Criminal Justice for youth in Canada: Perspective of Aboriginal Canadians

Students Name

Supervisors Name

Course Name

Course Code

University

Authors Note

Undertaking

I do solemnly declare that I am the sole author of this work. This work is original, and any use of any work in which copyright exists was done by way of fair dealing and for permitted purposes and an extract from, or reference to or reproduction of any copyrighted work has been disclosed expressly and sufficiently and the title of the work and its authorship have been acknowledged in this work.

_____

Candidate Signature

Abstract

The core focus of this study is towards understanding the contributions which have been made through the development of the Criminal Justice system of youth for Canada. The perspective of this study is towards evaluating the role of youth and assessing the challenges which are being faced by the Aboriginal Canadian youth (Gordon, 2018). The evaluation shows that the rate of incarceration in Canada of the Aboriginal people has increased significantly which marks prominence of biases towards the Aboriginal Canadians. The statistical information which pertains to the study has been gathered and assessed for developing findings of the study (Schissel, 2016). The introduction of the Criminal Justice for Youth system has marked a decrease in the crime rate of youth in Canada but at the same time, the engagement of the Aboriginal Youth of the society in crime is showing a significant increase. The exploration of this factor is conducted through the study which enables understanding challenges which are being faced by the Aboriginal Canadians and the biases which prevail in the society (Ross, 2017). The remedial alternates of the society are being assessed which shall improve the condition of the Aboriginal Canadians and reduce the criminal activities of the youth motivating them to pursue rehabilitation.

Acknowledgment

I would like to thank all my instructors who guided me towards this path of knowledge and gave me the courage to complete this research. I am thankful to my supervisor _____, who helped me and supported me throughout this research. His kind behavior, patience, and guidance with his knowledge made this thesis possible.

I would like to thanks my friends and colleagues who always encouraged me and were always there to help me out and give suggestions for the completion and improvement of my work.

A special thanks to my parents and family for their unconditional love and support and for standing with me in thick and thin.

Table of Contents

Undertaking 2
Abstract 3
Acknowledgment 4
Chapter 1 Introduction 7
1.1 Overview 7
1.2 Statement of the Problem 8
1.3 Purpose of the Study 8
1.4 Significance of the Study 9
1.5 Research Questions 9
1.6 Limitation of the Study 9
1.7 Organization of the Study 9
1.8 Summary of the Chapter 10
Chapter 2 Literature Review 11
2.1 Introduction 11
2.2 Criminal Justice for Youth in Canada 11
2.3 Youth Criminal Justice Act 14
2.4 Youth Records 16
2.5 Statistics of Aboriginal Canadian Youth 17
2.6 Challenges Faced by Aboriginal Canadians 18
2.7 Aboriginal Canadian Incarceration 20
2.8 Theoretical Framework 22
2.9 Summary of the Chapter 23
Chapter 3 Research Methodology 24
3.1 Introduction 24
3.2 Research Philosophy and Strategy 24
3.3 Ethical Consideration 26
3.8 Summary of the Chapter 26
Chapter 4 Findings and Discussion 27
4.1 Findings 27
4.2 Discussion 28
4.3 Summary of the Chapter 29
Chapter 5 Conclusion and Recommendations 30

5.1 Conclusion 30
5.2 Recommendations 30
5.3 Summary of the Chapter 31
References 32

Chapter 1 Introduction

1.1 Overview

The Youth Criminal Justice Act has been introduced in Canada for handling the law and order situations which prevail in Canada. The effective date of this act began in 2003 which enables the process of prosecution of the youth against criminal offenses (Alain, Corrado & Reid, 2016). The introduction of this Act was developed as a replacement for the Young Offenders Act and the Juvenile Delinquents Act. The reforms which have been proposed through this act aims at addressing the issues of youth and prosecute the criminal offenses committed by the youth (Cesaroni, Grol & Fredericks, 2019). The perspective of the youth varies with the changing trends which suggest a different understanding of the people associated. This study aims at understanding the perspective of the aboriginal people of Canada which shows the significance of aspects of the criminal justice laws and regulations (Heinmiller, Hennigar & Kopec, 2017). The introduction of these laws has been proposed as an understanding of basic principles of the acts and intentions through which remedial measures can be proposed for the youth crime and young offenders (Hughes, Clasby, Chitsabesan & Williams, 2016).

The basic principles of the Youth Criminal Justice Act has been developed for remedying the development of offensive behavior in the youth which shall enable and encourage the integration of rehabilitation. The youth justice practices are kept differentiated from the practices proposed for the adults (Jeffrey, Therien & Bali, 2017). The reason for this differentiation is rehabilitation and reintegration, proportioning of accountability, develop procedural protection and craft interventions which enable prompt responsible behavior in the individuals. The law proposes several extrajudicial measures which are required for handling the criminal activities which are less serious but must be remedied in a timely manner (Allen & Superle, 2016). The

police officials hold responsibility for the first-hand encounter with these situations and are required to be prepared for the discretion of power in a responsible manner. The measures which are applicable are purported for addressing the issues of youth crime. The interventions which have been taken are essential for correcting the offensive behavior which connects with different punishment levels when handling violent and non-violent crimes (Malakieh, 2017).

1.2 Statement of the Problem

The perspective of this study is to understand that propositions which have been developed in terms of criminal justice for youth in Canada. The perspective of reforms which have been proposed in the Youth Criminal Justice Act vary with the people and hence the perspective of Aboriginal Canadian shall be assessed for the study (Alam, 2015). The objectivity of this study provides a clear understanding of the fact that several changes have been made in the criminal justice laws of Canada which have evolved over the years. The perspective of the Aboriginal Canadian vary with the reforms and these varying views shall be discussed throughout the study subjectively (Alain et al., 2016).

1.3 Purpose of the Study

The purpose of this study is to understand the views of various segments of people across Canada evaluating the impact of change. The proposition of changes in the law has developed varying perspectives amongst different categories of people which have been identified in this study (Cesaroni et al., 2019). The role of Aboriginal people in the history of Canada hold critical significance and their viewpoint about the reforms are essentially important for drawing conclusions whether these reforms have turned out to be negative or positive in the society in terms of betterment of the people and prevalence of justice.

1.4 Significance of the Study

This study aims at helping people understand the significance of heritage in the foundations of Canada as a region. The law is an essential factor which enables developing the grounds for the study through which glitches and effectiveness of remedial measures are assessed. This study evaluates the views of aboriginal Canadian towards proposed reforms in the criminal justice laws of Canada as proposed for the youth (Heinmiller et al., 2017).

1.5 Research Questions

The research questions which are addressed through this study are the following:

- *Has the reforms in criminal justice for youth in Canada benefitted the development of the youth from a remedial perspective?*
- *What are the views of the Aboriginal Canadians on the changing reforms and remedial alternates which have been applied to criminal justice for youth in Canada?*

1.6 Limitation of the Study

The limitations of this study shall be that it shall only analyze the views of the aboriginal Canadians for the reforms and shall not assess the perspective of other segments of the Canadian population. The Canadian region comprises of multiple segments of people which have crafted the history of the development of this region (Hughes et al., 2016). This study will only evaluate the views of Aboriginal people of Canada evaluating their views on the proposed reforms in criminal justice laws for the youth.

1.7 Organization of the Study

This study comprises of five chapters highlighting the aims and objectives of the study. The classification of the chapters are the following:

- Chapter 1: Introduction

- Chapter 2: Literature Review
- Chapter 3: Research Methodology
- Chapter 4: Finding and Analysis
- Chapter 5: Conclusion

The organization of the study comprises of contextual development of research based on subjective analysis. The information for the study has been gathered using the previous studies which are available supporting the objective of the study. This enables crafting the findings of the study evaluating the perspective of Aboriginal people of Canada.

1.8 Summary of the Chapter

The introduction chapter provides an understanding of the topic based on which detailed evaluation shall be crafted. It is essential for the study that propositions are made evaluating the criminal justice for youth in Canada from the perspective of the aboriginal Canadians (Jeffrey et al., 2017). This chapter develops the foundations and prepares a layout on the basis of which further segments of research shall be crafted and assessed.

Chapter 2 Literature Review

2.1 Introduction

The youth justice system impacts on the youth of Canada falling under the age bracket of 12 and 17 years of age (Cao, Burton & Liu, 2018). The youth when they get into trouble with the law at this age their punishments are tackled under this law. The justice system of Canada takes utter care and precaution to make sure that a fair and transparent judgment is provided to the youth which is fair and effective (Barker et al., 2015). The foundations of this act were developed in the year 2003 which initiated the prosecution of the youth against the criminal offenses which they were facing. The basic foundations of this act were developed as a replacement of the Young Offenders Act and the Juvenile Delinquents Act (Charlton & Hansen, 2016). The perspective of the people residing in Canada varies against the Youth Justice Act which is essential to be assessed for monitoring the effectiveness of the study. The offensive behavior of the youth is highly discouraged and requires rehabilitation so that remedial alternates can be prepared (Ferrazzi & Krupa, 2016). The application of the justice act for the youth and the adults are different showing leniency in the methods of handling the situation. The justice system is focused and inclined to propose reintegration, rehabilitation, enhancing accountability, offering protection and crafting interventions which refine behavior (Reasons et al., 2016). The proposition of interventions is designed particularly for correcting the offensive behavior connecting the different levels of punishments which are associated with violent and non-violent crimes.

2.2 Criminal Justice for Youth in Canada

It is a fact of consideration for society when the crime rate of society is increasing tremendously for a particular segment of community members. The youth is committed to the

actions which are considered by the criminals of the federal law governing the practices of the Canadian Youth Justice System (Iyer et al., 2015). The most considerable age of the youth is engaged in the criminal activities as monitored by the authorities has been classified in the bracket of 12 to 17 years. The recognition of the fact that the youth being engaged in criminal acts is an aspect which enhances the accountability for the criminal acts and actions (Corrado, Lussier & Leschied, 2015). The measures which are applied within the society to some extent as the adults are classified as the interest of the society at the age of youth. The youth must be counseled and rehabilitated towards becoming more and more productive towards the actions of the society so that a more mature outcome can be acquired when the youth step towards adulthood (Bower et al., 2018). The system includes the measures which are consistent and possess a reduced level of maturity. The youth of all the segments of the society has special and specific needs which must be addressed for acquiring a more stable outcome (Fraser, 2017). The consideration of the actions shall be made in consideration of the proposed acts is that the youth can be managed and controlled effectively for handling the processes.

The involvement of Aboriginal Canadians in society is increasing drastically over the period of time. The criminal actions and procedures which are similar for the youth and adults of the criminal justice system are established on the basis of special policies and practices which ensures that the action of the youth can be controlled (Ngo, Calhoun, Worthington, Pyrch & Este, 2017). The young offenders of the society cannot be classified as the victims immediately as the individuals need to be counseled and rehabilitated in consideration to the challenges which the individuals are facing when coping with the challenges of the society (Navia, Henderson & Charger, 2018). The initiatives and proposition of the witness protection rules play a critical role in the protection of such youth which encourages the application of corrective practices on the

individuals. The measures which are proposed by the Criminal Justice for Youth are towards developing a sense of accountability in the youth through which the proportion of seriousness of the offenses can be tackled effectively (Rudin, 2016). The policies which are actively followed when tackling the remedial measures and scope of monitoring the youth are associated with numerous factors. The aim of the system is to develop the processes which enable reinforcing respect for societal values for the people at large (Lussier, Corrado & McCuish, 2016). It is critical for the individuals that criminal accused of certain actions are encouraged to repair the harm which has been done by them to society. The control over the actions proves to be highly meaningful for the offenders ensuring that further wrong is not committed in the future (Goodwill & Giannone, 2017).

The remedial policies and the procedures which are developed by the criminal justice systems are directed to provide an understanding in the youth that the people from different gender, ethnicity, and culture are required to be respected (Boyd, Fast & Small, 2016). The cultural dominance and the linguistic factors are major considerations which create a sense of distinctions in the people. The people are required to handle all the situations with consideration so that the needs and requirements of the aboriginal young persons with special requirements can be adequately tackled (Louie, 2017). The statistics of the Canadian youth courts clearly shows the completion of 48,000 cases in the year 2011 and 2012 (Roberts & Reid, 2017). The cases started reducing significantly over the period of time which contributes to the propositions of the Criminal Justice System of Canada. The decrease has been monitored in the territories regarding the criminal action but an increase has been evaluated in the engagement of the Aboriginal Canadian towards the system (Thanh & Jonsson, 2015). The development of the Youth Criminal Justice Courts has been developed for the rehabilitation of the youth when they are not engaged

in serious criminal actions. The understanding developed for the Youth Justice System is done for considering the response for the youth tackling of the situation (Brooks, Daschuk, Poudrier & Almond, 2015). The police warnings and referrals of the community-based programs clearly show that the youth cases don't end up in the formal court systems. The special youth courts are being designed and developed for showing consideration of remedial measures protecting the Aboriginal Canadian which are actively being engaged in criminal actions (Goodwill, 2016).

2.3 Youth Criminal Justice Act

The Youth Criminal Justice Act is prepared and developed specifically for the youth through which the rights and responsibilities of the people are provided when the actions of dealing with the police and breaking of law practices are dealt (Dion, 2016). The Youth Criminal Justice act applies to the individual at the age bracket of 12 to 17 years when the individual is charged with a crime and is not subject to be charged with a serious offense. Canadian Law guarantees the rights of young people in the criminal justice system (Milloy, 2017). A person of the age of 18 years is considered to be an adult and is trialed as an adult in the courts. The core purpose of the act is that as per the Canadian Law the rights of the youth are safeguarded and actions are prescribed for handling the challenges outside the jail (Csiernik & Rowe, 2017). The act is developed for the criminal charges which are not offensive and can be remedied through dedicated efforts of counseling and rehabilitation. The law also provides the police with the rights to warn the youth and leave them instead of arresting them (Dunbar, 2017). The sentences which are imposed on the youth are required to be fair and proven before the offenses can be punished. The goal of the law is to prevent the crime and take the measures which are essentially important for enabling the people to become the responsible members of the communities (Kidd,

Gaetz & Grady, 2017). The law is developed to educate the people and make them aware of the circumstances which shall arise if the guidance proposed by the law is violated.

As per the Youth Criminal Justice Act, the individuals have the right to select a lawyer which is very important for the corrective actions of the society. The youth are required to have the opportunity to discuss the proceedings with the lawyers and the youth are not allowed to plead guilty in front of the judge (Friedland, 2016). The Act strongly proposes that the parent or guardian of the youth is made aware of the arrest when an individual has been arrested. The criminal acts of the youth are presented in separate courts which provides evidence that whether the youth is guilty or not guilty. The judges are required to apply the special rules when sentencing the youth in similar cases (Battiste, 2018). The sentence which is awarded to the youth is assured that it is not more serious than the sentence which is imposed on the adult. The judge gives a sentence for which the youth is held responsible for the actions. The sentences which are imposed on the youth are in most of the cases action of community service and voluntary actions in a homeless shelter (Fox, 2016). The Youth Criminal Justice Act clearly proposes that the youth will only be sent to jail once they commit a violent crime or offense which is mandatory to be punished or possess the chances to be repeated in the future. The other actions as imposed are the responsibility of the judge to decide about the punishment (McCuish & Corrado, 2018). The youth are required to obey to the sentences which are imposed on them so that exceptions of the cases where the youth are held responsible can be held responsible for the rehabilitation of the youth for the protection of the public. The reasoning for sending the youth to jail is critically important to be provided by the judge for assuring that injustice is not exercised on the person (Brown et al., 2017).

2.4 Youth Records

The Youth Criminal Justice Act requires the authorities and binds them towards the development of Youth Records. The information of the youth records is kept with the police, court, government and the non-government agencies (Gray, 2016). The record of the individual involved with the youth criminal justice systems is developed through a broader spectrum based on which the records of the youth are managed. The information is kept within the system in detail which possesses the particular crimes which are conducted by the individual can be monitored by the personnel of the police management systems (Knafla, 2017). The youth is found guilty of a crime based on which the criminal records are maintained and information pertaining to the criminal history is kept and recorded in the form of a file. The accessibility to the criminal record is available to the youth, victim, police officer and other involved personnel who are tackling the proceedings of the case (Hart, 2018). The accessibility of the youth record is highly limited through which the criminal record remains of the system and is available for access by the police courts unless the person receives a pardon.

There is a certain limitation of being listed on the criminal record which restricts the individual from traveling outside of Canada or even studying at certain Universities differing with the region and ranking (Cunneen, 2017). The record of the youth on the record system is for three to five years which is altered after the last youth sentence is over. The dependability of tenure for which the youth record remains in the system is dependent on the age of the individual (Roy, Crocker, Nicholls, Latimer & Isaak, 2016). The categorization is mainly based on the type of crime which is committed, a sentence which is received and any other criminal offense which is conducted in this timeline. There are certain parameters on the basis of which the youth record is accessed and monitored by the personnel (Monchalin, 2016). The police and the courts make

sure that the individual who is found guilty is tackled in a very sophisticated manner so that the future of the individual being charged is not compromised.

2.5 Statistics of Aboriginal Canadian Youth

The Aboriginal Canadians are considered as a diverse group of people who are residing across the country. The data of the National Household Survey as proposed in 2011 shows that around 1,400,685 people of Canada hold the identity of being Aboriginal Canadians (Strang & Braithwaite, 2017). This represents the 4.3% of the population of Canada which is further classified as the First Nations People, the Metis and the Inuit people of Canada (Barker & Tavcer, 2018). The Aboriginal Canadian population is young mostly and accumulates a large segment of society. The statistical classification of the Aboriginal Children aged around 14 years make up around 28% of the total Aboriginal population and around 7% of the population comprises of all the children in Canada (Dhillon, 2017). The youth ranging in the age bracket of 15 to 24 represents around 18.2% of the population and 5.9% of all youth in Canada. The non-aboriginal youth accounts for 12.9% of the non-Aboriginal population of the region (Hautala, Sittner & Whitbeck, 2016). The senior population in the Aboriginal people of the region are fairly less and comprise around 6% of the population (Cesaroni et al., 2019). The median age classification of the Aboriginal people of Canada shows that First Nation people of Canada have a median age of 26, Metis age of 31 and Inuit age of 23 which is the youngest group amongst the Aboriginal people (Cesaroni et al., 2019).

The role of Aboriginal Canadian in the history of the development of Canada holds huge significance. The change in processes and arrangements have been developed over the years which shows the complex behavior of the people from this segment of classification (Alain et al., 2016). The youth of the age segment of 14 years lives a variety of arrangement which makes

them subject of being living in a combined family or with the lone parents. The Aboriginal children under this category and age group are mostly the stepchildren and grandchildren who are residing with the grandparents (Heinmiller et al., 2017). The absence of the parents for nourishment and guidance at times creates difficulties and challenges for the foster children or the children living alone with their relatives. The government is tackling an intense situation when handling the people from this age segment as one-half of the aboriginal children coming from the age of 14 and under amounts to 49.6% which live with their parents (Hughes et al., 2016). This figure includes the biological and adoptive residence of the children which is a comparative figure when compared with 76% of the non-aboriginal children. The aboriginal children amount to 34.4% who reside with the lone parent family which is a comparative figure assessed with the compilation of 17.4% of the non-Aboriginal children (Jeffrey et al., 2017). Half of the children which amount to 48.1% of the children under the age group of 14 years are brought up under the foster care. The Aboriginal children are foster children when compared with 0.3% of non-Aboriginal children (Allen & Superle, 2016).

2.6 Challenges Faced by Aboriginal Canadians

There are numerous issues and challenges which are faced by the Aboriginal Canadian people residing in different regions of Canada. The government and the policymakers of the region need to make remedies in these segments so that the oldest residents of the region which are the Aboriginal Canadians can be safeguarded and protected (Malakieh, 2017). The issues are of multiple magnitudes but the impact on the society at large and must be tackled in advance so that society can be stabilized and challenges can be rectified. The common issues which are faced by the Aboriginal Canadians residing in Canada are poor health which is associated with education and deprivation from the basic amenities of the society (Alam, 2015). The chronic

diseases in the region also prevail which are mainly developed due to the below par level of living standards in the region. The education which is delivered to the people mainly amongst the Aboriginal Canadians is also below standards which compile the figures that only 22.8% of the Aboriginal Canadians successfully complete high school and post-secondary education (Gordon, 2018). The housing conditions of the region are also inadequate which has been under active consideration of the social welfare communities such as the United Nations. The income bracket of the Aboriginal Canadian is also very less in comparison to the income of other Canadian inhabitants (Schissel, 2016). The gap is increasing significantly over the years which is considered a major factor due to the increasing rates of unemployment in the region.

The alternate perspectives of the increasing challenges which were being faced by the Aboriginal people in this region were subject to the increasing levels of incarceration rates amongst the youth and the adults (Ross, 2017). The aboriginal youth were over-represented to the provincial and territorial correctional services as they account for 26% of admissions representing only 3% of the Canadian Adult population. The increasing levels of provincial and territorial custody also amounted to community admissions (Cao et al., 2018). The challenges of incarceration were accumulated for the male and female both of the region from which around 38% were women. The accountability of the female Aboriginal Canadians was higher when evaluated in comparison to the men (Barker et al., 2015). The death rates and injuries which were sustained by the youth were higher when compared with the early deaths and drowning. The health Canada statistics showed that Aboriginal children are three to four times more likely to die from the unintentional injury in comparison to the non-Aboriginal children falling under the same age (Charlton & Hansen, 2016). The critical most factor which falls under the head of justice for youth in Canada is the higher rates of suicide and increasing toll amongst the

aboriginal Canadians and all the classifications of this segment population. The compilation of these challenges increases the challenges for the people and at the same time enhances the scope of death which prevails amongst the youth (Ferrazzi & Krupa, 2016).

2.7 Aboriginal Canadian Incarceration

The government of Canada is subjectively facing numerous challenges and pressure from the indigenous society of Canada. The statistical accumulation clearly shows that around half of the incarcerated population of Canada are the indigenous people which leads to the development of assumptions towards systematic racism (Reasons et al., 2016). The numbers which are shared by the statistical bodies of Canada clearly states that a large number of the youth that is under custody in Canada are indigenous. The statistical compilations show that the Aboriginal Canadian youth make up to 46% of the admission to the correctional services which is merely an 8% compiled figures of the youth population (Iyer et al., 2015). The Aboriginal Canadians are being highlighted and brought up to the justice system repeatedly as they lack the support which is required to monitor and curtail the challenges of the society. The Aboriginal Canadian are deprived of certain necessities and societal care in the youth and childhood which forces them to end up before the justice system at an early age (Corrado et al., 2015). The remedial measures for this purpose are being proposed which suggests that flexible laws must be crafted for the Aboriginal Youth residing in Canada.

In some of the discussions, the analyst's contribution suggests that the balance in the criminal justice system is necessary as the punishments which are provided to the people are subject to racism (Bower et al., 2018). The criteria of jail time and probation policies are required to be refined so that critical punishment can be tackled. The general analysis shows that the incarceration of youth across Canada has declined slightly over the years but the statistical

accumulation which is shared at different stages contribute to the fact that the proportion of Aboriginal Canadian which are ending up in the custody is increasing significantly over the years (Fraser, 2017). The toll in the increase of indigenous boys ending up in the custody of youth justice increased from 21% to 47% over a period of 10 years. The most shocking revelation was the increase in the toll of the girls which ended up in custody amounting to around 60% of the total youth population of Aboriginal Canadians (Ngo et al., 2017). The provinces which have been reported with higher numbers show the custody as highest in Saskatchewan and Manitoba. The analysts suggest that the increasing numbers of the corrections and reforms carry with the individuals throughout their adulthood and is prominently evident in the societies amongst the Aboriginal Canadian girls of this region (Navia et al., 2018).

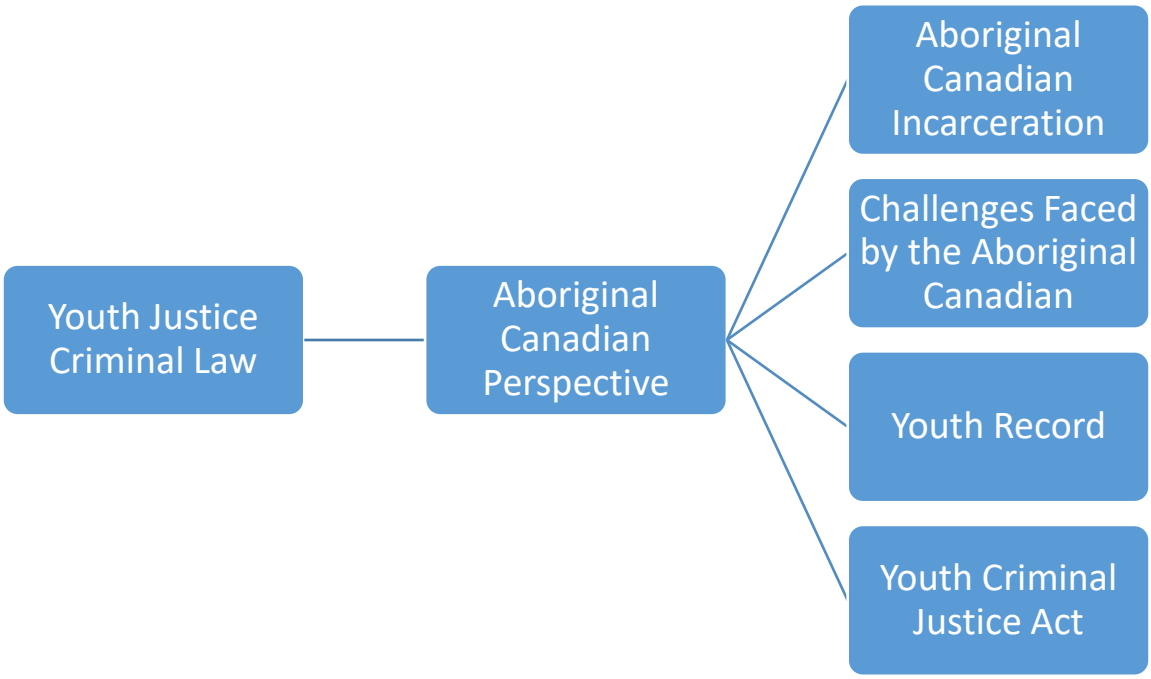
The statistics acquired from Canada clearly shows that the accountability of indigenous men has increased to 28% whereas the accountability of the women subjective to the 43% towards the aspects of incarceration which is a huge figure representing the 5% of the adult population (Rudin, 2016). The increasing number of women in custody is extremely challenging for the region which is impacting on the foundations of the Aboriginal Canadians residing in Canada. The system has identified some biases which are being remedied and makes it essential for understanding evaluating the aspects of the study (Lussier et al., 2016). It is critical for understanding the policy decisions which are prevailing in the society against the aspects of the youth justice for ensuring that the contributive factors are not over-represented. The criminal justice policies which are being practiced in Canada are being revised regularly so that the fundamental foundations of the Aboriginal Canadian people is safeguarded and securely protected (Goodwill & Giannone, 2017). There have been movements and actions to the practices which have enabled the restorative policies to the justice systems and at the same time

have allowed developing justice efforts which are culturally responsive and appropriate. The justice systems need to develop the practices and procedures which are full proof and enable tackling the aspects of poverty, unemployment, and underemployment (Boyd et al., 2016). The factors of housing addictions and mental illnesses are tremendously prevailing in society developing a challenging scope and aspects for the people. The society is thriving towards change so that the current practices of institutional measures can be remedied and tackled ensuring the protection of the Aboriginal Canadian youth (Louie, 2017).

The youth needs to be secured through crafting a system where their actions can be monitored and corrective application can be applied to the practices for securing the possibilities of the youth handling. The individuals when becoming older and graduate from the criminal justice system, they can be placed at proper positions in the society which can provide them a sustainable standing in the society (Roberts & Reid, 2017). The individuals have worked in the society through experiencing the adversity, violence, addictions, and homelessness which is increasing the scope of conflicts amongst the people from this age segment. The youth justice system is required to be developed in a contributive manner to the society within the community so that the actions of the youth can be monitored and controlled (Thanh & Jonsson, 2015). The role of the authorities and policymakers in this segment of the study is critically important as it enables controlling the aspects of society which are being ignored and avoided. The youths are the future of the society and effective control over the actions can enable progress for the teams which shall enable control derivation in a constructive manner (Brooks et al., 2015).

2.8 Theoretical Framework

The theoretical framework which assists in the assessment of the theory clearly shows the coherence of the following:



2.9 Summary of the Chapter

In this chapter, an understanding has been developed about the Criminal Justice for Youth in Canada. The perspective which has been discussed is of the Aboriginal Canadian which are facing problems and the youth are facing challenges at large within the society (Goodwill, 2016). The assessment of the concept has been done through the evaluation of the Youth Criminal Justice Act which is further assessed from the perspective of the challenges which are faced by the Aboriginal Canadians at large (Dion, 2016). This chapter also discusses the essentials of the youth records which enables the assessment of challenges faced by the Aboriginal Canadians and the rate of Aboriginal Canadian incarceration.

Chapter 3 Research Methodology

3.1 Introduction

The critical focus of this study is towards understanding the Criminal Justice System for the youth in Canada and assessing the perspective of the Aboriginal people against the implications of this system. The aboriginal people have been made the victim to several challenges after the formation of Canada which is still a major factor of consideration for the government and the policymakers of the region (Milloy, 2017). The statistics and figures which have been discussed in the literature segment clearly show an increasing toll of youth based crime in Canada. The statistical findings propose that with the development of criminal justice for the youth in Canada the crime rate as prevailed by the youth has reduced significantly (Csiernik & Rowe, 2017). At the same time, it has been assessed that the involvement of the aboriginal youth in crime based activities is also increasing tremendously. The assessment which is conducted through this study is targeted towards understanding the implications which are being levied on the youth and the corrective propositions which are being made collaboratively using the system by the government (Dunbar, 2017). The propositions which are being made by the Criminal Justice system aims at rehabilitation of the youth. The role of the aboriginal Canadians and the alternates which can be taken for assuring that the criminal activities shall be reduced is essential to be evaluated (Kidd et al., 2017).

3.2 Research Philosophy and Strategy

The assessment of the study has been done using the qualitative information which is available pertaining to the topic. The theoretical formation of the analysis has been developed through understanding the attributes of the Criminal Justice system for youth in Canada (Friedland, 2016). There are several segments of the study which have been evaluated for

understanding the role of Criminal Justice for Youth in Canada. The objective of the study is to understand the initiatives which have been taken by the government and based on those initiatives evaluate the formation of the Youth Criminal Justice Act which is applied on the youth (Battiste, 2018). The basic fundamentals of the Act have been assessed and evaluated which proposes the formation and complexity of the Youth records. In many situations, the youth records prove to be challenging for young individuals as this obstructs the individuals from applying at certain universities and progressing through the professional ladder (Fox, 2016). The evaluation of the initiative brings forward some critical facts and figures which shows that the overall level of crime in Canada has reduced after the introduction of Criminal Justice for Youth. The most crucial factor which is important for this segment is understanding the increasing level of challenges which are being faced by the Aboriginal Canadians and the incarceration rate which is increasing in the youth (McCuish & Corrado, 2018). The rate of women who are being arrested and sent for rehabilitation by the youth justice system is also challenging for the public at large.

The information which is being extracted for the assessment of the study shall be gathered through the material which is available in the journals, magazines, and articles contributing to the formation of the Act (Brown et al., 2017). The Criminal Justice Laws are highly targeted towards a singular goal of improving the aspects of society and ensuring that the viewpoint of different analysts is evaluated for crafting the outcomes of the study. The data which is compiled for the study is crafted through a singular approach which is assessed on the basis of theoretical information (Gray, 2016). The research strategy which shall be applied for crafting the study shall be an assessment of different forms of theoretical information based on multiple resources. The scope of this information shall be based on multiple sources which

include the different forms of primary and secondary information pertaining to the study (Knafla, 2017). The data source which is compiled is assessed on the basis of understanding the Criminal Justice for Youth Act and Laws which prevail in Canada. The assessment of the role of the Aboriginal Canadian people in the history of Canada and the reasons based on which the toll of criminal engagement of youth from Aboriginal people in Canada is a major factor towards the study (Hart, 2018).

3.3 Ethical Consideration

The ethical consideration of the study and research is developed ensuring that the outcomes of the research are transparent and unbiased. The alignment of the objectives of the study is directed towards segmentation of information and development of findings which are crafted on the basis of critical fundamentals of research. The formation of moral and ethical values are crafted on the basis of consolidating information without harming the environment (Cunneen, 2017). The information which is shared in the formation of the study is compiled without any misrepresentation of facts and assessing the findings through research.

3.8 Summary of the Chapter

The chapter compiles the process based on which the information shall be gathered which provides an assessment of the theory. The information which is accumulated is crafted on the basis of research which enables the compilation of primary and secondary information for the study. The principal development of the study is done through the compilation of research philosophy and strategy which is shared through research (Roy et al., 2016). The data compilation is done on the basis of ethical consideration of the study which enables the use of these aspects providing an understanding of the outcomes of the study.

Chapter 4 Findings and Discussion

4.1 Findings

The evaluation of the study and the assessment of the Criminal Justice for Youth in Canada clearly shows that the toll of crime amongst the Aboriginal Canadian population is increasing significantly. The assessment of the statistics shows evidence of reducing criminal activities across Canada after the introduction of the Youth Justice system but the crime rate amongst the Aboriginal population of Canada is increasing significantly (Monchalin, 2016). The evaluation of the analysts and assessment of varying views clearly develops a perspective that the independent adviser of the government proposes that the increasing toll in the criminal activities amongst the aboriginal people is a challenge in itself for the people. The evaluation also shows facts the criminal rate in the Youth Justice for Women of Aboriginal background is increasing significantly which shall continue with the nourishment and development of the youth in various aspects of the society (Strang & Braithwaite, 2017). The number of Aboriginal men who are being arrested and being sent to the rehabilitation is also huge which is in itself challenging the mere existence of the Aboriginal Canadian people as a threat. The targeted increase in the criminal rate of the Aboriginal youth is a question mark for the government as they can be held responsible and accountable for the actions of the people (Barker & Tavcer, 2018).

The consideration and assessment of the facts clearly pose attention to the biases which prevail in the system. The policymakers and the decision makers are required to suggest the necessary actions which are prevailing in the society (Dhillon, 2017). The justice is based on the scope of the people which is required to be dealt in accordance with the initiatives in a manner that all the segments of the society benefit through these aspects. The justice system in Canada

requires to assess the number of incarceration which is taking in society (Hautala et al., 2016). The aspects through which the poverty is tackled, unemployment is curbed and poor amenities facilities provided to the inhabitants is required to be curtailed. The aspects of control on the mental illness of the people require to be controlled which can be done through taking the actions which are necessary for the system (Alain et al., 2016).

4.2 Discussion

The initiatives which are proposed through the assessment of the scenario which prevails in the Canadian society is dominated with the aspects of institutionalization. The youth in Canada, especially the youth coming from the Aboriginal Canadian backgrounds, are required to be counseled and institutionalized so that the remedial actions can be taken (Cesaroni et al., 2019). The children who reside in Canada are assigned the work and set on a strict following of schedule which crafts the societal behavior in the individuals and enables them to make informed decisions in the future. The consideration of the challenges which Aboriginal children and youth are facing in terms of amenities of lifestyle are required to be tackled so that foundations can be set up (Heinmiller et al., 2017). The challenges which are faced by the youth at various aspects of the society include the tackling of the situation based on experienced adversity, violence, addiction, homelessness, and conflicts with the justice system are critical challenges which have been observed amongst the Aboriginal youth residing in Canada (Hughes et al., 2016). The initiative of the society and the judicial systems are required to be full proof so that the good things of the society can be curtailed. The individuals of the society must be educated and empowered enough so that they can understand the aspects of good and bad which prevails in society (Jeffrey et al., 2017). The young people must be guided on the basis of hope so that strong consideration and remedial sustainability of the youth can be developed in the long run.

4.3 Summary of the Chapter

The critical focus of this chapter is towards evaluating the findings and discussion of the study. The understanding of the Criminal Justice for youth in Canada provides an overview of the system and its impact on society as a whole (Allen & Superle, 2016). The perspective of the Aboriginal Canadian enables understanding the biases which prevail in the system and is obstructing towards the implementation of the Criminal Justice system effectively at different levels.

Chapter 5 Conclusion and Recommendations

5.1 Conclusion

The evaluation of all the aspects of the study and understanding the findings which have been presented it can be concluded that the situation of Canada in terms of criminal justice is improving significantly over the period of time (Malakieh, 2017). The implementation and application of the new policies are benefitting the society at large but the Aboriginal Canadians are being greatly impacted due to these changes as certain biases prevail within the system (Alam, 2015). The challenges of the people are increasing slowly and gradually which is contributing towards the criminal activities amongst the youth coming from the Aboriginal background. The government is required to work on these biases and develop a system where the law is equivalent to all the members of the society (Gordon, 2018). The challenges which are contributed towards the systems can be controlled through understanding the problems which are being faced by the people at large. There are numerous challenges which are faced by the Aboriginal people of Canada in terms of amenities (Schissel, 2016). The government must take actions towards reducing these challenges so that the increasing statistics of crime prevailing within the actions of the Aboriginal people can be controlled.

5.2 Recommendations

The recommendations which can be proposed for handling the situation of the Aboriginal Canadians are following (Ross, 2017):

- It is very important that the education of law is introduced for the Aboriginal Canadians so that they can become aware of the consequences.
- The rehabilitation which is provided to the youth shall not fall subject to the biases which prevail within the system against the Aboriginal people of Canada.

- The policies and practices which are developed shall be formed in consideration of the entire society rectifying the biases which sustain within the systems.
- Initiatives shall be taken for improving the amenities provided to the people especially the Aboriginal Canadians so that the engagement of youth towards criminal activities can be reduced.
- A holistic approach must be developed within the society so that the sense of discrimination can be rectified.

The methods which have been crafted based on the policies and practices shall be developed understanding the complexities of this segment of the society (Cao et al., 2018). The initiatives of the Youth Justice system which are benefitting the society at large are required to be accredited. This shall enable understanding the new challenges which are prevailing within the system and findings methods for remedying those (Barker et al., 2015).

5.3 Summary of the Chapter

This chapter presents the conclusion and recommendations for the study which has been developed on the basis of findings. The data which has been assessed provides an understanding of the application of Youth Justice System in the society which shall allow the growth and development of the business. The increasing criminal actions from the Aboriginal Canadian population is a factor which must be assessed so that remedial alternates can be developed (Charlton & Hansen, 2016). This shall enable rectifying the biases of the system and craft a practice which improves the society.

References

Alain, M., Corrado, R. R., & Reid, S. (Eds.). (2016). *Implementing and working with the youth criminal justice act across Canada*. University of Toronto Press.

Alam, S. (2015). Youth court statistics in Canada, 2013/2014. *Juristat: Canadian Centre for Justice Statistics*, 1.

Allen, M. K., & Superle, T. (2016). Youth crime in Canada, 2014. *Juristat: Canadian Centre for Justice Statistics*, 1.

Barker, B., Alfred, G. T., Fleming, K., Nguyen, P., Wood, E., Kerr, T., & DeBeck, K. (2015). Aboriginal street-involved youth experience elevated risk of incarceration. *Public health*, *129*(12), 1662-1668.

Barker, J., & Tavcer, D. S. (Eds.). (2018). *Women and the criminal justice system: A Canadian perspective*. Emond.

Battiste, M. (2018). Compulsory Schooling and Cognitive Imperialism: A Case for Cognitive Justice and Reconciliation with Indigenous Peoples. In *The Palgrave Handbook of Education Law for Schools* (pp. 567-583). Palgrave Macmillan, Cham.

Bower, C., Watkins, R. E., Mutch, R. C., Marriott, R., Freeman, J., Kippin, N. R., ... & Tarratt, L. (2018). Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia. *BMJ open*, *8*(2), e019605.

Boyd, J., Fast, D., & Small, W. (2016). Pathways to criminalization for street-involved youth who use illicit substances. *Critical Public Health*, *26*(5), 530-541.

Brooks, C. M., Daschuk, M. D., Poudrier, J., & Almond, N. (2015). First Nations youth redefine resilience: Listening to artistic productions of ‘Thug Life’and hip-hop. *Journal of Youth Studies*, *18*(6), 706-725.

Brown, S., Serin, R., Forth, A., Nunes, K., Bennell, C., & Pozzulo, J. (2017). Psychology of Criminal Behaviour: A Canadian Perspective 2nd edition. *Development and Psychopathology*, *17*, 67-84.

Cao, L., Burton Jr, V. S., & Liu, L. (2018). Correlates of illicit drug use among Indigenous peoples in Canada: a test of social support theory. *International journal of offender therapy and comparative criminology*, *62*(14), 4510-4527.

Cesaroni, C., Grol, C., & Fredericks, K. (2019). Overrepresentation of Indigenous youth in Canada's Criminal Justice System: Perspectives of Indigenous young people. *Australian & New Zealand Journal of Criminology*, *52*(1), 111-128.

Charlton, J., & Hansen, J. G. (2016). Visualizing Indigenous perspectives of how the Saskatoon Community Youth Arts Program (SCYAP) addresses social exclusion. *The Annual Review of Interdisciplinary Justice Research, 5*, 394-421.

Corrado, R. R., Lussier, P., & Leschied, A. D. (2015). *Serious and Violent Young Offenders and Youth Criminal Justice: A Canadian Perspective*. Simon Fraser University Publications.

Csiernik, R., & Rowe, W. S. (Eds.). (2017). *Responding to the oppression of addiction: Canadian social work perspectives*. Canadian Scholars' Press.

Cunneen, C. (2017). Community conferencing and the fiction of indigenous control. In *Restorative Justice* (pp. 335-354). Routledge.

Dhillon, J. K. (2017). *Prairie rising: Indigenous youth, decolonization, and the politics of intervention*. University of Toronto Press.

Dion, S. D. (2016). Mediating the space between: Voices of Indigenous youth and voices of educators in service of reconciliation. *Canadian Review of Sociology*, *53*(4), 468.

Dunbar, L. K. (2017). *Youth Gangs in Canada: A Review of Current Topics and Issues*. Public Safety Canada= Sécurité publique Canada.

Ferrazzi, P., & Krupa, T. (2016). "Symptoms of something all around us": Mental health, Inuit culture, and criminal justice in Arctic communities in Nunavut, Canada. *Social Science & Medicine*, *165*, 159-167.

Fox, D. (2016). Canada: Community, Reintegration, Restoration and Aboriginal Responses. In *Cultural Perspectives on Youth Justice* (pp. 111-130). Palgrave Macmillan, London.

Fraser, J. (2017). Making Domestic Violence a Crime: Situating the Criminal Justice Response in Canada. In *Global Responses to Domestic Violence* (pp. 41-59). Springer, Cham.

Friedland, H. (2016). Navigating through narratives of despair: making space for the Cree reasonable person in the Canadian justice system. *UNBLJ*, *67*, 269.

Goodwill, A. (2016). A critical incident technique study of the facilitation of gang entry: Perspectives of Indigenous men ex-gang members. *Journal of Aggression, Maltreatment & Trauma*, *25*(5), 518-536.

Goodwill, A., & Giannone, Z. (2017). From research to practice: Bridging the gaps for psychologists working in indigenous communities affected by gangs. *Canadian Psychology/psychologie canadienne*, *58*(4), 345.

Gordon, R. M. (2018). Street gangs and criminal business organisations: A Canadian perspective. In *Gangs and Youth Subcultures* (pp. 165-188). Routledge.

Gray, M. (2016). Pathologizing Indigenous Suicide: Examining the Inquest into the Deaths of CJ and CB at the Manitoba Youth Centre. *Studies in Social Justice*, *10*(1).

Hart, C. G. (2018). *Justice across borders: A Canadian experience with the Australian juvenile justice system*(Doctoral dissertation, Faculty of Social Work, University of Regina).

Hautala, D. S., J. Sittner, K., & Whitbeck, L. B. (2016). Prospective childhood risk factors for gang involvement among North American Indigenous adolescents. *Youth violence and juvenile justice*, *14*(4), 390-410.

Heinmiller, B. T., Hennigar, M. A., & Kopec, S. (2017). Degenerative Politics and Youth Criminal Justice Policy in Canada. *Politics & Policy*, *45*(3), 405-431.

Hughes, N., Clasby, B., Chitsabesan, P., & Williams, H. (2016). A systematic review of the prevalence of foetal alcohol syndrome disorders among young people in the criminal justice system. *Cogent Psychology*, *3*(1), 1214213.

Iyer, S. N., Boksa, P., Lal, S., Shah, J., Marandola, G., Jordan, G., ... & Malla, A. K. (2015). Transforming youth mental health: a Canadian perspective. *Irish Journal of Psychological Medicine*, *32*(1), 51-60.

Jeffrey, N., Therien, A., & Bali, V. (2017). Youth Criminal Justice in Canada.

Kidd, S. A., Gaetz, S., & O'Grady, B. (2017). The 2015 national canadian homeless youth survey: Mental health and addiction findings. *The Canadian Journal of Psychiatry*, *62*(7), 493-500.

Knafla, L. A. (2017). Violence on the western Canadian frontier: A historical perspective. In *Violence in Canada* (pp. 10-39). Routledge.

Louie, D. W. (2017). Social media and the sexual exploitation of indigenous girls. *Girlhood Studies*, *10*(2), 97-113.

Lussier, P., Corrado, R. R., & McCuish, E. (2016). A criminal career study of the continuity and discontinuity of sex offending during the adolescence-adulthood transition: A prospective longitudinal study of incarcerated youth. *Justice Quarterly*, *33*(7), 1123-1153.

Malakieh, J. (2017). Youth correctional statistics in Canada, 2015/2016. *Juristat: Canadian Centre for Justice Statistics*, 3.

McCuish, E. C., & Corrado, R. R. (2018). Do Risk and Protective Factors for Chronic Offending Vary Across Indigenous and White Youth Followed Prospectively Through Full Adulthood?. *Crime & Delinquency*, *64*(10), 1247-1270.

Milloy, J. S. (2017). *A national crime: The Canadian government and the residential school system* (Vol. 11). Univ. of Manitoba Press.

Monchalin, L. (2016). *The colonial problem: An Indigenous perspective on crime and injustice in Canada*. University of Toronto Press.

Navia, D., Henderson, R. I., & Charger, L. F. (2018). Uncovering Colonial Legacies: Voices of Indigenous Youth on Child Welfare (Dis) Placements. *Anthropology & Education Quarterly*, *49*(2), 146-164.

Reasons, C., Hassan, S., Ma, M., Monchalin, L., Bige, M., Paras, C., & Arora, S. (2016). Race and Criminal Justice in Canada. *International Journal of Criminal Justice Sciences*, *11*(2).

Roberts, J. V., & Reid, A. A. (2017). Aboriginal incarceration in Canada since 1978: Every picture tells the same story. *Canadian Journal of Criminology and Criminal Justice*, *59*(3), 313-345.

Ross, J. (2017). *Violence in Canada: sociopolitical perspectives*. Routledge.

Roy, L., Crocker, A. G., Nicholls, T. L., Latimer, E., & Isaak, C. A. (2016). Predictors of criminal justice system trajectories of homeless adults living with mental illness. *International journal of law and psychiatry*, *49*, 75-83.

Rudin, J. (2016). Aboriginal peoples and the criminal justice system.

Schissel, B. (2016). Justice undone: public panic and the condemnation of children and youth. In *Moral panics over contemporary children and youth* (pp. 29-44). Routledge.

Strang, H., & Braithwaite, J. (2017). *Restorative justice: Philosophy to practice*. Routledge.

Thanh, N. X., & Jonsson, E. (2015). Costs of Fetal Alcohol Spectrum Disorder in the Canadian Justice System. *Journal of population therapeutics and clinical pharmacology*, *22*(1).

Van Ngo, H., Calhoun, A., Worthington, C., Pyrch, T., & Este, D. (2017). The unravelling of identities and belonging: Criminal gang involvement of youth from immigrant families. *Journal of International Migration and Integration*, *18*(1), 63-84.