Youth Justice Policy Implementation – Community Organizations' Perspective
Dissertation

by

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A dissertation submitted to the
School of Graduate and Postdoctoral Studies in partial fulfilment
of the requirements for the degree of

Doctor of Philosophy in Criminology and Social Justice

Faculty of Social Sciences and Humanities

University of Ontario Institute of Technology

Oshawa, Ontario, Canada

Thesis Examination Information

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Doctor of Philosophy in **Criminology and Social Justice**

Thesis title: Youth Justice Policy Implementation – Community Organizations' Perspective

An oral defense of this thesis took place on October 27, 2023 in front of the following examining committee:

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Abstract

This dissertation is situated at the intersection of two gaps in Canadian youth justice literature – limited scholarship focused on youth justice community-based organizations (CBOs) and few studies investigating the impact of neoliberal restructuring in Canadian youth justice. This study provides a Canadian perspective to the growing body of scholarship concerned with the influence of neoliberalism in youth justice and is an example of what a multidisciplinary approach to studying youth justice reveals. Critical institutionalism (CI), a theoretical framework from political economy, is used to address current applications of neoliberalism within criminology. There are two major problems within the criminology scholarship on neoliberalism: (1) a failure to understand the contradictory implementation and reproduction of neoliberal policy logics on relatively autonomous state actors/institutions; and (2) a failure to take seriously the origins of the neoliberal project and its relationship to economic competition. CI addresses these shortcomings by acknowledging the interconnectedness of different levels of influence and thus the role of institutions, structures, and institutionally embedded human agents, to shape, navigate, and implement policy. Drawing from in-depth qualitative interviews with front-line and management staff working in Ontario youth justice CBOs, I illustrate the purpose of these agencies within Ontario's youth justice system and how their different roles are connected to their efforts to navigate the impacts of neoliberal restructuring and pressures of neoliberal rationalities. Findings shed light on why CBOs do the work they do, not just what work they do, as their experiences revealed the reality of how organizations and individuals struggle, resist, and negotiate constantly in their day-to-day work. The findings here suggest neoliberal logic penetrates deeply throughout youth justice CBOs; however, it is not totalizing such that youth justice CBOs are merely passive receives of the pressures of neoliberal logics. Rather, CBOs and

individual staff are resilient and creative in managing these constant pressures with a shared goal of prioritizing youth over all else. Their decisions and operations are grounded in the spirit of non-profit work, yet ongoing broad pressure to fully succumb to neoliberal logics and rationalities remain.

Keywords: youth justice; community-based organizations; neoliberalism; critical institutionalism; resistance.

Author's Declaration

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Sarah Woods

Statement of Contributions

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.

Acknowledgements

First, I would like to thank my co-supervisors, Dr. Carla Cesaroni and Dr. Scott Aquanno for their dedication, support, expertise, and passion in their respective fields. From our first meeting at Starbucks to discuss this project, to six years later concluding this journey, thank you for all your support, encouragement, and keeping me on track to see this through. Dr. Cesaroni – thank you for believing in me and encouraging me to apply for this program. Your guidance and mentorship over the years has been key to ensuring I stay on track and make it through this journey. Thank you for pushing me to think more critically about the work that I do and be confident in my contributions. Dr. Aquanno – thank you for continuously pushing me outside of my comfort zone in political economy theory and collaborating with a criminology student to bring these two disciplines together. Your willingness and patience to answer any question and review concepts until I understood them was a significant part of my growth as a student.

To my committee members, Dr. Tyler Frederick and Dr. Vivian Stamatopoulos, thank you for your words of encouragement and support at every step of this PhD. I always felt inspired after our discussions or receiving feedback from you. Your feedback forced me to think about things from different perspectives and helped me to push my work to another level. To my whole committee, thank you for creating an environment that was comfortable and supportive. You treated me as an equal and for that I thank you. I cannot overstate how important this was to the success of my PhD.

To the participants in this study, thank you for sharing your experiences, successes, and challenges, and providing insight into the important work that you do every day, helping some of the most vulnerable youth in our society. You highlighted their strengths and honoured the journey youth are on as they navigate a difficult time in their lives. I am privileged to be able to

share your thoughts and experiences, drawing attention to the critical role you play in Ontario's youth justice system.

Thank you to my colleagues at Child Development Institute who supported me along the way as well, as I managed full-time employment and completing a PhD. In particular, Margaret Walsh and Dr. Leena Augimeri, your patience and understanding as I completed this dissertation, providing not only time, but emotional support. Your friendship, mentorship, and belief in me since I was a summer student all those years ago will never be forgotten.

Only those who have been through the PhD journey can truly know what a marathon this is. To my PhD peers and professors along the way – thank you for being a supportive community and lifting me up when needed. I have learned so many things from so many peers and professors in my journey. Each of you have helped me to grow and expand my knowledge, skills, and passion for this work that we do.

Finally, an immense amount of gratitude to my family and friends who have supported me along this journey. Konrad, this PhD would never have been completed without your love and support. Thank you for stepping up all those years, months, and especially near the end when I would disappear every weekend to finish this dissertation. As we always say, I can't wait to see what the next adventure brings. To my son Andrew, thank you for your patience and minimal meltdowns whenever Mama went to do a little bit of schoolwork. Your smile and surprise visits at the library and coffee shop kept me going when needed most. To my parents, brother, extended family, and friends, your babysitting, words of encouragement, check-ins, and questions of "How's the PhD going?" was motivation to keep me going in those many moments of frustration and procrastination. I am so blessed to be surrounded by family and friends that support me in anything I decide to do.

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List of Abbreviations

CAP   Canada Assistance Program

CBO   Community-Based Organization

CFSA   Child and Family Services Act

CYFSA   Child, Youth and Family Services Act

EJM   Extra Judicial Measure

EJS   Extra Judicial Sanction

FNMI   First Nations, Metis, Inuit

IE   Institutional Ethnography

JDA   Juvenile Delinquent's Act

MCCSS   Ministry of Children, Community and Social Services

MCSA   Ministry of Correctional Services Act

MCYS   Ministry of Children and Youth Services

NPM   New Public Management

NRAC   Non-Residential Attendance Centre

PPP   Public-private partnership

TPA   Transfer Payment Agency

YJSD   Youth Justice Services Division

YCJA   Youth Criminal Justice Act

YJOF   Youth Justice Outcomes Framework

YOA   Young Offenders Act

YOT   Youth Offending Teams

YVCSI   Youth Violent Crime Severity Index

Chapter 1: Introduction

Context

This dissertation is situated at the intersection of two gaps in Canadian youth justice literature – a lack of scholarship focused on the important work of community-based organizations (CBOs) in the youth justice system and minimal systematic empirical studies investigating how neoliberal rationalities have impacted Canada's youth justice system. Related to the first gap, the youth justice system is comprised of multiple stakeholders (e.g., police, probation, courts) that each play an important role in supporting youth throughout their journey in youth justice. Important research has focused on some of these stakeholders and their role in Ontario's youth justice system. This work has included systemic bias and overrepresentation of Indigenous and Black youth (Fitzgerald & Carrington, 2011; Mallett & Stoddard-Dare, 2010; Nanda, 2012; Warde, 2013), police profiling (Fitzgerald & Carrington, 2011), disproportionate minority contact with police (Fitzgerald & Carrington, 2011; Peirone et al., 2017; Warde, 2013), diversion programs through the police and crown (Hyde et al., 2016; Marinos & Innocente, 2008; Wong et al., 2016), impact of incarceration on youth (Cesaroni, 2011; Cesaroni & Peterson-Badali, 2005, 2013, 2016), and effectiveness of the YCJA in achieving its intended outcomes (Alain et al., 2016; Bala et al., 2009; Fitzgerald & Carrington, 2011). Absent from this literature is a specific focus on the work of CBOs given their position as the stakeholder that operates nearly all youth justice custody facilities and all community-based diversion and sentencing services for youth who come into contact with the law.

Related to the second gap in Canadian youth justice literature, criminology scholars have engaged with neoliberalism to investigate the impact of neoliberal rationalities (mechanisms) and coinciding policies and practices within the broader criminal justice field. Important work has

focused on how institutions have succumbed to neoliberal rationalities, as well as the impact of political economic structures on crime and criminal justice policy. For example, scholars have examined neoliberalism and penal policy (Goldson & Muncie, 2012; Muncie, 2005; Newburn, 2007; O'Malley, 2018; Reiner, 2006; Wacquant, 2010), in particular the relationship between neoliberal rationalities and mass incarceration (Dignan & Cavadino, 2007; Hannah-Moffat, 2000; Wamsley, 2019), as well as neoliberalism and risk-based justice (O'Malley, 2002, 2010, 2021). A relatively new body of research has also focused on neoliberalism and global youth justice (Artello, Hayes, Muschert, & Spencer, 2015; Artello, 2014; Goldson & Muncie, 2012), investigating the degree to which there is international convergence in youth justice policies. Despite this growing scholarly interest, a review of the criminology literature revealed little attention to the imposition of neoliberal rationalities in Canadian youth justice.

This chapter outlines the focus of this dissertation and provides context on the issues with the current application of neoliberalism in criminology scholarship. A brief review of the main applications of neoliberalism within criminology is presented, followed by a theoretical challenge to these tendencies. Additionally, a short description of the methodology is presented, highlighting the importance of maintaining a specific methodological approach that understands how neoliberal rationalities exist in context, in this case through the voices of youth justice CBOs, so that we can understand /the impact of neoliberalism on real institutions and people to improve policy-making decisions. This chapter concludes with a brief summary of the succeeding chapters in this dissertation.

Youth Justice and Critical Institutionalism: Conceptualizing Neoliberal Reorganization in Ontario

While criminology scholarship has contributed important work to our understanding of the relationship between neoliberalism and various facets of crime and justice systems, the criminological literature tends to inconsistently and ambiguously apply the concept of neoliberalism (O'Malley, 2018). Scholars tend to link the rise of neoliberalism to the financial crisis of the 1970's and the broad structural reconfiguration of the economy during the 1970's and 1980's, simply likening neoliberalism to a set of policies (e.g., deregulation, privatization, free markets) (Campeau & Levi; 2019; Maher & Aquanno 2018). Furthermore, scholars tend to understand neoliberalism as deterministic, such that institutions succumb to neoliberalism and inevitably impose neoliberal policies evenly across social and economic spheres. Missing from this perspective is the consideration of how neoliberalism engages with real existing structures, institutions, and individuals, and consideration of the dialectical process of struggle and contestation between structures, institutions, and institutionally embedded individuals. This tendency to conceptualize neoliberalism as such has resulted in inadequately defined theoretical frameworks and thus thorough investigations of the impact of neoliberalism within criminology scholarship.

This dissertation addresses these limitations within criminology by drawing from critical political economy literature to contribute two key theoretical understandings of neoliberalism: (1) a failure to understand the contradictory implementation and reproduction of neoliberal policy logics on relatively autonomous state actors/institutions; and (2) a failure to take seriously the origins of the neoliberal project and its relationship to economic competition. In this view, neoliberalism manifests differently across contexts because it is an open system that is

conditioned by the action of institutionally embedded human agents. The sets of a framework that understands the structure and function of Ontario's youth criminal justice system at present and the ways in which institutions and individual actors have responded to the pressures that have developed in the neoliberal context.

This dissertation draws from critical institutionalism (CI), a theoretical framework from political economy, to consider the manifestation of neoliberal pressures within Ontario youth justice CBOs. CI acknowledges the interconnectedness of different levels of influence that exist in shaping policy outcomes. Recognizing the impact of neoliberal restructuring on institutionally embedded human agents, CI permits focusing on how these embedded human agents shape, navigate, and implement social policy in a neoliberal period. This theoretical framework permits an understanding of the multi-level conditions that exert pressure on state institutions and the autonomy of both institutions and embedded agents is established. Neoliberal structural factors influence and shape institutions, however this influence is determined by the agency of embedded individual agents (e.g., individuals situated within CBOs). The impact of neoliberalism on capitalist states is well documented and highlights a shift in the states role and responsibility as evidenced by free market ideology, including downloading and alternative service delivery partnerships, competition, and responsibilization of individuals and communities (Albo, 2002; Brown, 2015; Harvey, 2005). As the state increasingly relies on alternative service delivery partnerships with CBOs in the delivery of youth justice services, CI permits an understanding of how wider structural configurations (neoliberalism) are revealed through institutionally embedded human agents. Therefore, the value of the CI literature as a theoretical model is its ability to identify and explain structural changes, as well as ideological shifts in the conditions within which the state adopts policy.

The system the CI framework will be applied to is the youth justice system. Canada's youth justice system is legislated by the Youth Criminal Justice Act (YCJA), as well as institutions and stakeholders at provincial and local levels, due to the shared responsibility between federal and provincial/territorial governments for youth criminal law (Alain, Corrado, & Reid, 2016; Cesaroni, 2011; Doob & Sprott, 2004). In Canada, the federal government is responsible for legislating youth criminal law, whereas provincial/territorial governments are responsible for the administration and implementation of youth justice. The administrative role and high level of discretion afforded to provincial governments in implementing youth justice programs and services compels studying Canadian youth justice from a provincial perspective. In Ontario, this has resulted in an integrated youth justice system that is governed by arms-length state/non-state relationships with CBOs that delivery almost all youth justice services (Alain et al., 2016; Evans & Shields, 2015). As independent organizations operating within an alternative service delivery framework (state/non-state relationship), CBOs possess decision-making power and discretion in the structure and operational environment of youth justice.

Related to Ontario youth justice, these multi-level structural factors are interconnected whereby youth justice CBO employees (individual agents) are shaped by the CBOs (institutions) they are situated within, as well as broader neoliberal structures. However, these embedded employees also possess autonomy and power to exert influence back on the youth justice CBOs (institutions) (Maher & Aquanno, 2018). As the point of investigation for this study is state institutions (youth justice CBOs), the investigative focus was on neoliberal rationalities in relation to state organization, rather than corporate organization. Using this theoretical framework to examine the experiences of youth justice CBOs, an understanding of the impact of neoliberal rationalities on youth justice service delivery is possible.

Participants and Methodology

To explore how Ontario youth justice CBOs operate within the broader context of the youth justice system and the biggest forces that structure their work, I interviewed both managers and front-line staff that currently work within an Ontario youth justice CBO. Ontario youth justice CBOs are defined as agencies that receive funding from the Ministry of Children, Community and Social Services Youth Justice Division (MCCSS - YJD) to deliver a range of youth justice services. Ontario youth justice CBOs are not uniform across the province as they are generally housed within larger multi-service community-based organizations, a common organizational structure within the social services sector. These larger organizations range in size from small (e.g., less than 10 staff) to large (e.g., over 100 staff) and provide a variety of services to a broad client population and service delivery streams. For example, these agencies may only serve youth or serve both adults, youth, and/or children and may provide only justice-based programming or a variety of programming such as employment, mental health, newcomer, shelter, and housing, and/or educational services. Some agencies are accredited children and youth mental health agencies, while others are more general social services agencies. The youth justice department within each of these agencies is also not uniform. The youth justice department may range in size from small (e.g., 2-3 staff) to large (e.g., 20+ staff) and provide a range of youth justice programming from prevention and early intervention programs to probation programming to custody and community aftercare.

Using in-depth interviews, I used a systems-level analysis that aggregated data from individual interviews to describe the role and experience of youth justice CBOs. As such, the focus of the analysis was not individual staff, but the institutional and socio-politico-economic relationships that connect people and institutions (Nichols et al., 2017). Three research questions

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were posed in this study: 1. How do Ontario youth justice CBOs perceive and understand their role in Ontario youth justice? 2. What do Ontario youth justice CBOs see as the biggest forces structuring their work and mandates? and 3. How do Ontario youth justice CBOs experience neoliberal rationalities, such as competition and individualization? The following chapters answer these questions.

Outline of this Dissertation

Here, chapter one outlined the context of this study and highlighted the gaps in criminological literature that this study seeks to address, including the limited application of neoliberalism and the absence of studies that explore the role of CBOs in Ontario's youth justice system within criminological literature. This chapter also presented the insights from political economy literature that support the expanded understanding of neoliberalism utilized in this study. This was presented as the justification to investigate neoliberalism's impact more effectively on CBOs in Ontario's youth justice sector. Lastly, a description of the population under study, Ontario youth justice CBOs, and a brief overview of the methodology utilized to study this population was presented.

Chapter two presents an overview of the CI theoretical framework used to guide this study, emphasizing the interdisciplinary approach that was employed. A review of criminology's contributions to neoliberal studies is examined, including current criminological conceptualizations of neoliberalism and critiques to current approaches. The CI theoretical framework that addresses these critiques is described in detail, providing the conceptual approach to neoliberalism utilized in this study. A review of specific neoliberal rationalities, the instruments, and underlying processes of neoliberalism, is explored to understand how neoliberalism has become the pervasive governing approach it is today. Lastly, the chapter

explores how neoliberal restructuring has occurred in Ontario, outlining the context of this dissertation.

Chapter three provides a review of the relevant literature to situate this dissertation. An overview of youth justice in Canada, including a history of Canada's philosophical approaches to youth justice and the associated youth justice legislation, and the status of youth crime in Canada is provided. The chapter will also detail how Ontario's youth justice system has already been influenced by neoliberalism and provides examples of the neoliberal restructuring that has already occurred. Lastly, literature investigating the impact of neoliberalism on the third sector is reviewed as a starting point to understand how Ontario youth justice CBOs might be similarly impacted by neoliberalism.

Chapter four details the methodology used in this study. This chapter provides an overview of the exploratory qualitative approach used to investigate the key research questions, including two key concepts drawn from Institutional Ethnography (IE). Next, the sample and data collection procedures are described, detailing adaptations to study methodology in response to the COVID-19 pandemic and the two-phase sampling approach utilized to recruit organizations and individuals for participation. A description of the interview schedule follows including a description of the theoretical foundation of the questions. Ethical considerations are highlighted along with strategies used to mitigate these concerns. This chapter concludes with a description of the data analysis process used in this study. The coding and thematic analysis used to analyze the data is thoroughly explained.

Chapter five presents the main results of the study organized in sections relating to the research questions and presented under the main sections of Role of Ontario Youth Justice CBOs and Ontario Youth Justice CBOs Experience of Neoliberal Rationalities. In this chapter, charts

and verbatim quotes are used to illustrate the main findings. The first section of the chapter documents the contribution of CBOs to the broader youth justice sector by exploring Ontario's youth justice CBOs self-identified role as supporting youth beyond youth justice, youth allies, system navigators, and positive role models. The second section highlights the impact of neoliberal rationalities on youth justice CBOs as they discussed balancing competing values, managing accountability and monitoring practices, struggling to advocacy, and resistance practices.

Chapter six concludes this dissertation with a discussion of the main findings and key conclusions from this study, connecting them to broader theoretical constructs and embedding them in the broader criminological scholarship. The three overarching findings in this chapter are: the clarity CBOs have in their purpose and how work beyond their youth justice mandates, the contradictions of their experiences with neoliberalism and specific resistance strategies employed, and the unique considerations of Ontario's youth justice system that factor into why the system operates as it does. The limitations and suggestions for future research are discussed. To end, final conclusions and key insights from this dissertation are provided.

Chapter 2: Theoretical Framework

This chapter presents the theoretical framework which grounded this dissertation and frames the entire research process. The chapter begins by detailing the common approach to investigating the impact of neoliberalism within criminology scholarship and subsequently highlights a range of interconnected conceptual problems. As a way of addressing this gap, this chapter turns to political economy scholarship on neoliberalism and state theory, drawing especially on critical institutionalist theory. The discussion shows how criminology literature, and youth justice scholarship in particular, can benefit from an engagement with critical political economy theories and methodologies.

Criminology and Neoliberalism: Current Conceptualization

Scholarly interest in neoliberalism has grown significantly in recent years, becoming a common point of investigation across a variety of disciplines. Despite notable advancements, a review of the literature reveals inconsistent and ambiguous applications of the concept of neoliberalism (Birch, 2015; Cahill, Cooper, Konings, & Primrose, 2018; Maher & Aquanno, 2018). Many scholars vaguely associate it with the post-1970's turn to greater market discipline, exemplified by the practices of Margret Thatcher and Ronald Reagan, thereby defining neoliberalism as simply a set of policies (e.g., deregulation, privatization, free markets) (Campeau & Levi; 2019; Maher & Aquanno 2018). Moreover, there is a tendency to conceive neoliberal practices as existing outside of real existing structures, institutions, and individuals. In such interpretations, the pressures associated with neoliberal restructuring are applied uniformly rather than viewed through the lens of a dialectical process of struggle and contestation between institutionally embedded individuals. This has led to inadequately defined theoretical

frameworks and an inability to understand the impact of neoliberalism within particular contexts.

       Criminological scholarship has done well to avoid some of these trappings, contributing important work on the relationship between neoliberalism, crime, and youth penality. This work has mainly focused on how criminal justice institutions, particularly in the West, have succumbed to neoliberal rationalities, as well as the impact of new political economic structures on crime and criminal justice policy (Gray & Smith, 2021; Reiner, 2017). Indeed, criminology literature has shown how neoliberal logics of marketization, deregulation, decentralization, privatization, and responsibilization have reshaped criminal justice policy, courts, custody, and policing institutions (Campeau & Levi, 2019; Hannah-Moffat, 2000; Harcourt, 2010; O'Malley, 2018; Wacquant, 2009; Wamsley, 2019). Key criminological scholarship has linked the neoliberal era to a range of criminal justice reforms, framed as risk and responsibility (e.g., Rose, 2000), including actuarial, risk-based approaches to manage youth and an emphasis on non-state actors and individuals to prevent and manage their own risks rather than rely on the state (Campeau & Levi, 2019). Recent criminological scholarship has also specifically investigated the shifting role of the state within the neoliberal era, showing "there is no unified 'penal state' that acted in a singular direction over the neoliberal era" (Campeau & Levi, 2019, p. 335).

       Perhaps the most well-developed area of study within this literature has been the 'neoliberal penality thesis' (O'Malley, 2018). The penality thesis suggests a punitive turn in criminal justice policy, demonstrated by three broad trends: (1) increased use of incarceration, length of stays, and individual responsibilization; (2) reduced focus on 'therapeutic' approaches to rehabilitation; and (3) a justification of increased penality on the basis of protecting society (O'Malley, 2018). For example, Reiner (2006; 2007; 2017) presented a wide range of empirical

evidence demonstrating how neoliberalism produces more crime and law and order politics, resulting in more punitive crime control practices (p. 15). Building on this, Dignan & Cavadino (2007) argued there is an association between neoliberalism and punitive policies because neoliberal societies have an exclusionary attitude towards criminals and marginalized individuals. This preference to remove criminals and marginalized individuals from society justifies an increased use of incarceration and individualization within criminal justice policies. Additionally, Hannah-Moffat (2000) explored the materialization of neoliberal strategies of penal policy within Canadian women's prisons, specifically the incorporation of responsibilization strategies in the "management and reform of incarcerated women" (p. 512). More recent scholarship has highlighted how "neoliberal youth penalty individualizes, pathologizes and dematerializes the social problems and vulnerabilities of young people who offend" (Gray & Smith, 2021, p. 316).

Another central thread of this literature has been the turn in state policy to the neoliberal logic of responsibilization. As a result, criminology scholarship has developed a good understanding of the restructured relationship between the state, market, and individuals and the transformation of state intervention through responsibilization strategies. Responsibilization policies limit the state's response to crime through state agencies, such as police and courts, and instead activate non-state agencies and organizations from the social and private sector to prevent and respond to crime to reduce state expenditures (Campeau & Levi, 2019; Garland, 1996; Hannah-Moffat, 2000). Criminology scholarship has shown how responsibilization is reflected in new alternative service delivery contracts, decentralization, and offloading, thereby underpins broad-based state institutional restructuring (Crawford, 2006; O'Malley & Hutchinson, 2007; Rose et al., 2006). In this way, scholars have identified the emergence of a

form of networked governance, so called 'governing at a distance', managed through a web of accountability measures imposed and regulated by core policy institutions (e.g., service targets, financial audits) (Evans et al., 2005; Garland, 1996; Hannah-Moffat, 2000).

Criminologists have also investigated the impact of responsibilization strategies on youth justice institutions and practices. This scholarship often draws on governmentality literature (Foucault, 1991; Garland, 1997; Rose, 2000; Rose & Miller, 1992) as a "powerful framework for analyzing how crime is problematized and controlled" (Garland, 1997, p. 174). It highlights 'ways of thinking' that problematize youth who offend and the related 'technologies' that inform the policies and practices, specifically responsibilization, used to address youth who offend (Gary & Smith, 2021). This work shows how non-state agencies have taken a large role in designing, developing, and managing youth prevention and intervention programs. In particular, important work has demonstrated how youth-serving agencies are a key feature in the neoliberal responsibilization of social crime prevention and the promotion of risk-based models of governing crime (O'Malley, 2001, 2010, 2021; Goddard, 2012). This approach informs the youth justice sector's shift toward crime prevention/control risk management models that frame youth as 'at-risk', shifting risk from a collective responsibility to an individual responsibility (individualism) of managing risk. Furthermore, this literature has linked these risk-based models to individual risk-management programs and cost-benefit analysis (Goddard, 2012). For example, Goldson and Muncie (2006) utilized responsibilization strategies to show how youth crime is considered in a vacuum that fails to recognize broader context and circumstances, such as economic, political, or social factors, of youth's lives that may impact their behaviour.

Moreover, criminology scholarship has investigated the interconnected relationship between punitive and welfare approaches employed in justice systems. Wacquant's (2009) work

has been a major influence on criminologists studying neoliberal penality. He describes the neoliberal state as a penal state which uses social and criminal justice policies to address the significant marginalization of certain social groups. This occurred due to neoliberalism's socioeconomic strategies of market deregulation and welfare retrenchment. The key feature of neoliberal control is:

> "A complex mix of 'welfare' and 'prisonfare' programmes with the former directed at the 'penalization of poverty' or the disciplining of the poor into accepting precarious low paid work and the latter relating to the 'punitive turn' or the way in which the rapid expansion of imprisonment has been used not as a reaction to crime but to regulate and warehouse marginalized and potentially disruptive social groups" (Gray & Smith, 2021, p. 305).

For example, research challenging the 'boundaries of punishment' in specialized bail and drug courts in Canada and the US revealed how courts combine welfare, responsibilization and punishment principles to expand opportunities to regulate and control individuals (Gray & Smith, 2021). In his study investigating how far neoliberal risk-based crime control strategies have permeated the field of crime prevention, Goddard (2012) illustrated how risk-management schemes co-exist with welfarist notions in community-based agencies in the UK. Phoenix and Kelly (2013) explored what responsibilization means at the individual level, concluding youth are aware of the absence of relationships and services they need to access to meet their needs. These programs themselves reflect neoliberal logics of individualization and marketization as they aim to influence young people to be rational, risk-calculating individuals who aspire to be law-abiding citizens. As Phoenix & Kelly (2013) explain, responsibilization of the individual is achieved when the "individual's behaviour is aligned with the socio-political objectives of neoliberalism" (p. 425). Rather than focusing on structural inequalities and providing necessary resources, these programs are underwritten by the logic of market discipline and are carried out

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in the context of a process of state retrenchment which reinforces power inequalities (Goddard, 2012; Goessling, 2017; Rosen, 2019).

Criminology scholarship has therefore done well to understand the impact of neoliberal logics and pressures on criminal justice policy and justice systems. Despite this, however, there remains a persistent tendency across the literature to work from vague and highly generalized interpretations of neoliberalism which block adequate consideration of the institutional and structural relations shaping concrete outcomes (O'Malley, 2018; Peck, 2010). This is precisely the problem O'Malley (2018) recently identified in his summary of the gaps within criminology's analysis of neoliberal restructuring: "what exactly is neoliberalism as it emerges in detailed analysis rather than the broad and abstract – or alternatively fragmentary and selective – characterizations deployed in criminology?" (p. 4).

As we have seen, criminology scholarship typically focuses on the implementation and impact of certain neoliberal policy logics. This literature accounts for jurisdictional variations, acknowledging how political, social, economic, and cultural institutions impact outcomes (Campeau & Levi, 2019; Goldson & Muncie, 2012; Newburn, 2007; O'Malley, 2018; Reiner, 2006; Wacquant, 2010), but ultimately produces a view of institutions as passive recipients of a broader structural logic. In this framing, institutions of all sorts end up succumbing to neoliberal pressures and hence lack an independent role in historical eventuation. Thus, despite recognizing the importance of institutions, the scholarship endorses a relatively rigid top-down analytic framework, one that sees abstractly developed neoliberal logics as shaping nearly *every* aspect of the criminal justice system. Missing from consideration is the dialectical interaction between economic pressures on the one hand and organized forms of institutional power on the other, as well as the role and influence of individuals who implement policy. In this way, criminological

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accounts continue to understand neoliberalism as a "settled" and "consistent" set of policy preferences existing uniformly across time and space (Fine & Saad-Filho, 2017; Maher & Aquanno, 2018; O'Malley, 2018).

Such a narrow view of institutional operation is at the heart of the theoretical and ontological issues O'Malley (2018) identifies. Viewing institutions as passive recipients of neoliberal pressures, the scholarship focuses too much attention on the impact of policy and too little on how human agents impact institutional formation and how institutions themselves shape the specific form that neoliberalism takes across contexts. Without a more sophisticated understanding of institutional development, criminologists cannot account for the dialectical relationships and forms of struggle that have shaped real, existing neoliberalism (Springer et al., 2016).

A second related problem within the criminology literature has been a failure to present a clear definition of neoliberal restructuring that situates it within the historical development of capital accumulation. All too often, neoliberalism is linked to the policies of Thatcher and Reagan, and is seen as something that simply emerged in the 1980's. By failing to understand the historical development of neoliberalism through the 1970's financial crisis, criminologists have difficulty understanding the objectives of neoliberal restructuring and thus how its different logics fit together and are connected to a wider political and economic project of capital accumulation. The most serious effect of this has been to give inadequate attention to how the restructuring of criminal justice institutions has been oriented around intensifying competitive pressures.

Overall, therefore, this dissertation identifies two major problems within the criminology literature on neoliberalism: (1) a failure to understand the contradictory implementation and

reproduction of neoliberal policy logics on relatively autonomous state actors/institutions; and (2) a failure to take seriously the origins of the neoliberal project and its relationship to economic competition. To address these limitations, this dissertation draws on the critical political economy literature associated with the work of Poulantzas (2008), Milliband (1973), Panitch and Gindin (2012), and Maher and Aquanno (2018). This literature examines closely the rise and development of neoliberalism in the 1970's and works from an emergentist view of institutional formation. It also offers a much richer account of the economic contradictions and social struggles giving rise to the neoliberal period of capitalism, highlighting core neoliberal logics and contradictions in the development of neoliberal practices which have broadly gone unaccounted for.

Critical Political Economy and Critical Institutionalism

The critical political economy literature grounds the neoliberal policy apparatus and form of state in the restructuring of capital accumulation in the 1970's. It shows that the neoliberal stage of capitalism was grounded in economic globalization and financialization and that these processes greatly enhanced the dominance of abstract money capital (capital that can be transformed into any concrete form) (Maher & Aquanno, 2021; Panitch & Gindin, 2012). On this basis, it shows that economic liberalization was a key feature in resolving the 1970's profitability crisis. Rather than simply seeing neoliberalism as the reassertion of market rationalities and policies, this foregrounds the overriding objective of neoliberal policy reforms - to intensify competitive pressures across all domains of social life. At the same time, it shows how neoliberal accumulation and competitiveness went hand and hand with the restructuring of the hierarchy of state institutions (Chesnais, 2016; Durand, 2017; Lapavitsas, 2015; Poulantzas, 1978). If the managerial (welfare) state of the post-war period saw the rise of state institutions focused on

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legitimation (welfare, elections), the neoliberal state has evolved around the economic apparatus, led above all by finance departments and central banks (e.g., financialization). As these branches ascended in the hierarchy of the state apparatus, they were able to enforce competitive logics - namely those of financialization, marketization, and responsibilization - on subordinate state institutions, including those associated with the criminal justice system (Maher & Aquanno, 2023).

This critical political economy framing view is consistent with that offered by Wamsley (2019), whose study on US mass incarceration sharply revealed the intersection between economic restructuring and the growth of the US prison system over the past 40 years. For Wamsley (2019), neoliberalism amounts to "a variegated set of ideas, policies, and practices materializing in large part after the crises of capital in the 1970's as part of a political project to restore capitalist profitability" (p. 251). He argues the current connections between debt and the American criminal justice system are rooted in the historical economic restructuring of the state and describes the pressures for the state "to adhere to market logic and reconfigure relations of production and social production" in response to the slowdown in capital accumulation in the 1970's (p. 251). Wamsley (2019) has also advanced an understanding of the modern debt-criminal justice complex by situating individuals who are unable to pay for personal liability within the "politico-economic landscape of neoliberalism" (p. 248). He shows that economic reforms introduced by the state have reinforced displacement of marginalized populations and incarceration of individuals who are unable to pay fines, fees, and surcharges imposed on individuals charged or found guilty of crimes.

Critically, this political economy framing of the historical origins and economic nature of neoliberal restructuring also highlights its contradictory and contested form. It does so by

recognizing the interconnectedness of social structures (e.g., neoliberalism), institutions, and individuals, working with an emergentist understanding of state institutions as constantly shaped by the action of the sentient (free, rational) agents (people) that compose them. As such, neoliberalism is seen as always incomplete, in a state of becoming, as it is worked through different institutional spaces and contested by individuals both inside and outside the state. Just as state institutions are shaped by the wider economic structure, these institutions are the product of the individuals composing them and the manner in which they contest policy logics handed from above. All this means that while state actors in the criminal justice system are pressured to conform to neoliberal logics, they have a degree of autonomy to influence policy and shape outcomes (Brown, 2015; Panitch & Gindin, 2012).

The role of human agency in combating and contesting neoliberal pressures and the impact of this on state institutional formation has been further developed by political economists working within a critical institutionalist (CI) orientation[1]. CI recognizes the critical role of institutions, as well as institutionally embedded individuals in the shaping of these institutions (Maher & Aquanno, 2018). According to this framework, "while institutional formations impact social outcomes - by exerting pressure on and positively shaping the agents responsible for their very production - these are themselves conditions, but not fully determined by structural (capitalist) social relations" (Maher & Aquanno, 2018, p. 34). CI literature aligns with state-centered political economy approaches but pushes past their shortcomings by drawing from institutional and agent models of state theory to theorize the influence of human agency, as well as structural social relations on institutions.

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[1] For a detailed review of critical institutionalism see Creaven (2000), Jessop (2010, 2018), Konings (2008), Maher & Aquanno (2018, 2021), Sayer (2000), and Sum & Jessop (2013).

Moreover, CI overlaps to a degree with Gray and Smith's (2021) critical realist governmentality theoretical framework, which draws on many of the same philosophical and ontological foundations. In arguing for a more transformative youth penalty that can challenge the constraints of structural inequalities, Gray and Smith reveal the limitations of the governmentality literature often used in criminology scholarship, particularly that it minimizes the role of human agency and presents a totalizing reality that dismisses the messiness of social reality. For Gray and Smith, critical realist governmentality theory "provides a nuanced analysis of the interplay between structure and agency in the exercise of class power and the power dynamics of a networked governance" (p. 315) and highlights the "the realities of struggle, resistance and negotiation" in the process whereby human agents contend with material constraints (p. 314).

CI develops from a critical reading of institutionalist social theory. Defining institutions as organized rules, norms, and codes of conduct, institutionalism asserts the full ontological status of institutional formations and sees them as the primary force shaping social relations (Hall and Taylor 1986; Skocpol, 1985). Yet, in this model, individuals are merely passive carriers of institutional logics. While it embraces the focus on institutional rules and norms, CI rejects the conception of institutional evolution at the centre of institutional social theory. By contrast, it draws on agent models of state theory that recognize the power and autonomy of individuals and hence the contingency of historical eventuation, providing the basis of a conceptual approach that enriches criminological approaches to neoliberalism.

In this view, individuals are conditioned by the institutions and complex social relations within which they are embedded but possess autonomy and power to act back on them, and thus have a role in influencing and shaping social outcomes. And while state institutions are always in

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the last instance bound by the logic of capital, forced to support its basic rhythms due to the

separation of the economic sphere from that of the political sphere and the state's own

dependence on capital accumulation, the specificity of their formation in any given period of

capitalist development is a matter of the action of socially embedded human agents. All of this is

to understand neoliberalism as always incomplete and to draw attention to the various forms of

struggle within state institutions (and outside them) that determine its particular form. As we

have seen, this understanding of the dialectical relationship between agents, structures and

institutions and the continual process of the making of neoliberalism is missing from the

criminology scholarship, given its tendency to employ process-based understandings of

neoliberalism[2].

Neoliberalism and Neoliberal Rationalities

The CI framework helps us to understand that the rise of neoliberalism was not a natural,

inevitable phenomenon and shows that its evolution has not followed a linear path. The rejection

of Keynesian-based policies and collectivist rationalities, wherein state programing served to

legitimate capital accumulation and guarantee a certain minimum level of social citizenship (for

some), led not to a universal form of neoliberalism, but rather to what Albo and Fast (2003) refer

to as a "variety of neoliberalisms" - each form having distinct institutional modalities with very

different implications for the populations impacted. Yet as Albo and Fast (2003) argue, and has

been widely recognized in the scholarly literature, there is a common thread amongst all these

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[2] Skocpol (1985) argued the state is an autonomous actor that develops and works towards objectives that are not simply a reflection of social classes or societal interests. The state is an independent actor with the capacity to achieve its own objectives. States are also configurations of organization and action that influence the formation of groups, ideas, and policy goals (Skocpol, 1985, p. 28). Institutional approaches maintain the role of individuals within independent and autonomous state institutions is shaped and influenced by the institutional structures that they exist within. Ideational approaches explicitly recognize the ideas of individuals as the primary means by which institutional structures emerge and are reproduced (Hall, 1993; Schmidt, 2008). CI combines these key premises from institutional and agent models to recognize the autonomy of individuals in conditioning the autonomous institutions they are embedded within.

different expressions, as the neoliberal project has everywhere been bound up with the application of a set of core logics or rationalities (Brown, 2015). At base, these are expressive of a specific pattern of capital accumulation that is strongly tied to the processes of globalization and financialization which were critical to overcoming the profit crisis of the 1970's (Skogstad, 2000).

Such rationalities, therefore, are at the centre of a distinct form of neoliberal governance extending across time and space. In one way or another, they appear within all public policies - from the emphasis on fiscal austerity, to the movement towards public-private partnership, as well as the adoption of management and performance measurements. More generally, these rationalities underpin the New Public Management (NPM) initiatives implemented in Canada and elsewhere which have emphasized downloading, deregulation, and privatization of public services, amongst other things. Following the widespread political economic transformations throughout the 1970's and 1980's, NPM arose in the 1980's and 1990's as the new public administration model responsible for prioritizing government efficiency through the application of business and market logics to the public sector (Hood, 1991). NPM provided the framework and tools to address the shift in state and administrative structures that mirrored market logics (Evans, 2020).

This section looks at two of the most central neoliberal rationalities: responsibilization and marketization. These rationalities have distinct orientations, with specific implications for public policy making and the restructuring of state institutional priorities. Critically, however, they are interconnected. Moreover, both reflect an underlying drive towards the intensification of competitive pressures. As we have seen, the drive to increase competitiveness is the central

overriding objective of neoliberal restructuring, and thereby underpins both responsibilization

and marketization.

Responsibilization

Responsibilization is a strategy of governance comprising various characteristics related

to the state, communities, citizens, and service providers (Juhila & Raitakari, 2017). The roots of

responsibilization are found in the governmentality literature and most often attributed to

Garland (2001), Rose and Miller (1992), and Foucault (1991). Governmentality literature

explores the governing of people's conduct through relationships of power and techniques where

individual behaviour is subject to control and exercise that control on themselves (Kwon, 2013;

Rose, 2000). O'Malley (2009) defined the core features of responsibilization as, "the process

whereby subjects are rendered individually responsible for a task which previously would have

been the duty of another – usually a state agency – or would not have been recognized as a

responsibility at all" (p. 277). Devolution and downloading are often used interchangeably with

responsibilization as all three generally refer to the shifting of accountability or authority from

the state to the individual, community, private, and/or third sector. Devolution typically refers to

the shifting of decision-making power and authority of macro-level issues to smaller entities,

whereas responsibilization refers to the shifting of accountability and authority of what occurs at

the bottom of the devolution or downloading process (Brown, 2015).

Brown (2015) describes how neoliberalism draws on neoliberal rationalities to reduce

central state authority over policy, sending "decision making and resource provision down the

pipeline of power and authority" (p. 133). Non-profits and private businesses step up to address

issues because local governments are "small and weak units unable to cope with them

technically, politically, or financially" (Brown, 2015, p. 132). As a result of the policy decisions

enacted by the state that were grounded in the NPM approach, a restructured relationship between the state, the market, and individual citizens emerged which altered the role and purpose of the state. This restructured relationship has resulted in a retrenchment of the state in providing direct social service delivery programs but opened possibilities for state involvement in other areas of governance (Albo, 2002; Brown, 2015). The shift to governance "signifies a transformation from governing through hierarchical organized command and control to governing that is networked – in corporations, states, and non-profit agencies alike - integrated, cooperative, partnered, disseminated, and at least partly self-organized" (Brown, 2015, p. 122).

The underlying assumption of responsibilization is that the welfare state acted as an expert in managing and providing for individuals and communities, where individuals had become too dependent on the state and avoided their responsibility to manage their own lives. This downloading of responsibilities from the state to individuals, non-state agencies, private sector, and communities, is conducted to achieve maximum efficiency. As the state is no longer responsible for social service delivery, the state is no longer burdened with the costs of delivering support services. The state relegates the costs for a program to a lower level of government or non-state entity (e.g., private firm, non-profit sector) and establishes a competitive market to deliver these services, further driving efficiency. One of the key components of responsibilization is the management of risks and its use in the governing of individuals and communities in the interest of social control. When the state shifts responsibility back to individuals and communities by expanding the capacities of different non-state entities to become involved in managing the conduct of citizens, two connected forms of responsibilization arise: community responsibilization and individual responsibilization (Garland, 1996; Rose et al., 2006; Walsh, 2011).

The drive to retrench state-operated social service delivery has resulted in the state 'governing at a distance' through both community and individual responsibilization. Community responsibilization is accomplished by devolving and decentralizing state functions to community partnerships and CBOs so that the state is a manager of resources and contracts, rather than service provider (Juhila & Raitakari, 2017). In criminology, responsibilization processes are grounded in the belief that "the state is not and cannot effectively be responsible for preventing and controlling crime" (Garland, 1996, p. 453) and non-state entities have a responsibility to actively participate in preventing, managing, and responding to crime (Garland, 1996; Muncie, 2006). In addition to activating non-state entities to participate in social and crime control, responsibilization also activates individual citizens to be accountable for managing their own behaviour and risk of engaging in anti-social and criminal behaviour (Muncie, 2006; O'Malley, 2002, 2010, 2021).

Individual responsibility is premised on the reconstituted citizen as human capital that cannot burden the state with their needs, at present or in the future (Brown, 2015). The responsible individual has autonomy and free choice to act rationally. Individual responsibilization draws on marketization, described next, to reconfigure individuals as economic beings focused on self-interest, rather than collective goods (Rosen, 2019). The pressure of responsibilization on the individual is more about controlling behaviours and attitudes in relation to free market values, with the underlying demand that individuals are responsible for finding solutions to collective social problems (Brodie, 2007; Costas Batlle et al., 2017). Accordingly, individual responsibilization strategies have been used to manage and transform individuals from deviant to 'ideal' rational, risk-calculating individuals who actively aspire to full, law-abiding social participation (Phoenix & Kelly, 2013).

Youth, in particular 'at risk' youth, are framed as "citizens in the making" (Goessling, 2017, p. 208). Neoliberal discourse recognizes the developmental stage of youth between childhood and adulthood and frame youth as objects needing reform, either through a need of care or a need of control (Kwon, 2013; Rosen, 2019). At risk youth must be transformed to the 'ideal' youth who is "knowledgeable, empowered, engaged" and pushed towards the rational, fully formed adult citizen (Goessling, 2017). Responsibilization, as a technique of neoliberal governance and crime control, requires that individuals take 'sensible' precautions against becoming 'victims' of crime. For example, Karaian (2014) argues anti-sexting campaigns responsibilize teenage girls to manage their own experiences of victimization and the criminalization of their peers for preventing harms of sexting. She argues this occurs when state and non-state actors "provide individuals with relevant information and skills to assist them to change their actions and routines to minimize exposure to crime". As O'Malley (2018) summarized, "those who become crime victims take on some degree of responsibility for their victimization" (p. 277).

Marketization

The concept of marketization draws upon the classic work of Karl Polanyi, an institutional economist. Polanyi (1957) emphasized the importance of embedding the market as the institutional foundation of society. He observed "that a distinctive feature of mature capitalist societies is the pre-eminence of market exchange as the transactional mode around which all economic activity is organized" (Messner, 2022). Importantly, Polanyi (1957) warned society should not be completely dependent on market mechanisms, what he termed the 'self-regulating market', because it contrasts with human morality (Messner, 2022). The welfare state was established to mediate Polanyi's warning, exemplified by the 're-embedding' of the economy in

society through governmental regulation (Messner, 2022). The move to marketization appears to abandon Polanyi's warning as states prioritize a smaller state through deregulation, decentralization, and privatization. Thus, marketization is a comprehensive strategy to restructure the welfare state, characterized by the adoption of markets and market forces across all social domains, including the state and the third sector, in the interest of capital (Birch & Siemiatycki, 2016, Stacey, 2012).

Marketization realizes the ideology that economies are best operated through market mechanisms, rather than state management, and imports the model of the market to all domains and activities and reconstitutes human beings as market actors (Brodie, 2007; Brown, 2015; Davis & Walsh, 2017). Brown (2015) explains "economic principles become the model for state conduct, the economy becomes the primary object of state concern and policy, and the marketization of domains and conduct is what the state seeks to disseminate everywhere" (p. 62). As such, all interference in the market economy must be removed. This market logic results in a restructured state that also transformed state and non-state institutions alike. This was accomplished through NPM's goal to bring private sector management (e.g., managerialism), economic techniques, and market approaches to the public sector, focusing on professional management, performance standards and measures, outputs and outcomes, decentralization, competition, discipline, all encompassed under the goal of efficiency (Brown, 2015; Hood, 1991, Knafo, 2020). NPM was characterized "by performance results, contracting out, and the attainment of accountability and efficiency through individual achievement of net targets, behavioural coaching, and ongoing evaluation" (Baines, 2004, 2010a, 2010b, 2015). NPM emphasizes efficiency, performance-based measurement, and quality improvement through increased use of technology and information systems, prioritize devolution and contracting out

services, and an overall emphasis on a market-oriented approach (Evans, 2020; Indahsari & Raharja, 2020). This market-oriented logic is the primary means by which neoliberal restructuring has been pushed on the third sector (Evans, 2020).

An ideological shift was occurring from welfarism to economic rationality. Critiques of the Keynesian state as too bureaucratic and inefficient were coupled with the belief that the large bureaucratic state delivery of social services is inferior to the efficient business practices of the private sector (Birch & Siemiatycki, 2016; Evans, 2020; Indahsari & Raharja, 2020). This discourse "legitimatized rethinking of the state as a market facilitator rather than social service provider" and prioritized devolving state service delivery functions to the private and third sector as the best way to achieve efficient policy making (Birch & Siemiatycki, 2016, p. 182; Joy, 2021). This resulted in a shift from the state's broad accountability for public service to a focused accountability that is based on market transactions. In other words, the state's accountability to deliver public services is specific to results, rather than the broad spectrum of activities required to deliver social services.

Thus, neoliberalism is manifested by states that embrace a market approach to governance in both social and economic spheres (Evans & Shields, 2015). In this sense, states utilize market incentives within the public sector to create an 'internal market' where public organizations compete with one another. For example, Lippert & Walby (2014) studied the marketization of police services in Canada through the rise of 'paid duties' and examining the manifestation of marketization in policing and the pressure to move toward marketization of public policing services.

Competition

As Foucault recognized, neoliberalism marked an epistemological shift in economic thought from a system grounded in an exchange market logic to one grounded in a competitive market logic (Hearn, 2021). Indeed, as critical political economy scholarship has shown, the overriding objective of neoliberal restructuring has been the intensification of competitive pressures across all social domains. In many respects, it has been through the application of the logics of marketization and responsibilization that competition has been introduced into public spaces (Stacey, 2012).

Competition is a function of the mobility of capital and has the effect of pressuring actors and institutions to pursue more efficient strategies and cut costs, often by reducing service delivery or exploiting workers and the natural environment. Competition is thus closely connected to the twin processes of financialization and globalization, both of which emerged over the past 50 years in response to the 1970's crisis (Skogstad, 2000). Financialization, which refers broadly to the increasingly dominant role of finance within capitalism, underpins the movement of goods and services across the world and the development of global supply chains (Birch & Siemiatycki, 2016; Davis & Walsh, 2017; Fine & Saad-Filo, 2017). As national economies have become more connected in this way, states have been forced to continually restructure their operations to reduce costs and regulations. As a result, the proliferation of public-private partnerships (PPP's), including in the prison system, and paradoxically the adoption of certain decarceration strategies, can themselves be linked to the competitive pressures unleashed by the liberalization of capital (Allen & English, 2013; White et al., 2020).

To date, criminological engagement with financialization and competition has been limited and generally focused on examining crimes associated with finance such as white-collar

crime and fraud (see Piquero, 2018; Rorie, 2019). In his work theorizing the analytic capacity of financialization studies to broaden criminology's understanding of harm caused by corporations and financial institutions, Guzmán (2022) highlights how few scholars have addressed "the rise of financialization and the rationality distinctive of financial markets as the crucial process that enables such reckless behaviours and their devastating effects on society" (p. 154), calling for further examination of the link between financialization and criminal activity in society. In part, this entails understanding how the dominance of abstract money capital associated with financialization and globalization has shaped criminal justice policies and how all this is tied to increasing competition.

By acknowledging the link between various neoliberal rationalities and competitive pressures on the one hand, and competition and financialization on the other, this dissertation helps to address the gap identified by Guzmán (2022). Moreover, this dissertation shows how competition has been manifested in the youth criminal justice system through the logics of responsibilization and marketization. As we have seen, the core rationale for marketization has been to improve efficiency and cut costs by making the public sector more closely resemble the private sector. This involves pitting more and more social service institutions against each other in a competitive relationship to implement market-based efficiency metrics so that expenses are contained and justified using cost benefit analysis. All this has been connected to an increasing tendency to responsibilize and deregulate services, often by relying on a more community-based model, which while providing a degree of local control is ultimately constrained by chronic underinvestment. As a first step, the manifestation of responsibilization and marketization in Ontario youth justice today are explored in the next chapter.

Conclusion

Criminology scholarship has not only failed to offer a sufficient definition of neoliberalism, but it has also failed to understand the dialectical relationship between neoliberal logics and state institutional actors. As we saw above, these are part and parcel of the same problem, rooted in a narrow and deterministic reading of the very nature of neoliberal restructuring. The effect has been to ignore a range of important research questions pertaining to the way that agents within state institutions have resisted and themselves shaped the nature of neoliberal policy across time and space. Recognizing the important role that these actors play in the process of neoliberal restructuring thereby requires taking seriously the interconnection between structures and institutions theorized in the critical political economy literature and the understanding of neoliberalism associated with this. Moreover, we must recognize the logics through which neoliberal restructuring have taken shape in Canada and beyond and how these have themselves been refracted and reoriented as they have come into contact with institutionally embedded actors responsible for their implementation.

The next chapter turns to Ontario's Youth Justice System and shows how neoliberal logics have been applied to every component of the Ontario public service and have deeply impacted how the youth justice system operates. This sets up the ensuing qualitative analysis and discussion which, drawing on a CI reading of institutional and structural formation, examines the interplay between these logics and management and front-line workers at Ontario youth justice CBOs.

Chapter 3: Literature Review

The CI theoretical framework presented in the previous chapter acknowledges the multi-level conditions that exert pressure on youth justice CBO's. Specifically, these multi-level conditions are interconnected whereby embedded CBO youth justice workers are conditioned by the institutions they are situated within; however, these CBO justice agents also possess autonomy and power to exert influence back on state institutions. This chapter reviews the structure and function of the Canadian youth justice system to situate the role of youth justice CBOs within Ontario's multi-stakeholder youth justice system. Additionally, this chapter provides foundational knowledge to contextualize this dissertation within existing literature.

This chapter details how neoliberalism has played out in Ontario as a result of the response to the 1970s financial crisis. This chapter provides a roadmap of how neoliberalism has already implanted itself in Ontario, and more specifically, Ontario's youth justice system, through the CI lens that understands branches of the neoliberal state are impacted differentially. It starts broadly, reviewing Ontario's embrace of neoliberalism and how it has functioned as a catalyst in its expansion. It reviews key policy decisions and political priorities over the last 50 to 60 years, specifically highlighting key neoliberal logics of responsibilization, downloading, privatization, and austerity policies that are deeply entrenched in Ontario. This chapter then narrows in on the specific neoliberal restructuring that has occurred in the Ontario's youth justice branch of Ontario's neoliberal state and the imposition of competition through the application of responsibilization and marketization rationalities. Finally, this chapter draws from social sciences scholarship to summarize the impact of neoliberal policies in the third sector. This scholarship acts as a starting point to understand how Ontario youth justice CBOs may be similarly impacted by neoliberalism as little criminology scholarship has focused on this.

The literature reviewed in this chapter is guided by the research questions: 1. How do Ontario youth justice CBOs perceive and understand their role in Ontario youth justice? 2. What do Ontario youth justice CBOs see as the biggest forces structuring their work and mandates? and 3. How do Ontario youth justice CBOs experience neoliberal rationalities, such as competition and individualization? Reviewing the Ontario youth justice system is necessary context to examine the specific role and experience of youth justice CBOs. The review presented here functions as a background analysis to understand the evolution and transformation of Ontario youth justice and the current social and policy context in which youth justice stakeholders are operating, as well as an understanding of the state's articulation and directed application of youth justice principles and values.

Neoliberalism in Ontario

The outcomes of the neoliberal project are well known. Scholars broadly agree that "while the neoliberal project has stimulated economic growth and flows of trade, finance, and people across boarders, it also has rapidly deepened the gulf between the rich and the poor both within countries and across the North-South divide (Brodie, 2007, p. 93). More than 30 years on, the neoliberal project has resulted in unbridled economic growth and wealth creation (for the few) together with decreased well-being (for the majority) (Brodie, 2007, p. 93; Costas Batlle et al., 2017). The economic inequalities generated by the neoliberal apparatus are unjust and Canadian and Ontario governments have de-prioritized social collectivism (e.g., social citizenship, social security, social justice) and replaced it with individualism and market logics as the primary means to individual wellbeing (Brodie, 2007, p. 99; Hager et al., 2018).

Ontario's successive moves toward neoliberalization occurred through the enactment of public policy grounded in neoliberal values. Canadian federal and provincial governments have

purposefully embraced neoliberal rationalities as evidenced by Canada's detailed transition to a neoliberal state (see Albo & Evans, 2019; Amyot, Downie, & Tremblay, 2010; Evans & Shields, 2000; Gill, 2021; McBride, 2005). Scholars have noted Canadian neoliberal restructuring was slower and often accomplished through subtle restructuring tactics compared to other countries (Albo & Evans, 2019; Gill, 2021). Despite this slow beginning, the very fabric of Canadian institutions and social and economic life are deeply entrenched in neoliberalism today. Following international trends towards neoliberal ideology and policies, Canada's turn to neoliberalism was similarly triggered by the growth of globalization and the need to remain competitive within the new globalized economy (Gill, 2021). As the election of Margaret Thatcher is often cited as the impetus to the proliferation of neoliberalism across the Global North (Harvey, 2005; Gill, 2021), Canada's election of Brian Mulroney in 1984 is recognized as the beginning of Canada's shift to neoliberalism. Over the next 30 years[3], regardless of the governing political party, economic and social policy was grounded in neoliberal thought. For example, state policy increased international competitiveness and international trade (e.g., NAFTA), focused on austerity (e.g., reduced federal deficit and balanced budgets), and privatized and deregulated public services (e.g., Western Accord on Energy), driving Canada's reorientation to a neoliberal state (Albo & Evans, 2019; McBride, 2005; Gill, 2021).

Ontario's shift to neoliberalism is most often associated with the election of Mike Harris in 1995, however evidence points to a similar timeline to Canada (Albo & Evans, 2019; Gill, 2021; Harrison & Weber, 2015). From the late 1970's through to the 1990's, Ontario enacted cost-cutting policies in multiple social service domains including housing, welfare programs, employment programs, and youth recreation services (Albo & Evans, 2019; Viswanathan, 2010).

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[3] See Gill (2021) for a detailed historical review of the emergence of neoliberalism in Canada and Ontario and its subsequent impact on marginalized groups of people and the creation of poverty reduction strategies in Ontario.

Bob Rae's 1990 government initially preserved investment in social programs and protected the welfare state, however, public backlash to a growing deficit compelled his government to shift their focus to austerity policies and balancing the budget. Paralleling federal initiatives to restrict unemployment insurance and reduce federal-provincial cost sharing, Rae's government enacted similar provincial retrenchment policies for welfare support and low-income workers (Coulter, 2009; Gill, 2021).

By the 1995 election of the Harris government, a solid foundation had already been laid to propel the neoliberalization of Ontario. From 1995 to the 2000's, a traditional neoliberal policy-making approach was prioritized to cut taxes, create jobs, enhance business investment, reform welfare, deregulate and download government services, and balance the budget (Albo & Evans, 2019; Gill, 2021). Following profound cuts to the federal-provincial cost sharing program (the Canada Assistance Program; CAP) in the 1990s, Ontario deployed significant funding reductions to health and education sectors, evidenced by hospital closures, minimum wage freezes, cuts to childcare subsidies, dismantling of unions and workers rights, and cancelled job training programs (Albo & Evans, 2019; Gill, 2021).

The 'aggressive' neoliberal approach of the 1990's and 2000's gave way to a more 'subtle' approach that continued to focus on austerity, privatization, (e.g., privatizing health services by reducing OHIP coverage), and continued retrenchment of state social service delivery (Albo & Evans, 2019; Gill, 2021). Along with neoliberal-based policy decision-making, public sentiment started to shift that individuals were becoming too reliant on welfare and social services. This was reflected in responsibilization and individualism strategies pushed by the Ontario state, promoting the idea that individual citizens must be responsible for their own circumstances and cannot rely heavily on the state for support. This ideology opened the door for

restrictions to social assistance such as the 'spouse in the house rule'[4] and ended welfare payments for individuals who were incarcerated (Gill, 2021). Highlighting the influence of neoliberal ideology and discourse during the McGuinty neoliberal years, Coulter (2009) illustrated how the state skillfully fused socially progressive language with for-profit interest to garner public support for their policies.

Neoliberal Restructuring and Ontario Youth Justice

Following the above overview of Canada and Ontario's transition toward a neoliberal state, this section details the restructuring of the criminal justice apparatus, specifically the youth justice system in Ontario. As noted in the CI theoretical framework explained in Chapter 2, the neoliberal state is not a singular entity and does not manifest uniformly across time and space. As part of the response to the 1970s financial crisis, the restructuring of the hierarchy of state institutions resulted in different branches of the neoliberal state being more 'neoliberalized' than others, such that financial institutions (e.g., banks) are the most 'neoliberalized' (Chesnais, 2016; Durand, 2017; Lapavitsas, 2015; Poulantzas, 1978). Subordinate state institutions, such as those associated with the criminal justice system, have less or greater flexibility to shape how neoliberal restructuring plays out in their specific institutions. It is in this way that neoliberalism is always incomplete, revealing itself in nuanced ways across time and space, as it is worked through different institutional spaces and branches of the neoliberal state.

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[4] The 'spouse in the house' rule was a policy to determine eligibility for social assistance in Ontario. It automatically disqualified an individual from receiving social assistance if they were living with another individual of a different sex. The law automatically considered the individuals living together spouses in contradiction to federal family law that considered individuals common-law spouses after three years. The rule was challenged and found unconstitutional by the Ontario Court of Appeal in 2002. The Ontario government dropped its appeal to the Supreme Court of Canada in 2004. Today, eligibility requirements are still impacted if there is another individual living in the house (with qualifiers).

Ontario's youth justice system has contended with neoliberal restructuring is marked by similar ideologically aligned policy and restructuring driven by responsibilization and marketization, underpinned by competition, influenced decisions within the Ontario youth justice system. The neoliberal transformation of Ontario's youth justice system is marked by a focus on establishing a comprehensive, integrated approach in responding to young people in conflict with the law with the underlying goal of creating an efficient system (Caputo & Vallee, 2008). In Ontario, this approach has resulted in responsiblizing a multifaceted system of institutions, community agencies, and individuals, such as police, lawyers, judges, probation officers, social workers, and public servants, who work together, but are also often in competition with each other, to implement various aspects of an efficient youth justice system. This approach is possible and significantly influenced by policy and legislation at the federal level.

Canada's institutional arrangement, federalism, significantly impacts how youth justice is manifested in each province. Within a federalist state, political authority and responsibility is divided among different levels of government, impacting how policy is developed, implemented, and evaluated (Gardner, 2017; Pierson, 1995). The Canadian Constitution (1867) outlines the division of powers between the federal and provincial/territorial governments. Specific to youth justice, the division of powers mandate criminal law, including youth criminal law, is a federal responsibility with the administration and implementation of youth justice as a provincial/territorial responsibility (Alain et al., 2016; Doob & Sprott, 2004). In other words, federally enacted youth justice legislation focuses on the adjudication process of youth who commit crime, whereas provinces/territories are responsible for creating the institutions, programs, and services that serve these youth (Alain et al., 2016; Cooke & Finlay, 2007). Compared to previous youth justice legislation, the YCJA affords the provinces/territories more

power and discretion in the administration of youth justice and shaping Canada's response to youth crime, evidenced by provincial/territorial variation in allocation of resources and policy formulation (Bala & Anand, 2009). The shared responsibility of youth justice results in a youth justice system that is largely influenced by issues at provincial/territorial and local levels, where meaningful differences and continued variation in the articulation and application of federal youth justice legislation occurs (Alain et al., 2016; Cesaroni, 2011; Muncie, 2005, 2006).

Canada has had three different laws governing young people who commit crime, the Juvenile Delinquents Act (JDA; 1908), the Young Offenders Act (YOA; 1982), and the current Youth Criminal Justice Act (YCJA; 2003). Starting with the JDA, Canadian youth justice legislation has consistently maintained a special status for youth who come into contact with the law through the principle of diminished responsibility and culpability; this principle continues to this day. This important principle aligns with most practices in the Western world, acknowledging the reduced maturity level and greater dependency of youth due to their developmental stage and is the foundation of a separate system from adults (Alain et al., 2016; Doob & Sprott, 2004). Building from this special status of youth, Canadian youth justice principles evolved from a child-saving movement and blaming parents, shifting to the 'misguided child' and a focus on legal rights, to more recent attempts to balance the rights of society and youth, while paying attention to both punishment and prevention (Alvi, 2014). As Bala (2015) notes, youth justice legislation has "evolved from a highly discretionary regime with little recognition of legal rights, to a due process-oriented approach that recognizes legal rights of youth and significantly structures the discretion of prosecutors, courts and youth workers" (p. 128).

As a result of a separate youth justice system and the special status of youth, a fundamental tension exists within Canadian youth justice legislation. While each law prioritized different youth justice models and values in guiding Canada's response to youth crime, historically, Canadian youth justice has attempted to achieve a balance between two opposing ideologies: due process and treatment with needs of the young person (Doob & Cesaroni, 2004). Throughout the YCJA, principles (e.g., sentencing principles) are written in a way that meets both ideologies - fair punishment and protecting society while also helping young people to build skills and successfully contribute to their communities (Doob & Cesaroni, 2004; Alain et al., 2016). The compromise to appease both public safety and the special status of youth has resulted in mixed messaging throughout the legislation. For example, the Preamble[5] and Declaration of Principle[6], statements at the beginning of the YCJA that guide interpretation of the act, compromise between balancing the need to protect society and public safety and holding youth

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[5] The YCJA's Preamble states the general intent of Parliament and provides the social context and policy concerns that influenced the YCJA. It states: WHEREAS members of society share a responsibility to address the development of young persons to guide them into adulthood; WHEREAS communities, families, parents and others concerned with the development of young persons should, through multi-disciplinary approaches, take reasonable steps to prevent youth crime by addressing its underlying causes, to respond to the needs of young persons, and to provide guidance and support to those at risk of committing crimes; WHEREAS information about youth justice, youth crime and the effectiveness of measures taken to address youth crime should be publicly available; WHEREAS Canada is a party to the *United Nations Convention on the Rights of the Child* and recognizes that young persons have rights and freedoms, including those stated in the *Canadian Charter of Rights and Freedoms*, and the *Canadian Bill of Rights*, and have special guarantees of their rights and freedoms; AND WHEREAS Canadian society should have a youth criminal justice system that commands respect, takes into account the interests of victims, fosters responsibility and ensures accountability through meaningful consequences and effective rehabilitation and reintegration, and that reserves its most serious intervention for the most serious crimes and reduces the over-reliance on incarceration for non-violent young persons. (YCJA, Preamble, 2003)

[6] The YCJA's Declaration of Principle establishes the overall purpose of Canada's youth justice system and provides guidance on the priorities of the act. It states the youth justice system is: intended to protect the public by (i) holding young persons accountable through measures that are proportionate to the seriousness of the offence and the degree of responsibility of the young person, (ii) promoting the rehabilitation and reintegration of young persons, and (iii) supporting crime prevention by referring young persons to programs or agencies in the community to address the circumstances underlying their offending behaviour (YCJA, section 3(1)(a)).

accountable with fair and meaningful sanctions that are grounded in rehabilitation/reintegration and non-custodial, community-based approaches in responding to youth crime.

Driven by pressures of market-based logics to establish an efficient youth justice system, the government department responsible for administering youth justice in Ontario has changed considerably since the enactment of the JDA, shifting from a single ministry to multiple ministries, and returning to the current single ministry model under the YCJA. Under the JDA, all youth correctional services were under the Ministry of Correctional Services (MCS), which included adult correctional services. Jurisdiction of youth under 16 was later transferred to the Ministry of Community and Social Services (MCSS), with 16- and 17-year-olds remaining under the jurisdiction of MCCSS and adult correctional services. The YOA continued this jurisdictional split between two ministries, classified as Phase 1 youth (aged 12-15) under MCSS and Phase 2 youth (aged 16-17) under MCSCS. The enactment of the YCJA resulted in further restructuring and amalgamation where four provincial ministries responsible for the implementation of the CYFSA (formerly the Child and Family Services Act, CFSA) and the Ministry of Correctional Services Act (MCSA) merged to create one new ministry. The Ministry of Children and Youth Services (MCYS; most recently changed to the Ministry of Children, Community, and Social Services; MCCSS) brought all youth aged 12-17 and associated youth justice services under one jurisdiction (Alain et al., 2016; Cooke & Finlay, 2007).

MCCSS is now responsible for a variety of services for children, youth, and families, including child welfare, youth justice, and community support. With the re-naming of MCYS to MCCSS in June 2018, children and youth services were restructured again (e.g., children's mental health is now under Ministry of Health) with the significant reduction in the number of provincial ministries. Most importantly to the context of this study, all youth justice services

remain housed under MCCSS. As the Ontario government streamlined the number of ministries

and imposed mandates to become more cost and resource efficient, moving Ontario youth justice

jurisdiction under one ministry required the development of new policies and procedures that

included youth aged 12 to 17 at the time of their offense (Cooke & Finlay, 2007). The Youth

Justice Service Division (YJSD) within MCCSS was established to transform youth justice

services to meet the new requirements of the YCJA and oversee the dedicated, integrated youth

justice system.

Responsibilization of youth justice services to the non-profit sector has been a key feature

of the neoliberal downloading of social crime prevention to communities in Ontario.

Historically, Ontario directly operated the institutions responsible for delivering youth justice

services (e.g., training schools, custody facilities). However, as the state actively embraced

neoliberal policy agendas, downloading of services to non-profit agencies and the development

of community alternatives came to define Ontario's youth justice system (Borgida & Semple,

2008). Prior to the YOA, MCS established approximately 40 residences in 1975, however as

responsibilization strategies for crime control expanded, community-based agencies became the

primary facilitator of youth justice services (Borgida & Semple, 2008). The YOA further

entrenched responsibilization strategies in Ontario through the establishment of alternative

service delivery contracts with a number of private and non-profit organizations to meet the new

legislative requirement of a two-tiered system of custody, the newly established open custody

and the continued secure custody facilities (Borgida & Semple, 2008; Cesaroni, 2011).

Responsibilization and downloading strategies were further expanded in Ontario youth

justice, influenced by the two primary objectives of the YCJA: 1. to reduce the overuse of courts

and custody (decarceration), and 2. to reduce the complexity and vagueness of the legislation

through clear principles and direction in the interpretation of the Act (Department of Justice Canada, 2013; Doob & Sprott, 2004). Scholars generally agree that these objectives have been achieved (Alain et al., 2016; Bala et al., 2009; Doob & Cesaroni, 2004; Doob & Sprott, 2004), however, a more detailed examination of these objectives reveals important nuances across Canada[7].

The YCJA was enacted in response to "perceived inadequacies" of the YOA (Cesaroni, 2011) after a decade long review process that included three sets of amendments to the YOA in 1986, 1992, and 1995, and reports by the Federal-Provincial-Territorial Task Force on Youth Justice in 1996 and the Standing Committee on Justice and Legal Affairs of the House of Commons in 1997 (Alain et al., 2016; Doob & Sprott, 2004; Webster et al., 2019). The YCJA has been called an "astute political compromise" and a lesson in political rhetoric versus practical implementation (Bala et al., 2009). During the policy making process, the YCJA was presented as a tough on crime approach, however, scholars have consistently agreed the legislation balances the opposing values of public safety with rehabilitation and non-custodial, community-based approaches in responding to youth crime (Bala et al., 2009; Doob & Sprott, 2004; Webster et al., 2019).

In addressing the first key objective of decarceration for youth in Canada, the YCJA targets two primary groups of youth who commit crime: less serious, non-violent youth who

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[7] The statistics presented here are intentionally pre COVID-19 pandemic. In the first two years of the pandemic (2020 and 2021), policies enacted to control the spread of COVID resulted in Canadians spending more time at home and less time with others. Preventative measures were implemented to reduce the number of individuals in custody facilities and resulted in an "unprecedented decline in the number of adults and youth in a correctional institution" where facility counts fluctuated alongside pandemic-imposed restrictions (Moreau, 2022, p. 4). The youth justice system experienced greater declines than the adult system: admissions to adult correctional services declined by 42%, youth admissions to custody declined by 45% and community supervision declined by 41%. The annual average daily count of youth in custody decreased by 27% in 2020/2021, the largest decline since the YCJA came into force (Statistics Canada, 2022). In Ontario, five-year trends (2016/2017-2020/2021) similarly reflect substantial decreases in rates of young people in custodial supervision (-33%), community supervision (-44%), and probation (-48%) (Statistics Canada, 2022).

were more likely to be incarcerated under the YOA, and serious violent youth (Alain et al.,

2016). The YCJA has been very effective in dealing with the first group, the majority of youth

managed by the system. The overuse of custody and courts has been accomplished through

diversion for minor offences, providing a range of non-custodial and brief custodial interventions

for intermediate offences, and limiting the use of custody to youth who engage in violent and

repeat offences (Doob & Sprott, 2004; Mann, 2014a). Examining factors related to Canada's

decarceration of youth, Webster et al. (2019) detail evidence of decarceration: between 1997/98

to 2015/16, custodial sentences reduced by 86% (from 3825 to 527), the youth imprisonment rate

reduced by 73% (192 per 100,000 to 51 in 2015), and only 49% as many cases went to court

compared to 2003 levels. Additionally, the police-reported per capita youth crime rate and the

Canadian Youth Crime Severity Index (YCSI) declined 26% and 25% respectively from 2002-

2012 (Alain et al., 2016). However, it is important to note the continued substantial variation in

the use of custody across provinces/territories. For example, Ontario experienced a 79%

reduction in the use of custody, however Manitoba experienced a 22% decrease, a noteworthy

difference (Webster et al., 2019). The well documented overrepresentation of First Nations,

Metis, and Inuit (FNMI) youth within Canadian custody facilities is a driving force in these

provincial variations. In 2016/2017, FNMI peoples comprised 3% of Ontario and 18% of

Manitoba's general population, yet alarmingly accounted for 14% and 85% respectively of

sentenced custody admissions (Alain et al., 2016; Webster et al., 2019).

The second smaller group of youth targeted by the YCJA, serious violent youth, does not

reveal such clear trends. Although police-reported youth crime, such as the Youth Crime

Severity Index (YCSI) and the Youth Violent Crime Severity Index (YVCSI) have decreased

overtime, jurisdictional statistics reveal stark differences across provinces (Allen, 2018). For

example, the Canadian YCSI increased 14% in 2017, however this was mostly attributed to increases in Ontario (+14%) and Manitoba (+11%), offset by declines in Nova Scotia (-15%) and New Brunswick (-10%) (Allen, 2018). Furthermore, the most common offences leading to custodial sentences continued to be for less serious, non-violent crimes (e.g., YCJA offences, failure to comply, mischief, administration of justice) (Campbell, 2016). Although geographical variation reveals considerable differences in the effectiveness of the YCJA, overall, the YCJA has successfully achieved its decarceration objective.

The YCJA has successfully achieved its primary objectives of reduced use of sentenced custody and clarified principles. Although declining since the enactment of the YCJA, declines of pretrial detention rates have been significantly slower, such that pretrial detention rates have surpassed sentenced custody rates since 2007/2008 (Malakieh, 2018; Webster et al., 2019). In 2016/2017, the average daily count of youth in correctional services was 897 youth in pre-trial detention and 520 youth in sentenced custody, a 25% and 43% respective decline from 2012/2013 (Malakieh, 2018). This slower decline was addressed in the 2012 YCJA amendments housed in Bill C-10, the Safe Streets and Communities Act (Mann, 2014a, 2014b). The primary objective of the 2012 YCJA amendments were to strengthen how the youth justice system deals with serious violent, repeat offenders and to add clarity to pretrial detention (Department of Justice of Canada, 2013, 2015; Webster et al., 2019). As such, the amendments changed only a small number of key sections of the YCJA: the general principles, pretrial detention, sentencing principles and criteria for custody, publication bans, police record keeping, and custody placement provisions (Department of Justice Canada, 2015; Library of Parliament, 2011). Despite the initial concern that the 2012 amendments re-prioritized punitive approaches, scholars agree that the amendments are symbolically more punitive but do not re-prioritize punitive

principles (Mann, 2014b). The YCJA maintains its balanced approach to addressing serious, violent, and less serious, non-violent, youth.

Providing practical direction to achieving the YCJA's first objective of decarceration, the second key objective was to reduce the complexity/vagueness and debate over the articulation and application of youth justice principles of the YOA. This was accomplished by providing clear direction and additional structure to key decision points involving youth and the implementation and interpretation of the YCJA (Doob & Sprott, 2004; Webster et al., 2019). While removing complexity and vagueness, the direction and additional structure found in the YCJA's newly added Preamble and the updated Declaration of Principle, Extrajudicial Measures, and Sentencing principles, removed discretion from youth justice actors, forcing action toward a specific outcome – decarceration. Despite the clarified and structured direction in the YCJA, provincial/territorial disparities are evident in provincial custody utilization rates, access to rehabilitation and reintegration programming, sentencing decisions, and varied structure and stakeholder involvement (Department of Justice Canada, 2016; Malakieh, 2018). For example, Manitoba, Saskatchewan, and Nunavut have not experienced national levels of reduced custody utilization rates, intensified by the widely recognized issue of over-representation of FNMI youth in Canada's welfare and corrections populations (Alain et al., 2016; Webster et al., 2019).

Unlike the JDA and the YOA, the YCJA states this guidance in considerable detail (YCJA, section 3, reviewed in detail later in this chapter). In particular, the updated Extrajudicial Measures and Sentencing Principles provided structured discretion to decision makers, outlining the purpose of extrajudicial measures and sentencing, and introduced the overarching principle of proportionality (Barnhorst, 2004; Doob & Sprott, 2004). The proportionality principle

maintains the "sentence must be proportionate to the seriousness of the offence and the degree of responsibility of the young person for that offence" (YCJA, sec 38(2)(c)). Both principles also supported the YCJA's key objective of reducing the use of custody, diverting youth away from the formal system, and using the least restrictive sentence that is most likely to rehabilitate and reintegrate the young person into society (YCJA, sec 38(e)(1)).

Supplementing the YCJA, a key aspect of Ontario's child welfare legislation, the Child, Youth and Family Services Act (CYFSA; 2017), provides direction for custody, detention, and supervision programs for court-ordered youth placements and delivery of services. Parts IV (Youth Justice), V (Rights of Children), and VI (Extraordinary Measures) of the CYFSA provide details for the specific manifestation of youth justice services in Ontario. These sections outline the responsibilities of probation officers and provincial directors, different levels of detention, the rights of children and youth in care, use of physical restraints, use of secure isolation in residential settings, and licensing requirements for children's residencies (including open and secure custody/detention facilities) (Campbell, 2016; Cooke & Finlay, 2007).

The push to responsibilization and community-based youth justice service delivery was further entrenched in the YCJA's Preamble and Declaration of Principle, as well as Ontario's decarceration approach through the establishment of MCCSS-YJSD's Alternatives to Custody and Community Interventions Strategy (ATCCIS). The Preamble and Declaration of Principle responsibilizes multiple stakeholders in the administration of youth justice in Ontario. The Preamble directly mandates youth justice utilize a collaborative approach between multiple stakeholders to prevent and address root causes of crime, prioritize accountability with appropriate and effective rehabilitation and reintegration services, and calls on families and communities to support youth through effective approaches. The ATCCIS highlights and guides

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the benefit of cost-efficient community-based programs and services required to serve the youth justice population (Campbell, 2016; Caputo & Vallee, 2008). This strategy has continued to shift youth justice from residential-based services to community-based services and was supported with considerable resources in the early years of the YCJA. In 2004/2005 and 2005/2006, $18.5M, which at the time included funding for 176 new or enhanced programs (Caputo & Vallee, 2008). By 2019-2020, there was an 81% decrease in admissions to custody and detention since 2004-2005 (Dube, 2022). The establishment of a single case management system led by a separate youth probation system and a continuum of evidence-informed community and custodial programs and services directed by the YCJA further embedded the move towards decarceration (Campbell, 2016; Caputo & Vallee, 2008).

Ontario's approach to responsibilization and marketization strategies have shifted in recent years as the number of non-state agencies peaked and subsequently reduced, fueled by competition for funding dollars, the drive toward efficiency and metric-based contracting, and decarceration trends attributed to the enactment of the YCJA. In response to the decarceration occurring in Ontario youth justice, roughly 50% of Ontario youth custody and detention facilities were closed and the Roy McMurtry Youth Centre was opened in 2009, a central 192 bed facility in Brampton, Ontario (Cesaroni, 2011). Seven years later, Campbell (2016) detailed the complement of non-state agencies contracted to deliver youth justice programs and services. She noted there were 70 custody facilities, including 45 open custody and detention residences that were operated by community-based agencies and 20 secure youth custody facilities, which 14 were operated by community agencies and 6 were state-operated. Additionally, 198 community agencies provided over 400 community-based programs and services. Illustrating the turn to reduction, information received from MCCSS-YJSD in 2020 revealed the number of custody

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facilities in Ontario reduced to 27 (open, secure, and detention facilities), of which only five are state-operated. Similarly, only 44 community-based agencies provide community-based programs and services across 72 locations.

A 2008 review (Borgida & Semple, 2008) of Ontario's two-tiered open and secure custody system highlighted the impacts of downloading services to multiple non-profit agencies across Ontario's youth justice sector. The review found that dedicated facility staff have established innovative programming and links to social service supports for youth post-release. It was also found that facilities operated in silos, resulting in inconsistent availability and quality of programming across Ontario, as well as limited connections to other parts of the youth justice system. Ontario's multi-agency and networked youth justice structure has resulted in the opportunity for agencies to respond to local youth needs, however they also experience multiple transitions between custody and community agencies, lack of standardized practices, and varying services across agencies.

Ontario's most recent youth justice restructuring, the 2019 Youth Justice Modernization Strategy, intensifies the infiltration of neoliberal policy approaches within youth justice in Ontario. The Youth Justice Modernization Strategy was promoted as necessary to reduce system wastefulness and to improve the system to be more accessible, efficient, and responsive to the needs of Ontarians. In response to multiple Auditor General investigations and reports (Office of the Auditor General of Ontario 2012, 2014) that detailed the underutilization of Ontario's youth custody facilities, Ontario closed 26 youth custody facilities in March 2021 and restructured the youth probation workforce in response to the reduced number of youths processed in youth justice. These closures occurred despite proposed solutions by community-agencies to alter services to meet the needs of vulnerable youth that maintained costing levels. It appears this

modernization strategy was implemented in response to cost efficiency principles as MCCSS focused solely on cost savings in press releases. While cost savings are important, overlooking other considerations, such as geographical proximity to family and local resources, reveals the underlying neoliberal competition approaches to youth justice implementation in Ontario.

Recalling the special status of youth, the decarceration movement is based on the significant negative impacts of incarceration on youth, however, this can also be recognized in terms of a neoliberal pressure toward efficiency (competition) and austerity (marketization), expressed through cost-efficiency and a way to reduce state spending (Cox, 2021). The negative physical, social, and emotional impacts (Cesaroni, 2011; Cesaroni & Peterson-Badali, 2005, 2013, 2016) and high costs of incarceration compared to community-based alternatives are well documented. This is evident in cost differences between secure custody ($51,742 per youth and $65,526 per contact) and open custody ($3,292 per youth and $926 per contact) (Gabor, 2015). As Ontario continues to divert youth to the least restrictive sentencing option, from secure to open custody and from open custody to community-based options, the system is becoming more efficient and cost-effective. Closing custody facilities drives pressure down on the community-based options and increases competition among them for the limited funding resources available.

The drive to decarcerate youth and call on communities, individuals, and other stakeholders to support reintegration and rehabilitation services is grounded in evidence-based best practices, which are themselves grounded in the neoliberal principle of resourcing the most effective (and often cost-efficient) programs (Brown, 2021). The goal is to make youth justice systems more efficient by downloading responsibility and cost of youth crime to individuals and communities as the state drives the sector to become increasingly efficient. This is accomplished through contract funding freezes where agencies are expected to meet the demands of services

with fewer resources. For example, funding freezes do not account for inflation and increases to overhead costs (e.g., rent, utilities, new equipment). This is coupled with accountability measures to monitor program success and efficiency through audits, measurement, and paperwork, hallmarks of Ontario's contractual-based requirements of responsibilized CBOs (Brown, 2021).

The influence of neoliberal rationalities on the key presumption of the YCJA is clear: protecting society is a consequence of an effective evidence-based youth justice response, and this approach will foster respect and confidence for the justice system among Canadians (Mann, 2014a, 2014b). This commitment to evidence-based policy by the state is demonstrated through the call for multi-pronged (e.g., community, family) effective approaches (e.g., multi-disciplinary, victim-focused, addressing underlying causes of crime, reserving custody for most serious, violent individuals) to preventing and intervening in youth crime. These approaches and are well established in the literature on evidence-based, effective youth justice prevention and intervention programming (see Fraser & Galinsky, 2010; Howell, 2003; Howell & Lipsey, 2012; McKee & Rapp, 2014; Piquero et al., 2016).

This section reviewed the persistent imposition of neoliberal logics in Ontario and Ontario's youth justice system that have enabled the neoliberal public policy landscape that exists in Ontario today. Responsibilization and enduring restructuring masked as efficiency have underpinned the evolution of Ontario's youth justice system to date. These features play an important role in understanding the current environment Ontario youth justice CBOs are operating within to acknowledge the existing pressures of neoliberal rationalities. The next section reviews the impact of neoliberal restructuring in the non-profit sector.

Neoliberal Restructuring and Community-Based Organizations in the Non-Profit Sector

Ontario youth justice CBOs are a part of Canada's non-profit sector. They are multi-service, non-profit[8], community-based agencies that provide a variety of youth justice services across the youth adjudication process, often in addition to other social services for children, youth, and families. These autonomous agencies are contracted by MCCSS to deliver youth justice services in accordance with provincial mandates. Each CBO has a youth justice department that delivers a range of youth justice services including bail verification and supervision programs, pre-charge and post-charge diversion programs (e.g., Extrajudicial Sanctions and Extrajudicial Measures), and operating custody facilities (open and secure), and Non-Residential Attendance Centres (NRAC). Attendance Centres provide community-based reintegration and rehabilitation programs through mandated court or probation order (e.g., anger management counselling, life skills programs, addictions program).

The non-profit sector has been a long-term partner of the state in the delivery of social services through state/non-profit sector partnerships. The role of the non-profit sector has been to supplement and work in co-operation with state-operated social services (e.g., health care, education, youth programs). Similar to the welfare state, the non-profit sector experienced significant growth during the Keynesian era, where a focus on social responsibility for supporting citizens resulted in social services delivered by both state and non-profit organizations (Evans et al., 2005). Evans and colleagues (2005) outlined five key characteristics of the relationship between the non-profit sector and the Keynesian state: 1. Organizations received base funding that allowed significant operational discretion and autonomy; 2. Base funding was long-term and resulted in sustainable organizations; 3. The relationship between the

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[8] There is one for-profit Transfer Payment Agency in Ontario youth justice.

state and orgnaizations was informal and based on trust; 4. The non-profit sector supplemented, not replaced, state-operated social services; and 5. The relationship was flexible and adaptable (Evans et al., 2005, p 76). The state remained the main purveyor of social supports allowing non-profits to be flexible in responding to local community and individual needs.

The rise of neoliberal rationalities and adoption of NPM public administration approaches over Keynesian models in the third sector has been extensively studied within social sciences scholarship (see Amyot, Downing, & Tremblay, 2010; Baines, 2015; Evans & Shields, 2000; Hasenfeld & Garrow, 2012; Sandberg, Elliott, & Petchel, 2020; Woolford & Curran, 2011). This scholarship has demonstrated how neoliberal restructuring substantially altered the Keynesian-era characteristics of state/non-profit relationships (Carroll & Little, 2001) and have led to the downloading of public sector work to the corporate and third sector (Strier, 2019). As broader neoliberal restructuring and withdrawal of state-operated social service delivery programs occurred, the relationship between the non-profit sector and the state shifted where CBOs have become an essential stakeholder, delivering almost all public services through alternative service delivery partnerships (Evans et al., 2005; Strier, 2019). This shift in dynamic is critical to understanding the current context of the non-profit sector and consequently Ontario's youth justice sector as it is these partnerships that are the catalyst for sector impacts (Bode & Brandsen, 2014; Evans & Shields, 2014).

Criminology scholarship exploring the impacts of responsibilization of Ontario youth justice CBOs is sparse, however international scholars have more widely explored the responsibilization of community agencies and local youth justice systems (Branwell-Moore, 2022; Callaghan et al., 2003; Dudau & McAllister, 2010; King et al., 2012). In England and Wales, studies examining Youth Offending Teams (YOTs), a multi-agency network of

probation, education, health, children's services, and police, showed that despite efforts to

support youth through a welfare approach, YOTs "often fail to resolve the complex family,

education, employment, emotional and mental health needs of youth who offend" (Carlile, 2014;

Gray, 2016, p. 60; Soloman & Garside, 2008). Gray (2016) demonstrated that despite literature

that shows the negative effects of the audit and performance management culture, the YOTs in

her study were able to centre a welfare approach despite the influence of the actuarial risk

mentality imposed by the system. Goddard (2012) similarly found that risk management

frameworks can co-exist with welfarist approaches in responsibilized CBOs. In a subsequent

study, Smith and Gray (2019) expanded their study of YOTs by examining the ability of front-

line workers to undermine or alter the policy directions and approaches from the youth justice

system. They found evidence of CBOs reworking and realigning services in response to

contextual changes, specifically the focus on welfare, rather than risk-based, individualized

approaches.

Non-profit scholars have primarily focused on the impact of responsibilizing the non-

profit sector and the undue stress it creates on the sector. Downloading services to the non-profit

sector was promoted as an opportunity for local governments and communities to provide

community-responsive programming (Evans et al., 2005; Evans & Shields, 2014; Hasenfeld &

Garrow, 2012). Some scholars have argued alternative service delivery partnerships are superior

to state service delivery, as the non-profit sector has specific knowledge and expertise the state

does not hold (e.g., cost-efficient delivery using volunteers, local knowledge), resulting in

superior service delivery. However, it has been found that neoliberal restructuring produces

state/non-state partnerships where the state maintains power and control due to short-term

contract funding and increased competition for limited funding (Baines, 2010b; Birch & Siemiatycki, 2016; Evans & Shields, 2014; Woolford & Curran, 2011).

Along with downloading service delivery, neoliberal restructuring has also shifted the responsibility of social protection and assistance to the non-profit sector such that the state's responsibility in protecting and enforcing the rights of all individuals is reduced or no longer exists (Hassenfeld & Garrow, 2012). Scholars have identified the notable shift in non-profit discourse from collective care, equality, and shared responsibility to self-reliance and competitive individualism exacerbated by business-like and private sector strategies of managerialism and performance-based public management models (e.g., NPM) (Baines, 2010b; Swift et. al, 2016). The primary mandate of non-profit organizations is to tackle social issues and engage in social justice work are "is inevitably at odds with a neoliberal agenda and its exacerbation of social inequalities" (Wilson, Calhoun, & Whitmore, 2011, p. 26). Scholars have identified how neoliberal policies have constrained their ability to address social and structural factors that lead marginalized individuals and groups of people in favour of evidence-based, short-term efficiency-based models of support (Brown, 2021).

Baines and colleagues found the adoption of NPM in non-profits resulted in the social services sector being stripped of the 'caring content' and social justice values (e.g., social cohesion, human rights, collective responsibility, and respect for diversities, see Swift et. al, 2016) and social work, replacing it with standardized models of work organization, causing tension between the goal of the organization and institutional pressures of efficiency. Baines (2010b) argued,

> These approaches purportedly coach employees in "best practices" and increase
> professional competencies, but in the name of increasing efficiencies and removing waste
> and error, these processes standardize work practices, reduce, or remove employee

discretion, and increase the pace and volume of work as well as the risk of staff burnout, demoralization, and workplace illness and injury. (p. 12)

As the marketization of the sector expands, citizens are expected to act as consumers, where it is argued competition empowers citizens with choice as to where they can seek services (Hasenfeld & Garrow, 2012; Mann, 2014b). However, as competition has become the norm across all social domains, perpetuated by marketization and financialization, inequality becomes acceptable, even normative in every domain (Brown, 2015). Brown (2015) explains the shift from exchange market logics to competition market logics resulted in a shift in the premise and outcome of market logics stating, "equivalence is both the premise and the norm of exchange, while inequality is both the premise and outcome of competition" (p. 64). Furthermore, as market logic frames thinking around all social domains, institutions (e.g., state, CBOs) and public policy are evaluated based on their costs and "social justice or citizenship equality are deemed ideological or economically inefficient" (Brodie, 2007, p. 102). As inequality is the outcome of competition, marginalized populations, already at a significant disadvantage in navigating social supports and practicing self-advocacy, now experience additional barriers and marginalization when competition permeates throughout all social spheres.

Non-profit scholars have demonstrated how neoliberal rationalities are positioned as a solution for the non-profit sector's perceived inefficiencies. CBOs are deeply characterized by managerial practices and governmentality, such that marketization discourse and practices have been applied to increase professionalism and accountability (Evans et al., 2005; Morley & O'Bree, 2021; Sandberg, Elliott, & Petchel, 2020; Swift et. al, 2016). Reliance on short-term contract funding and increased accountability measures within the non-profit sector results in reduced autonomy among CBOs, where contract funding allows the state/funding agencies to dictate funding priorities and project outcomes, and closely monitor activities and finances

through regular reporting mechanisms (Baines, 2010a, 2010b). Funding is now tied to certain outputs and agendas that both limit and define the work of CBOs (Morley & O'Bree, 2021). With short-term contract funding, agencies are consistently required to apply for funding or fundraise for survival, drawing resources away from direct service delivery. As a result of a culture of efficiency, competition among organizations for contracts and government dollars have become a key and time-consuming priority, taking time away from focusing on organizational mission and direct service delivery (Morley & O'Bree, 2021). Furthermore, this focus on competition has resulted in non-profits bidding against each other and private sector firms to deliver social services to the public.

The push toward a culture of 'efficiency' has had significant impacts on the organizations in the third sector and individual seeking services from these organizations. Morley and O'Bree (2021) illustrated the paradoxical relationship between increased service user (e.g., client) need and decreased organizational support for service users due to streamlined managerial practices that are assumed to be more efficient and therefore cost-effective. Baines (2010b) illustrated this problem, linking CBOs inhibited flexibility and responsiveness of community organizations to enact their mandates and evolve in response to social needs to merely to survive. Fiscal constraint policies have resulted in significant sector wide financial stress, evidenced by long-term funding freezes and reduced state-funding to community organizations. Fiscal constraint policies and funding freezes also result in inconsistent accessibility and availability of programming across communities, again often at the expense of marginalized groups (Hasenfeld & Garrow, 2012).

Historically, a key role of the non-profit sector is to engage in advocacy for the most marginalized individuals and groups. Scholars have concluded that dependence on state funding

and increased accountability resulting from alternative service delivery partnerships inhibits or outright prevents non-profits from engaging in advocacy work (Evans & Shields, 2000; Evans & Shields, 2014; Hasenfeld & Garrow, 2012). Significant dependence on state funding results in a sector that is fearful of disrupting the funding relationship, further emphasizing the reduced power and autonomy of the non-profit sector, and the impact of neoliberal rationalities mediating institutional and individual influence. Limited advocacy by the non-profit sector results in a policymaking process that has the potential to perpetuate dominant narratives and further marginalize vulnerable groups. In their study examining LGBTQ+ community organizations under neoliberalism in Canada, McKenzie (2020) confirmed neoliberal policy pressures restricted these organizations from engaging in advocacy due to clauses in government funding. They also concluded that while individual advocacy for community members is a regular practice, advocacy that addresses systemic, structural issues requires creative strategies to circumvent funding restrictions. Evans & Shields (2014) similarly found settlement service CBOs in Canada have limited opportunity to influence policy, so much so that decisions have often already been made prior to engaging CBOs.

As restructuring in the non-profit sector inhibits a culture of social justice, organizations have turned to resistance strategies and 'underground' tactics to maintain their social justice orientation, focusing on responding to individual and community needs and engage in system and policy advocacy. Research in this area has found individuals and organizations employ alternative methods to uphold social work values, advocate for vulnerable communities, and uphold social justice ideology of the non-profit sector. In reviewing the effectiveness of advocacy among social workers, Wilson et al. (2016) discovered efforts to actively balance neoliberalism and social justice values. They investigated the effectiveness of advocacy work in

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a neoliberal structure that is focused on outcomes, efficiency, individualism and downloading, with non-profit social justice values of community-responsive programming and local knowledge (Wilson et al., 2016).

Some scholarship from the non-profit sector has focused on the conflicting values between social welfare and neoliberalism and how individual workers attempt to manage this conflict in their day-to-day work. These developments have led to a general push away from social welfare values, but also the commodification of social welfare values and activities (Evans & Shields, 2018; Strier, 2019). Brown (2021) illustrated how some practitioners resist neoliberal governance and accountability measures by spending more time with clients and openly critiquing their own organizations service structure. Barnoff et. al (2017) explored how directors of Canadian schools of social work engaged in practices that comply with, negotiate, and resist neoliberalism through how they resist demands for austerity and accountability as they address performance measurement and output and their struggle with fiscal constraints.

Canadian-based empirical investigations of neoliberal rationalities within the broader third sector provide initial guidance on what may be occurring in Ontario youth justice CBOs. In her study examining the ways in which youth activist organizations survive in neoliberal Canada, Goessling (2017) provided various examples in which the youth organization under study simultaneously resisted and reinforced neoliberal rationalities. For example, she recognized the organizations explicit efforts to resist neoliberal individualization through building collective social movements and teaching young people how to be activists, while at the same time engaging in market-focused discourse to secure funding and resources in the competitive funding game. Similarly, Woolford and Curran (2011) highlight the link between neoliberal restructuring in Winnipeg's non-profit sector and the introduction of 'market conditions and valuation

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standards and non-profits adaption or resistance to these structural transformations. In their study investigating disability organizations struggle to survive in British Columbia and Ontario, Chouinard & Crooks (2008) demonstrated how neoliberal pressures forced agencies to change their operation and service delivery capacity, including relying on volunteer labour, reducing staff and service levels, and limited time spent on long-term planning.

Conclusion

This chapter has also situated this study within the Canadian youth justice context by providing a comprehensive overview of the evolution of Canada's youth justice system since it was formally established in 1908. Key to understanding the evolution is a review of how youth justice has already been impacted by neoliberalism and neoliberal rationalities. As little work has been conducted in this area, findings from scholarship investigating the impact of neoliberalism on Canada's non-profit sector was also reviewed. The manifestation of neoliberalism in Ontario youth justice was demonstrated in reviewing key sections of Canada's current youth justice legislation, the YCJA, and Ontario's application of these directives. Following the recognition that the structure and reproduction of state institutions is conditioned by neoliberalism, but is contingent and dependent on the institutionally embedded agents that impact the specific manifestation of neoliberal rationalities due to their role in the reproduction of state institutions, the following chapter outlines the methodology used to investigate how neoliberalism has implanted itself in Ontario's youth justice system and how CBOs participate in the implementation of youth justice in a neoliberal context.

Chapter 4: Methodology

This chapter focuses on the methods used to conduct this research and the subsequent data analysis. Focusing on the experiences of Ontario youth justice CBOs, a qualitative methodology using mixed-methods interviews was applied to identify how these institutions exist, navigate, and shape the implementation and operation of youth justice in Ontario within a neoliberal context. This chapter outlines the study design, procedures, measures, and analysis of data, supporting the qualitative study design.

Study Design

This study utilized an exploratory qualitative methodological approach using semi-structured interviews to answer the previously outlined research questions. An exploratory methodology was well suited to investigate the pressures of neoliberal rationalities within the Ontario youth justice system and provided a systematic approach to enhance the discovery of new information given the limited scholarship in this area (Stebbins, 2001). Exploratory designs using mixed-methods interviews are an acceptable means through which to gain a deeper understanding of broader social processes and systems by aggregating individual accounts to explain institutional experience.

Institutional Ethnography

Combined approaches are commonly used to meet the needs of various disciplines in research and are grounded in the belief that single approaches (e.g., quantitative, qualitative) have limitations to the construction of knowledge and an accurate understanding the social world (Creswell, 2015). This study incorporated elements of IE to fully inform the methodology. IE is commonly used as either the sole methodology within a research design or in combination with other theories, methodologies, and/or analytic methods (Malachowski et al., 2017). In contrast to

those who advocate IE as a pure paradigm (Rankin, 2017a, 2017b), the full capacity of IE as a method of inquiry is realized when used in combination to provide fully informed theoretical and methodological approaches. Therefore, this dissertation was not a pure IE study. Rather, two key concepts (standpoint and ruling relations) were used to enhance both the CI theoretical framework and the qualitative methodological approach. This combined approach supported the overall goal of this study: to investigate how neoliberalism has implanted itself in Ontario's youth justice system and how youth justice CBOs make sense of changes to youth justice within a neoliberal context.

Two key concepts from IE were used to strengthen the systems-level analysis and focus the point of investigation on organizations rather than individuals: 'standpoint' and 'ruling relations'. This focus helped prevent a logical fallacy, drawing conclusions from one unit of analysis based on information from another unit of analysis (Neuman & Robson, 2012; Singleton & Straits, 2005). First, maintaining an IE standpoint ensured an organizational perspective was maintained throughout data collection and analysis stages. In IE, standpoint starts "from the actualities of people's everyday lives and experiences to discover the social as it extends beyond experiences" (Smith, 2005, p. 10). Traditional standpoint typically starts from an individual or group of people and has the goal of generalizing or explaining the experiences of the group of people. IE pushes beyond this standpoint such that "institutional arrangements" provide an account beyond the individual level, aggregating individual experience to explicate organizational experience (Rankin, 2017a, 2017b). The biggest challenge for standpoint is to stay grounded within this perspective to clearly understand and explain the institutional arrangements that are impacting individual experience (Rankin, 2017a).

Standpoint enables researchers to reveal what Smith (2005) has termed ruling relations, the second IE concept utilized in this study's methodology. Ruling relations are the relationships that exist between everyday life, organizations/institutions, and governance (DeVault & McCoy, 2011). In this context, IE provided the framework for a deeper examination of youth justice CBOs, as well as the social structures (e.g., capitalism, neoliberalism), governing relations, and the institutional and political economic relationships that connect individual people to systems of power (Smith, 2005). Complementing this dissertation's CI theoretical framework, IE supports the understanding that CBOs are situated within larger, complex systems. Within an IE framework, institutions are defined as both a single physical organization, but more importantly, as a complex system of ruling relations that are organized around a distinct system – in this case, youth justice (Malachowski et al., 2017; Smith, 2005). The IE approach supported the systems-level focus by concentrating on how individual experience is linked to broader socio-political-economic processes such that individual knowledge and experience was used to identify broader system level experience that is shaped by forces and powers beyond direct individual knowledge (Nichols et al., 2017). Therefore, to fully comprehend the impact of neoliberal restructuring in Ontario's youth justice institutions, a grounding principle of this dissertation was to focus on institutional experience as a contributor to understanding the power and impact individuals possess in shaping youth justice.

Data Collection Sample and Procedure

Context

The initial methodology for this study was proposed in November 2019, five months before the COVID-19 pandemic resulted in significant shutdowns and stay at home orders across Ontario. Initial recruitment and data collection methodology included in person recruitment (e.g.,

attending staff meetings) and in person or phone interviews. Data collection occurred from

October 2021 – January 2022 when work from home and virtual work mandates were mandatory

for the researcher and the targeted organizations and individual participants in this study. As

such, participant recruitment and data collection activities were all completed remotely via email,

phone, and Google Meet virtual platform. Data storage and destruction protocols were followed

in accordance with the Data Management Plan approved by Research Ethics and summarized in

the Appendix B (Study Invitation Letter).

At the time of the study, I was employed at a youth justice CBO and had established

professional relationships with several Ontario youth justice CBOs and individuals working

within these agencies across Ontario. Conducting this research required an intimate

understanding of how the system works both in theory and in practice. In studying youth justice

CBOs, I was well positioned as an outsider that was not employed by the CBO under study or

the MCCSS but held unique insider knowledge based on years of experience working within and

in partnership with other youth justice CBOs. In this study, a basic understanding of Ontario's

youth justice system was imperative to move beyond institutional language used by the study

participants to reveal what is actually happening (DeVault & McCoy, 2011; Norstedt & Breimo,

2016).

Sampling Approach

As previously detailed in Chapter 2, Ontario youth justice CBOs are contracted by

Ontario's MCCSS-YJSD to deliver youth justice services to most of the youth in the system

including youth under community supervision, all youth in open custody facilities, and the

majority of youth in closed custody facilities (Malakieh, 2018). These CBOs are multi-service,

non-profit, community-based agencies that often provide a range of social services to a broad

client population, including youth justice services. The youth justice services provided by these CBOs are consistent with the principles of the YCJA and include both custody and community-based services. The community-based services are delivered through NRACs and may include prevention, early intervention, diversion, and intervention programming delivered by agencies across six service zones in Ontario (North-East, North-West, Central, West, East, Toronto-Peel (GTA). These CBOs were the target sample of this study and the individuals working within them are the target participants for interviews.

Two phases of sampling were used to identify organizations and individuals for participation. The first phase of sampling used a purposive sampling technique to identify a subsample of Ontario's 44[9] youth justice CBOs. Purposive sampling is widely used in exploratory qualitative research, for the identification and selection of information-rich cases, as well as when an organization's location within the target group of interest is important, in this case, Ontario youth justice (Creswell & Plano Clark, 2007; Patton, 2002; Singleton & Straits, 2005). Purposive sampling requires the researcher to rely on their judgement to select units that are representative of the entire population (Creswell & Plano Clark, 2007; Singleton & Straits, 2005). Considerable knowledge of the population under study is required to use this sampling method, knowledge I have from working in the youth justice field for over 10 years.

In accordance with purposive sampling procedures, important variations in the total population were identified and used to ensure the sample reflected this variation (Singleton & Straits, 2005). Youth justice CBOs were first identified based on regional zone (e.g., geographical location) and site type (e.g., NRAC, open/closed custody facility). Accounting for the large geographical footprint of Ontario, two regional zones were initially targeted: Toronto-

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[9] A list of all Ontario youth justice CBOs was provided by the MCCSS-YJSD, broken down by service zone and site type (e.g., NRAC, open/closed custody).

Peel GTA (N=5) and Central (N=10). A key contact person at each organization was identified,

most often the Program Manager who oversees the agency's youth justice services department.

An email (see Appendix A) that included a study invitation letter (see Appendix B) was sent to

the key contact person to obtain a letter of support (see Appendix C) confirming the

organization's participation in the study. If a key contact person could not be identified, an

agency's generic email address was used for recruitment purposes. The initial round of

recruitment (April – July 2021) resulted in only one organization agreeing to participate from the

15 agencies. Organizations either declined to participate or did not respond to multiple

communication attempts. Of the organizations who declined to participate, reasons included

research fatigue from participating in other studies, lack of time to participate due to COVID

adjustments including shifting services to online, increased youth need, and staff burnout. The

recruitment sample was subsequently expanded to include all organizations in four of the six

service zones: Toronto-Peel, Central, East, and West representing 35 of 44 youth justice

organizations in Ontario. The North service zones were excluded due to the unique geographical

and cultural context of northern Ontario (see Chapter 6 – Limitations for further explanation).

The second round of recruitment (August – September 2021) resulted in seven CBOs agreeing to

participate in the study. Similar to the first round of recruitment, organizations either declined to

participate or did not respond to multiple contacts, and of those who declined to participate

indicated staff burnout, high youth need due to COVID, and lack of time as the reason they were

unable to participate in the study. At the end of this recruitment phase, eight CBOs agreed to

participate.

In the second phase of sampling (October 2021 – January 2022), individuals were

recruited from the recruited CBOs based on the assumption that they possess knowledge and

experience of the impact of neoliberalism on the youth justice system and thus will be able to provide both depth and breadth in their information. Due to the small number of individuals typically working within the youth justice department of each CBO, all individuals at a participating site were invited to participate in the study, inclusive of both management and front-line staff.

This phased sampling method was chosen to mitigate resource and bias concerns and produced a non-probability sample that reduced interviewer selection bias (Singleton & Straits, 2005). The exploratory nature of this study and the purposive sampling technique are acceptable approaches for this exploratory and time-limited study and are found to result in stronger conclusions than convenience sampling (Singleton & Straits, 2005; Tracy, 2013). This two-phase sampling approach resulted in 15 individuals representing seven Ontario youth justice CBOs (see Chapter 4 – Demographics of Individual and Organization Participants for a detailed breakdown). No participants from the eighth organization were recruited. Multiple contact attempts were not returned. The CBO that did not participate was the first agency recruited in Spring 2021. It is presumed that the delay between committing to participating (May 2021) and data collection (October 2021 – January 2022) resulted in the CBO declining to participate. Multiple updates during this period were provided to keep the agency informed of study progress, however, contract attempts were not returned.

Interview Schedule

An in-depth, semi-structured, mixed methods interview guide (see Appendix E) was developed and administered to study participants. Interviews are used extensively in organizational research and follow similar benefits and drawbacks to interviewing in other contexts, although there are some special considerations (Cassell, 2009). These considerations,

namely interview structure, interview location, selection of interviewee, and interview medium, are addressed throughout this section. Interviewing individuals within an organization or system is common practice in organizational research and IE (Cassell, 2009; DeVault & McCoy, 2011). Supported by IE data collection procedures, two levels of data were collected: entry and secondary level (Norstedt & Breimo, 2016). The entry level focuses on understanding context (e.g., work) specific knowledge of a group of people by investigating the experience of individuals (usually frontline workers) within community organizations. The secondary level extends to investigate the institutional processes that are shaping the experience of the individuals by interviewing management level individuals. As is common within studies that incorporate an IE perspective, the interview schedule included questions and prompts to reconcile multiple perspectives of individuals, to fully account for the actual happenings within each organization.

The interview guide consisted of three sections: 1. Demographics, 2. Youth Criminal Justice Act and the Ontario Youth Justice System, and 3. Organization of Labour (Neoliberalism). To formulate interview questions that addressed the research questions, I pulled from literature presented in Chapter 2 (Literature Review) and previous work identifying the impact of neoliberal restructuring within the non-profit sector. Participants were asked to comment on youth justice mandates (e.g., goals, values, clarity), understanding their role within the youth justice system, and the impact of neoliberal rationalities on their organization and their work (Woolford & Curran, 2011). My research questions also stemmed from my experience working in a youth justice CBO, my concern that neoliberal rationalities are inhibiting youth justice CBOs ability to engage in their primary work, and a lack of understanding about the important role CBOs play in Ontario's approach to crime prevention and intervention. The

following subsections detail the foundational basis for the questions in each section of the interview schedule.

Demographics. This section posed structured, quantitative questions to understand the profile of organizational and individual respondents. Each demographic question provided a list of options as well as an 'other' option for respondents to provide additional responses and/or clarify response options. First, information was collected to describe organization profile. Response choices for each question were drawn from my experience working within the sector and reflected sector practices and jargon, while also providing an option for response options not presented. For example, I was aware Ontario youth justice CBOs tend to be multiservice organizations that serve diverse populations and provide various programs and services. Thus, questions collected information about the organization as a whole and the youth justice department housed within the multiservice organization. These questions collected information about geographical location using MCCSS labelled geographical areas called service zones, type of youth justice setting, and type of youth justice programs. Second, information was collected to describe individual participant profiles. Response options reflected data equity and inclusive knowledge mobilization practices. The response option, 'prefer not to answer', was provided to acknowledge the potential sensitive nature of these questions and exemplify the principle of voluntary participation. See Appendix E Section 1 of the Participant Interview Guide for a list of demographic questions.

Youth Criminal Justice Act and the Ontario Youth Justice System. This section posed questions to gather organizational perspective about the function of Ontario youth justice CBOs. Data was collected using two question types: forced choice, 5-point Likert-scale questions and open-ended questions. The foundation for the questions in this section was the

YCJA, the provincial Youth Justice Outcomes Framework (YJOF), and youth justice literature that describes the various stakeholders that form the youth justice system. Reviewed in Chapter 2 (Literature Review), Canada's youth justice system recognizes youth's diminished culpability by balancing principles of accountability and rehabilitation. The YCJA outlines provisions to hold youth accountable through the developmental lens that youth are transitioning to adulthood and require continued support. This approach is framed by balancing public safety and protection of society by holding youth accountable through fair and meaningful sanctions with reintegration, rehabilitation, and non-custodial, community-based crime prevention approaches.

A Likert-scale question was utilized to explore participants belief in the compatibility between youth justice system goals and what occurs in practice at the service delivery level (see Appendix E). The nine goals identified in this question were pulled directly from the Preamble and Declaration of Principle, as well as the YJOF. The YJOF identifies four specific outcomes of Ontario's youth justice system: 1. Improved functioning and positive social behaviours, 2. Increased skills and abilities, 3. Increased youth engagement with supports and 4. Decreased re-offending. Outcomes two and four were included in this question as goals. The remaining seven goals were pulled from the YCJA's Preamble and/or Declaration of Principle (see Appendix E). This question was posed as follows: a goal of the youth justice system was stated, and respondents were asked to rate their agreement that the statement was a goal of the system and then to rate their agreement if the goal occurs in practice. Participants were then provided the opportunity to share examples of their agreement or disagreement. For example, the statement was read: "A goal of the system is to reduce use of incarceration for non-violent youth". Participants rated the statement on a 5-point Likert scale (strongly agree to strongly disagree). A second statement was read: "This occurs in practice". Participants rated the statement on a 5-

point Likert scale (strongly agree to strongly disagree). The last question in this section asked respondents to assess and comment on whether the values of the YCJA aligned with their organizational values.

Organization of Labour (Neoliberalism). The final section posed both multiple choice and open-ended questions to explore what guides the work of youth justice CBOs. I drew from the literature on CI, the third sector and neoliberal restructuring, as well as my professional experience working in a youth justice CBO to formulate interview questions that explored the impact of neoliberal rationalities on organizational operation.

The primary mechanism through which neoliberal rationalities are imposed on the non-profit sector was the shift from long-term funding contracts to short-term contracts and the subsequent increase in competition for funding dollars (Evans & Shield, 2014). I asked respondents to comment on funding processes, perception of fiscal constraint within their organization and competition between organizations. As well, respondents were asked if they collaborate with other youth justice organizations and shared best practices information. To explore youth justice CBOs capacity to engage in advocacy activities, participants were asked to comment on the importance of advocacy work and their capacity to engage in advocacy work.

Six questions focused on exploring the impact of neoliberal rationalities: 1. Describe how the contract and transfer payment process works, 2. Is the funding process helpful or a barrier to achieving organizational goals and objectives, 3. In the last 5 years, has the fiscal climate in youth justice improved, remained the same, declined, or not sure? Do you know why/why not?, 4. Are best practices/information shared among youth justice organizations, and 5. Rate the importance of client and system advocacy", and 6. Share successes/challenges of advocacy work. Based on previous literature that investigated the impact of neoliberal restructuring and the third

sector, these questions explore the impact of funding and reporting mechanisms on organizations, advocacy practices, and relationships between youth justice CBOs.

To explore the pressure on CBOs to incorporate market and private sector practices, I asked questions related to values, autonomy, and resistance practices. Historically, the primary mandate of non-profit organizations was to tackle social issues and engage in social justice work, however this goal is counter to neoliberal values of efficiency and marketization. Social service organizations that have a social justice focus often conflict with the neoliberal rationalities embraced by state institutions. To assess this shift in Ontario youth justice, participants were asked about "the values that guide their work with youth" and to "share why they chose to work in the youth justice system". In a fight to maintain their social work orientations and social justice approaches, scholarship has identified a response by individuals and organizations to employ alternative methods to uphold social work values and advocate for the marginalized communities they serve. To evaluate resistance practices in Ontario youth justice system, I asked respondents "if a new mandate comes down from corporate that you don't agree with or find it difficult to implement, what do you do?" and "how comfortable do you feel in pushing back against ministry directive".

Interviews were conducted between October 2021 and January 2022 via virtual video platform. Interview length ranged from 47 minutes to 113 minutes. Consent was obtained from the organization and individual participants to participate in this study. Organizations submitted a letter of support providing consent to participant in the study. During the individual recruitment phase, consent forms were emailed to participants. All individual participants submitted a completed consent form (Appendix D) prior to their interview. Key components of the consent were reviewed at the beginning of each interview (e.g., confidentiality of information collection,

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limits to confidentiality, voluntary participation). Consent was also specifically obtained to record interviews; 10 of 15 interviewees provided consent to be recorded[10]. Notes were taken via computer during all interviews; recorded interviews were also transcribed. Interview notes were expanded with field notes after every interview. The interview schedule was shared via screen share in the virtual meeting platform during two sections of the interview: demographics and part of Section 2 that investigated the congruency between the goals of the youth justice system and what occurs on the ground. This process supported participants ability to follow along with the interview and review capture of their responses to ensure accurate data entry. This strategy was particularly important for Section 2 of the interview when participants were asked to rate the goals of the youth justice system, if these goals occur on the ground, and to explain congruence or discrepancy in their ratings. This was done in response to multiple clarifying questions from the first two interviewees. Participant 1 and 2 asked for the questions to be repeated multiple times and for clarification suggesting they questions were not clear. The practice of sharing the questions was incorporated for the remained of the interviews and resolved the issue of confusion.

Ethical Considerations

This study was approved by the Ontario Tech University's Research Ethics Board. Organizations provided written consent to participate and interview participants provided both written and verbal consent to participate in the study. There were two primary ethical considerations in this study: 1. my professional conflict of interest conducting research within

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[10] Individuals and staff in justice settings often decline to be recorded due to fear of repercussions and distrust of the system. I have prior experience conducting interviews that required note taking and have developed strategies to ensure accuracy and statements were not missed during the interview. For example, as part of active listening, I repeated or rephased statements as questions to ensure clarity and probe further detail from participants. Additionally, note taking can help maintain focus and act as reminders of what participants had previously indicated.

my professional setting and 2. employment safety for interview participants. These considerations were identified prior to data collection and practices were established to mitigate ethical concerns to the greatest extent possible. This section details these considerations and mitigations.

The first ethical consideration was a professional conflict of interest. Conducting organizational research and investigating the experiences of Ontario youth justice CBOs required an understanding of how the system works at multiple levels, compared to what occurs in practice (e.g., frontline decision making to actively ignore a policy). I have work experience and insider knowledge of the youth justice system, including institutional language, structure, and mechanisms of the system. As stated previously, during the study period, I was employed at a youth justice CBO and had established professional relationships with some youth justice CBOs and individuals working within these agencies across Ontario. I acknowledged a professional conflict of interest and implemented specific actions to mitigate these concerns. Clear boundaries were established to differentiate my role as a PhD student conducting academic research and my professional role. All communication concerning the study were conducted through Ontario Tech communication channels (e.g., Ontario Tech email, Ontario Tech letterhead). Study information letters and consent forms clearly indicated collected data is confidential and only de-identified data will be used. This was verbally reiterated at the start of each interview in addition to being stated on the consent form.

To ensure objective study data, the study sample included representation of youth justice CBOs and participants with whom I did not have a previous professional relationship. This sampling consideration provided an opportunity to confirm existing professional relationships did not influence the study data. To manage concerns of insider bias, reflexivity was used as a

methodological tool to enhance the integrity, rigidity, objectivity, and dependability of the research process in analyzing the subjective elements of qualitative research and increase the validity of quantitative data (Finlay, 2002; Moore, 2015). Reflexivity acknowledges the subjectivity of the researcher but must also explain "the effect of that influence [subjectivity] on the data, participants, context, or researcher" (Olmos-Vega et al., 2022, p. 2). Reflexivity was used during the entire research process (data collection tool development, data collection, and data analysis). Field notes and interview notes were completed during and after every interview. Drawing from Olmos-Vega et al.'s (2022) concept of person reflexivity, "reflect on and clarify their expectations, assumptions, and conscious and unconscious reactions to contexts, participants, and data" (p. 4), I documented methodological decisions, personal reflections, and insights during and after interviews to manage typical concerns with insider research.

Acknowledging this subjectivity is not meant to apologize for my insider status. Rather, it is to increase transparency of the research process and enhance replicability and transferability of research findings. As an insider researcher, many of my research ideas stemmed from personal experiences working within the youth justice sector. Working in a youth justice CBO that has a funding contract relationship with MCCSS and partnering with several other youth justice CBOs across the province, I noted the important and significant role of the CBO stakeholder contrasted with their obscurity in the literature. Based on my experience and informal conversations with colleagues, I noted the different experiences of youth and staff based on youth justice CBO and how this was complicated by broader system context. Considering this pre-existing perspective, it was important to utilize reflexive practice to ensure my prior experience was not influencing the research process or biasing the interpretation of findings.

A second ethical concern in this study is common within organizational research – issues related to the primary site of investigation, the organization, as a place of employment (Jones, 2015). In the case of Ontario youth justice CBOs, their vulnerability is tied to their funding relationships with the MCCSS-YJSD department and the potential for negative consequences in the form of funding cuts or complete withdrawal of funding. Individuals employed by these organizations may also experience fear of reprisal in the form of loss of employment and/or being labelled a whistleblower. Due to the vulnerability of both the organizations and individuals participating in the study, appropriate measures were taken to protect both from undue influence, invasion of privacy, or breach of confidentiality. To maintain confidentiality, organizations names and participant identifiers were coded and recorded only as organization/participant 1, organization/participant 2, and so on, and position title. Interviews were conducted via secure virtual video platform. Participants were reminded at the start of the interview that their names were not recorded, the decision to participate or not participate in the study will not impact their employment, they were free to stop the interview at any time, skip or choose not to answer any question, or request responses be removed from notes or stricken from the transcript.

With these ethical issues mitigated to the best of my ability, my position as an outsider-insider was a key strength of this study, enhancing the data collection process as my shared understanding and experience in the youth justice system resulted in my ability to elicit additional information and target follow-up questions to enhance the quality of the data collected. For those who knew me, there was an ease to the conversation. For those who did not know me, they asked if I had experience in the system and understood what they were referring to. When I answered yes, there was relief and a streamlined exchange that was not burdened by explaining acronyms and system processes, leaving the focus on depth of information.

Data Analysis

Guided by the research questions and the CI theoretical framework outlined in Chapter 2, this study utilized a systems-level analysis focusing on the institutional and socio-politico-economic relationships that connect people and institutions (Neuman & Robson, 2012; Singleton & Straits, 2005). Aggregate data from individuals working within the system were combined to describe the role and experience of youth justice CBOs (Neuman & Robson, 2012). This analytic approach was guided by the concepts of ruling relations and standpoint from IE to ensure analysis remained at the organizational level and did not drift to individual perspectives. Data were analyzed using an inductive approach where themes were drawn from the data using a thematic analysis approach. In the Discussion Chapter, results are presented to either support or refute the theoretical framework and inform conclusions to answer the research questions.

Quantitative interview data were analyzed using the statistical software Statistical Package for the Social Science (SPSS). Descriptive statistics were performed on all quantitative questions (e.g., organization and individual respondent demographics, advocacy, and resistance). Frequencies were performed on questions relating to compatibility of youth justice mandates and practical application of mandates to assess for strength of agreement or disagreement. Responses were recoded to assess for general agreement or disagreement. For example, strongly agree and agree were grouped as positive responses and strongly disagree and disagree were grouped as negative responses. In reviewing this analysis, it was deemed necessary to also analyze the non-grouped data as it became apparent there was minimal variation in the data and nuances were lost. No further statistical analysis was conducted on the quantitative responses as data were only to provide background information on the organizations and individuals and general comparisons across respondents. The sample size was too small to conduct more sophisticated analysis.

Qualitative interview data were transcribed, coded, and imported into NVivo software and analyzed using principles of thematic coding (Bachman & Schutt, 2008; Maxfield & Babbie, 2018). Thematic analysis was used to ensure a stringent and structured analysis process to identify, analyze and report patterns within the data (Braun & Clarke, 2006). As outlined in Nowell et al. (2017), the following steps were conducted for the thematic analysis: 1. Become familiar with the data, 2. Generate initial codes, 3. Search for themes, 4. Review themes, 5. Define and name themes, and 6., Produce the report. Following these steps, I reviewed the interview transcripts, interview notes, and personal reflexive notes multiple times to become intimately familiar with the data. Through this process, initial general themes and codes were identified. Next, I entered all data into NVivo to organize the data. Data was organized using the three research questions and the initial themes and codes were more fully developed. Themes and codes were reviewed multiple times to refine and define names and were developed in relation to the overarching research questions supported by responses that were commonly discussed by CBOs. For example, organizational purpose was frequently discussed by respondents and categorized into language that aligned with youth justice system goals (e.g., prevention).

Key statements from respondents were identified and used as supporting evidence for themes. If relevant, these statements were coded into multiple themes as needed. This structured approach resulted in accurately described conclusions that are grounded in the data. The coded statements were grouped together to reflect patterns in the data that represented part of the theoretical framework and research topics (e.g., the youth justice system). Themes arose naturally through the analysis of the data and sections of the interview schedule. After this initial

thematic grouping, emergent patterns and themes from the data were organized to answer the main research questions: role of youth justice CBOs and impact of neoliberal rationalities.

Conclusion

The preceding chapter has outlined the methodological approach used in the study and addressed the main research questions: 1. How do Ontario youth justice CBOs perceive and understand their role in Ontario youth justice? 2. What do Ontario youth justice CBOs see as the biggest forces structuring their work and mandates? and 3. How do Ontario youth justice CBOs experience neoliberal rationalities, such as competition and individualization? As outlined in this chapter, this study utilized an exploratory qualitative methodological approach to answer the research questions, obtain rich data on the experiences of individuals working within youth justice organizations to understand how they exist, navigate, and resist institutional and structural influences. The following two chapters, Chapters 5 and 6, presents the results of this study, answering the guiding research questions of this dissertation: 1. How do Ontario youth justice CBOs perceive and understand their role in Ontario youth justice? 2. What do Ontario youth justice CBOs see as the biggest forces structuring their work and mandates? and 3. How do Ontario youth justice CBOs experience neoliberal rationalities, such as competition and individualization?

Chapter 5: Results – Role and Purpose of Ontario Youth Justice Organizations

To address current gaps in criminological literature, there were two primary goals of this dissertation. First and addressed in this chapter, to fill the gap in publicly available knowledge of the role and purpose of Ontario youth justice CBOs in criminological scholarship. Second and addressed in the following chapter, to investigate how Ontario youth justice CBOs experience the push and pull of neoliberal pressures and work to import or resist these pressures into their organizational structure and frontline practices. Following a presentation of the demographics of organizations and individual study participants, this chapter documents the contribution of CBOs to the broader youth justice sector by exploring what Ontario's youth justice CBOs describe as their role and purpose. Along with the results presented in the next chapter, the final discussion chapter will connect the themes presented in this chapter to the broader theoretical constructs, revealing the specific way neoliberalism has manifested in Ontario youth justice.

Demographics of Individual and Organization Participants

A total of 15 individuals from seven Ontario youth justice CBOs participated in this study. The individual participant sample included slightly more females than males (see Table 1; notably no individuals identified outside the dichotomous gender categories). The sample was diverse across age, experience in youth justice, current position, and time in current position, ranging from individuals who were young front-line workers early in their youth justice career to management level staff who had been in the field for many years, including three individuals who were working in the field in 2003 when the shift from the YOA to the YCJA occurred. Almost all (93.7%) individual participants possess at minimum a post-secondary education in a social science focused area of study with four (26.8%) reporting study in multiple areas (e.g., Social Work, Psychology, Sociology). While this sample is not representative of the entire

population of individuals working in Ontario youth justice CBOs, from my professional experience, it is generally reflective of the study population that tends to employ more females, where most positions require a post-secondary education and agencies tend to have both beginner and experienced workers.

Table 5.1

Individual Participant Demographics

Demographic Category	N	%
Gender		
Female	9	60.0
Male	6	40.0
Age		
20-29	4	26.7
30-39	3	20.0
40-49	3	20.0
50-59	2	13.3
60-69	3	20.0
Highest Education		
Some University Courses	1	6.3
Post-Secondary – College	6	37.5
Post-Secondary – University	7	43.8
Graduate – Master's degree	1	6.3
Post-Secondary Area of Study		
Criminology	4	26.7
Psychology	4	26.7
Sociology	3	20.0
Social Work	3	20.0
Youth Studies	1	6.7
Law	1	6.7
Police Foundations	1	6.7
Human Services Counselling	1	6.7
Years in Youth Justice		
Less than 1 year	1	6.7
3-5 years	4	26.7
6-10 years	1	6.7
11-16 years	4	26.7
16+ year	5	33.3
Current Position		
Front-line	9	60.0
Management	6	40.0
Years in Current Position		

Less than 1 year	1	6.7
1-2 years	2	13.3
3-5 years	2	13.3
6-10 years	5	33.3
11-16 years	3	20.0
16+ years	2	13.3

Percentages may calculate to more than 100% as all response options were open for multi-select.

Only three CBOs had representation from both front-line and management positions, however there was an equal split in front-line versus management staff positions among all individual participants. From the six service zones across Ontario, three were represented: four (26.7%) agencies were from the West Service Zone (west of GTA to Windsor), two (28.6%) were from the East Service Zone (east of GTA to Ottawa), and 1 (6.7%) from the Central Service Zone (north of GTA to North Bay) (see Table 2). No organizations were in a large urban city.

Table 5.2

Distribution of Individual Participants (N=15) Across Study Organizations (N=7)

Organization #	Service Zone	Number of staff respondents	Position of staff respondents
Organization 1	East	2	Front-line, Management
Organization 2	West	1	Management
Organization 3	Central	2	Front-line, Management
Organization 4	West	1	Front-line
Organization 5	East	1	Management
Organization 6	West	5	Front-line, Management
Organization 7	West	3	Front-line

Meeting the requirements of study participation, all (100%) CBOs served youth with justice involvement within a dedicated youth justice department. Six (86%) organizations were identified as multi-service agencies, providing a variety of services to a diverse client population (see Table 3). Again, although not representative of the entire Ontario youth justice CBO population, this organizational profile aligns with the general tendency of Ontario youth justice CBOs being situated in larger multi-service organizations with dedicated youth justice department staff.

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Table 5.3

Demographics of Multi-Service Organizations Reported by Individual Participants

Agency Demographic	N	%
Type of Clientele Served		
Youth 12-17	15	100.0
Youth 18-29	14	93.3
Adults 30+	14	93.3
Justice-involved youth	15	100.0
Justice-involved adults	14	93.3
Indigenous	10	66.7
2SLGBTQ	10	66.7
Seniors	8	53.3
Racialized individuals	8	53.3
Individuals with disabilities	8	53.3
Types of Services Offered		
Youth justice	15	100.0
Adult justice	14	93.3
Children's mental health	5	33.3
Youth mental health	5	33.3
Shelter/transitional	5	33.3

In Their Own Words: Role of Ontario Youth Justice Community-Based Organizations

Responses from CBOs is this study described a clear understanding of their role in the Ontario youth justice system. This clarity appears to be consistent across Ontario's youth justice CBOs in this study, despite the varied geographic regions and community needs. In describing their work within Ontario youth justice, CBOs identified four main roles: (1) support youth beyond youth justice, (2) youth ally, (3) system navigator, and (4) positive role model. In line with Ministry mandates, CBOs identified their purpose is to address the specific referral reasons they receive from probation and/or diversion order, but they also noted a broad understanding of their role to support youth that extends beyond rehabilitation and reintegration services. CBOs described their role as dual purpose: as they work to address the underlying causes of youth offending behaviour, they also identified the expansive role they play in supporting youth with any challenges they may face, not just those that are justice related. Youth justice staff also

described how they are role models and mentors for youth, providing consistency and a safe space for youth. They also shared experiences of being system navigators, establishing networks and connections with other sectors and agencies to guide youth through the complex social service system. This chapter presents the voices of the organizations, describing their multi-faceted role within Ontario's youth justice system.

Support Youth Beyond Youth Justice

Organizations appear to have defined a role for themselves to support youth in a way that balances addressing the prescribed youth justice needs of young people with a broader welfare orientation that permits organizations to stretch and adapt their services to support youth in any way possible. The starting point to all their work, CBOs provided a detailed account of the youth justice referral process and how they work to fulfill the conditions of these referrals. The specifics are detailed here to provide insight into the institutional and structural relationships that exist between various youth justice stakeholders and reveal what happens on the ground compared to directed in legislation and policy.

The space between YCJA directives and understanding these directives at the level of implementation is wide and leaves room for much interpretation. The YCJA mandates that youth should be referred "to programs or agencies in the community to address the circumstances underlying their offending behaviour" (s. 3(1)(a)(iii)). Organizations provided a clear depiction of how they implement this YCJA mandate. Youth are referred to YJ CBOs through one of two conditions: 1. Probation Orders or 2. Diversion Orders (Extrajudicial Measure; EJM, Extrajudicial Sanction; EJS). When a youth is referred to a CBO, the referral is accompanied by a request for specific programming or details the criminogenic factors that must be addressed through programming decided by the staff at the CBO. Participant 7 (Front-line) described:

We receive our referrals through youth probation. From there we kind of assess what they've been referred to and then we provide what we call psychoeducational programming for the youth so depending on what they're referred for it could be anger management, substance use, programming, life skills, cognitive skills, and healthy relationships.

Participant 10 (Front-line) succinctly described how these services occur on the ground:

I counsel youth as part of their probation, so their probation referral, they come through to our program and we run counseling programs with them that are very cognitive based, life skills, anger, awareness, substance abuse…We schedule them in weekly to meet with us, [in a] non-residential [setting]. And we also from there kind of help them with other needs that they maybe, looking for maybe housing, maybe try to get them in the right area, give them a referral somewhere. Help them out, shelter, with whatever situation is going on, helping them with employment, obtaining identification, things like that. At times, we can provide them transportation to certain things, work, for example. From that, the main thing of my position would be the counselling and other kinds of behavioral programs that are referred to probation.

An important gap was noted in the types of services organizations provide[11]. Despite the documented high prevalence and severity of mental health needs among youth with justice involvement (Vingilis et al., 2020), few organizations reported delivering services specifically designed to address mental health needs (see Table 4). When probed further regarding mental health services, participants indicated they interpreted mental health services as serious diagnosed mental health disorders requiring psychiatric services (e.g., psychiatrist, psychologist). Additionally, as noted in Table 3, all organizations indicated they serve Indigenous, LGTBQ2S, and racialized youth, however, it was also noted that programs and services are general support programs that serve diverse youth populations rather than being specifically targeted to serve these populations. CBOs in this study reported minimal programming is provided that is

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[11] Notably, all organizations (100%) that participated in this study only provided non-residential community-based youth justice programming through NRAC. NRAC is a community-based sentencing option defined in the YCJA. Thus, all programs described here are provided in a non-custodial setting. It is likely that youth justice programming offered within custodial settings would look quite different. Similar programming may be offered, but the consistency and frequency of programming would be variable.

culturally competent, culturally safe, gender-responsive, or specifically designed to address

unique risk factors for racialized or 2SLGBTQ populations.

Table 5.4

Type of Youth Justice Services Delivered by Ontario CBOs

Service	N	%
Types of Youth Justice Programs Offered		
Counselling/life skills	15	100.0
Recreation	13	86.7
Educational	13	86.7
Diversion	12	80.0
Legal services	4	26.7
Mental health	4	26.7
Type of Youth Justice Settings		
Non-Residential Attendance Centre (NRAC)	15	100.0
Section 23 classroom[12]	6	40.0

Note: Percentages may calculate to more than 100% as all response options were open for multi-select. Reported by individual participants.

Beyond the central task of providing services that address youth referrals described

above, youth justice CBOs pride themselves on going above and beyond a youth justice focus,

employing a youth first mentality that prioritizes needs, regardless of a connection to their crime

or not. Organizations discussed their process of integrating specific youth justice supports with

supporting general youth issues. They also described going above and beyond, describing

"helping them, supporting youth, getting them the help they need, and helping youth with

individual needs". Participant 8 (Front-line) explained the extensive role CBOs have, "to change

the client… provide resources to these individuals where they technically probably wouldn't get

it in the first place…information to make better choices for the future." This broad language and

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[12] Outlined in the Ontario Education Act, the Education and Community Partnership Program, also known as a Section 23 classroom, provide treatment and support for children/youth who are unable to attend a local school due to identified social, emotional, behavioral and/or mental health needs, and facilitates transition for continued education.

organizational purpose are directly tied to CBO's recognition of the complex factors that

underlie anti-social and criminal behaviour.

Participants focused on their role in helping youth to make positive changes in all areas

of their life. Participant 3 (Management) stated,

> So, our role is we are an active participant in assisting any clients, existing clients,
> regardless of where they're coming from, to make them well-informed and to put them
> into a position to make to enable them to make better, well-informed, positive choices.

Expanding on this idea, Participant 1 (Management) reflected that their work entails building

belief in youth so that they can make the positive changes,

> Our role there is to, I guess, promote the fact that they can succeed, build their confidence
> and at the same time, they understand that they can be resilient, that they do have the
> capacity to make changes in their lives.

Underpinning the role of supporting youth beyond youth justice, CBOs emphasized the

importance of engaging youth from a youth-centered, strength-based framework to "meet youth

where they are at" (Participant 13, Front-line). Youth are key decision makers in setting their

goals and identifying areas of focus for youth justice staff to support them. For example,

Participant 3 (Management) stated … "make them see that they are 100 percent capable of doing

whatever the hell they want to". Participant 11 (Management) also exemplified this finding,

> We're starting with where they are at. We're using a client focused approach. We're also
> using a strength-based approach because oftentimes youth don't have much self-esteem
> and they haven't received very many affirmations. We're trying to help them recognize
> the strengths that they do have and to build on those.

Participant 11 later shared in the interview that their work is about more than preventing

recidivism. It is about supporting "their needs, their goals, what they want for their future and in

helping them to gain the skills and the community connections… that will help them along the

way and to achieve those outcomes. It's not just about changing recidivism". To effectively work

from a youth-centered, strength-based framework, CBOs identified the need to be flexible, "I

think the main thing is to be client focused as much as possible, so trying to be as flexible and adaptable as we can" (Participant 2, Management).

Discretion was stressed as a key circumstance that created space for CBOs to support beyond youth justice. Rating their level of discretion working with youth, all CBOs rated discretion as high or medium, regardless of time working in youth justice and position in the organization. Even individual respondent reported medium to high levels of discretion (see Figure 4). Participant 13 (Front-line) described their freedom to choose how they work with clients within a larger youth team, "I think it is important to have more freedom because each individual client is drastically different. And so, if there are more constraints in place, it would make it harder to kind of cater to that individual's needs". Another respondent similarly stated, "100%, lots of discretion. We're here to work with issues a, b, and c. We can easily go off a tangent to work with issue x, y, and z" (Participant 3, Management). One CBO did note that while they do have discretion, probation officers make referrals for specific issues and these should be the primary goal addressed with youth, "as long as we get from point a to point b, how we got there is up to me. But as long as they get to point b" (Participant 8, Front-line).

Figure 5.1

Individual Participant Level of Discretion
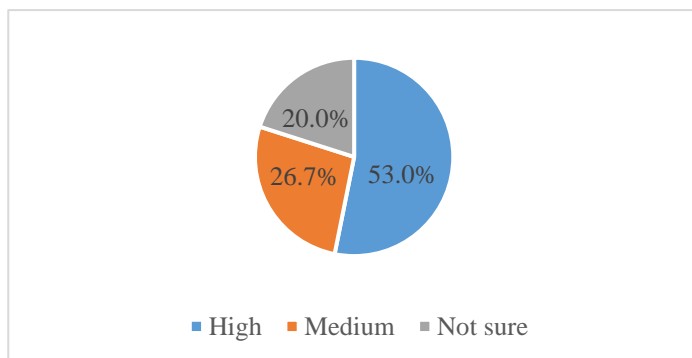
Note. Individual participants rated their level of discretion in choosing how they work with youth (N=15).

Described in this section, youth justice CBOs in this study consistently emphasized the need to push the boundaries of their youth justice mandates to effectively support the youth they work with in broad categories. They do not simply look at a probation referral and blindly provide services. Rather, CBOs described their role broadly, to support youth to make better choices, as well as support youth in believing in themselves that they can make better choices. Even with pushing these mandates, CBOs openly expressed frustration at the lack of resources and identified system improvements required to enhance their work. This included staff training, staff retention, programming options, more collaboration, and community hubs to reduce competitiveness and increase collaboration. For example, Participant 5 (Management) stated,

> It's about one stop shopping. I mean, we talked about it for years and years and this and for whatever reason, when they were developing our YJ system, they seem to think they need to share the pot of money and have bits of it. Different agencies, right? Again, and encourages that whole competitiveness and lack of collaboration. So, I wanna be doing the hub.

Youth Ally

As CBOs described their role in the youth justice system, they emphasized their role as youth allies who advocate for youth and amplify their voice when no one will listen. Discussing the importance of ensuring youth voice is captured and determines the direction of youth programs and supports, participant 5 (Management) explained, "I think because our kids don't have a voice and it's important that we help articulate their needs. Nobody wants to hear from our kids because our kids beat up their kids". Another respondent similarly noted the importance of augmenting youth voice, particularly for youth justice youth who are often marginalized and viewed as incapable of knowing what is best for them.

> Advocating for the client is important because sometimes, as I mentioned earlier, they feel like they don't have a voice. Their voice has been shut down for a long time, and so they need that kind of support person to enable them to feel that voice again in regard to the system. (Participant 13, Front-line)

CBOs connected the importance of having flexibility in how they work with youth to their goal

of providing strength-based, youth-centered services as key to establishing trust with youth:

> You can't do it without it [discretion]. You can't do it without it. I truly, truly 100%
> believe that we need the flexibility to work with clients because if you're coming from
> strength-based, if we don't have the autonomy to do it, we become the opposite of what I
> hate. And that is, as I mentioned, I see too many people, like probation officers, say, well,
> they [probation] know best. No, you don't. The client knows best. They know what's
> driving them. They know what's pissing them off. They know what's going to get them
> going. And it's our job to get it out of them. If we dictate, that's not going to work. It just
> doesn't work. So, you have to have autonomy to go with the flow and it builds trust in
> those relationships. And then we know that they're going to buy it because now they
> know that we're listening to them. We have to be able to be flexible and adjust on the fly.
> (Participant 3, Management)

In their role as youth allies, CBOs reported client advocacy as a normal part of the day-

to-day work "putting client needs first" (Participant 4, Front-line) and "it's our duty to advocate

for them when they can't. They are youth – it's our duty (almost) to advocate for them when they

can't. Advocating for them when they can't, could literally change their life" (Participant 6,

Front-line). This finding also further supports the ways in which organizations will support youth

in any way possible. Participant 15 (Management) described this in more detail:

> Helping them in any way that we possibly can, whether it's, you know, showing
> somebody how to use the bus because they're going to be taking a bus for work.
> Showing, taking them down and helping them get a bank account, supporting them with
> food, buying them, if they're trying to get their driver's license, supporting them with
> buying the book and going through the book with them. If they're having a baby, maybe
> help them support, support them with buying a crib and getting them set up with service.
> (Participant 15, Management)

CBOs also reported engaging in client advocacy to vouch for youth and push for a better

outcome when others cannot see beyond the actions that resulted in youth coming into contact

with the youth justice system. Participant 8 (Front-line) described how they engaged in school

advocacy,

> [I] went to meetings with the client at the school board and pushed and pushed the person to get back in school and provided reasons why they should be back in school and about how, if they don't, how negative it can be on their well-being, their mental health. So, I advocated for them to get back at school, and that actually happened.

Participant 12 (Front-line) similarly provided an example of how they engaged in advocacy to secure housing supports for their youth stating, "I've worked with shelters where youth are close to the age range [of being evicted]... but I've even advocated it's like he's got nowhere to go. It's either you guys or the streets and they've said, like, Alright, well, this one time."

As a youth ally, CBOs have an important role standing up for youth and stepping in to advocate for them when needed. This role is possible because CBOs have established relationships with other agencies and sectors and can use their influence to affect decisions. This knowledge and networked relationships are key to their role as system navigators, explored next.

System Navigator

In the interviews, participants emphasized their role as system navigators, guiding youth through the complex social service systems they interact with. This role further emphasizes CBOs drive to operate outside their youth justice mandate to support youth in any way possible. As a result of youths' complex family and individual circumstances (e.g., mental health, trauma, homelessness) or the adults in the youth's life do not know how to navigate systems, CBOs have stepped up to fulfill this role, establishing networks and relationships with other sectors and agencies to efficiently connect youth and families to needed supports.

The most common example of their role as a system navigator was helping youth obtain personal identification cards (e.g., driver's license, birth certificate) so they could obtain employment. Participant 10 (Front-line) described this common situation.

> "Here's this kid. He's just trying to find a job. He's just being very patient with the whole process, even like was frustrating me at times. So, I think in the end result was obviously with COVID and phone call, things like that and getting some places. I talked to

somebody at the Service Ontario once who was. So, he had called me, and he said he spoke to them, and they were extremely rude and he's like I don't understand why, I was just asking questions. So, I'm like, well, let me see if I can poke around and get some answers here. And at some point, some people were a little more helpful in trying to with us and well tell me where to go get this or that."

Participant 6 (Front-line) stated, "even though referred to specific programming (e.g., substance use), we do more than that. ID, job, doctor". Interestingly, only front-line workers discussed the system navigator role. At least one front-line worker at each organization highlighted this activity. For example, Participant 12 (Front-line) noted, "most of the time it's identification. So like SIN Card, health card, birth certificate, all that necessary documentation, but there's a lot of them don't have it". Participant 14 (Front-line) expanded saying, "getting all their I.D., medical appointments, maybe like mental health appointments, community referrals, support with housing support, it's like financial support like ODSP or OW".

As system navigators, front-line staff engaged in activities to "bridge gaps" (Participant 7, Front-line) and labelled themselves as connectors. "I am more of the connect. I'm the middleman…So I connect to them for like referrals or intakes and stuff like that. But then I also join them on those things" (Participant 12, Front-line). Participant 12 (Front-line) further explained how they guide and youth through a variety of systems,

> So just getting them connected and getting them the supports that they need to accomplish those goals because getting a new job can be scary, going to school can be scary, getting an ID is actually incredibly frustrating and it's very difficult, especially if you have nothing. So, a lot of the times these youth don't know how to do that, and you don't know where to go or who to talk to, even though they're available. A lot of them just don't know the avenues on what to take, and that can all be anxiety inducing.

Interestingly, respondents also referenced their organization's multi-service status, sharing they have designated workers assigned to connect and refer youth to services that their agency does not provide. Although the youth justice sector is a separate system, to effectively support youth, CBOs identified the need to interact and connect with other social service sectors,

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adjusting their service mandate to meet the needs of their youth and community. Participant 1

(Management) explained,

> We deal with multiservice multi referral processes, but in some other jurisdictions. If you read the service description schedule, it says for probation referrals from moderate to high-risk clients. Well, we go beyond that and expand it because there's no resources in this community and there haven't been for a number of years. So, the framework is there and we're within that, but we tweaked it to meet the needs of the community.

This participant highlights the importance of their role in establishing networks with other communities to address the shortage of support (e.g., other social service agencies) available in their local community. The interconnection with other social service sectors emphasizes the importance of the role of youth justice CBOs as system navigators and their dual role as a service delivery agent and a multi-service agency filling a gap in the social service system required to effectively address the needs of youth. This supplements the above theme of supporting youth beyond justice-related issues, exemplifying how they expand the boundaries of their youth justice role.

Positive role model

The fourth theme, positive role model, arose as CBOs commented on the unique relationship they have with youth compared to other stakeholders in the youth justice system. In contrast to the authoritative role of police, courts, and probation officers, respondents highlighted the importance of relationship building and creating a space for youth to grow and not be afraid to make mistakes. Participant 13 (Front-line) explained,

> [We] act as a positive support because a lot of the times with regards to like police and things like that, there's a negative association, especially with probation officers... So we kind of try to change that mindset, whereas where we work, we're not trying to get you into further trouble.

Participant 10 (Management) further explained, "these kids need to connect with positive adults in order to make a change and not have it be so scripted and formalized. It has to do with the relationship building first and then we work on the bigger problems".

Expanding on their different role compared to other system stakeholders, front-line staff indicated they feel youth are more comfortable opening up to them and described the role as "more of a Big Brother, Big Sister kind of relationship allowing youth to tackle certain situation that they may otherwise note say to somebody" (Participant 10, Front-line staff). Often, front-line staff have the opportunity and time to build a relationship with youth rather than one-off or short interactions youth may have with police or probation officers. Participant 13 (Front-line) attributed this unique opportunity to build a safe space and embrace a strength-based approach as key to successful interactions with youth,

> Some of the success stories that I've been told by my coworkers is just outstanding. Just the connection that we're able to build with the youth and how they do see us as a positive role model because we're not coming down on them like, oh, you're going to get this, this in this consequence. We're like, OK, so you smoke a little weed, how can we change that, right? We really approach it with a positive…It's kind of drilled into us to our mind as to it's not what did you do, but it's what happened to you. And so, we use that kind of framework to approach how we work with them.

The role model role is coupled with CBO's highlighting the importance of youth centered, strength-based services that "meet youth where they are at" (Participant 13, Front-line), underlining their youth first mentality. Youth must be key decision makers in setting their own goals and identifying areas of focus they need support in. Participant 11 (Management) also exemplified this finding stating,

> We're starting with where they are at. We're using a client focused approach. We're also using a strength-based approach because oftentimes youth don't have much self-esteem and they haven't received very many affirmations. We're trying to help them recognize the strengths that they do have and to build on those.

Participant 11 later continued in the interview,

It is supporting their needs, their goals, what they want for their future and in helping them to gain the skills and the community connections that will help them along the way and to achieve those outcomes. It's not just about changing recidivism.

CBOs discussed the importance of providing a space to build on youth strengths and help youth to see this strength within themselves. From this perspective, youth are not in need of adult control and direction, only guidance and support. Participant 7 (Front-line) explained, "there is something out there for everybody. Everyone has their own strengths, even if they need others to help them bring it out. Supporting them and help them see that." Expanding this further, Participant 1 (Management) reflected,

Our role there is to, I guess, promote the fact that they can succeed, build their confidence and at the same time, they understand that they can be resilient, that they do have the capacity to make changes in their lives.

Underpinning the youth centred approach, CBOs referenced the reduced maturity of youth and lack of support youth have received as they transition to adulthood, emphasizing that "understanding and aware of their [youth] situation, their background, where they've come from" (Participant 10, Front-line). This was contrasted to working in the adult system where adults were referred to as 'lost causes' within the expectation that adults are fully responsibilized. Participant 5 (Management) captured this belief, "once adults get into the system, there's no hope. So, I thought maybe if I work with youth, then there's opportunity to have some influence there." One participant reflected on the long-term consequences of youth not being able to do things for themselves:

But we know that if a child isn't provided with love/care/basic needs, they will have trouble when they grow up and be on their own. Hate when things are unfair. A lot of these kids can't do things for themselves, these youth don't know what to do. See what life could be if people don't get help (women in addictions). Want to give people the fairest chance they have. People are a product of environment, sometimes don't have choice of environment. Participant 6 (Front-line)

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As a positive role model, CBO staff are able to foster trust and openness such that youth are more open to discussing their needs and challenges. CBOs identified these activities as crucial for them to be effective in supporting youth.

Conclusion

CBOs in this study consistently emphasized the duality of their role and purpose in Ontario's youth justice system. In addition to providing programs and services for probation and diversion referred youth, Ontario youth justice CBOs identified how they move past the limitations of their youth justice mandate to support youth beyond youth justice, as youth allies, system navigators, and positive role models. Documenting the important work of Ontario youth justice CBOs is critical. The themes presented here establish their important role within the broader youth justice system as they are the only stakeholder who provides direct services to youth and have the opportunity to impact young people's lives. They are more than a cog in the adjudication process. Rather, they provide meaningful support in a difficult period in young people's lives. CBOs are clear in their role to support youth beyond youth justice issues. Within this role, they act as allies and advocate for youth. They guide youth through the complex youth justice and broader social service system. Lastly, they are positive role models, focused on building positive relationships with youth so that they are more comfortable in being vulnerable to address their needs.

Chapter 6: Results –Organizational Experience of Neoliberal Rationalities

This chapter addresses the second goal of this dissertation - to investigate how Ontario youth justice CBOs experience the push and pull of neoliberal pressures and work to import or resist these pressures into their organizational structure and frontline practices. The literature presented in Chapter 3 detailed how neoliberal restructuring has unfolded in Ontario youth justice to date, describing the context Ontario youth justice CBOs are currently operating in. This was primarily accomplished through the responsibilization of the third sector and Ontario youth justice non-profit agencies in the delivery of youth justice services across the province. This existing contractual-based relationship between the state and CBOs to deliver youth justice services establishes an environment that imports results-based contractual relationships, limits policy advocacy, and social justice value orientations, driving neoliberal pressures of efficiency and competition throughout the youth justice system. The results presented here are understood within the context that neoliberalism is always revealing itself in a contested and open process. Based on the CI framework, the questions and analysis focused on understanding neoliberalism that accounts for the role of both institutions and institutionally embedded agents in shaping Ontario's youth justice system.

Ontario Youth Justice Organizations Experience of Neoliberal Rationalities

In discussing their experience of operating within a neoliberalized youth justice system, three main themes were identified: (1) balancing competing values; (2) managing accountability and monitoring practices, and (3) struggling to advocate. The last section, resistance practices, explores the overt and subtle actions of CBOs that illustrate how they push back against neoliberal pressures. The findings here provide insight into how they navigate neoliberal pressures in their daily work.

Balancing Competing Values

Evidence in this section highlights how youth justice CBOs and individual youth justice staff are balancing the competing interests of neoliberal values of efficiency, accountability, and professionalization, with the historic social justice orientation of the non-profit sector. CBOs shared experiences that revealed the active work they engage in at both the organizational level and the individual level to function with stability and to mitigate disruption that might ensue from the pressures of these opposing values. On the one hand, CBOs and staff are very much aligned with historical traditions of non-profit work where meeting the needs of the client is prioritized above organizational needs and funding requirements. It appears there is an effort to maintain key characteristics of the non-profit sector and actively resist discourse and practices inspired by the private sector. However, this is strong evidence this is grounded in an ongoing struggle to reconcile the opposing pressures, working towards embracing the best of both sides.

In the interviews, participants emphasized personal values that inform their work and stressed how these values are foundational to their approaches to effectively support youth. Discourse used by individual workers demonstrated their strong belief in grounding their approaches in social work orientations. Individuals used language such as "compassion", "flexibility", "non-judgmental", "beacon of hope", and "humility" to describe the values that frame their approach to working with youth. Individual respondents discussed their passion for working with youth and described wanting "to be a helper, not a keeper" (Participant 5, Management) and "building a better community" (Participant 8, Front-line). Participant 7 (Front-line) similarly discussed "I want to go to work and I want to make a difference and I want to help change lives, make an impression on one person. I feel like I'm just a very motivated and compassionate person to do that."

Aligned with key values of the social work profession, compassion was a distinct value identified among most respondents. Recalling their role as 'supporting youth beyond youth justice' from the first section, respondents explained how they use compassion to look at the whole youth rather than the action committed. Participant 5 (Management) stated "you know that whole helper, you know, looking at the underlying issues is more in line with my own personal values." Compassion also unpins the trauma-informed approach emphasized in interviews. Participant 10 (Front-line) described,

> What happened to you - when I get a referral now where there's pretty intense stuff from the childhood, I feel like, wow, you know, I think the idea is like, when I can't change what happened and this person is where they are right now.

Participant 15 (Management) further emphasized it is important to look beyond the choices that youth make and not define youth by a bad choice, "So many times youth are so misunderstood and, you know, people think that, oh, they're bad kids. And I was like, No, they're not bad kids. They've made a bad choice yes, but it doesn't make them a bad kid". This quote also reveals this respondent's recognition that youth make choices and must be held responsible for them, providing a good example of the work required to manage the competing tensions of whole youth approaches grounded in social work with responsibilization pressures of neoliberalism. The values that underpin the approaches described by individuals follow directly from their described role in helping youth in any way possible. This approach requires time to understand the whole youth and provide support to meet any youth need, not just those identified from a youth justice perspective. This approach often counters neoliberal ideologies of efficiency and skill building, and instead draws upon social justice principles and approaches to youth work.

Despite participants clarity in their personal values and subsequent effective approaches to working with youth, some individuals acknowledged how these values and approaches

conflict with the values and goals of a neoliberalized youth justice system. Participant 13 (Front-

line) effectively captured this struggle for individuals working within a neoliberalized system.

> Generally, goals are the same, in the same book, but not on the same page. System vs. front-line staff. Positive outcome wanted, but discrepancy in resources and how we want that to happen. Front-line are more knowledgeable, know approach to working with youth because we do it. Our work is not appreciated or noticed. Expertise is not valued.

Asked to rate the compatibility between youth justice system goals and what happens on the

ground, CBOs are very much aligned with the overall goals of the youth justice system (see

Figure 6.1), however the key conflict between individuals, CBOs, and the system is the

competing interests that drive how these goals should be achieved. A key goal of Ontario's youth

justice system is to increase skills and abilities of youth. However, Participant 3 (Management)

highlighted the importance of supporting youth in other ways and the underlying cause of their

behaviour is "not always lacking skills and abilities. Dealing with trauma and other things...

Cause is not always a skills/abilities issue", despite the emphasis on this as a system outcome.
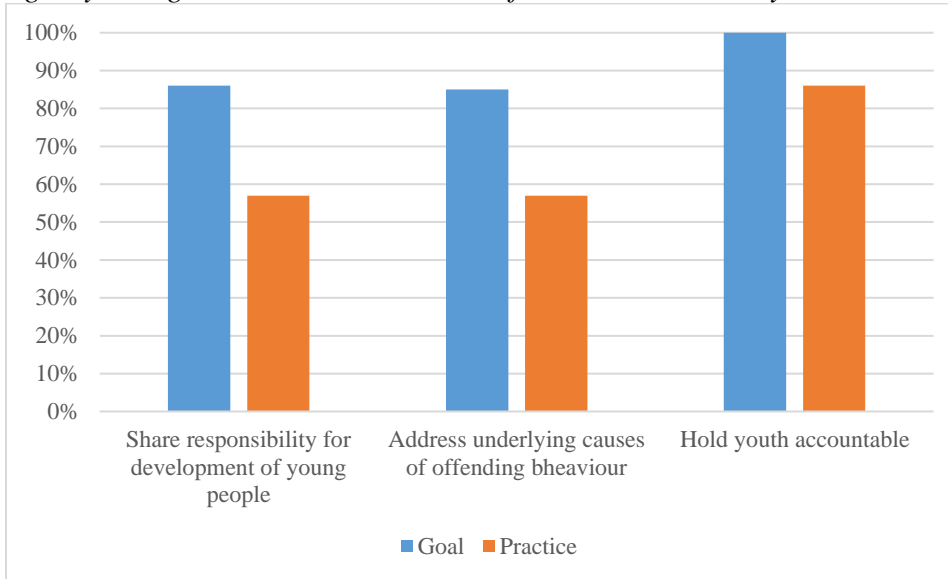
Figure 6.1

Agency Agreement Between Goals of the Youth Justice System and What Occurs in Practice
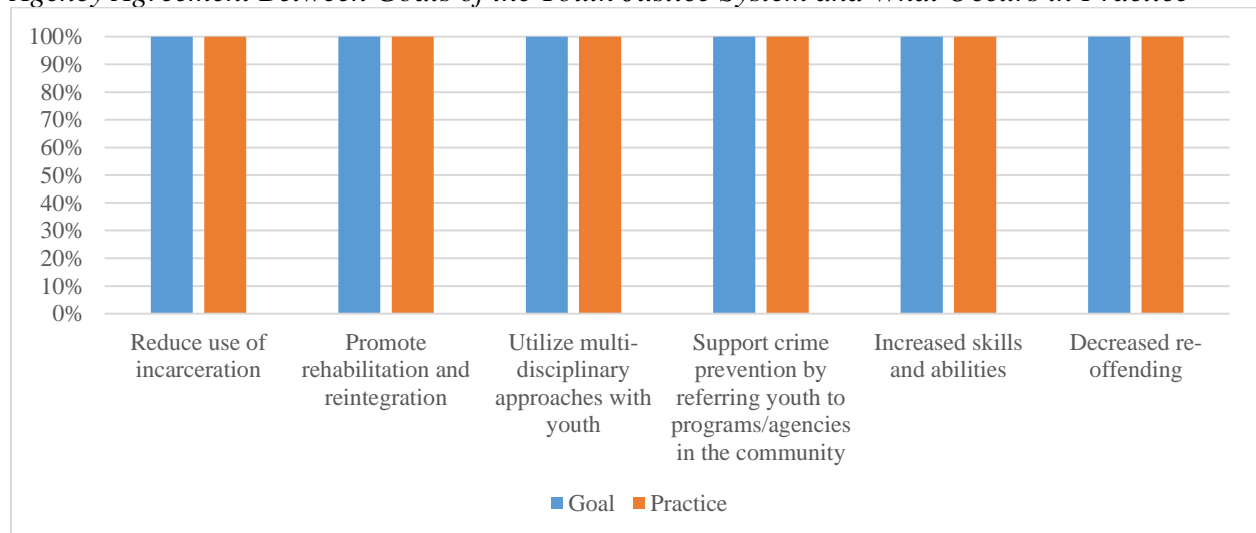
Note. Responses from participants were rolled-up to organizational level, N=7

Figure 6.2

Agency Disagreement Between Goals of the Youth Justice System and What Occurs in Practice

Note. Responses from participants were rolled-up to organizational level, N=7

The biggest discrepancy in agreement between goals of the youth justice system and what occurs in practice are 'shared responsibility for development of young people' and 'address underlying causes of offending behaviour' (see Figure 6.2). Respondents shared for both of these goals, they are not occurring on the ground due to a lack of resources and constraints on how youth justice CBOs are allowed to support youth. Participant 1 (Management) explained,

> Why are you here? What is it that's getting you into trouble? What is it that's impacting your life that is likely to be incarcerated? And we're talking about a lifelong, in most respects a lifelong learning, dysfunctional family, um, alcoholism, poverty. So, the social determinants of health dominate the agenda. And so how do we address those? And it's not much support or resources available from a ministry perspective around that. And it's wonderful to say we got to get to those, you know, the underlying causes. Yes, but once we understand what they are, we're limited on what we can do. And so, its best intentions, you know, theory versus reality.

Recalling CBOs desire to support youth with a broad range of issues, CBOs are expressing a lack of resources and support from the state to implement this on the ground.

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Throughout the interviews, participants provided examples of how their personal values and knowledge clash with the market and private sector logic and practices pushed within their organization. Specifically, the desire to support youth in any way possible and operate from a youth-centred, trauma-informed approach is countered by the CBOs contract obligations to meet funder requirements. Participants provided strong evidence that CBOs have adjusted to incorporate business models, discourse, and practices to increase efficiency. This is particularly evident as interviewees detailed the impacts of stagnant and reduced government funding in recent years. One participant specifically referenced the March 2021 closure of youth justice facilities as evidence the youth justice sector has experienced fiscal constraint, "Based on seeing like those twenty-six, you know, open and closed detention facilities be shut down" (Participant 14, Front-line). All organizations indicated the fiscal climate in Ontario youth justice has remained the same or declined over the last five years. In fact, most organizations indicated the period of fiscal restraint is much longer, closer to 10-20 years. Participant 11 (Front-line) stated, "in the 10 years that I've been with this program, the targets have been the same and the funding's been the same" and participant 5 (Management) agreed stating, funding has "remained the same. If that means financially, has the province come up with any more money? No, not for 15 years". Participant 1 (Management) shared the impact of flat year over year budgets on the organization and supporting their staff.

> We've had the same, on the youth justice side of things, the same per diem for the last 20 years, so costs have increased, salaries have increased, but the funding has remained the same. And so that was frustrating in order to retain staff, we have to have the capacity to increase salaries and benefits of those sorts of things. And they were saying, no, there is no money, we don't have the capacity.

To counter this resource shortage, there is a strong emphasis on creativity in 'doing more with less' to be able to maintain the desired service approaches and provide specific supports for

youth. Participant 1 (Management) described how they push their service activity boundaries to include youth who might not fit the exact profile of youth they are to serve. They explained,

> If you read the service description schedule, it says for probation referrals from moderate to high-risk clients. Well, we go beyond that and expand it because there's no resources in this community and there hasn't been for a number of years. So, the framework is there and we're within that, but we tweaked it to meet the needs of the community.

However, this creativity and tweaking of services can only go so far with potentially significant negative impacts on the staff as they go above and beyond to support youth (e.g., staff burnout and high staff turnover). Participant 9 (Front-line) confirmed this, "More support as employees across the board. We are in the business of supporting kids, but we are not supported. Lots of suicides in town, no support. I had to use a sick day when a client hung herself."

In addition to an inability to properly support staff, CBOs described the challenge of having to decide which services and budget categories to reduce while still being able to support youth and their staff to deliver services. Participant 11 (Management) explained how these decisions were often choices between staff support and youth:

> So, every year, we're putting in an application. Where we are applying the funding varies because obviously our staffing costs go up, some costs go up, heating goes up. We can't do anything about that. But we have to find savings somewhere. So we've practically cut out all of our [staff] training costs, you know, and we are fortunate right now that we haven't been traveling this much through COVID so our travel costs are down, but our IT costs have gone up a lot more because everybody's working remotely and we've had to invest in other software to be able to do that and we've had to invest in some software for clients as well. So, every year our application, you might see lines shift within the budget because we have to find cost savings in other parts of the budget to make up for those areas that increase so that we can continue to operate within the same amount of funding that we're getting.

Another CBO similarly described how stagnant budgets impact their ability to expand and respond to changing community and youth needs, required to maintain their social work orientation of providing youth-centred services. Participant 5 (Management) stated:

It's been a hindrance because we can't do anything different, really. If we want to add a new position or add new programs, we don't have the financial resources to do it. And what's happened over the years is prices of things have gone up, our costs have gone up. And we've had to rob various budget lines and we finally have almost reached our saturation point.

This theme, values, provided examples of how individual worker's personal values that are grounded in social work orientations contend with the pressures to provide services within a youth justice sector that prioritizes efficiency, business practices, and maintains a stagnant funding environment. This contradiction in values establishes a framework that may be exceptionally difficult for individual staff to do their job well. The neoliberal pressures that drive the state and CBOs toward these private sector and market-based logics have resulted in increased accountability and monitoring measures. The impact of these accountability pressures is explored in the next theme, accountability.

Managing Accountability and Monitoring Practices

Evidence in this section highlights how CBOs in this study are impacted by the accountability and monitoring practices expressed through funding contracts as CBOs described the practical implications of working within a contract-based environment. CBOs highlighted the contested ways in which their contract-based relationship with the Ministry impacts their capacity to choose how they are structured, function, and conduct service delivery. CBOs consistently described how they are primarily funded through state service delivery contracts that detail service activities, targets, and outcomes. Service delivery contracts are year to year annualized funding from the Ministry with a 60-day termination clause, a shift from previous multi-year funding contracts that provided more financial stability for CBOs. One respondent shared that there are plans to change the funding cycle to a three-year cycle, but indicated this

has not occurred. A potential shift to long-term contracts would provide more stability to these organizations[13].

CBOs emphasized the arms-length role the state plays in delivering youth justice services in Ontario and indirectly referenced the power the state holds as the "oversight body" and "watchdog", sharing "They play a big role... But in terms of like actually having these programs, we need MCCSS, for example, in order to even have this program. If they didn't back us, then we wouldn't be able to do this program for kids" (Participant 15, Management). Youth justice CBOs are independent agencies that have their own board of directors, governance structures, and policies and procedures that classify them as self-governing organizations, however CBOs also highlighted legislation, licensing standards, and funding service contracts that act as accountability measures and monitor their work. Understanding the role of the Ministry as an oversight body, one CBO explained, "the government provides oversight, obviously in terms of compliance and meeting your services. Licensing review speaks to that. I think it can be very, I think it's necessary. The process at times was a bit convoluted and, I guess, intrusive" (Participant 1, Management). Participant 1 further explained the "daunting" licensing process as "very challenging and difficult… all about looking for every nuance when you are not compliant", suggesting that not only are organizations more accountable, but the process to be accountable is also challenging and an additional burden on CBOs. In the interviews, CBOs emphasized they understood why these accountability measures are important, but also noted the challenges and insensitivity of these processes.

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[13] Reviewed in Chapter 4 – Literature Review, the shift from long-term to short-term contracts reduced organizational stability, with subsequent impacts to agency autonomy and capacity/resources available for direct service delivery.

In the interviews, CBOs recognized the need to be accountable and demonstrate service levels and impact. However, their experiences also revealed an underlying struggle to reconcile this with the power the Ministry ultimately holds in the relationship and how they use it to restrict organizational autonomy. Demonstrating accountability to the Ministry, most CBOs reported they have freedom in choosing which programs to offer youth, but noted programs and ideas must be approved. One CBO described, "they [Ministry] are the gatekeeper of determining whether or not any of our ideas and concepts and ideas can move forward" (Participant 3, Management). Alluding to the power the Ministry holds in directing youth services, one CBO shared an unsuccessful attempt to respond to local community needs. This CBO highlighted how the Ministry holds the power to inhibit their ability to do anything outside of their service delivery contract despite making these requests. They stated,

> I think they won't allow organizations to expand services like we are asking for. So, we have money. It's a need. We want to do more. And they say, no, no, you can't do it. So just a month ago, you know, all the residential programs were closed. Over the last few years…agencies were asking for years and I'm seeing the numbers go down in our system saying, you know what? This is what we'd like to do. Here's an alternative, wait we have custody, but this is a gap in our community, and the province was not open to accepting any of those proposals. Do you know, I think these guys think we're here to support the development of young people and help them, and in reality, that's not true. (Participant 5, Management)

Contractual service delivery has been identified as a neoliberal tool of responsibilization in other sectors (Evans & Shields, 2014). Reflecting on the use of contracts in youth justice, the participants highlighted the requirement to submit reports detailing services delivered and outcomes achieved measures against pre-determined targets and outcomes defined in the service delivery contracts. CBOs are required to submit monthly data reports to track service activity progress against targets outlined in the contract. Participant 9 (Front-line) described providing the following information in monthly reports,

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Following up with police, to see if past clients have had phone calls with police. Whether they are victim or perpetrator it is coming up. Number of people in program, number of gender, presenting factors, referrals made, referral source (OPP, CAS), parent referrals, service hours, re-connects.

Despite the pre-determined targets laid out in the service contracts, all organizations agreed that there is flexibility and that these are not "hard targets" (Participant 2, management). CBOs described multiple instances where the Ministry accommodated missed targets. It appears the Ministry allows for explanation if targets are not met, and underachieving targets does not immediately result in reduction or loss of funding. Participant 5 (Management) explained, "so we have to provide target numbers, but that's not really been a factor. No one's ever really questioned it." Participant 2 (Management) similarly explained, "so if we don't reach them, we don't lose funding for the following year. But we do definitely have targets for service delivery."

Within this results-based contract framework, there appears to be some flexibility in how this is implemented on the ground. On the one hand, organizations identified the contracting process as one-way and not a negotiation. Participant 5 (Management) explained,

> I think [some] people would say they we negotiate contracts but in my entire life here, it's never been a negotiation. It's been this is how much money you're getting and that's the end of the conversation. It is zero based budget. They expect us to work within the budget".

A positive relationship where CBOs and Ministry are working together rather than against each other appears to be the reason behind the flexibility. One organization described,

> And I think the guidance that we get from our program manager, and I think they're the ones that support us. If there's anything that we're looking for or that we need support with, we know that we can reach out. And I think there's a close enough relationship. We don't think of it as us and them. I wouldn't be afraid to send an email to our program manager, right? Whereas I think in some situations, it's, you know, they're looking down from the ivory towers, right? I don't see that with our funders. (Participant 15, Management)

Despite flexible performance-based targets and positive relationships, CBOs described an underlying fear that this flexibility will not always be present. Participant 1 (Management) captured this feeling, "there's been no pushback from the ministry at this point to say you're under target, therefore, we're going to reduce your funding. And I'm always afraid that that's going to happen." This fear appears to be valid in light of the closure of multiple custody facilities in 2021 in response to low youth counts[14]. One respondent shared their experience of trying to change the targets and the challenge of choosing between underachieving targets and reduced funding.

> And there's been a few times that I want to change those targets, like if you can imagine, like when we started our target for our attendance centre around 60 kids a year, now we've got 25, but the Ministry still wants it to stay at 60, which worries me. It's like, oh, OK, so are you going to come up and say, we're not meeting our targets… But on the flip side, if we reduce it to 25, they're going to say, oh, I guess you don't need that same amount of funding. Right? So, I don't think that target is all that influential. (Participant 5, Management)

Youth justice CBOs appear to have a certain level of freedom in choosing how they function, however, there is evidence of the restricted structure in which they are operating due to their contract-based relationship with the state. Accountability and monitoring measures are imposed by the state through funding contracts. CBOs shared experiences that suggest there is significant oversight by the Ministry that limits organizational freedom and influences operational decisions. However, there was evidence that this is not a sweeping circumstance. In some instances, there is an interesting dynamic between CBOs and the Ministry in that it is not only the CBOs and individuals working within the CBOs that contend with neoliberal pressures. Evidence here suggests that at some level, the state is also contending with these pressures and

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[14] See Chapter 2, subsection Neoliberal Restructuring and Ontario Youth Justice (p. 36), this dissertation, for details.

are not merely pawns in driving accountability and monitoring measures throughout the system. Still, the power the Ministry holds over CBOs in the contract-based relationship is apparent.

Struggling to Advocate

Contrasting the two themes above that outlined the push and pull CBOs experience with neoliberal values and accountability measures, this theme highlights how CBOs in this study have conceded their capacity to participate in systemic advocacy, broadly defined as amplifying the voices of marginalized communities through participate in strategies to influence policy and government action (Strier, 2019). Compared to participants' strong emphasis on the importance of advocating for youth at the individual level, slightly more than half of the organizations rated systemic advocacy as important (see Figure 5). Participant 2 (Management) shared how there is no opportunity to engage in such advocacy, "not on a bigger scale, like not on a regional scale or provincial and national anything like that". In interviews, CBOs emphasized the importance of systemic advocacy as an opportunity to share their expertise and knowledge to improve the youth justice system, however, no evidence was provided that demonstrated such work.

Figure 6.3

Organizational Rated Importance of Systemic Advocacy
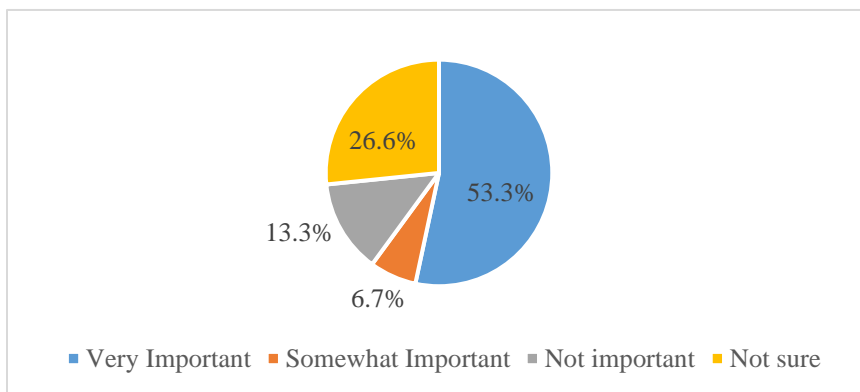
Note. Responses from participants were rolled-up to organizational level, N=7

Information sharing to direct major policy decisions was seen as the most important reason to engage in systemic advocacy. Participant 3 (Management) explained, "we get along better in the sandbox when everyone's allowed to have a voice because how is the ministry supposed to make informed decisions if they don't hear from people who are doing the frontline work?". Not unlike their role as youth allies, CBOs in this study want to be included and have a role in shaping the Ontario youth justice system "we're players in the game…it's about having a voice and having a say" (Participant 3, Management). The desire to participate in systemic advocacy was described as a response to the gap in management knowledge of what occurs on the ground as a reason for engaging in systemic advocacy. Participant 13 (Front-line) explained,

> It's very important because as we talked about earlier, sometimes the people above they don't experience what we experience. They're not working the front lines. So, they might think it works one way, but then we know it works another way. So, advocating for what we think we need and what we think would benefit our programs is important because it allows them to have to gain the knowledge and the insight to what we actually do.

CBOs identified systemic issues that are not being adequately addressed that they could have a role in changing, "such as homelessness, affordable housing, substance use, mental health crisis, all those things that are continuing to not be addressed and not be well enough supported. Are in the background leading to offense rates" (Participant 14, Front-line).

Although CBOs in this study recognized the importance of systemic advocacy, they provided little evidence of engaging in systemic advocacy saying it was "not a focus of the agency". Most CBOs directly stated they do not engage in systemic advocacy. For example, Participant 10 (Front-line) stated, "we've never had anything in terms of systematic wise". Two organizations had Managers that worked in Youth Justice when the YCJA was enacted in 2003. They recalled meaningful opportunities to participate in community consultations and provide input during the review of the YOA. Participant 1 (Management) stated, "over the years, we

have, there's been implied that there was some consultations. I can't remember it's been a while. Nothing recent." One CBO described a fear of repercussions as a reason they do not engage in systemic advocacy work, recalling the recent closure of Youth Justice Ontario, an umbrella organization whose membership consisted of youth justice CBOs. Youth Justice Ontario was recently shutdown as a large number of their members were among those CBOs closed in March 2022[15]. One CBO who participated in this study was a member prior to Youth Justice Ontario's closure and provided their perspective on systemic advocacy in youth justice. They stated,

> Not want from an agency perspective, but certainly from an organization like Youth Justice Ontario… and I do see them important, but I think there's some fear among individual organizations. So, we're going back to the one of the other questions you asked, a fear of repercussions. (Participant 5, Management)

The existence of Youth Justice Ontario can be seen as an attempt by Ontario's youth justice CBOs to come together and advocate as a collective. With the closure of this umbrella agency, youth justice CBOs capacity to engage in systemic advocacy in the future is weakened. It appears CBO capacity to engage in systemic advocacy will continue to be limited, despite their recognition that it is important work.

Resistance Practices

The previous three themes highlighted how CBOs experience and manage the pressures of neoliberal values, accountability and monitoring practices, and youth advocacy. These themes explored the impact of these pressures and the nuanced ways in which they manifest for youth justice CBOs. As these pressures are worked through the CBOs and staff, there is an underlying assumption that organizations engage in resistance strategies to contest and limit the impact of neoliberal rationalities. This theme, resistance practices, explores verbalized and actualized

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[15] The circumstances of these closures are detailed in Chapter 3 – Literature Review.

resistance – are CBOs and individuals comfortable engaging in resistance practices, if this

comfort translates to action, and what this action looks like in youth justice CBOs.

Verbalized Resistance. There was a mixed response between CBOs and individuals

indicating their comfort level to resist directives or mandates implemented by the Ministry. At

the organizational level, almost all CBOs (72%) indicated they were comfortable to resist

ministry directives. One organization who rated their comfort level as high explained this was

because of the flexibility of the system, "I think it's a follow up with the ministry and saying

exactly what do you need because everything is open for interpretation and movement. Not

everything is black and white in this field. There's a lot of grey" (Participant 3, Front-line).

Examining within organization responses revealed more discrepancy in comfort level (see Figure

6). Both front-line and management staff rated their comfort level on both ends of the scale (e.g.,

comfortable and uncomfortable). Interestingly, one of the few times the length of time a

respondent worked in youth justice appeared to influence responses was in verbalized resistance.

Respondents with five or less years experience in youth justice (all front-line staff) rated their

comfort level as high in resisting Ministry directive. Respondents with 6 or more years of

experience in youth justice (both front-line and management staff) rated their comfort level

across the spectrum. For example, a manager who had been working in the system for 20+ years

described a fear of repercussions to the organization rather than to themselves directly,

> I'm not that comfortable. Obviously, my role is yes to just push back where we need
> to…Don't bring attention to ourselves. We're doing great work. We don't bring attention
> to ourselves and the proof at the end of the day is the outcomes that we've achieved...
> You rock that boat too much, then things start to actually be held against you, particularly
> in an era where relationships at the corporate level aren't as solid as they were 25 years
> ago. (Participant 1, Management)

Figure 6.4

Individual Respondent Comfort in Resisting Ministry Directive
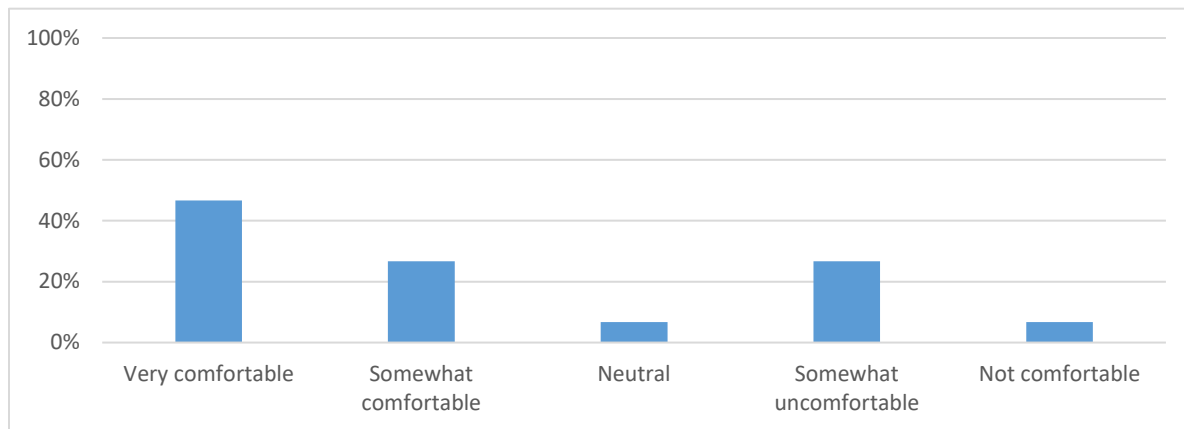
Note. Respondents rated comfort level in pushing back against Ministry directive, N=15

Rather than immediately dismissing or resisting a directive, there was an emphasis on caution and the desire to engage in dialogue as a first step to resistance. One respondent described the process multiple respondents indicated they would follow to push back against the directive:

> I would go to my supervisor and have that discussion. What's happening, the reasons why, where I stand on it, how I feel. Picking their brains in a sense to see if we can come up with a solution or ideas. And then I guess from there if they're like no, this is the way, I'm sure there would be a process to get to the right contact with whomever to have those discussions…I feel like if I was in the room with some of the administration and they were like tell me your piece, it might be a little nerve wracking at times in that regard. But I think if I felt on my own personality wise. If I felt strongly enough about it, where I was like, this is wrong. I don't agree with this. I would say that. (Participant 10, Management)

Although organizations rated their comfort level to resist Ministry directive as high, further probing found that organizations were rating their comfort level in voicing their disagreement or questioning the directive. This was not always translated into engaging in resistance strategies. One organization captured this common sentiment:

> I would voice my opinion for sure. I've been here long enough that I'm not scared to voice my opinion. I would. Well, I would obviously talk to my supervisor about it or even talk to probation officers about it, like the people I work directly with to see if there

is any wiggle room with it. And then, I mean, if ultimately nothing changes. I mean, I got to do what the law states, but I mean, I'm not going to be happy about it. (Participant 8, Front-line)

Some CBOs did note a fear of reprisal as the reason they only felt comfortable in voicing resistance, not engaging in resistance. One respondent early in their career who rated their comfort level as high captured this clarification in their comments, "I feel like my hands would be tied because as much as I love the work, I do need a job. I'll just be frank... someone who's in my position, I'm the lowest on the totem pole" (Participant 7, Front-line).

A number of participants conveyed confidence in their ability to push against limited mandates and restricted roles of youth justice CBOs, indicating they would ignore/disobey a directive or "make own rules, but go a little bit outside the box" (Participant 6, Front-line). However, participants did not share the details of how this is accomplished. For example, Participant 1 (Management) shared they encourage staff to go outside the box to meet the needs of youth and the success of this strategy, but again, failed to provide specific details on how this is accomplished.

> The message that I send to the staff and all of them is try and make it work, make it work, exhaust all possibilities…So in that thinking and trying to make it work, then there's opportunity to then bend, flex the rules to make it work, because at the end of the day, it's proven time and time again, if that little bit extra go outside the box has proven successful. The young person has gone on to do better things or they didn't get further into the system as we stuck to our guns.

Participant 5 (Management) similarly shared based on their experience working within the system, "I've been around long enough that I can figure out how to roll with it. How to do it in a way that we think would be valuable for youth. I know some really smart people that can help me do that kind of stuff". Despite probing, participants acknowledged the fear of reprisal and would not provide detailed accounts of how they push boundaries and move outside the box.

Although CBOs would not provide examples of how they go outside the box, they did

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refer to other CBOs practices and how they may go outside the box. For example, Participant 5 (Management) explained how some CBOs have high successful youth completion rates and that the interpretation of data definitions might be stretched to ensure data targets are achieved or surpassed. From my own experience working in the sector, I have seen CBOs operate outside the box by ignoring restrictions on the type of youth served by combining resources and funding pools to serve any youth that comes to their door, regardless of source of referral and involvement in youth justice system. This is done to not only achieve service targets outlined in funding contracts, but also from the perspective of honouring their purpose to support youth beyond youth justice. From the evidence here, CBOs appear confident to at least question ministry directives. Next, evidence is presented to show how CBOs are actually engaging in resistance strategies (actualized resistance).

Actualized Resistance. Despite indications of fear and hesitancy to engage in resistance strategies, evidence from the interviews indicated both individuals and CBOs are actively engaging in employing resistance strategies. Most often, this was described as subtle resistance strategies occurring in their day-to-day work, rather than prominent stands that could draw attention. Within this theme, individual respondent factors, such as length of time in youth justice, did not appear to influence engagement in acts of resistance. It could be hypothesized that those early in their career would be eager and optimistic about change and therefore more willing to push back against matters they do not agree with. Alternatively, those later in their career could be assumed to be jaded and do not make the effort anymore to resist considering previous failed attempts. While this is true in some instances, there are also examples of individuals early in their career not engaging due to fear of repercussion, as well as examples of

those later in their career engaging in resistance because they have figured out how to navigate

the system and have experienced previous success resisting.

Collaboration was identified as a key strategy used to resist the pressures of neoliberal

values and push the boundaries of youth justice mandates. In the interviews, participants

emphasized the importance of collaborating with other social service agencies as a purposeful

strategy. This similarly follows from CBOs describing their role as system navigators in first

section of this Chapter. Participant 14 (Front-line) described how strong relationships are needed

to adequately support youth needs, "strong professional relationships, because when you don't

have a strong contact at an agency, I find that that's when it can be really hard to make referrals.

But I think once you develop those relationships, collaborating is definite". Another respondent

highlighted the importance of small local networks that foster strong partnerships in local

geographic areas:

> Always the same people around the table and they go from one meeting to the next and
> it's the same people moving to the next room. There's good relationships and good
> connections, and you can be frank in most respects around what's going on within their
> respective agencies. We've been very fortunate to have very good working relationships
> with our police, with our Children's Aid Society, folks with our local hospital and
> children's mental health. We're a core service provider so were following the lead
> agency. (Participant 1, Management)

Organizations also described collaboration at the local level as service providers have a

common goal of supporting youth. Both management and front-line staff recognized the

effectiveness of collaboration in supporting youth rather than working in isolation:

> I would say they're always positive. We're always working as a team. Even when new
> people are joining…like doctors and other workers and stuff. We're referring to them and
> bringing them into our team because we all have the same goal right of what best suits
> the youth. [For] example, I have some youth who are definitely struggling right now and
> they can be hard to support. So, we're very much always meeting and always having
> discussions, and I've never had a negative experience with meetings and stuff, and I don't
> feel like one person's always trying to think or basically control the situation. I feel like
> everyone's always been open to opinions and open to suggestions and ideas, or just even

asking for ideas, kind of for goals and stuff. But I would say they're being collaborative. (Participant 12, Front-line)

Finally, CBOs described how they use collaboration to address gaps in each others service expertise. One CBO noted, "There's one agency that we collaborate with well… a former probation officer that really liked what we did. And there's no real threat to the program that they have. When they collaborate with us, they have a specific goal (Participant 5, Management)". This collaboration works because each partners' program is not in competition with the other for funding dollars. Participant 1 (Management) similarly described how CBOs collaborate with others to provide multi-disciplinary, wholistic approaches in youth justice:

> We work extensively at breaking down silos. The ministry expects that community partners collaborate in working with the youth that we do. So that is with police, with a crown attorney and with other mental health providers. And without that holistic approach you're not going to get, you're not going to optimize what your abilities are to work with this kid and get the families involved. You have to have the young person's voice as part of that whole process as well.

Discussing local networks of support and creative methods of providing multi-faceted supports for youth, Participant 2 (Management) explained, "We don't have many mental health beds. We don't have any type of addictions support beds whatsoever, whether that's withdrawal management or treatment. And so, I think that then has kind of encouraged us to kind of get creative and people just come to the table".

In contrast to the extensive collaboration that occurs at the local level, few discussed collaborating with other Ontario youth justice CBOs and defined this collaboration as informal to address specific issues rather than ongoing collaborations. Participant 10 (Front-line) stated, "I have spoken to some staff in different attendance centres across the province with those trainings. And just more I guess unofficial collaborating in that way". Another respondent shared their experience connecting with other Ontario youth justice CBOs when they first opened:

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Yes, we have visited [Agency]…and especially when we were starting our database because they used it for their youth programs…We went to the attendance centre in [Agency] and had a full day session with them looking at how they provide their services. They were very recreation based and that's when we started to develop more recreational opportunities for the youth that we're working with and increase the community collaboration around that. (Participant 11, Front-line)

Organizations shared this "would be beneficial" (Participant 13, Front-line) to the work they do and "may also translate to better [youth] outcomes as well" (Participant 2, Management). For example, if CBOs are delivering similar programming, service delivery would be enhanced if CBOs shared successful strategies, tips, and problem-solve challenges together. However, it appears this is not happening with the CBOs in this study as CBOs indicated there is no community of practice or established network for Ontario youth justice CBOs, with one organization referencing how this occurred in the past:

Historically, I found youth justice was actually very collaborative with TPAs [transfer payment agencies - CBOs]. I think that's waning a little bit. Like I don't think there's nearly as much as there used to be with that. I do wonder, yeah I'm not sure why that is, or what's gone on. There seemed to be more at the end of the aughts, there seem to be more provincial wide things and for example, I do fully remember an attendance centre session, where they brought everybody from across the province. And it was such a great experience. And I'd say lately, it seems more lately are interactions are primarily with our program supervisor who is certainly just covering this area vs. I'm not aware of anything that is actually province wide" (Participant 2, Management).

This was reinforced by one participant who referenced a fear of collaborating with other youth justice CBOs and the potential impact on funding, "not have that fear of like, how it's going to impact our funding because I think that's why we don't collaborate... want to keep kids for their own … [they see it as a] threat to the program they have" (Participant 5, Management). This fear of collaboration is specific to CBOs in their own sector, suggesting competition only exists among youth justice CBOs and does not translate broadly to cross-sector CBOs, as evidenced above.

Secondary to collaboration, participants emphasized discourse as a tool of resistance. CBOs resist neoliberal discourse, particularly marketization and private sector terminology as they continue to use discourse that humanizes and maintains social work orientations. For example, participants referred to the' youth' they serve, the 'programs' they offer, and shared 'success stories' rather than references to 'clients', 'customer service', and 'outcomes'. Even when discussing monitoring measures such as reports, participants maintained a humanistic approach to discussing their services, rather than succumbing to de-humanized language. This choice of language continued even in the context of specific neoliberal strategies throughout the interview. Participant 10 (Front-line) effectively explained the process of documenting service delivery statistics and how they balance this with direct service delivery:

> So, our stats here, we basically have to track the direct hours that we're with the youth. So that would be time spent speaking with them, texting with them, being with them in person, driving them places. And then we would do indirect, which would be kind of like if I was going to pick somebody up in [city], for example, my drive to [city] and my drive back after I dropped the youth off. Making notes, so if I call somebody, my conversation would be direct, writing my notes would be indirect. Family time would be clocked as well so if we're speaking with a family member. And then we would do like how many monthly programs were started, how many youth were referred, if they were starting their third or fourth program with us, we would note that as well…I think the main thing is how many referrals, how many direct hours and family hours we're looking at, indirect is more of an internal thing for us. I'm not sure which.... And then how youth were in the program currently, how many discharges...how many of the discharges we're aware have reoffended or haven't.

Despite acknowledging the importance of documenting program utilization data and program and youth outcomes for accountability, "[I'm] starting to see purpose of them sometimes. You can only see them as years go by. See different trends" (Participant 9, Front-line), there was a strong emphasis on the importance of focusing on service delivery over administrative tasks. Participant 14 (Front-line) shared, "...I think that the paperwork aspect of the job causes a lot of

burnout for good front-line employees because it's hard to prioritize doing your paperwork when you want to be working with the youth." Participant 13 (Front-line) similarly shared,

> And our key our case management paperwork, honestly, all staff are behind in that paperwork because working with the youth directly always comes first…And I understand it's important to have all agencies do case management paperwork, but it's very tedious… I understand there's a benefit, but it's definitely a hindrance to our work with the youth directly.

Third, youth justice CBOs appear to be pushing against the accountability measures and ongoing pressure to monitor and report measurable outputs and outcomes (e.g., clients served, direct service hours, programs completed). Reflecting on how effective their organization is in providing youth justice services, youth justice CBOs shared examples that demonstrated how they strive to document their success within a framework that balances economic rationality of neoliberalism with the more traditional welfare orientation of the third sector. CBOs in this study shared evidence that shows they are not concerned with results-based management. Rather, CBOs defined their effectiveness in relation to broad observational outcomes. Participant 11 (Management) shared, "we see the change in the youth that we're working with. We see the change in attitude. We see the change in their skill sets. They demonstrate that they're able to use the skills for teaching". Similarly, Participant 12 (Front-line) shared,

> Our organization and other organizations are very important to youth…. I do think that benefits them greatly…I do feel like there's a lot of these youth who are quite excited when they find out that they're being connected to these things and it's actually quite easy.

Participant 7 (Front-line) also stated, "I find often times when we're done or mandated programming, the kids will continue on and will choose another program even though they don't have to. So, I feel like that kind of speaks to like what they're getting."

CBOs acknowledged the challenge of defining success and recognizing youth success from the youth's perspective, rather than a pre-defined target. Participant 14 (Front-line) stated

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"has to do with like meeting the youth where they're at and defining success on an individual basis". Participant 1 (Management) commented on organizational success in relation to working with the family and the youth:

> We did excellent work for over 50 years of connecting these kids to the community, of making sure they understood their value, working with their families, what are the issues in the home and how can we help you become a better person because the young person is returning home.

Despite indicating the complete required reporting and documentation to meet funding requirements, youth justice CBOs in this study described how they gather feedback and focused more often on informal anecdotal stories, rather than statistics:

> The reason why [we are] effective is just based on seeing how the youth change over time of programming. Seeing their attitudes change. Hearing feedback from the probation officer. Hearing feedback that they share with me that their teachers are telling them. No longer like reoffending, those kinds of things. Overall, like hearing what they have to say. So, they'll give direct feedback. (Participant 7, Front-line).

Participant 3 (Management) described how youth justice staff do not always see the success of their work due to the complexity of youth as they "try and plant the seed and hopefully it'll grow, and it will click in at some point". Participant 14 (Front-line) continued:

> That's a hard thing about working in youth justice and whether they are violating probation order is that sometimes we don't get to see their successes. Yeah, because it often it's kind of after we're done working with them. And the success really is if we don't ever see them again. And that's so we don't really know what's going on with them because we can't continue to maintain contact, right?

In this sense, youth justice CBOs resist traditional criminological markers of success, such as recidivism and cessation of criminal behaviour. Acknowledging the complexity and nuance of human services, CBOs in this study appear to be pushing back against the imposed pre-defined targets as a measure of success and pushing for a broader understanding of what success looks like for youth involved in the justice system. It appears resistance here has seen some success, evidenced by the Ministry's YJOF's inclusion of both crime-specific (decreased re-offending)

and broad outcomes (improved functioning and positive social behaviours, increased skills and abilities, and increased youth engagement with supports) as measures of a successful youth justice system.

Finally, as seen throughout this results section, CBOs appear to be resisting against the state's desire to dictate their mandates and how they support youth. Organizations discussed their process of integrating specific youth justice supports with supporting general youth issues resulting in a sectoral practice to go above and beyond in supporting youth. They used phrases such as "helping them, supporting youth, getting them the help they need, and helping youth with individual needs". This broad language and organizational purpose are directly tied to organizations' recognition of the complex factors that underly anti-social and criminal behaviour. Organizations in this study have recognized the need to stabilize youth as a first step in supporting them. Participant 1 noted, "once their basic needs are being met, then they can think about other things, about school and about better relationships, etc.". Participant 15 (Management) exemplified this theme and covered similar topics other participants named when they stated,

> I think it's just helping them, helping them to succeed, helping them in any way that we possibly can, whether it's, you know, showing somebody how to use the bus because they're going to be taking a bus for work. Showing, taking them down and helping them get a bank account, supporting them with food, buying them, if they're trying to get their driver's license, supporting them with buying the book and going through the book with them. If they're having a baby, maybe help them support, support them with buying a crib and getting them set up with services…So I mean, that's I think that's the ultimate goal for everything is moving them into a better path. And in some situations, changing their thought patterns and trying to steer them into, you know, a positive area. (Participant 15, Management)

This theme explored the differences in verbalized and actualized resistance among youth justice CBOs. In general, there is evidence of comfort to engage in resistance strategies, though participants acknowledged a fear of reprisal and potential loss of employment as factors that

would stop them from engaging in resistance. Despite this, there were clear examples of subtle acts of resistance as CBOs and individuals hold onto social work frameworks, discourse, and perspectives, ultimately pushing the broaden the boundaries of their youth justice mandates.

Conclusion

Overall, the role of Ontario youth justice CBOs and their experience of neoliberal rationalities provide interesting insight into the importance of CBOs in Ontario's youth justice system and how they can be supported to effectively achieve their organizational goals without interference from external factors. This chapter presented information to fill the gap in publicly available knowledge of the role and purpose of Ontario youth justice CBOs in criminological scholarship, highlighting the broad role of CBOs to support youth in any way possible, as system navigators, and as positive role models. Subsequently, this chapter detailed the ways in which both CBOs and individuals shape the manifestation of neoliberalism in Ontario youth justice, as they either accept or resist neoliberal pressures and policies, specifically highlighting the competing interests of social justice and neoliberal values, managing accountability, and monitoring measures, and engaging in advocacy work. Next, the final chapter in this dissertation presents an in-depth discussion of the results and discusses how these findings advance criminology scholarship. This includes a discussion of the implications, limitations, and suggested future directions of this line of research.

Chapter 7: Discussion

The findings in this study highlight the essential role of Ontario youth justice CBOs and how their role is connected to their efforts to navigate the impacts of neoliberal restructuring and pressures of neoliberal rationalities. Youth justice CBOs and the youth justice system appear to possess key characteristics that shape the manifestation of neoliberalism in Ontario youth justice. Social reality is messy. The findings in this study reveal that messiness and expose the specific interplay between structure (neoliberalism), state (Ministry), institutions (CBOs), and individuals (youth justice workers) in Ontario youth justice. The tendency of neoliberalism to reveal itself in a contradictory form was evident as both organizations and individual staff shared experiences that revealed constant and often competing pressures to conduct their work in certain ways.

Overall, the findings highlight the value of the CI framework in overcoming the shortcomings of criminology's current conceptualizations of neoliberalism. Viewed through a CI lens, the interconnectedness of social structures, institutions, and individuals within Ontario's youth justice system are evident in the experiences shared in this study. The specific ways in which real life individuals navigate and contest the policy logics handed from above are reflected in CBOs and individual staff's resilience and creativity in managing the constant pressures of neoliberal rationalities through a shared goal of prioritizing youth over all else. Their decisions and operations tend to be grounded in the spirit of non-profit work and fighting for social welfare orientations, yet there is ongoing broad pressure to fully succumb to neoliberal logics and rationalities. Without consideration of all factors (namely, human agents) that influence the manifestation of neoliberalism, important nuance and context-specific elements would be overlooked.

There are two key findings from the research presented here. First, not only did CBOs identify a clear understanding of what their role is in the Ontario youth justice system, the roles they described have a discernable link to the pressures of neoliberal rationalities and their role in the neoliberal machinery. This finding answers the first and second research questions. As CBOs described their organizational purpose and contributions to Ontario's youth justice system, their experiences highlight the specific forces that structure their work and mandates, shedding light on why they do the work they do, not just what work they do. Inspired by the non-profit sector's tradition of filling gaps in social services, Ontario youth justice CBOs expand their mandate to take on a bigger role than what is expected of them. Recognition of this additional work is imperative to adequately support these agencies and provide comprehensive support to youth at a time when they (youth) are forced to be engaged with social service providers.

Second, Ontario youth justice CBOs experiences are defined by a dynamic process of struggle and contestation between state, CBOs, and individuals working in CBOs that leads to a particular manifestation of neoliberalism in Ontario youth justice. This finding answers the third research question. CBOs have not experienced neoliberal rationalities in a singular way, rather the chaos of their experiences reveals the reality of how organizations and individuals struggle, resist, and negotiate constantly in their day-to-day work. Important insights are gleaned from how they conduct themselves, actively accepting or resisting the push toward neoliberalization. The broad structure of Ontario youth justice appears to be neoliberal (e.g., contracting, silos, restricted budgets) but the daily interactions and work of youth justice CBOs appears to be distinct. The findings here suggest neoliberal logic penetrates deeply throughout youth justice CBOs; however, it is not a totalizing impact. Discussed in this chapter are the important nuances.

This chapter highlights the main findings from this study's three guiding research questions. In doing so, this chapter discusses the complexity of actually existing neoliberalism, the agency of institutions and individuals to shape the current manifestation of neoliberalism, and reflections from CBOs and individuals on their experiences and role. A discussion on the implications of these findings recommends both practical and policy implications for Ontario's youth justice system. This chapter ends with a discussion of the limitations of this study, suggestions for future research, and final conclusions.

Operating Outside the Box: Neoliberalism's Influence on the Role of Ontario Youth Justice Community-Based Organizations

This dissertation has revealed the important work Ontario youth justice CBOs are undertaking. Activated to prevent and respond to youth crime, Ontario youth justice CBOs have stepped up to fulfill this role and more. Findings in this study suggest CBOs push the boundaries of their mandates because there are limited resources in their local communities. Rather than remain confined by their youth justice mandates, CBOs draw on the long tradition of Canadian non-profits to benefit and improve the quality of life of youth, however that may look for each youth. Honouring the special status (reduced maturity and greater dependence due to their developmental stage) of youth that is foundational to a separate youth justice system, CBOs view their role as not only meeting the principles set out in the YCJA and provincial directives, but they also work to broadly support youth, providing services to address general challenges of adolescence and individual need rather than solely providing one size fits all services that address specific criminogenic risk factors. While there is often an overlap between individual need and criminogenic risk factors, CBOs do not limit themselves to a narrow support model. Rather, they paint a picture that describes themselves as flexible organizations that provide

comprehensive and responsive services to youth through a youth-centered, strength-based approach that extends beyond addressing underlying causes of offending behaviour and criminogenic factors, more in line with the social determinants of health[16].

The role of Ontario youth justice CBOs emerges in relation to the pressures of neoliberalism. In other words, without realizing it, CBOs described their role as a response to the pressures of neoliberal rationalities that seem to underlie the four roles they identified (support youth beyond youth justice, youth ally, system navigator, and positive role model). Like other non-profit sectors, the pervasiveness of responsibilization strategies where youth justice CBOs are a key feature of the neoliberal downloading of crime control to citizens and community in Ontario youth justice has resulted in youth justice CBOs taking on additional work to provide service and support where it no longer exists in a formalized way. These ad hoc and 'add on' services are required because of the fragmented social service system Ontario youth justice CBOs exist within. Even in youth justice, CBOs step up to fill gaps in social service delivery.

CBOs strong emphasis on their interconnection with other social service sectors underscores the importance of their dual role as system navigators and service delivery agents, required to effectively respond to youth and community needs. In this sense, collaboration is a key strategy used to respond to downloading additional services and restricted budgets by streamlining and amalgamating services where possible. CBOs leverage their status as a multi-service agency and adapt their services to meet the needs of their local community. Creativity and combining resources to achieve goals is not new in the non-profit sector. Rather, this finding

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[16] The Government of Canada (2023) defines the social determinants of health as a broad range of personal, social, economic, and environmental factors that determine individual and population health. The main determinants are income and social status, employment and working conditions, education and literacy, childhood experiences, physical environments, social supports and coping skills, healthy behaviours, access to health services, biology and genetic endowment, gender, culture, and race/racism.

confirms youth justice CBOs are experiencing the same stressors as the wider non-profit sector. Like strategies identified by scholars studying CBOs across the non-profit sector (Baines, 2010a, 2010b; Evans et al., 2005; Evans & Shields, 2014), youth justice CBOs leverage support from other CBOs to open space to adjust their services to meet the needs of their local youth and community.

Even with the recognition of the need for broad support for youth, the support CBOs can provide is circumscribed by the neoliberal restructuring that has occurred and resulting structures and processes that they must contend with. In other words, support is prescribed in a particular way in that they can only do so much, even if it is outside the bounds of their youth justice mandate. In relying on non-profit agencies, who are the experts at social service delivery and responding to community needs, neoliberal claims would suggest these CBOs have the autonomy to operate freely to respond to the needs of the local youth population, however findings from this study counter this and reinforce the notion that autonomy is constrained (Evans & Shields, 2000; Evans & Shields, 2014; Hasenfeld & Garrow, 2012). Constraints such as limited resources and funding, their silo in the system, and administrative tasks associated with managerialism (e.g., reporting, auditing) inhibit their capacity to provide whatever support is needed for youth. Too little time and too few resources ultimately shape the support CBOs provide youth.

While collaboration and positive relationships with other organizations appears to be youth justice CBO's key response to limited resources, collaboration itself is very much constrained. Youth justice CBOs are only collaborating with local, non-youth justice CBOs to overcome resource shortages and fill gaps in local services and needs. Little collaboration was reported among youth justice CBOs and some references were made to fear of competition with

other youth justice CBOs and loss the potential to lose funding if others are more successful than them. This reveals the influence of competition on the actions of Ontario youth justice CBOs. The increased used of market-based efficiency metrics ensures there is some degree of territorial protection, where collaboration can occur, but not if it will impact achieving service targets.

The pressures of responsibilization and competition have long saturated Ontario's youth justice and social services sectors in general, and forced CBOs to provide an option for youth at a point when they are mandated to be in service (a consequence of their involvement with youth justice). As the effects of marketization and competition persist throughout social service sectors, individuals are pressured to act as consumers, with the assumption that competition for services empowers youth with choice as to where they can seek services. However, within youth justice, there is no choice in service. The youth justice system's relentless drive toward efficiency is so pervasive that there is generally only one youth justice service agency per catchment area such that youth have no choice in which CBO they attend. Not only do youth not have choice as market logic would suggest is critical for improved services, but they are also forced to seek services from CBOs that are chronically underfunded. This underlying tension forces youth justice CBOs to function as system 'brokers', helping youth to navigate the complex marketplace that is Ontario's social service system.

To the same degree CBOs struggle to contend with ongoing funding shortages and limited resources, this struggle mirrors the way in which they provide support to youth. As CBOs figure out how to do more with less, they are also helping youth to learn how to do more with less. This is a direct function of where youth justice CBOs sit in the neoliberal machinery. Without the ability to drive or advocate for structural change, they are forced to support youth in this prescribed way. For instance, CBOs cannot take away a youth's poverty, but they can teach

youth how to budget, write a resume, and prepare for a job interview such that they can become productive citizens. This type of support is guided by the need to build individual capital and marketable skills for youth to be productive citizens. Particularly in a neoliberal society that prioritizes individual over collective responsibility and devalues individuals who are reliant on state support.

The pressure to demonstrate organizational effectiveness and accountability to maintain funding contracts also shapes how CBOs support youth. Ultimately, this performance-monitoring pressure constrains the type of support CBOs can provide to youth. In addition to focusing on the youth they serve, all levels of staff (e.g., frontline and management) spend time on administrative tasks such as reporting, auditing, budgeting, funding, and licensing requirements (Brown, 2021; Morley & O'Bree, 2021). Ensuring pre-defined targets are documented and achieved, such as the number of youths served, number of direct service hours provided, number of the youth successfully closed, and positive results from Ontario youth justice outcome tools (e.g., Youth Experience Form, Outcome Data Collection Forms), places additional pressures on CBOs to perform in a way that responds to priorities that may or may not align with individual youth needs. For example, if a youth requires support securing stable housing, but CBOs are not credited for supporting this youth secure housing, only having them complete an anger management program, then this pressure has the potential to influence allocation of time and resources. Furthermore, CBOs are forced to make choices in how to spend their limited funding and time, often a choice between the client, supporting staff, and appeasing funder requirements. This has the risk of leading to further precariousness of the system, marked by high turnover of staff due to contract positions, stagnant wages, and a constant state of doing more with less.

These constraints are further exacerbated by CBOs inability to address structural inequalities and engage in broad youth justice advocacy. Neoliberalism effectively undermines the potential for the creation of a collective social movement, which is essential for social change, because projects are not sustained and come to an end regardless of their success or popularity. Like CBOs described here in this study, Brown (2021) illustrated how social work practice is constrained by the state-funded models that reflect a neoliberal emphasis on efficiency rather than quality of care. This limited ability to address structural inequalities is glaringly reflected in Ontario's unchanging overrepresentation of certain youth populations in custody/youth justice system (e.g., Indigenous, racialized youth), perpetuated by the use of individual risk assessment tools where cross-cultural applicability has been questioned (Case & Haines, 2016; Haines & Case, 2008; Shepherd & Lewis-Fernandez, 2016). CBOs inability to engage in broad youth justice advocacy and address structural inequalities was further engrained with the collapse of Youth Justice Ontario, the umbrella organization set up to collectively advocate for CBOs. Whether this was done purposefully or inadvertently, this advocacy space was dismantled as a direct result from the closure of multiple facilities across Ontario in the state's unwavering focus on efficiency. The young people youth justice CBOs serve are often the most marginalized youth in our communities. They are those who have been disproportionately in the care of child welfare, excluded from school, and face systemic discrimination based on racial and social hierarchies (Cox, 2021). If these CBOs cannot address the pressures, structure, and negative impacts of neoliberalism (e.g., intensified social and economic inequalities), then undoubtedly these CBOs are limited in the impact their work can have for this population on a broader scale. This has significant consequences for the continued perpetuation of structural inequalities driven by neoliberalism, such as poverty and inequality levels (Brodie, 2007; Lucio

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et al., 2016; Strier, 2019). This commentary unfortunately is not new. Since Evans and Shields (2000) work 20 years ago, findings from this study suggest attacks on advocacy and attempts to address broad social structural inequalities have spread to multiple sectors, Ontario youth justice now documented among these sectors.

Imposition of Neoliberal Rationalities: Contradictions and Resistance

The second key finding from this dissertation reveals the nuanced ways in which Ontario youth justice CBOs experience neoliberal rationalities. Contrary to most accounts of neoliberalism in criminology that describe how criminal justice institutions have succumbed to neoliberalism, the findings here uncover how Ontario youth justice CBOs experience of neoliberal rationalities is a complex reality marked by contradictions, acts, and inspiring efforts to prioritize the youth they serve above all other competing considerations. The findings in this dissertation strengthen the understanding that neoliberalism is not a deterministic force imposed from above. Rather, neoliberalism emerges through ongoing negotiations and contestations that are locally situated, always both affording and constraining the institutions and individuals it touches. The power individuals at all levels yield in these ongoing negotiations and contestations is a critical consideration of this finding.

Much of the previous literature investigating the imposition of neoliberal rationalities on the third sector and criminology scholarship investigating the impact of neoliberal restructuring on criminal justice institutions, paints the outcomes as largely negative. Sector wide restructuring and changes in institutional operation have resulted in significant stress on social services, including youth justice CBOs. In general, the findings from this study parallel these findings that found neoliberal restructuring and the use of results-based contracts increased professionalization of CBOs, enhanced accountability and monitoring measures, limited advocacy work, increased

precariousness of staff and staff burnout, and forced CBOs to engage in continual cycles of applying for funding (Baines, 2010a, 2010b; Evans & Shields, 2000, 2010; Morley & O'Bree, 2021; Sandberg, Elliott, & Petchel, 2020). Experiences CBOs shared in this study suggest these same consequences are experienced in Ontario youth justice. How Ontario youth justice CBOs experience and respond to these consequences sheds light on the impact of existing within a neoliberalized sector.

Findings from this study contribute to the growing body of literature that explores the competing interests of social welfare values and neoliberal values. This values tension for youth justice CBOs lies in their situated context as multi-service, non-profit organizations that house youth justice departments, but also as they exist as a result of being responsibilized to participate in crime control activities. Although the CBOs operate within youth justice, youth justice does not solely influence them due to their broader organizational connection. They are influenced both by the non-profit sector and the need to survive in a neoliberal environment. The sector wide influence of neoliberal rationalities is strong at this local intersection but becomes more nuanced as the commitment of CBOs and individual staff to social welfare orientations remains strong. What is not quite clear from the findings is if this is because they have conformed and been conditioned by neoliberal pressure or is it truly that some of this change is useful in achieving their mandates.

The daily interactions and inner workings of youth justice CBOs and the influence of CBO-embedded individuals impact how youth justice CBOs experience neoliberal rationalities. There is clear evidence of CBOs and individuals engaging in resistance strategies, maintaining strong collectivist and social welfare values and orientations, however, the findings also suggest CBOs and youth justice workers accept and even in some circumstances see value in certain

parts of the forced reorientation of their work. For example, as CBOs have been forced to document their work and achieve annual targets, they acknowledge the importance of collecting data and outcomes to understand if youth are improving after receiving services and gather feedback from youth to improve their services. As such, market logic is used within youth justice as a strategy to increase the effectiveness of youth justice programming. CBOs negotiate the significant influence of this by translating their work to metrics and outcomes to prove their value. While CBOs acknowledge how this can support and strengthen their work with youth, it can also help them to survive in a funding environment that is heavily influenced by data. These metrics and outcomes can be used to strengthen a grant application if they seek funding outside of their annual allocation, thereby enabling them to survive in a neoliberal era. As Gray (2016) demonstrated, CBOs appear to be searching for a balance between audit and performance management culture with a welfare approach to providing services for youth.

Ontario youth justice CBOs appear to have been pushed into a middle ground position. While they have not been reduced to 'neoliberal subjects' and agents of neoliberalism, they have also not fully realized as active resistors. There is an internal struggle for youth justice CBOs to accept neoliberal pressures to the extent that it works for them, as the pressure is relentless, but not so much that it impacts their overarching goal of supporting youth in any way possible. This has led to an ongoing balancing act and at times contradictory decision-making and action on a day-to-day basis. Contrary to Swift and colleague's (2016) findings that suggest social workers have become 'neoliberal subjects' who have "lost the language and imagination for any other path" (p. 386) and thereby seek to similarly transform others (e.g., clients, co-workers) into neoliberal subjects, youth justice CBOs and workers are not fully neoliberalized. In other words, they cannot simply be reduced to 'neoliberal subjects'. Their reality is much more complicated.

Institutionally embedded workers appear to operate on a spectrum of being neoliberalized, rather than a dichotomous position as either neoliberalized or not. This finding aligns] with Goddard's (2012) argument that CBOs are not as post-welfarist as some claim. He found that risk management models that focus on individual responsibility co-exist with welfarist values, citing the power of local workers (institutionally embedded agents) to act or not act in accordance with funding directives. Individual workers in Ontario youth justice have shown significant creativity and resilience in using a variety of tools and strategies to ensure social welfare orientations are a part of their work on the ground. This co-existence of values is at the heart of the tensions and contradictions that shape how Ontario youth justice CBOs experience neoliberal rationalities.

The individualism narrative that is deeply entrenched in neoliberal rationalities also reveals contradictions that Ontario youth justice CBOs must contend with. In their daily work, CBOs counter narratives of individual responsibility and the push toward self-reliance through their efforts to preserve collective responsibility of social support, exemplified by situation tables, networks, and collaborative approaches. Where possible, CBOs appear to be realigning their work with these collectivist values. Recalling the role of CBOs as system navigators, they act as brokers to collectively support youth to navigate the youth justice system and fragmented social services. CBOs work with other local networks and agencies to provide a wraparound approach in prioritizing clients' needs above sector mandates. In their study examining the ability of front-line workers to undermine or alter the policy directions and approaches from the youth justice system, Gray and Smith (2021) similarly found evidence of organizations reworking and realigning services in response to contextual changes, specifically the focus on welfare, rather than risk-based, individualized approaches.

Here lies another tension, however. As much as CBOs push collaborative, wrap-around approaches and discourse that emphasizes strength-based narratives, the basis of treatment programming CBOs provides is focused on individual-level (rather than systemic factors) change through individualized programs, focusing largely on individual agency to overcome criminogenic factors (e.g., anger management programs; Sankofa et al., 2018). CBOs acknowledged youth have choice and should be held accountable for their actions and therefore ultimately responsible for attending court-ordered programming. As Cox (2021) described, this 'skilling up' trend is well entrenched in programming offered by CBOs and has the potential to re-embed young people's marginalized status rather than focus on broader systemic interventions that would allow young people to thrive (p. 118). While CBOs value youth voice and allow youth to drive treatment, often their hands are tied in the type of programming they can provide youth. Deficit-based narratives are stressed through intervention models and evidence-based programming. In other words, youth voice may be valued, but ultimately the system privileges the role and decisions of adults.

The pressures to conform to competitive logic from above and from within Ontario youth justice CBOs cannot be overlooked. Indeed, as CI has allowed us to see, the overriding objective of neoliberal restructuring has been the intensification of competitive pressures across all social domains. Competition therefore is at the heart of the pressure to pursue efficient strategies, cutting costs, and stagnant budgets. It is this pressure of competition that underlies the tensions discussed so far. This pressure is significant on both the state to reduce their budgets and find efficiencies, which is then forced down upon CBOs as they contend with years long stagnant and decreasing budgets (if inflation is considered). The decarceration movement, and therefore the increased role of youth justice CBOs to serve youth in Ontario's youth justice system, is driven

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by the state's drive toward efficiency and the recognition that community-based sentencing options are more cost-effective than prisons and exacerbated by chronic underinvestment in Ontario youth justice CBOs.

Unique Considerations of Ontario's Youth Justice System

The above sections explored the ways in which institutions and institutionally embedded individuals (e.g., frontline youth justice workers) each influence locally situated neoliberalism. This local manifestation appears to be reinforced by two unique factors within Ontario's youth justice system. While the data from this study is too limited to draw definitive conclusions on the specific impact of each of these unique factors, considerations are presented.

First, there appears to be significant alignment of youth justice values between CBOs, individual workers, and even in some cases, the Ministry responsible for youth criminal justice (MCCSS) and Ministry officials. Youth justice CBOs engage in resistance strategies at both the organizational and individual level to push against neoliberal values of competition and unfettered drives towards efficiency in a neoliberal system. Youth justice CBOs strong social justice orientation and ability to prioritize youth needs from a holistic perspective, rather than reduce them to a single act that resulted in their contact with the system, is the primary resistance to neoliberal-based values. What is unique to the youth justice system is the entire system's inclusion of a social justice orientation, from legislation to provincial mandates and markers of success, such that there is an acknowledgement that young people are worthy of support and second chances (in contrast to adults who are often deemed 'lost causes' in the adult system). This inclusion of a social justice orientation is supported by the Ministry and institutionally embedded Ministry workers that are not fully neoliberalized themselves.

The Ministry's support of this approach suggests there are significant points of alignment between the state officials, CBOs, and individual workers within both the state and youth justice CBOs, such that there is collective resistance against certain neoliberal pressures. This reinforces the understanding of the multi-level conditions that exert pressures on institutions and embedded individuals within each institution. For instance, within Ontario youth justice, the state has imposed outcomes-driven funding models, but not enforced them to their fullest extent, perhaps in recognition that human services work cannot be singularly reduced to dollars and numbers. Furthermore, there appears to be a common recognition that success for youth should be defined broadly and reflects the importance of providing programming for youth. Despite driving data-driven approaches and performance monitoring, the state is promoting the importance of protective factors for youth and a broader definition of success, compared to adult system which typically prioritize recidivism and crime statistics.

At various levels within each institution, individuals are only partially enforcing certain neoliberal rationalities. They appear to support and resist neoliberal practices themselves, adding another layer that neoliberal rationalities are worked through. This suggests that they are not fully neoliberalized subjects themselves and individuals working within the Ministry are also very much responsible for shaping neoliberalism in youth justice. If Ministry-embedded agents were reduced to neoliberalized subjects, they would enforce the requirements of funding contracts, stripping funding whenever pre-determined targets were not achieved. This complex interplay between various levels of institutions and institutionally embedded agents reveals a humanistic influence on the local manifestation of neoliberalism in Ontario youth justice. Despite this, the inextricable link between the state and capitalism in today's society highlights the notion that even if CBOs and individuals are successful in maintaining a level of humanistic

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and social welfare orientation in their work, it must be acknowledged that continued resistance against neoliberalism will see limited success so long as the current neoliberal apparatus remains in place. Without a full dismantling of the neoliberal state, such as alternatives suggested by Luna (2015) and Klees (2020), even if ministerial change occurs, such change will be constrained and bound by the neoliberal apparatus it exists within.

Research from across social sciences investigating the impact of neoliberal restructuring on CBOs has typically looked at adult social services organizations. The idea that youth are 'redeemable' appears to underpin the youth justice sector's desire to hold on to social welfare values and approaches to working with youth. This is coupled with the non-profit's tradition of social welfare and collectivist approaches. The contrast between youth and adult justice systems are clear. The youth system is grounded in principles of rehabilitation and reintegration, while the adult system is premised on deterrence and denunciation. The single ministry approach to governing children, youth, and family portfolios (MCCSS) could also influence a culture of Ministry-embedded individuals that embrace a social welfare orientation and resist certain neoliberal logics in relation to 'redeemable' children and youth.

Second, Ontario youth justice CBOs have benefitted from the relative stability of Canadian youth justice policy. Over 115 years, there has only been three major legislation changes, with Canada's current YCJA legislation in force for over 20 years. While the shift from the YOA to the YCJA was undoubtedly significant, namely the decarceration movement and the specific focus on holistic approaches to address youth crime, the overarching values of the YCJA is more closely aligned with the social welfare orientation of the CBOs providing youth justice services. The stability and long history of several youth justice CBOs across Ontario has allowed the sector to settle and focus in on their work rather than navigate changing policy and

legislation. This contrasts Evans and Shields (2014) finding that the near constant restructuring of Canadian settlement services and rapid and significant changes to Canadian immigration policy exacerbated the neoliberal restructuring that threatens funding within the settlement sector. Ontario youth justice CBOs have a strong foundation in youth justice, strengthening their ability to resist certain neoliberal logics.

Finally, much is written about the anxiety and competition for limited funding dollars as the state continues to rely on responsibilization and short-term efficiency-based funding models in other disciplines (Morley & O'Bree, 2021). Although CBOs in this study highlighted the limited resources and need for additional funding to expand and improve their services, they do not appear to be in the annual cycle of re-applying for youth justice funding. It appears there is an unspoken understanding that annual funding contracts will be automatically renewed. This again strengths the stability of the sector. As a result, the work of Ontario youth justice CBOs is not supplanted by a revolving door of service providers since youth justice CBOs do not appear to be subject to an ongoing cycle of seeking out additional funding for viability. Furthermore, support is not project-based – ongoing overhead and administrative costs are covered within annual funding allocations. Several youth justice CBOs have been contracted to provide youth justice services since before the implementation of the YCJA. This suggests that there is institutional permanence that reduces the complications of project-based funding typically associated with enhancing competition throughout the sector.

Implications

There are several reasons why the results of this study are important for policy, theory, and criminology. First, this study provides a Canadian perspective to the growing body of scholarship concerned with the influence of neoliberalism in youth justice. Given the significant

role and the responsibility of CBOs to implement the youth justice system, as evidenced by the proportion of youth who are served by these agencies, it is imperative their perspective is included. Results from this study can be used to coordinate and streamline state/non-state partnerships, such that an efficient system can be achieved, without losing the social welfare approaches that are key to the system's success. As Goddard and Myers (2017) suggest, this would necessitate a greater commitment by policymakers to permit and support CBOs to engage in advocacy work to address social inequalities and systemic underlying causes of crime, rather than focusing in on the individual level. This would build on Albo & Evans (2019) call to open space for "genuine and broadly based participation in the policy process by building sectoral and community-level input" (p. xvi). Evidence of the state resisting neoliberal pressures themselves suggests there is appetite for such support at the state level.

For effective policy development, the perspective of individuals working in youth justice must be considered. Understanding how neoliberalism imposes itself on youth justice and how youth justice CBOs contend with neoliberal pressures will allow us to better develop, adapt and implement strategies to support youth justice CBOs in their work. Results from this study should be considered when updating youth justice legislation and reviewing the contractual relationship with CBOs. The success of system consultations with the implementation of the YCJA must be followed. Results from this study should be referenced when considering youth justice policy and contract negotiations as it may act as a catalyst for youth justice CBOs to recognize the alignment among CBOs and opens possibility for collective advocacy efforts to influence policy. This study revealed important areas where both youth justice CBOs and the Ministry officials are aligned in resisting neoliberal rationalities and these alliances should be exposed and more purposefully fostered. CBOs should explore how they can leverage this alignment, such that they

continue to push the boundaries of their work even further outside the youth justice box. Drawing on the YCJA's recognition of holistic services and the unique needs of youth, CBOs have an opportunity to advocate for contract-based targets that are broad and capture the breadth of work that they do.

The implications of this study must also be linked to the youth who are served by youth justice CBOs. If one of the goals of the youth criminal justice system is to address underlying cause of offending behaivour and prevent youth from engaging or re-engaging in criminal activity, then a primary focus must be to ensure effective organizations and services are available to support youth. Understanding the role of youth justice CBOs in the broader youth justice apparatus, as well as the stressors that inhibit maximum service effectiveness can provide opportunities to remove barriers and address challenges to achieving maximum effectiveness. This research is a starting point for such understandings.

While the findings here have shown neoliberal logic penetrates deeply throughout youth justice, there is the potential that marketization and responsibilization pressures could be further exploited. A specific policy area this study could inform is in relation to outcomes-based contracting in Ontario youth justice. Outcomes-based contracting is already a key part of CBOs experience, however, as the findings show, it is not a rigid process where CBOs must achieve pre-defined outcomes. Other youth justice sectors however have pushed this model even further. For example, Florida has implemented a cost of care model[17] where guardians are charged a fee for youth involvement in the juvenile justice system (Florida Department of Juvenile Justice, 2021). Furthermore, outcomes-based contracting could be refined such that funding is not

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[17] Florida law (F.S. 985) states parents, guardians, and non-custodial parents may be charged for the supervision, care, support, and maintenance of their child in secure detention, home detention, probation supervision, residential commitment, conditional release, and post commitment probation. Fees are up to $5 per day for a child in custody or $1 per day for a child under community supervision. See Florida Department of Juvenile Justice (2021).

received unless specific targets or outcomes are achieved. This is all grounded in cost-benefit analysis programs and the drive toward ensuing service delivery efficiency. As states continue to seek new ways to reduce expenditures, this is an area that may be at the forefront of Ontario youth justice sooner rather than later. Findings here suggest an absolute turn to metrics and cost-based decision making would eliminate the humanistic and social welfare orientation of both CBOs and the current state values in working with youth.

Second, the theoretical implications of this research invite criminology scholars to broader their understanding of neoliberalism beyond a deterministic set of policy preferences that exist uniformly across time and space. Rather, the theoretical framework presented here, a CI understanding of neoliberalism as a dialectical process of struggle and contestation between real existing institutions and human agents, will push criminology past limited policy-based applications of neoliberalism. To overlook the interconnectedness of structures, institutions, and individuals will result in limiting the capacity of researchers to uncover context-specific manifestations of neoliberalism and what struggle and negotiation means for those on the front lines of criminal justice institutions. Such an understanding opens space for new and interesting research questions that investigate what is really occurring on the ground.

Furthermore, criminology approaches must push beyond a tendency to focus on responsibilization strategies as the only neoliberal rationality. The restructuring of youth criminal justice systems is more than just responsibilizing communities, organizations, and individual citizens. Responsibilization must be examined in concert with other neoliberal rationalities (e.g., marketization) and it must be recognized that criminal justice systems have been orientated around intensifying competitive pressures, that which can only be understood if neoliberalism is situated within the historical development of capitalism. Neoliberalism is more than just the

reassertion of market rationalities. Incorporating these two key theoretical components of CI will push criminology forward by filling a theoretical gap in literature, opening space for a refined understanding of the impacts of neoliberal pressures in criminal justice systems.

Applying the CI theoretical framework to youth criminal justice institutions ensures the expertise and field-specific knowledge of criminologists is not diminished. Criminologists bring important understandings of the interconnectedness of criminal justice systems and policy, and how they work together to create a complex network of institutions and individuals responsible for implementing criminal justice policy. With this theoretical framework, O'Malley's (2018) question can start to be addressed within criminological scholarship: "what exactly is neoliberalism as it emerges in detailed analysis rather than the broad and abstract – or alternatively fragmentary and selective – characterizations deployed in criminology?" (p. 4).

Limitations

There were several limitations in this study. First, my role as an insider may have resulted in participants being conservative in sharing specific examples of their experiences. Although I was able to utilize my knowledge and experience in youth justice as a strength when conducting interviews and probing participant responses, it is acknowledged that my insider status may have also acted as a barrier for participants to feel comfortable in sharing certain information with someone who is in their field and who they work with/could work with in the future. This was particularly evident as participants were uncomfortable sharing details of resistance strategies they utilize in their work. It is possible that participants did not want their activities documented, despite assurances of confidentiality.

Second, the exploratory approach to this study resulted in sampling limitations. This was a self-selected sample of youth justice CBOs from the six Ontario MCCSS service delivery

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zones. A purposeful decision was made to not include CBOs from two of the six Ontario service delivery zones. The North-West and North-East service delivery zones have diverse Indigenous populations, significantly farther distances between service locations, fewer resources across vast geographical areas, and significant overrepresentation of Indigenous youth in the system. The unique context of this zone would call for a focused approach highlighting the strengths and gifts of Indigenous peoples and cultures, as well as acknowledgement of the unique challenges of the zone. To avoid perpetuating colonialism, narratives of pan-Indigenous culture, and simplification of conducting research with Indigenous communities, it was decided that these CBOs would not be included in the study. However, this has resulted in the results presented here missing an important perspective.

Third, although all organizations in four of the six service delivery zones had an opportunity to participate in the study, only 43% of all youth justice CBOs in Ontario participated in the study. This resulted in missing representation from CBOs with certain key characteristics. For example, there was no representation from a major urban city that only served clients from the urban centre. It is hypothesized that CBOs in large urban settings were uniquely impacted by COVID adjustment periods and restrictions and therefore did not have the capacity to participate. As generally larger organizations, they have more programs and staff to consider in transitioning to remote work/service delivery, as well as may have been called upon to support additional individuals due to their proximity to dense urban populations. CBOs were from smaller urban centres that served both urban and rural youth across large geographic regions. Additionally, all individuals interviewed worked in an NRCA. Additionally, there was no representation from custody facilities. It is likely that youth justice programming offered within custodial settings would look quite different. Similar programming may be offered, but

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the consistency and frequency of programming[18] would be variable. Perspectives of individuals

work in custody facilities (e.g., secure facilities) may differ due to the environment and types of

youth they work in. For example, custody environments tend to prioritize safety and security,

with programming and rehabilitation opportunities as a secondary focus. As well, the youth

population youth justice workers engage with tends to be youth who have committed more

violent offences and tend to be more deeply entrenched in their anti-social and criminal

behaviour. This dynamic could influence how CBOs define their role in the youth justice system,

as well as impact how they experience the pressures of neoliberal rationalities.

Finally, it is also acknowledged that the sample size is smaller than originally intended.

Conducting research during the height of the pandemic resulted in a shift to online recruitment of

organizations and participants, as well as limited use of recruitment strategies (e.g., unable to

attend in person staff meetings to share study information and answer questions). As well,

organizations were overwhelmed with supporting clients through the course of the pandemic. It

is well documented that youth mental health needs and use of service increased over the course

of the pandemic (Benton, Njoroge, & Ng, 2022; Craig, Ames, Bondi, & Pepler, 2022). Some

organizations provided the need to prioritize service delivery as a reason to decline participation

in the study. Of the organizations that did participate in the study, some organizations only had

one representative. This prevented a comparison of experiences between staff and staff positions

(e.g., front-line and management). Sampling and representation limitations are expected in

exploratory research, preventing generalization across the population of study. They are noted

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[18] Operational challenges of delivering programs within correctional settings is well documented and includes
staffing shortages, challenging conditions such as lockdowns, solitary confinement, and a reliance on outside
community service providers. When these institutional barriers are present, programming is first to be cancelled
(Canadian Civil Liberties Association, 2021; Sapers et al., 2017).

here for transparency and to focus future directions in research. This is explored in the next section.

Future Directions

This dissertation represents a first exploration into the role of Ontario youth justice CBOs and the non-profit sector, as well as the impact of neoliberalism on Ontario's youth justice system. This was a broad exploratory study with two overarching questions: What is the role of youth justice CBOs and what are their experiences of neoliberal rationalities? As such, this study had a dual purpose that limited additional exploration. Topics explored with CBOs were broad, touching on a number of different pressures of neoliberal logic. Future research should focus on specific neoliberal rationalities to probe and explore how they manifest in Ontario's youth justice sector more deeply. For example, risk management models, individualism, and the specific impact on youth should be more thoroughly investigated.

Future criminological scholarship should embrace a cross-disciplinary approach, drawing on the CI theoretical framework applied here. This framework pushed past an analytical approach to neoliberalism that would have focused only on how succumbed to neoliberalism, closing off the potential for dialectical relationships. Rather, the CI framework opened space for the examination of the dialectical relationships and forms of struggle that exist in real, existing neoliberal institutions. This study represents one small component of Ontario's youth justice system. While important, a singular perspective is not enough to draw conclusions across the sector. Avenues for future research could explore the perspectives of state officials, as well as comparative study of provinces across Canada and how neoliberalism reveals in comparison to Ontario. Probation, a primary referral source for CBOs, would be an interesting stakeholder to

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focus on as they are a close partner of CBOs, and their work is grounded in conducting risk-

based needs assessments.

The finding of neoliberal negotiation from both the state and CBO suggests future

research should investigate the imposition of neoliberal rationalities at the state institution level.

Following the same theoretical framework that institutionally embedded agents shape

neoliberalism in actually existing institutions, an interesting space to investigate influence of

neoliberalism is opened. The dynamic interaction between different levels of institutions within

the youth justice system could reveal more nuance and interesting insights. Furthermore, it

would be interesting to compare the experiences of CBOs in the adult justice system to those in

the youth justice system in light of the comments presented here that youth represent hope and

potential for change, whereas adults are viewed as lost causes. Additional research should

continue this framework to look at the additional layer of youth and how they navigate the

pressures of neoliberalism as they are negotiated through structures, institutions, youth justice

staff, and finally themselves. Specifically, how they negotiate the pressures of individualism.

Finally, future studies are needed to consider the perspectives of CBOs that were not

included in this dissertation to establish the commonalities and differences between experiences

across Ontario. It is suggested a follow-up study focus specifically on excluded service delivery

zones in Northern Ontario to understand and compare organizations that work have a strong

focus on working with Indigenous communities. Including the legacy of colonization as a

specific factor in how these CBOs experience neoliberalism is needed to accurately understand

their unique contexts. Within this study, the specific YCJA Declaration of Principle 3(1)(c)(iv) to

respect gender, ethnic, cultural, and linguistic differences and respond to needs of Aboriginal

young persons and of young persons with special requirements would be acknowledged through a follow up study.

Conclusions

The impetus for this study was my desire to capture the important work of CBOs, providing a platform to emphasize their critical role in Ontario's youth justice system. Much of what we know about CBOs is from other countries or other fields. This study shines a spotlight on the local work of Ontario-based CBOs, in honour of the difficult work they do. Working with young people, particularly the most marginalized in our communities, can be a rewarding experience. However, it is important to recognize their work in the context of both youth-driven and sector-driven challenges. Social service work can be draining, but even more so when the system itself is setup to add even more stressors on the organizations and individuals doing the work.

This study has highlighted CBOs resilience to navigate, negotiate, and contend with conflicting pressures in their daily work. Attempting to understand how Ontario youth justice CBOs operate within a neoliberal environment is not only important for expanding criminological interdisciplinary approaches, but also for understanding the specific manifestation of neoliberalism that occurs within Ontario's youth justice system and comparisons to other manifestations across the social service sector. As criminologists, we must understand not only the root causes of crime, but also the systemic factors that shape how criminal justice institutions operate and ultimately engage individuals who come into contact with the criminal justice system. Effective policy can only be developed and implemented if an accurate understanding of what is occurring on the ground exists. Without it, the divide between those developing policy and those implementing it will continue to grow.

This study has provided a novel theoretical approach to examining the youth justice system, providing insight into the nature of power in social relations. The use of CI from critical political economy literature as a framework for understanding the impacts of neoliberalism will help criminologists to deepen their understanding of how criminal justice institutions work, centering the relationship between state, structures, agents, and institutions. This in turn will strengthen criminology's capacity to meaningfully apply our work to real world issues. Social reality is complex and must not be reduced to singular or deterministic approaches. Criminology's theoretical frameworks must acknowledge the messiness of the real world in order to truly understand and improve the systems that serve us.

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Appendices

Appendix A. Key Contact Email Script

Subject line:
Research Study: Youth Justice Policy Implementation – Community Organizations' Perspective

Body:
Thank you in advance for your assistance to the Research Study *Youth Justice Policy Implementation – Community Organizations'' Perspective*. Your organization has provided permission for the study team to recruit participants to be interviewed for this study. Please forward the following information and Study Overview attachment to all management and front-line staff members in the Youth Justice Services/Department of your organization.

YOU ARE INVITED TO PARTICIPATE…in a research study of youth justice community organizations.

The researcher is interested in understanding what part these agencies play in Ontario's youth justice system, what guides the work of these agencies, and the experiences of staff working within these organizations.

In order to protect the confidentiality and identity of agencies and participants in this study, organization identifiers (e.g., name, location) and participant identifiers (e.g., name) will not be used in the dissemination of study results. This study will not ask about your organization's clients or put you in a position to breach client confidentiality.

Participation in this research study will include:
- 60 - 90 minute interview
- Interviews will be conducted via video conference or phone
- Interviews are confidential and anonymized
- Participation is voluntary

If you are interested in participating or have any further questions, please contact:
Sarah Woods, Sarah.woods1@ontariotechu.net.

If you have any questions regarding your rights as a participant or have any concerns about this study, please contact the Research Ethics Office at researchethics@ontariotechu.ca or 905.721.8668 x3693.

This study has been reviewed by the Ontario Tech University Research Ethics Board [REB #16229] and received conditional approval on March 21, 2021.

Appendix B. Study Invitation Letter

Title of Research Study - Youth Justice Policy Implementation – Community Organizations' Perspective
Student Investigator - Sarah Woods, PhD Candidate sarah.woods1@ontariotechu.net
Principal Investigator - Carla Cesaroni, PhD Carla.Cesaroni@ontariotechu.ca

Your organization is invited to participate in the research study entitled *Youth Justice Policy Implementation – Community Organizations' Perspective*, investigating the role of community-based agencies in Ontario's youth justice (YJ) system. The following document provides a brief review of the research proposal and study procedures to ensure confidentiality and data management security. Included as appendices are additional documentation reviewed and approved by the Ontario Tech University Research Ethics Board to provide additional detail (Appendix A – Ontario Tech University REB application, Appendix B – Study Consent Form, Appendix C – Study Data Management Plan).

This study has been reviewed by the University of Ontario Institute of Technology (Ontario Tech University) Research Ethics Board #16229 and received conditional approval on March 21, 2021. The REB report stated: The study is generally in order and there are no outstanding ethical issues. Please note that approval is conditional on securing the support of the Ontario youth justice community-based organizations. Once support letters are submitted, full approval will be granted.

Research Proposal

As neoliberal restructuring reduced the state's role in public social service delivery, the imposition of neoliberal rationalities in the social domain specifically transformed the relationship between the state and the non-profit sector, such that the non-profit sector has become increasingly relied on to deliver social services, either through government contracts (e.g., alternative service delivery partnerships) or by securing private funding. As independent organizations operating within an alternative service delivery framework (state/non-state relationship), these community-based organizations (CBOs) possess significant influence in various social service areas.

Canada's youth justice sector has not been immune to the imposition of neoliberal rationalities and these altered policy conditions. Neoliberal restructuring has resulted in integrated youth justice and arms-length state/non-state relationships with CBOs that govern the vast majority of Canadian youth justice service delivery (Alain et al., 2016; Evans & Smith, 2015). As independent organizations operating within an alternative service delivery framework (state/non-state relationship), CBOs shape the structure and operational environment of youth justice.

A nuanced investigation of the imposition of neoliberal patterns of social control in Canada will provide a new perspective to the criminology literature. The perspective of CBOs in youth justice service delivery is an understudied, yet critical perspective to further advance the effectiveness, efficiencies, and equality of the youth justice system. This study will utilize an exploratory approach using mixed-methods interviews to investigate how neoliberalism has

implanted itself in Ontario's youth justice system and how CBOs participate in the implementation of youth justice in a neoliberal context. *See Appendix A, Question 10.3 for additional details.*

Research Questions
1. How do Ontario youth justice CBOs experience neoliberal rationalities, such as competition and individualization?
2. How do Ontario youth justice CBOs perceive and understand their role in Ontario youth justice?
3. What do Ontario youth justice CBOs see as the biggest forces structuring their work and mandates?

Participant Criteria and Requirements
   Participation in this research study will include:
- Interviewing front-line and management staff who work in the youth justice department/services in your agency
- 60 - 90 minute interview via video conference or phone
- Interviews are confidential and anonymized
- Participation is voluntary

Confidentiality
   Organization and individual participant privacy shall be respected. Only the researcher will have access to any individual information. Individual information will not be shared with the organization. No information about the organizations or individual participant's identity will be shared or published without permission, unless required by law. Confidentiality will be provided to the fullest extent possible by law, professional practice, and ethical codes of conduct. This research study includes the collection of demographic data which will be aggregated in an effort to protect participant anonymity. Information provided will not include your name; nor will your name be recorded in any other way that can be linked back to the information you provide. The results of this study may be published in scientific journals or presented at scientific meetings, but never in a way that organizations or individual participant would be identified. Direct quotes may be used in the dissemination of results. Direct quotes will only be attributed by code for both participant and organization. For example, Organization A, Front-Line Worker. *See Appendix A, Question 25.1-25.10 and Appendix C Study Data Management Plan for additional details.*

Use and Storage of Data
   All data in this study is digital and will be stored virtually on Ontario Tech's Secure Google Drive. All data will be stored in password protected folders and password protected files. All of the data is anonymized and confidential. Any identifiers will be destroyed after the study withdrawal date, May 1, 2022. *See Appendix A, Question 27.1-27.5 and Appendix C Study Data Management Plan for additional details*.

   Thank you in advance for your time and consideration. Please let me know if you have any questions or require additional information. I look forward to hearing from you and your participation in this study.

Appendix C. Letter of Support Template

Organization Name

**Re: Research Study: Youth Justice Policy Implementation – Community Organizations'
Perspective**

To Sarah Woods:

This letter is to confirm support for our organization to participate in the Research Study: *Youth
Justice Policy Implementation – Community Organizations' Perspective.*

Sincerely,

Contact Name
Agency Name

Appendix D. Participant Consent Form

Title of Research Study
Youth Justice Policy Implementation – Community Organizations' Perspective

Student Investigator
Sarah Woods, PhD Candidate sarah.woods1@ontariotechu.net
Principal Investigator
Carla Cesaroni, PhD Carla.Cesaroni@ontariotechu.ca

Please read this consent form carefully and feel free to ask the researcher any questions that you might have about the study. If you have any questions about your rights as a participant in this study, complaints, or adverse events, please contact Ontario Tech's Research Ethics Office at (905) 721-8668 ext. 3693 or at researchethics@ontariotechu.ca.

You are invited to participate in a research study entitled *Youth Justice Policy Implementation – Community Organizations' Perspective* because you are a youth justice front-line or management staff working in a community-based youth justice organization that has been selected and agreed to participate in this study. Please read the information about the study presented in this form. This form includes details on study procedures and the risks and benefits that you should know before you decide if you would like to take part. You should take as much time as you need to make your decision. You should ask the Principal Investigator (PI) or study team to explain anything that you do not understand and make sure that all of your questions have been answered before signing this consent form. Before you make your decision, feel free to talk about this study with anyone you wish including your friends and family. Participation in this study is voluntary.

This study has been reviewed by the University of Ontario Institute of Technology (Ontario Tech University) Research Ethics Board REB #16229 on October 19, 2021.

Researcher
This study is being conducted by Sarah Woods, PhD Candidate, and is being supervised by Dr. Carla Cesaroni from Ontario Tech University. Should you have any questions, please feel free to contact them (contact information above).

Reason for the Study
This study will try to understand the experiences of community organizations in Ontario's youth justice system. You are being asked to participate in this study because you are a youth justice front-line or management staff member in one of the youth justice organizations selected to participate in this study.

What's Involved?
This study involves a detailed interview (via phone or video conference) where questions will be asked about the role of community-based Ontario youth justice organizations and how these organizations operate. This is not a test. There are no right or wrong answers and it is your own thoughts and opinions about your experiences. If there are any questions you do not want to

answer, you may choose not to answer and/or you may stop at any time. The interview will take 60-90 minutes. Any information you chose to share is entirely voluntary.

Confidentiality
Only the researcher will have access to any individual information you provide. This information will not be shared with the government or your organization. Your privacy shall be respected. No information about your identity will be shared or published without your permission, unless required by law. Confidentiality will be provided to the fullest extent possible by law, professional practice, and ethical codes of conduct. This research study includes the collection of demographic data which will be aggregated (not individually presented) in an effort to protect your anonymity. Despite best efforts it is possible that your identity can be determined even when data is aggregated. The information you provide for this interview will not include your name; nor will your name be recorded in any other way that can be linked back to the information you provide. The results of this study may be published in scientific journals or presented at scientific meetings, but never in a way that you would be identified. Direct quotes may be used in the dissemination of results. Direct quotes will only be attributed by code for both participant and organization. For example, Organization A, Front-Line Worker.

Statement of Disclosure
I understand that the information I provide to the researcher is confidential, and will never be revealed to anyone except under the following circumstances: if I disclose information about plans to harm myself or others, information concerning any unknown emotional, physical or sexual abuse of children, or information about any other criminal offences not already known to authorities, the researcher is required to report this information to the appropriate authorities.

Voluntary Participation and Withdrawal
Your participation in this study is voluntary and you may partake in only those aspects of the study in which you feel comfortable. You may also decide not to be in this study. Once the interview has commenced, you may choose not to answer any questions or you may choose to withdraw from the study. If you choose to withdraw during the interview, any information collected from you will be destroyed. You may also choose to be in the study now, and then change your mind later. After the interview, you may withdraw from the study until May 1, 2022, and all information collected will be destroyed. After this date, it will not be possible to withdraw from the study as all confidential identifiers will be destroyed and it will not be possible to identify your information.

Recording of Interview
The researcher wishes to record and transcribe the interview. The transcription will be anonymized such that no identifying information will be recorded. You will not be asked to state your name or any other identifying information during the recording of the interview. This recording will permit the researcher to review information shared to ensure accuracy. You may choose to consent or decline consent to being recorded. You may participate in this study if you do not want to be recorded.

Use and Storage of Data

All data in this study is digital and will be stored virtually on Ontario Tech's Secure Google Drive. All data will be stored in password protected folders and password protected files. All of the data is anonymized and confidential. Any identifiers will be destroyed after the study withdrawal date, May 1, 2022.

Potential Risks
Some of the questions asked are personal and may make you feel uncomfortable as they may involve you revealing information about your organization or the youth justice system in which you work. You will not be asked questions about your clients and your employment will not be affected by your participation in this interview. Your responses will not be shared with your organization. If you experience any sense of unease during the interview, you may refuse to answer the question and/or withdraw at any time. The researcher will stop and you can exit the study at any time without penalty.

Potential Benefits
There are no direct benefits to you in this research. However, your participation will help to understand the experiences of community organizations in Ontario's youth justice system.

Compensation
There is no compensation for participating in this study.

Conflict of Interest
Researchers have an interest in completing this study. Their interest should not influence your decision to participate in this study.

There is a perceived professional conflict of interest as the Student Investigator, Sarah Woods, is currently employed at a community-based organization that is in part funded by the Ontario Ministry of Children, Community and Social Services and partners with other community-based organizations in Ontario's youth justice system. Staff working at the same agency as the Student Investigator are not eligible to participate in this study.

In the context of this research, the Student Investigator is only acting as a PhD student researcher. Any information gathered during this process will not be brought into her workplace. There may be pre-existing professional relationships between the Student Investigator and interview participants. This should in no way influence your decision to participate. Your decision to participate or not, will have no impact on your professional work or professional relations.

Debriefing and Dissemination of Information
As noted above the results of this study may be published in scientific journals or presented at scientific meetings. Should you wish to know when the results will be available or learn more about the findings you can contact us at the phone numbers or emails listed above.

Written Consent
1. I have read the consent form and understand the study being described;
2. I have had an opportunity to ask questions and those questions have been answered. I am free to ask questions about the study in the future; and

3. I freely consent to participate in the research study, understanding that I may discontinue participation at any time without penalty. I have been given a copy of this consent form.

By signing this form, you do not give up any of your legal rights against the investigators, sponsor or involved institutions, nor does this form relieve the investigators, sponsor or involved institutions of their legal and professional responsibilities.

☐ **I consent to being recorded for this interview.**
☐ **I do not consent to being recorded for this interview.**

_____   _____

Signature of Participant   **Date**

My signature means that I have explained the study to the participant named above. I have answered all questions.

_____   _____   _____

Print Name of Person Obtaining   **Signature**   **Date**

Oral Consent
1. I have read the consent form to the participant and they have indicated that he/she understands the study being described.
2. The participant has had an opportunity to ask questions and these questions have been answered. The participant is free to ask questions about the study in the future.
3. The participant freely consents to participate in the research study, understanding that he/she may discontinue participation at any time without penalty. A physical/digital consent form has been made available to him/her.

_____   _____   _____

Print Name of Witness   **Signature**   **Date**

_____

Relationship to Participant

If you have any questions concerning the research study or experience any discomfort related to the study, please contact:

Sarah Woods, Sarah.Woods1@ontariotechu.net
Dr. Carla Cesaroni, (905) 721-8668 Ext. 2517, Carla.Cesaroni@ontariotechu.ca

Appendix E. Participant Interview Guide

**Research Questions - Youth Justice Policy Implementation – Community Organizations'
Perspective**

1. *How do Ontario youth justice CBOs experience neoliberal rationalities, such as competition and
   individualization?*
2. *How do Ontario youth justice CBOs perceive and understand their role in Ontario youth justice?*
3. *What do Ontario youth justice CBOs see as the biggest forces structuring their work and mandates?*

SECTION 1 - DEMOGRAPHIC QUESTIONS
*This first section will focus on demographic questions to understand a little bit about you, your
background, and the agency you work for. These questions will be aggregated with other
interviewee responses to describe the similarities and differences between interviewees and
organizations.*

Agency Demographics
1. Please describe the type of agency you work in. Select all that apply.
   * Non-profit agency
   * For-profit agency
   * Transfer Payment Agency
   * Direct Operated (government operated)
   * Other _____

2. Please describe the target clientele of your agency. Select all that apply.
   * Youth – 12-17
   * Youth – 18-29
   * Adult – 30+
   * Justice-involved youth
   * Justice-involved adults
   * Indigenous population
   * LGBTQ2S population
   * Seniors
   * Racialized minorities
   * Persons with disabilities
   * Other _____

3. Please list the types of services your agency provides. Select all that apply.
   * Youth justice services
   * Children's Mental health services
   * Youth Mental Health Services
   * Adult Justice services
   * Shelter and Transitional youth services
   * Other _____

Youth Justice Department/Agency Demographics

4. What Ontario youth justice region do you work in?
   - North
   - South
   - Central
   - East
   - Toronto

5. Please describe the type of youth justice setting(s) your agency operates. Select all that apply.
   - Custody – Open
   - Custody – Closed,
   - Attendance Centre
   - Section 23 Classroom
   - Other_____

6. Please describe the types of youth justice programs your agency delivers. Select all that apply.
   - Recreation
   - Counselling/Life Skills (e.g., addictions, relationships, anger management, financial literacy, employment)
   - Diversion programs (e.g., pre/post charge)
   - Legal services (e.g., legal aid, bail services)
   - Educational (e.g., section 23, homework club)
   - Mental health services (e.g., CBT, DBT, psychiatric/psychologist)
   - Other _____

7. What is your current position?
   - Front-line worker – Youth Services Officer
   - Front-line worker - Youth Counsellor
   - Attendance Centre Worker
   - Management – Youth Services Manager
   - Facility Manager
   - Other _____

8. How long have you been in your current position?
   - 1-2 years
   - 3-5 years
   - 6-10 years
   - 11-16 years
   - 17+ years (pre YCJA)

9. How long have you worked in the youth justice field?
   - 1-2 years
   - 3-5 years
   - 6-10 years
   - 11-16 years
   - 17+ years (pre YCJA)

10. What other experience/positions have you held in Ontario youth justice? Select all that apply.
    - Student placement or internship
    - Volunteer
    - Front-line worker – Youth Services Officer
    - Front-line worker - Youth Counsellor
    - Attendance Centre Worker
    - Management – Youth Services Manager
    - Facility Manager
    - Other _____

Respondent Demographics

11. To which gender identity do you most identify?
    - Man
    - Woman
    - Transgender Man
    - Transgender Woman
    - Gender Non-Conforming
    - Gender queer
    - Not Listed
    - Prefer Not to Answer

12. Age
    - 20-29
    - 30-39
    - 40-49
    - 50-59
    - 60-69
    - 70+
    - Prefer Not to Answer

13. Highest level of education achieved?
    - Elementary
    - Secondary/General Educational Development (GED)
    - Apprenticeship
    - Post-Secondary – College degree
    - Post- Secondary– University degree
    - Graduate – Masters
    - Graduate – PhD
    - Other _____

14. If Post-Secondary or higher – what was your area of study?
    - Youth studies
    - Criminology

- Psychology
- Law
- Sociology
- Social Work
- Liberal Arts
- Other _____

SECTION 2 - YOUTH CRIMINAL JUSTICE ACT AND ONTARIO YOUTH JUSTICE SYSTEM

The purpose of this section is to gather information about the function and operation of community-based agencies in Ontario's youth justice system. Specifically, I am interested how community-based agencies and staff working within these agencies describe and view their role within Ontario's youth justice system. This section will focus only on the work you and your agency conducts within youth justice services.

1. Within your role as a (*state role from above*), what are the main tasks/activities you engage in?
   - Prompt – client contact or administrative (e.g., service delivery, reports/grants, data entry, evaluation, advocacy, client meetings, case collaboration)

2. In your own words, please describe the role of your agency within Ontario's youth justice system.

3. What are the formal documents that guide how you work with your clients/target population?
   - Prompt – agency mission, funding contracts, agency policies, government mandates/priorities, youth justice legislation

4. What are the primary goals/objectives of the youth justice (YJ) programs at your agency?
   - Prompt: Service delivery, Advocacy, Research, Rehabilitation, Punishment, Crime prevention, Victim services, Community connections, Post-release supports

5. Do you feel you are effective at reaching these goals/objectives? If yes/no, why?
   - Prompt - partnerships, resources, funding, skills/knowledge, advocacy, mandates, policy

6. In your own words, please describe the government's role in relation to community agencies within Ontario's youth justice system.
   - Prompt – what is the relationship between government and community agency

7. On a day to day basis, do you feel the federal Youth Criminal Justice Act or provincial mandates of the Youth Justice Service Division influences your work more?

8. Has your agency had an opportunity to help shape/set the objectives of Ontario youth justice system? How? Please provide examples.
   - Community consultations, client feedback, own ideas

The purpose of this section is to understand what happens on the ground in Ontario's youth justice system. I'm interested in understanding your interpretation of the government's

goals/objectives for the youth justice system and what you see happening in practice. Please rate your agreement with the following statements.

A goal of the youth justice system is to…	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1. Reduce use of incarceration for non-violent youth					
2. This occurs in practice.					
Explain.					
3. Promote rehabilitation and reintegration of youth					
4. This occurs in practice.					
Explain.					
5. Share responsibility to address development of young people to guide them into adulthood					
6. This occurs in practice.					
Explain.					
7. Utilize multi-disciplinary approaches with youth					
8. This occurs in practice.					
Explain.					
9. Address underlying causes of offending behaviour					
10. This occurs in practice.					
Explain.					
11. Hold youth accountable					
12. This occurs in practice.					
Explain.					

13.	Support crime prevention by referring youth to programs/agencies in the community					
14.	This occurs in practice.					
Explain.						
15.	Increased skills and abilities					
16.	This occurs in practice.					
Explain.						
17.	Decreased re-offending					
18.	This occurs in practice.					
Explain.						

9. Based on what you have just shared about the goals/objectives of Ontario's youth justice system and what happens in practice, do you think the goals/objectives of corporate (YJSD) and the YCJA are compatible with the goals/objectives of your agency?

SECTION 3 – ORGANIZATION OF LABOUR (NEOLIBERALISM)
This next section will focus on understanding how your agency operates and what guides the work that you do. Again, please only think of the youth justice programs/department within your agency. I'm interested in both the perspective of your agency as well as your own individual perspective.

Agency
1. In addition to receiving funding from Ministry of Community, Children, and Social Services as a Transfer Payment Agency (government contract), do you receive additional funds to deliver youth justice services?
   - Fundraising/donations
   - Government contract
   - Government/foundation grants
   - Fee for service
   - Social enterprise
   - Not sure

2. Where does the majority of your funding come from?
   - Fundraising/donations
   - Government contract
   - Government/foundation grants
   - Fee for service
   - Social enterprise
   - Not sure

3. In the last 5 years, has the fiscal climate (funding) in youth justice …
   - Improved
   - Remained the same
   - Declined
   - Not sure

   Do you know why this has occurred?

4. Can you describe how the government contract/transfer agency payment process works?
   - Prompt - What do the government contracts look like? Short-term? Base funding? Ongoing? Outcomes? Targets?

5. Is this funding process helpful to achieving agency goals/objectives? Why?

6. Is this funding process a barrier to achieving agency goals/objectives? Why?

7. What are the agency documents/policies that drive how you work with your clients?

8. How are the youth justice programs/services that your agency provides chosen?
   - Evidence-based
   - Staff developed
   - Sector wide
   - Government mandated
   - Other

9. As part of the funding process, you are required to document your activities and report back to government. Please share your thoughts about this reporting process. Benefits? Drawbacks?

10. I'm interested in understanding how your agency works with other stakeholders/agencies in the youth justice system. Do you collaborate with other youth justice agencies? Please share your experience.
    - Prompt – positive or negative experience? Interagency collaboration? Geographical differences in programming? Competition? Silos?

11. Are best practices/youth justice information shared among agencies?

Individual

1. I'm interested in hearing why you chose to work in the youth justice system. Please share what brought you to this line of work.

- Prompt - What are your goals for working with youth? Is it what you expected?

2. Do you feel you are able to accomplish these goals? Why? Why not?

3. What are the values that guide your work with youth in the justice system? Can you provide examples of how these values shine through in your work?
    - Prompt – what are you drawing upon (evidence vs. gut vs. philosophical)

4. What do you see as the biggest challenges facing youth justice workers in delivering services for youth?

5. Please rate the level of discretion you have in choosing how you work with your clients/youth?
    - High discretion
    - Medium discretion
    - Minimal discretion
    - No discretion
        i. (If high, med, or min) Please provide examples of how you use discretion in your work.

6. Do you think it's important to have a certain level of discretion in your work with youth in the justice system? Explain.
    - Prompt – are you able to integrate feedback (community, public, client) into work?

7. If a new mandate comes down from corporate (YJSD) that you don't agree with, what do you do?

8. If a new mandate comes down from corporate (YJSD) that is difficult to implement, what do you do?

9. How comfortable do you feel pushing back against ministry directives?
    - Very comfortable
    - Somewhat comfortable
    - Neutral
    - Somewhat uncomfortable
    - Not comfortable

Often, part of the work of community-based non-profit agencies, is advocacy. This can either be advocacy on behalf of clients (small advocacy) or advocacy for system/policy change (big advocacy).
10. Please rate the importance of client advocacy for your agency.
    - Very important
    - Somewhat important
    - Neutral
    - Somewhat not important
    - Not important
    - Not sure

11. Please rate the importance of system/policy advocacy for your agency.

- Very important
- Somewhat important
- Neutral
- Somewhat not important
- Not important
- Not sure

12. Please share the successes and challenges you have in conducting advocacy work.

13. In order to improve the work of YJ community agencies, what policy recommendations would you make?
    - Prompt – new policy or change to existing policy