archard, & Skivenes, 2009). Carter (2009) explains that this could

lead one to make incorrect assumptions about the child's capabilities. An advocate could assume

a child is incapable of understanding something, resulting in seeking adult assistance when the

child has full capabilities. This is problematic as it leads to advocacy being about advocates

deciphering what they believe the child understands rather than providing the child the

opportunity to express their autonomy.

Finally, a last major critique within youth advocacy is the lack of universally accepted

advocacy principles. Dalrymple (2004) explains that within the field of youth advocacy, there is

a lack of a universally agreed-upon code of ethics and a lack of cohesive training. This is

problematic since, without universally accepted principles regarding youth advocacy, youth

advocates have no point of reference in ensuring minimum standards for youth are adhered to.

This ultimately leads to the poor treatment of vulnerable youth in care.

Theoretical Framework: Self-Determination Theory

The following research questions were framed using the theoretical lens of Self-

Determination Theory (SDT). SDT is a theoretical framework that analyzes human motivation to

attain three psychological needs: relatedness, autonomy, and competence (Jones et al., 2021).

Ryan & Deci (2012) explain that psychological needs refer to the necessities for growth,

integrity, and wellness. In optimizing these needs, there is the opportunity for individuals to

function healthily within their environments (Ryan & Deci, 2012; Ryan & Deci, 2000). If these

psychological needs are not satisfied, then there is the potential for an individual to face negative

psychological consequences (Ryan & Deci, 2012). As a result, it is important to address that the

purpose of SDT is to highlight the importance for humans to be involved in the inner resources

regarding personality development and behavioral regulation (Ryan & Deci, 2000).

Ryan and Deci's three psychological elements of relatedness, competence, and

autonomy, acknowledge that these are the minimum requirements needed within a social

environment to help one grow psychologically (Ryan & Deci, 2001; Ryan & Deci, 2000). The

psychological element of relatedness emphasizes the importance of interpersonal relationships

and being connected to others (Ryan & Deci, 2001; I Ryan & Deci, 2001; Jones et al., 2021). In

their study on gamification, Kam & Umar (2018) describe relatedness as a way of feeling

connected and valued by others. Within their study, relatedness could be attained through

collaborative opportunities and team competitions (Kam & Umar, 2018). Ryan and Deci (2001) explain that when an individual has secure attachments and quality relationships, studies have shown that they demonstrate greater well-being.

The second psychological element within SDT is competence. Ryan and Deci (2012) explain that competence looks at analyzing how well one negotiates their internal and external environments. Specifically, one needs to feel as though they are completing tasks and goals correctly (Jones, Feigenbaum, & Jones, 2021; Ryan & Deci, 2001). Completing these correctly within an SDT framework ensures one feels competent and confident in achieving their goals (Ryan, & Deci, 2012). Bandura and Schunk (1981) explain that competence involves the ability to enact and implement skills needed to manage a task. These skills are often recognized as proximal subgoals (Bandura and Schunk, 1981). Examples of proximal subgoals that Kam and Umar (2018) provide are breaking down learning tasks into smaller goals and providing tangible and intangible rewards feedback. If obtained, this psychological need could help with the development of self-efficacy. Bandura and Schunk (1981) explain self-efficacy as the ability to judge the appropriate actions required in a given situation. Self-efficacy is essential, as it helps one justify the choices of conducting specific actions (Bandura & Schunk, 1981).

Finally, the last psychological element within SDT is autonomy. Autonomy refers to having the independence to regulate one's activities and goals (Duerden & Gillard, 2008; Jones, Feigenbaum, & Jones, 2021). Ryan & Deci (2000) explain that within SDT, autonomy does not refer to one being independent, detached, and selfish. Rather, autonomy within SDT refers to the power of using one's will to engage with their own behaviors and life (Ryan & Deci, 2000; Ryan

& Deci, 2012). Niemiec, Lynch, Vansteenkiste, Bernstein, Deci, and Ryan (2006), explain that autonomy can be attained by providing an individual with the opportunity to exercise choice within the social and physical world if they want to engage with the behaviors of their choice.

As a result, Ryan, and Deci (2001) explain that within a social environment, it is not probable that all three of these psychological elements are equally prominent (Ryan & Deci, 2001). However, according to SDT, the psychological needs of relatedness, competence, and autonomy must be supported as they help intrinsically motivate individuals to positive forms of development ("*Overview: Self-Determination Theory",* n.d)*.*

How has Self-Determination Theory Been Used and Applied to Youth?

Self- Determination Theory (SDT) has been applied to youth within various contexts. Throughout this section, an exploration of SDT and its general application to youth will be explored. Specifically, this section will analyze SDT as it has been applied to youth within the context of physical activity, education, community programming, and youth with disability-related concerns.

With regards to SDT and physical activity, scholars such as in Sas-Nowosielski (2008) Sebire, Jago, Fox, Edwards, and Thompson (2013) explain that lack of motivation is a substantial barrier to school-aged children engaging in physical activity. In Sas-Nowosielski's (2008) study, he examined the implications of the three elements of competence, relatedness, and autonomy, and the degree to which these elements impact one to take part in physical education. The study included 293 school-aged children, and the data was collected through the forms of questionnaires (Sas-Nowosielski, 2008). The results of this study indicated that physical

competence and relatedness were the two key elements affecting behaviour regularly for school aged children (Sas-Nowosielski, 2008). The results of this study helped indicate and stress the importance of having physical education organized based on supporting students at their current level of physical ability (Sas-Nowosielski, 2008).

Similarly, in the study by Sebire et al., (2013) SDT was also used to assess the psychological factors that lead to young people lacking the motivation to take part in physical activity. Sebire et al., (2013) study involved a sample size of 462 young people that were a part of a pilot program called Action 3:30. The purpose of the study was to explore the various different motivation types within SDT and their application to physical activity. The authors of this study were attempting to address a gap within the current literature assessing physiological and motivational needs within the physical activity (Sebire et al., 2013). The results from this study indicated that intrinsic motivation was the only motivation type associated with children's physical activity (Sebire et al., 2013).

In their study Ankeny and Lehmann (2010) explore the application of SDT to four students with disabilities transitioning to community college. The purpose of the study was to explore a transition program with students K-12 and a partnership with a local community college (Ankeny & Lehmann, 2010). Using narrative inquiry as their methodology, the results indicate that this partnership benefited students with disabilities. Specifically, when applying SDT to students with disabilities within the context, the program enhanced their self-esteem (Ankeny & Lehmann, 2010). In turn, this led to the students having higher rates of success in

gaining future employment (Ankeny & Lehmann, 2010). The study demonstrated that when applying SDT principles to youth with disabilities, there is an increased likelihood that to positive development.

How has Self-Determination Theory Been Used and Applied to Youth in Conflict with the Law?

The vast majority of the literature applying SDT and youth in conflict with the law has been applying SDT to understanding the nature of youth delinquency and the transition from prison to restorative forms of community programming. For example, in their study Hakins's and Novy's (2011) conducted a study intersecting SDT and control theory. The study took a mixed-method approach having 27 students from a Texas County Jail (Hawkins & Novy, 2011). The study aimed to determine if SDT competence, autonomy, and relatedness are connected to juvenile delinquency. The results indicated that when youth's core psychological needs are not met, this will lead them to pursue other options (Hawkins & Novy, 2011). Hakins and Novy (2011) results indicate that juvenile delinquency often results from the non-fulfillment of social and psychological needs.

SDT has also been applied to youth in conflict with the law within the context of a restorative community transitioning for youth. In their study Davidson (2014) uses SDT's three psychological elements of competency, relatedness, and autonomy in restorative programming. The study concluded that restorative programs help promote the psychological needs of young people in conflict with the law. The results of the study indicated that restorative programming helps youth in conflict with the law with their self-motivation, well- being, and social functioning (Davidson, 2014).

Finally, the last study that applied SDT to youth in conflict with the law was conducted by Tracey and Hanham (2016). Their study applied SDT and the reintegration of young offenders within the community. The study participants included male offenders, community members supporting the youth in a mentorship relationship, and caseworkers (Tracey & Hanham, 2016). The results from the study indicated that when discussing re-entering the community, offenders had a strong desire for a better life (Tracey & Hanham, 2016). The study demonstrated the SDT psychological needs of competency, autonomy, and relatedness are evident for young offenders transitioning from the institution to the community. Specifically, the results indicated that certain psychological elements proved to be more prominent during pre, post re-entering to the community. For example, when released to the community, elements such as competence and autonomy had proven to be of the most importance (Tracey & Hanham, 2016).

As a result, although these studies have addressed essential themes connecting SDT and youth in conflict with the law, it is still evident that there is a gap in applying SDT within the context of youth advocacy. In reviewing these studies, it is evident that although there has been some work in applying SDT to youth in conflict with the law, more work needs to be done in other areas, including applying SDT to assess advocate's abilities in adhering to the needs stated by youth in conflict with the law. In the following paragraph, the specific parameters explaining how SDT will apply to the current study will be explained.

*How is Self-Determination Theory Relevant to the Study?*

The current study, as mentioned above, attempts to analyze what youth advocates are reporting within youth advocacy reports and whether their efforts are effective in helping foster self-advocacy for youth in conflict with the law. The application of SDT is vital in attempting to answer these research questions, as the theoretical framework helps with holding youth advocates accountable for their actions. For example, when using an SDT framework within this study, firstly, one will analyze if the youth advocates are attentive to the concerns expressed by youth in conflict with the law. Through the SDT's psychological elements of competence, relatedness, and autonomy as a researcher, one will be able to identify whether youth advocates are taking into consideration young people's feedback. For instance, if a young person expressed an institution's lack of programming, it is evident that their psychological need for relatedness involving connecting to others may have not been met.

In addition, SDT will also be relevant to this study because the theoretical framework will analyze whether the youth are being provided with the tools to succeed. Deci and Ryan (2000) explain that when the three psychological needs of competence, autonomy, and relatedness are met, one is more likely to be intrinsically motivated toward positive development.

The following diagram helps illustrate SDT by explaining that youth development is centered around the three elements of competence, relatedness, and autonomy. The arrows help indicate that there is a reciprocal relationship between the elements. For a young person to achieve positive development, fulfillment of all elements is required.

Figure 2: Components of Youth Development
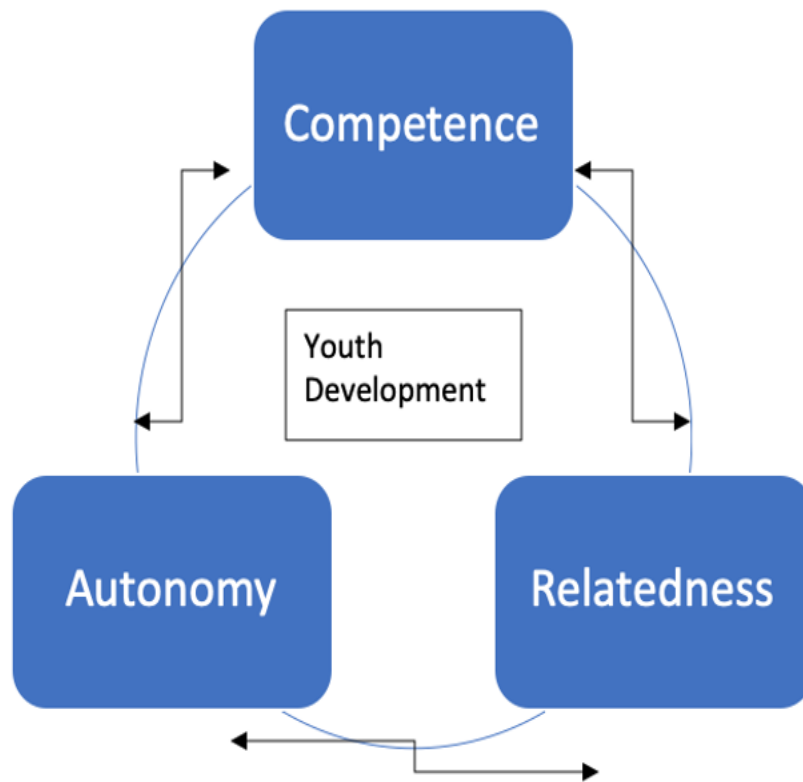
Research Questions

This chapter has attempted to provide a contextual understanding of youth advocacy and to address the gap within the current literature critiquing youth advocacy. Scholars within this section signified the importance for youth to be provided with the knowledge and tools to self-advocate. To assess whether youth are being equipped with these tools, the following research questions will guide my research:

1. What is the nature of topics that youth advocates report in public documents?

2. What are the strengths and weaknesses of youth advocates reporting?

3. Do youth advocates' reports suggest they are helping youth in conflict with the law to exercise self-determination?

4. Do youth custody facilities play any role in youth advocacy?

Chapter 3: Methodology

This thesis will attempt to answer the following research questions:

1. What is the nature of topics that youth advocates report in public documents?

2. What are the strengths and weaknesses of youth advocates reporting?

3. Do youth advocates' reports suggest they are helping youth in conflict with the law to exercise self-determination?

4. Do youth custody facilities play any role in youth advocacy?

A description of specific aspects of the sample and procedures used to explore the aforementioned research questions follows.

Sample

My initial sample was comprised of 40 reports from advocacy offices across Canada. Specifically, the reports were documents published on behalf of specific province's Office of the Child and Youth Advocate and the Office of the Ombudsman. The topics within these reports included analyzing specific youth facilities within the province and systemic reviews of the province advocacy office's responses to children in conflict with the law. The reports were published within the time frame beginning in the 1990s up until 2020. I concluded that Ontario and British Colombia were the two provinces that had the most publicly available reports. There was some thought to doing a comparative analysis of the two provinces. Ultimately, I decided to focus specifically on the province of Ontario. This was in part because of during the 1990s Ontario had some of the highest rates of custody across the country (Smandych, 2006). Also, I have worked

with youth in conflict with the law in Ontario in several different roles. Thus, it is the province whose youth justice apparatus I am most familiar with. Additionally, the goals of the Ontario Child Advocate appeared to be in keeping with key goals of Self-Determination Theory. Finally, I decided on Ontario because of the controversy over the closing of the Ontario Child Advocate Office in 2018 (see below), with its responsibilities and duties being subsumed by the Ontario's Ombudsman (*Timeline,* 2019). Therefore, my analysis to some degree is a targeted sample.

The Ontario Child Advocate (Advocate's Office) was an independent office of the Legislative Assembly of Ontario. [1] The Advocate's Office stated that its work was guided by the principles of the *United Nations Convention on the Rights of the Child (UNCRC)*. In 2007, the *Provincial Advocate for Children and Youth Act* established the Advocate's Office. The Act stated the purpose of the office was:

- To provide an independent voice for children and youth, including First Nations children and those with special needs, by partnering with them to bring issues forward.

- To encourage communication and understanding between children and their families and the people who provide them with services.

- To educate children, youth, and their caregivers regarding the rights of children and youth;

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[1] Note that this material was taken from an Archived Copy of the Ontario Child Advocate's website Archived at: https://ocaarchives.wordpress.com/about/

- To conduct investigations about matters concerning a child or group of children under the care of a children's aid society (CAS) or a residential licensee where the CAS is the placing agency and make recommendations.

Advocacy, as outlined in the Act, was defined as: *"Promoting the views and preferences of children and youth."* The Advocate's Office noted that they conducted their advocacy work to amplify the voices of individuals or groups of children or youth in their mandate to identify issues, find solutions that took their views and preferences into account and worked together with them to promote action on their issues. They also undertook systemic reviews, made recommendations, and provided advice to governments, facilities, systems, agencies or service providers to bring about change in policy, regulations or legislation. The Advocate's Office also provided education and information on the issue of advocacy and the rights of children. The Office could also investigate complaints concerning a child or a group of children receiving services from a children's aid society (CAS) or a residential licensee where a CAS is the placing agency and make recommendations to improve services.

On November 15, 2018, the Progressive Conservative government announced that they would be repealing the *Provincial Advocate for Children and Youth Act, 2007* and would be closing the Advocate's office. This meant that the largest province in Canada would become one of the only provinces without an independent child advocate.

Narrowing my sample to Ontario resulted in a sample size of eleven reports. The reports ranged from those which focused on specific youth facilities such as the Roy McMurtry and Hamilton Wentworth centers to reports that focused more broadly on the experiences of youth in

conflict with the law. These reports ranged from the 1998 to 2017. About seven reports are primarily focused on a youth facility and youth experiences within the justice system, and about four of the reports about youth experiences in a residential setting. Therefore, I believe that the selected reports were best suited to analyze my proposed research questions.

Generally, the reports the Advocate's Office published fall under three different categories a) Those that were in response to a serious incidents and were the result of an investigation b) those that were tackling a broad topic or had a particular theme, for example those that related to a system wide problem - such as the over-use of secure isolation c) those that were related to oversight - inspections of custody facilities which summarized key problems d) those that captured a larger discussion around young people's welfare. Within my sample of 11, 2 reports were related to the overuse of secure isolation, 3 reports related to inspections of custody facilities, and 6 reports were related to larger discussion of child welfare issues.

Procedure

Once I had my sample size of 11 reports, I uploaded the reports onto a software called Obsidian. I then began a grounded theory, inductive, qualitative review of the reports to look for possible themes and sub-themes related to my thesis questions. This included reading each report, and identifying recurring themes, I established 20 sub-themes and three overarching themes. The three main group's main themes that I identified were conditions of confinement, youth rights, and self-development. Within the first main theme of general conditions, I explored themes such as peer violence, lack of programming, safety, young persons' prison experience, and issues with staff. Under the second main theme of youth rights, I analyzed sub-themes such as the complaint

process, youth rights, Ombudsman's messages. Finally, under the last main theme of self-development, I explored themes such as decision-making, empowerment, and positive relationships.

Chapter 4: Results

As noted above, of the eleven reports seven reports are primarily focused on a youth facility and youth experiences within the justice system, and about four of the reports about youth experiences in a residential setting. The analysis of these reports produced three overarching themes: 1. Conditions of Confinement, 2. Lack of Access to Advocacy 3. Youth Self Development.

The first theme of conditions of confinement included data which youth described as being part of their overarching experiences while in a custodial setting. Some subthemes from this theme were basic conditions within the facilities, such as bullying, peer violence, and safety. Additionally, within this theme, youth also expressed their observations of programming within the facilities, the prison experience, and potential issues with staff. Therefore, the first theme became identified as conditions of confinement, as data demonstrated that youth often discussed their day-to-day activities and experiences with advocates. The second theme that was explored was youth rights. Data explored within this theme was regarding how youth described the complaint process while in a custodial setting and their knowledge of their rights. The third theme that arose was about self-development. The topics expressed within this theme pertain to the young person's ability to make decisions, their sense of empowerment, the nature of positive relationships, and systemic issues that the youth identified.

<u>Theme 1: Conditions of Confinement</u>

When a young person enters custody, they then fall under the guardianship of the government. Advocates provide oversight and attempt to speak for and protect vulnerable youth. In fact, often youth in custody are vulnerable youth in a vulnerable situation. I found evidence in the reports of issues that the advocate highlighted, which were critical to the well-being of youth and central to the work that advocates should be doing. They are discussed below.

General Conditions

Throughout the reports, youth addressed concerns to advocates regarding their general care. This care included inadequate food, lack of hygiene, and supplies. Regarding food supplies, many youths in various facilities stated that they were provided with food but an insufficient amount (Ontario Child Advocate, 2013; Office of the Provincial Advocate for Children and Youth for Ontario, 2010). Youth commented that "food keeps you alive but never full" (Ontario Child Advocate, 2013, p. 8). Youth also expressed the fact that due to the inadequate amount of food, "Want more, so we gamble for food... Sometimes staff gamble with us" (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p. 8).

Another concern that youth expressed was regarding the facilities' lack of hygiene. Similarly, regarding inadequate food, youth expressed concern with the inadequate hygienic handling of food. A ⅓ of the youth at the Roy McMurtry believed that the food handling within the facility was not hygienic (Ontario Child Advocate, 2013, p. 62). At facilities such as Hamilton Wentworth Detention Centre, youth stated that mice, hair, and fingernails were in their food (p. 8). Youth also expressed concerns about hygiene products and clothing within the facilities. The youth explained that the hygiene products were disgusting and often gave them rashes. "78% of youth said were given hygiene products; however, comments included "they suck. 4-1 shampoo is gross, the toothpaste is gross…. The toothpaste is disgusting, deodorant gives youth rash" (Ontario Child Advocate, 2013, p. 67). Similarly, at Hamilton Wentworth Detention Centre, a youth explained, "It gives me a rash. It has been recycled; it smells like cat. I wear it and get bumps on my skin" (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p.10). The youth also explained that the rashes and bumps on their skin were from wearing dirty clothing. Staff recommended that youth wear clothing such as underwear inside out due to them being dirty (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p.10).

Peer Violence and Safety

Another aspect addressed throughout the reports regarding the conditions of confinement included youth discussing safety issues and peer violence. The advocate asked a group of 30 incarcerated youth, "think about a time when you felt calm and strong" and the youth replied, "we never did" (Provincial Advocate for Children and Youth, 2015, p.10). Many youths expressed the fact that the lack of safety and fear stems from peer violence and bullying within the institutions. One youth described the fact that "there is always bullying. There are always kids getting beat up, and no one cares. Even if you get rid of one bully, there is always going to be another one waiting to take the bully's place" (Provincial Advocate for Children and Youth, 2015, p. 10).

Another interesting aspect of safety that the youth mentioned was their inability to notify staff and other adults about the bullying within the institutions. Some youth pleaded that "we need something to help us feel safe. It is not only kids who bully. It is also adults. At my old school, teachers bullied me. One even pushed me down the stairs, and no one did anything. We need a place for us where we can feel safe" (Provincial Advocate for Children and Youth, 2015, p.10). However, despite this desire for a sense of safety, youth expressed the fact that they had "seen staff smash kids on the floor and take them down hard" (Ontario Child Advocate, 2013, p. 7). This quote by a youth exemplifies peer violence between youth and staff. Staff also were contributing to youth feeling a lack of safety, only 13% of the youth would discuss with staff feelings of not being safe (Ontario Child Advocate, 2013, p. 34). When describing conditions of confinement, youth expressed the fact that safety was a concern due to the actions of both staff and other youth within the facilities.

Lack of Programming

Youth also expressed the fact that the lack of programming was also an issue. Youth explained that the institutions need increased programming (Snow & Finlay,1998). When asked,

"59% of youth (at RYMC) were either not in a program, were on a waitlist, or the desired program was canceled" (Ontario Child Advocate, 2013, p 79). Aside from the lack of programming, youth also described the fact that there were many restrictions associated with entering a program and that there were long wait times. When asked, one youth said they "asked to get into program a month and half ago, the process is slow" (Ontario Child Advocate, 2013, p. 79). In addition to the long wait times, many youths expressed the fact that the programming was run during inconvenient times (Cooke & Finlay, 2007). With the limited programming that the facilities offered, many youths expressed the fact that they found that the "programs offered did not benefit them" (Cooke & Finlay, 2007, p. 21). Youth explained that most of the programs offered were church/spiritual programs (Ontario Child Advocate, 2013).

As a result of the limited programming, youth described an overall sense of feeling unproductive. Youth explained that their days consisted of "all day on the range, walking around or watching TV. After school and gym [there is] nothing to do" (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p.18). Youth expressed their desire to be busy one youth claimed, "We need to keep ourselves busy. You just sit and watch TV." "I'd say we are locked in our rooms. It would be nicer to do programs, go outside." "Very little to do. No TV during the day. No books of interest. Leads to fights." (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p.18). Therefore, youth expressed their overall discontent with the limited programs offered and their desire to remain productive within the institutions.

Issues with Staff

Another prominent sub-theme addressed within conditions of confinement was youth experiences with staff. When exploring issues with staff, the youth addressed two primary concerns: staff conduct and inconsistencies among staff members. In terms of staff conduct, many youths expressed concern regarding disrespectful staff conduct. One youth expressed the fact that

"they take the officer part more seriously than the human part." Another said, "They just pick and choose who they want to be respectful to—they don't really treat everybody with the same respect" (Ontario Child Advocate, 2013, p. 24). The youth expressed the fact that the disrespect among staff was often in the guise of swearing and disrespectful words. One youth stated, "[Some staff] swear at us. Tell us if we don't shut up while they are watching TV, then go back to cells. Some do things to bait you, and then you swear and go in lockup." (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p. 23). Other youths within different facilities attested to this saying, "staff make borderline comments, rude and unnecessary. They seem to go out of their way to make a problem where there isn't one" (Provincial Advocate for Children and Youth, 2017, p.21). Another youth expressed the fact that aside from disrespectful comments, staff also made derogatory comments. One youth expressed "You should fire the COs. We have to strip naked and they make comments about us. One particular CO says,'Let me see the pink' when we bend over" (Office of the Provincial Advocate for Children and Youth for Ontario, 2010, p.23). As a result, many of the youth stated that often, it is staff behaviour that provokes or leads youth to engage in improper conduct.

Furthermore, the youth also suggested that another common issue was the inconsistencies among staff. At the Roy McMurtry Centre, youth stated that (it) "depends on who's working." T This phrase appeared throughout the 2011 review of McMurtry, with 52% of youth touching upon how their experiences were defined by inconsistent treatment and unpredictable handling of rules, all dependent upon which staff member(s) happened to be on shift at the time (Ontario Child Advocate, 2013, p. 8). Youth also expressed the fact that the inconsistencies among staff often applied to their application of the rules. One youth stated, "a lot of the staff give you mixed messages. One shift you have an 8:30 bed time, another shift you have a 9:00. It's just like 'what

do I have? An 8:30 or a 9:00?' They give you mixed messages, they contradict each other" (Office of the Provincial Advocate for Children and Youth, 2016, p. 20).

Youth also identified the fact that within the facilities, there was frequent turnover with staff. Youth described the fact that the turnover with staff, "doesn't work, because you don't form those relationships, you don't form the trust, and it ends up that kids are in crisis all the time, because someone new is coming through the door every day…" (Provincial Advocate for Children and Youth, 2016, p.31). Finally, another comment youth had concerning staff was the lack of staff training. One youth explained:

> I find it's hard for the staff to relate to the youth. I think the staff training is very important for staff. You have to really change your perspective because it's not just a regular job. You really have to learn to connect with the youth and some staff maybe are working there just there to get a school placement done. Whether staff realize it or not, they have a huge impact on young people around them and the youth realize that (Office of the Provincial Advocate for Children and Youth, 2016, p. 34).

You had extensive feedback concerning issues with staff.

Theme 2: Lack of Access to Advocacy

Another common theme among the reports was the youth's lack of access to legal advocacy. Lack of access to advocacy is particularly important for youth in custody, as they rely on advocates to vocalize and address their concerns

A concerned youth in custody told advocates that they have an inability to address concerns and complaints to advocates because of a lack of knowledge regarding the process itself. The youth expressed three primary concerns: firstly, the youth's lack of awareness of the complaint process; secondly, lack of access in formalizing these complaints and thirdly, the lack of action in addressing the complaints.

To begin, youth in custody expressed unfamiliarity with the ombudsman and the Child's Advocate Office. One youth stated:

> I had never heard of the child Advocate's Office until tonight. Who do you complain to when you don't know who to complain to? I called the Ombudsman, and they sent the reports, and that was it. That's all that happened, and I just got hated on for the rest of my three months in that group home. So there needs to be more awareness, not only of the child Advocate's Office but the programs available to kids (Office of the Provincial Advocate for Children and Youth, 2016, p. 30).

Furthermore, youth also expressed concerns about needing more access to formalizing their complaints. The youth expressed the fact that using a physical form, such as sending letters to voice concerns, was ineffective. One youth stated, "people write up letters all the time to the Ombudsman. Staff said you'd be surprised how few letters get there" (Snow & Finlay, 1998, p. 12). In addition, when youth attempted to try other avenues, such as calling legal counsel concerning their rights, they stated:

> When I try to call my lawyer and have to leave a message, I get told that was my call and I will have to wait to get called back. But they never phone back; even probation officers. We're always calling them and leaving a message, but it might be a month later or after we go to court, before we hear back or my probation officer will ask, 'So how'd court go?' (Office of the Provincial Advocate for Children and Youth, 2016, p.31).

Another youth noted that rather than contacting the lawyer, they had asked staff for the ombudsman's number, and this is what had transpired. The youth said:

> I was in seg and I wanted to call the Advocate. I had been asking and asking. Finally, an IC gave me the Advocate's phone number on a yellow piece of paper. He said he would send someone with a phone and I should wait. I sat on my bed and waited with the yellow paper in my hand. Then I fell asleep and woke up in the morning with the piece of paper still in my hand (Russell, Tustin, 2010, p.6).

Furthermore, some youths also expressed the fact that they often requested to call the advocate's office, and their request was blatantly denied (Office of the Provincial Advocate for Children and Youth of Ontario, 2015). Not only is this unethical, but it is also illegal.

In addition to the difficulties the youth faced with the complaint process, they also expressed the lack of anything being done to address their concerns. One youth summarized the complaint process in the following:

> Most of the time when a child makes a complaint, it goes nowhere. Or it's found unfounded, you're not believed, by whichever level of power, whether it's the staff themselves, a police officer or a worker. It doesn't matter if other kids agree with you. Even in foster homes or group homes. There's no accountability to believing the child (Provincial Advocate for Children and Youth, 2015, p.45).

Therefore, despite the need for more awareness and access within the complaint process, the youth expressed the fact that there appears to be a failure in addressing their complaints.

In conclusion, concerning the complaint process, the youth expressed three primary concerns: the youth's lack of awareness of the complaint process, the lack of access to formalizing these complaints, and finally, the lack of action in addressing the complaints. Overall, "regarding using the internal complaint process, 75% said they were not satisfied with

the outcome" (Provincial Advocate for Children and Youth, 2016, p. 55). As a result, having their complaints addressed was a primary concern for youth in custody.

Theme 3: Youth Self-Development

The third and final overarching theme was regarding youth in custody's self-development. Since youth in custody are marginalized and are vulnerable, opportunities to establish self-development are limited. The following sub-themes explore the potential difficulties youth in conflict with the law face in helping achieve positive self-development.

Positive Relationships

Positive relationships within this section will be discussed within the context of the youth's relationship with staff within the facilities and with their family members. Within the institutions, they provided mixed messages to the advocates regarding their relationship with staff. Some youth suggested that they believed that staff were respectful towards youth. One youth claimed, "who knows whether people really care. Even if they don't care they treat you with respect. No one seems like they don't care. They don't treat anyone badly. They treat us like normal human beings. Some places you go, just 'cause you're in custody they treat you like shit" (Finlay & Cooke, 2007, p.33). Some youths even described that this respect extended to them considering some staff as a family member (Provincial Advocate for Children and Youth, 2016). Another youth said, "I like the staff. They listen. They are laid back and outgoing" (Provincial Advocate for Children and Youth, 2015, p. 25). Youth at the Roy McMurtry also echoed this sentiment, and "76% of the youth indicated that they have a positive relationship with at least one frontline staff" (Ontario Child Advocate, 2013, p. 22). Youth at one facility described their positive relationship with staff as the following:

> "I guess at my treatment home they definitely didn't nurture the family connections that were already there. Over time, I had built new ones, as much as it's difficult to build connections with staff in group homes. I became really close with the Clinical Director and one of the staff. I still view the Clinical Director as a father figure. He's going to walk me down the aisle" (Office of the Provincial Advocate for Children and Youth, 2016, p.19).

In contrast to positive views of relationships with staff some youth expressed the opposing viewpoint. One youth claimed, "a lot of times I found in group homes that most staff are women. I think it`s important for young males to have positive male role models. It's a gap because in a lot of the homes that I was in the kids didn't have father figures." (Office of the Provincial Advocate for Children and Youth, 2016, p.45). The comment presented by the youth was strikingly as most of the youth in custodial care are young men.

Furthermore, concerning the youth's relationship with their family, many of the youth expressed the fact that they have a broken relationship with their family members. One youth explained …" I dont really trust my parents for anything. I live a completely different life at my house than I do in society. My mom doesn't know 90% of my problems" (Provincial Advocate for Children and Youth, 2015, p.13). In addition to the youth not trusting their family members, youth also described that their relationship with their family became strained when they were institutionalized. One youth stated that their "...mother institutionalized me when I was 12, and at that point I realized that my parents weren't really there for me because they were really using the institution as a babysitter" (Office of the Provincial Advocate for Children and Youth, 2016, p.19). Aside from their parents institutionalizing them, one youth further described their precarious relationship with their family by stating the following: "my stepdad is homophobic and i have a lot of friends who are gay and bisexual. I can't really say anything because he told me to burn in hell' (Provincial Advocate for Children and Youth, 2015, p. 13). As a result, youth expressed a common sense of mistrust when engaging with their parents.

In conclusion, regarding positive relationships, youth indicated to advocates that they primarily established positive relationships with staff members. However, some youths did make the interesting observation that there is a lack of male role models for youth. Regarding their relationships with their family, many youths expressed the fact that they did not have a positive relationship.

Empowerment & Decision Making

Within the literature, youth provided advocates with both positive and negative critiques about youth empowerment. Some youths indicated a good sense of empowerment, while others recommended ways to improve it.

For example, a youth suggested that they felt empowered stating that "they make you change. I've changed a lot since I've been here. You used to be this bad girl. Before you used to be this sweet kid. It's kind of like they help you back to how you used to be" (Finlay & Cooke, 2007, p.33). However, other youths indicated they felt the opposite and were not empowered. One youth suggested that they would feel more empowered if they were further educated. The youth stated, "more kids could learn to read if they had empowerment to help them. It's the reading program that we do" (Provincial Advocate for Children and Youth, 2016, p.24).

Aside from the educational component, youth all expressed the fact that they often did not feel empowered because staff treated them like younger children. This would be demeaning for a young person who is always trying to demonstrate their developing maturity. An important aspect of youth development includes decision-making. Youth within custodial care have decisions made on their own behalf. This becomes problematic as this hinders their opportunity for future development but perhaps more importantly their opportunity to practice automy.t One youth indicated that "we have no chance to show them our maturity levels because they are doing everything for us. We're being treated like we're nine years old, which isn't fair to us— youth in care" (Office of the Provincial Advocate for Children and Youth, 2016, p.21). Aside from this, youth also expressed a lack of feeling empowered, as they were often not included in their personal

development process. One youth indicated that "What always frustrated me with the plan of care process was that staff at the facility would draft a plan then bring it to me to review afterwards. I was never actually included in the development process. I was just kind of there for the review piece at the end" (Office of the Provincial Advocate for Children and Youth, 2016, p. 33).

When discussing decision-making with advocates, youth addressed two primary concerns. Firstly, the youth's overall lack of participation in the decision-making process, and secondly, institutional barriers that make it difficult for youth to be autonomous and make decisions. Concerning the lack of participation in the decision-making process, many youths expressed to the advocates that they do not make decisions. One youth stated, "decisions... Oh man. You don't get to make any for yourself" (Office of the Provincial Advocate for Children and Youth, 2016, p.35). One youth indicated that they attempted to take part in the decision-making process, and this is how they felt:

> I participated in my plan of care. When I was younger I wasn't a great fan of it. But as I got older I actually participated, to plan out, I don't know, kind of what my next steps would be. I'm a planner, so that kind of benefited me. Sometimes I didn't like the plan of care because when I would read what they had previously wrote, I felt like a client. I didn't feel like a person, I felt like a case number, a pay cheque... I felt that they were categorizing me as something, they were labeling me something... If I acted out, automatically something was wrong with me." (Office of the Provincial Advocate for Children and Youth, 2016, p.46)

Some youth even expressed their frustration that they could not even make simple decisions like regarding food. One youth explained:

> They put us here to help us to move forward, to move out on your own, to be able to keep going. But we have no freedom, everything, all of the decisions are made for us, like we have to ask for everything. All the food is locked up, so we have no chance to show them that we can be mature with some kinds of things. We have no chance to show them our maturity, because they are doing everything for us. We're being treated like we're nine years old, which isn't fair to us (Provincial Advocate for Children and Youth, 2016, p.34).

Youth often expressed the fact that within the institutions, the staff makes decisions on the youth's behalf. The youth commented, "they are always putting me in things. I have never consented to anything. They don't care about what I think. I feel I have no say in anything" (Provincial Advocate for Children and Youth, 2015, p.17). Another youth said, "it's true I feel left out of my own life

often. There are many things going on about me between the CAS worker and my foster mom that I don't know anything about. Everyone is like you are going to do this. I'm like okay" (Provincial Advocate for Children and Youth, 2015, p.16).

Another common concern was regarding some of the institutional barrier's youth indicated that impacted their decision-making ability. For example, youth indicated overall that they could not express their individuality. One youth stated this by saying, "the biggest problem about foster homes is the fact that you have a hard time expressing your individuality. For example, some foster homes choose your clothes for you" (Provincial Advocate for Children and Youth, 2015, p.16). This is because the institutions have policies and procedures that staff must adhere to. This resulted in youth making comments like "you can't go anywhere by yourself or do anything teenagers would like to do" (Provincial Advocate for Children and Youth, 2015, p 17), and that "sometimes when I go for a walk staff follow me" (Provincial Advocate for Children and Youth, 2015, p.18).

In conclusion, with regard to decision-making, youth expressed to advocates that youth are not able to participate in the decision process and that there are institutional barriers that make it difficult for youth to make decisions. Important themes in the reports were in reference to key parts of young peoples' development and how they were being compromised – autonomy, maturity, individuation.

Youth Lack of Knowledge of Rights
Finally, another important component of youth development is their knowledge of their rights. Based on the findings presented to the advocates, it was clear that youth were unaware of their rights. This lack of knowledge was presented in two forms: firstly, youth believing that they had no rights, and secondly, the indication from youth that they believed that staff would not adhere to their rights. To begin, the youth indicated comments such as the following: "I'm a group home kid, I ain't got no rights" (Office of the Provincial Advocate for Children and Youth, 2012, p.12).

Other youth made comments such as "it's too late for rights" (Snow & Finlay, 1998, p.11). Aside from doubting or being unfamiliar with the youth of their rights also questioned why their rights were different than other youth. One youth said, "why do so many children and youth have to struggle so hard for rights that come so easily to others?" (Provincial Advocate for Children and Youth, 2015 p. 26).

In addition, youth also commented on staff's inability to support their understanding of their rights. For example, one youth said, "I was given a book of rights. I couldn't read, nobody helped me" (Snow & Finlay, 1998, p. 12). Or that "My worker told me my rights. But once she leaves, you got no more rights" (Snow & Finlay, 1998, p. 11).

In conclusion, throughout this chapter, through analyzing eleven reports, seven reports focused on a youth facility and youth experiences within the justice system, and about four of the reports about youth experiences in a residential setting. I have explored the three overarching themes: 1. Conditions of Confinement, 2. Lack of Access to Advocacy 3. Youth Self Development. I explored these themes by providing the reader with excerpts of things that the youth had indicated to the advocates. Within the following chapter, I will go into depth in explaining how these findings are relevant to current literature.

Chapter 5: Discussion

Purpose of the Study

   The purpose of the study was to analyze whether youth advocates are promoting self-determination for youth in conflict with the law. Specifically, this thesis attempted to address the following three research questions: 1. What is the nature of topics that youth advocates report in public documents? 2. What are the strengths and weaknesses of youth advocates reporting? 3. Do youth advocates' reports suggest they are helping youth in conflict with the law to exercise self-determination? In order to answer the following research questions, the study utilized eleven publicly available advocacy reports within the province of Ontario. A grounded theory approach was used to analyze the data in which to three overarching themes emerged. The study utilized Ryan and Deci's (2001) theoretical framework of Self-Determination Theory (SDT) to assess whether youth advocates were successful in promoting SDT for youth. In order to do this, as a researcher I needed to consider Ryan and Deci's three psychological elements of relatedness, competence, and autonomy as they are essential requirements needed within a social environment to help one grow psychologically (Ryan & Deci, 2001; Ryan & Deci, 2000). As a result, below was the following key findings.

Key Findings

   As mentioned within the results section, there were the three overarching themes of Conditions of Confinement, Lack of Access to Advocacy, and Youth Self-Development. For the purposes of this section, I will provide a summary of the key findings, along with the potential importance of these findings.

Youth's Challenges with Relationships

   One of the first key findings observed within the results was youth's challenges in relationships. When discussing relationships, it was evident within the results section that youth in conflict with the law had challenges in their relationships with staff and their family members.

This was a recurring theme explored throughout the results section. Youth presented these challenges initially within the theme of conditions of confinement. Youth expressed concerns regarding staff conduct and inconsistencies (Ontario Child Advocate, 2013). They indicated that staff were often disrespectful towards youth and followed different policies and procedures.

Furthermore, youth also expressed challenges in their relationships within the third theme of the results entitled Youth Self-Development. When discussing the nature of positive relationships, many youths indicated that they had minimal positive relationships. Some youth did indicate that they had positive relationships with staff, however, some indicated that they did not have a positive relationship with staff (Finlay & Cooke, 2007; Ontario Child Advocate, 2013).

One interesting finding within this theme was that youth articulated that there was a lack of positive role models for youth (Office of the Provincial Advocate for Children and Youth, 2016). Specifically, some youths indicated that there was a lack of male role models within the institutions, as most of the workers were often women (Office of the Provincial Advocate for Children and Youth, 2016). This was interesting as it indicated that there was a lack of role models that are men for youth. These findings are alarming, as young men are the predominant population within custodial institutions (Malakieh, 2020). Statistics indicated that as of 2018-2019, "over three-quarters (77%) of youth admitted into correctional services were male" (Malakieh, 2020, p.7). In addition, in terms of youth relationships outside the facilities, many youths expressed the difficulties they had with their family members (Provincial Advocate for Children and Youth, 2015; Office of the Provincial Advocate for Children and Youth, 2016).

These findings are significant, as they indicate that youth in conflict with the law struggle in their relationships with others. Specifically, these results indicate that youth struggle with the relatedness component of Self-Determination Theory. The element of relatedness emphasizes the importance of interpersonal relationships and being connected to others (Ryan & Deci, 2001;

Jones, Feigenbaum, & Jones, 2021). Deci and Ryan (2000) explain that it is problematic when one does not feel a sense of relatedness, as they are less likely to be intrinsically motivated towards positive development. It is evident that relationships key part of self-development and in helping to build healthy relationships and positive pro-social role models the staff at youth custody could play a large part. These results indicate that youth in conflict with the law will struggle to exercise self-determination due to their poor relationships. It is important that youth advocates focus on fostering and helping youth develop a sense of relatedness to others, to foster self-determination.

Youth Are not Provided with Tools to Succeed

Another key finding evident within the literature, is the fact that youth are not being provided with the tools to succeed. While it is difficult to quantify and measure success, for the purposes of this section, success will be discussed within the context of youth completing tasks and achieving goals and outcomes. Within the results section, it was evident that this was a recurring concern expressed by youth to the advocates. This was evident within the general theme of Conditions of Confinement and Youth Self- Development. Specifically, youth expressed these concerns within the sub-themes of lack of programming and sense of empowerment.

In terms of programming, many of the youth expressed the fact that there was a need for more programming within the institutions (Snow & Finlay,1998). Many of the youth also described that aside from the limited programming offered, many were not enrolled in programs (Ontario Child Advocate, 2013). This lack of programming resulted in youth often feeling a sense of lack of productivity (Office of the Provincial Advocate for Children and Youth for Ontario, 2010). Programs within the facilities is oftentimes an opportunity for youth to experience and learn new skills. Failing to provide youth with access to programs not only hinders development of new skills, but also leads to a sense of being unproductive.

Furthermore, youth also expressed an overall feeling of discontentment regarding feeling empowered. Some of the key findings with regards to this were youth feel more empowered if they were further educated (Provincial Advocate for Children and Youth, 2016). This lack of education expressed by the youth presented itself in different contexts throughout the results section. For example, one interesting finding by youth was that oftentimes staff did not treat youth based on the maturity level of their current age (Office of the Provincial Advocate for Children and Youth, 2016). Oftentimes, staff would treat the youth like children, and underestimate their maturity levels. This is problematic as this does not provide youth with a sense of encouragement. Furthermore, another interesting finding that youth expressed, is the fact that they are never involved in strategies and meetings involving their plan of care (Office of the Provincial Advocate for Children and Youth, 2016). This is significant because if youth are not included in this process, it becomes difficult for them to achieve and fulfill the expectations within their own plan of care.

Overall, the findings mentioned above are significant as they indicate that youth within these institutions, are not being provided with the rights tools to succeed, while within the institution and during their rehabilitation process within the community. Based on the results, the youth were candid with the youth advocates in expressing their inability to fulfill their tasks and goals. These findings are significant as they indicate that youth are not provided with the tools to achieve self-determination. More specifically, these findings indicate that youth are missing Ryan and Deci's (2001) psychological element of competence. Competence is referred to as one's ability to complete tasks and goals and learn skills (Jones, Feigenbaum, & Jones, 2021; Ryan & Deci, 2001; Bandura & Schunk, 1981). In failing to provide youth with the opportunity to explore the psychological element of competence, youth are less likely to achieve positive development. A lack of positive development ultimately can lead a young person to be unsuccessful in future endeavors.

Youth Lack Autonomy

Lastly, the most significant finding was the frustration youth expressed in their ability to exercise autonomy. This frustration was present throughout all the three overarching themes discussed. Specifically, this frustration was also highlighted within the sub-themes of youth's lack of knowledge of rights, decision-making, and access to advocacy.

Within the sub-theme of decision-making, many youths expressed that staff and others often made decisions on behalf of the youth, leading to an overall lack of participation (Office of the Provincial Advocate for Children and Youth, 2016). The decisions that were being made were both large and small decisions. The youth expressed that staff was making larger decisions on their behalf, such as their plan of care (Provincial Advocate for Children and Youth, 2015). Others expressed that they were also unable to do simple things such as walking alone without a staff member or even choosing their clothes (Provincial Advocate for Children and Youth, 2015). These findings are alarming as they indicate that youth in conflict with the law have no opportunity to exercise choice.

Another finding demonstrating youth's inability to express their individuality was concerning their rights. Within this section, youth expressed that they thought they had no rights (Provincial Advocate for Children and Youth, 2012) and that there was a strong indication that staff would not adhere to their rights. One interesting finding was when one youth questioned why they had to struggle hard for their rights compared to other children (Provincial Advocate for Children and Youth, 2015). These findings were interesting, as this indicated that the youth had some knowledge of their rights but was unclear as to why their rights differed from other children. This youth was drawing on the fundamental difference between children's rights and those of children within custodial care.

Aside from knowing their rights, youth also had concerns about their lack of access to advocacy. The youth that attempted to advocate for themselves and raise complaints were often ignored. The findings indicated that some youths made attempts to contact the advocacy office via the form of a letter and never heard back from the advocate (Snow & Finlay, 1998). This is problematic as the youth are attempting to self-advocate, but third-party resources that are in place to assist children, are not actually assisting them. Other youth also raised some institutional challenges they had faced regarding accessing advocacy. Some youths explained requests being denied seeking an advocate's office (Office of the Provincial Advocate for Children and Youth of Ontario, 2015). This is problematic as youth are attempting to utilize the resources, they have to self-advocate but are being denied access.

In conclusion, these findings are significant, as they indicate that youth in conflict with the law are unable to exercise their autonomy. As mentioned, autonomy refers to having the independence to regulate one's activities and goals (Duerden & Gillard, 2008; Jones, Feigenbaum, & Jones, 2021). Based on the findings above, youth in conflict with the law are not being given the opportunity to exercise their own choices. Niemiec, Lynch, Vansteenkiste, Bernstein, Deci, and Ryan (2006) explain that for one to be autonomous, one must be able to engage and exercise choice within the social and physical world. Failing to provide youth with the opportunities to exercise choice will ultimately negatively affect their development based on Ryan and Deci's (2001) Self-Determination Theory.

Contribution to the Literature

As mentioned in Chapter 2, there has been limited research pertaining to the Self-Determination Theory (SDT) and the theory's application to youth in conflict with the law. This study bridged the gap within the current literature, by analyzing whether youth advocates were effective in helping foster self-advocacy for youth in conflict with the law specifically in terms of relatedness, autonomy, and competence. This thesis's findings suggest that advocates in Ontario during the 1990s to 2017 seemed to focus more on a child welfare form of advocacy versus a model where children are allowed to participate in anything related to their interests. They categorize conditions of confinement; however, they don't seem to appreciate how some of the complaints made by youth in the province direction pertain to self-determination. Nor do they suggest remedies to this. This may be because it is easier to make sure food gets better or do some staff training than it may be to develop programs and supports that help foster young people's self-determination. It may be that in their role as advocates they see young people in conflict with the law (at least to some degree) through the lens of "vulnerable children" and embrace (again, to some degree) their role as "saviors".

This thesis helped demonstrate that advocates need to direct their advocacy toward helping teach and educate youth in conflict with the law how to advocate for themselves. As a result, youth advocates seem to be missing the application of self-determination principles to help guide youth with their own self-advocacy. It is essential to the development of youth, that youth advocates teach youth how to self-advocate as this ensures the youth's optimal success in future endeavors. This has demonstrated that further education is needed in explaining to youth what advocacy is, the role of youth advocates, and their autonomous opportunity to self-advocate. As a researcher, I am not discounting the importance of focusing more on a child welfare form of advocacy, rather, I am providing a more up to date and effective advocacy modality.

Study Limitations

There are several limitations identified within this study. The first limitation is regarding my method of analysis. I was restricted to the reports that were made publicly available by the *Ontario Child Advocate Archive*. There is the potential that there could have been further data or information that I could have collected beyond the scope of this website. The second limitation is that this study focused strictly on Ontario's advocate office during a limited period. One could argue that the findings are not generalizable in comparison to other advocate offices in other provinces, other advocates in other jurisdictions, or even during other time periods. The third major limitation of the study is within the results section. The quotes that were utilized within these advocacy reports, were the quotes that the advocates chose to share with the public. There is potential that the quotes presented throughout these reports were not necessarily representative of all the interviews of the youth they interviewed, rather, they could have selected the youth's quotes to further their own narrative/agenda. Lastly, a final limitation was that the youth themselves were not interviewed directly by the researcher. This is problematic since this study explores youth advocacy but does not provide youth with a first- hand opportunity to discuss youth advocacy or advocate for themselves. Though the reports do allow a window into the focus of the Advocates office a lot of the material from the report's comments on the function of custody institutions rather than directly youth advocacy.

Opportunities for Future Research

In terms of opportunities for future research, it seems apparent that there were two major ways to expand the scope of this study. The first opportunity for future research could include speaking to youth themselves about the role of advocates what they feel they have done for them and where they could improve. This is critical in understanding what youth in conflict with the law

feel the relationship between advocate and youth should be. Future research could also include

doing a comparative analysis across provinces to explore differences in style, focus, and priorities.

In conclusion, it is evident that it is important for youth specifically, vulnerable youth to

be taught and understand the importance of self-advocacy. Maya Angelou embodies this

statement when she states, "I learned a long time ago the wisest thing I can do is be on my own

side, be an advocate for myself and others like me" (Borgan Project, 2019).

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