Governing Girls:
Rehabilitation in the Age of Risk

by

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ABSTRACT

The dissertation focuses on female youth violence in the contemporary landscape of control. In conjunction with the current punitive modalities and mentalities that govern the youth justice system in Canada, the construction of risk profiles on young offenders signals the emergence of actuarial technologies in correctional-based programs. Stemming from the need to ground risk theories in empirical research, the dissertation questions the impact of risk rationality on young female offenders. To what extent is the youth justice system governed by risk rationalities? What do treatment and 'rehabilitation' mean in the age of risk? How are systems of representations such as gender, sexuality and race influenced by risk logics? How do girls understand their 'risk factors' as presented by expert knowledges?

In order to address these questions, I deploy the method of grounded theory to conduct in-depth interviews with forty-seven research participants involved in three youth custody centres in Saskatchewan. Twenty-three of the respondents are young, mostly Aboriginal, women incarcerated for a violent offence and twenty-four of the respondents are youth justice authorities including front-line staff, community youth workers, directors, psychologists and government policy-makers. I also investigate data from the girls' custody files as well as from program and policy manuals in all three facilities.

It is the contention of the dissertation that risk rationality and its technologies depoliticize the process of control and further exclude young female offenders. The criminal justice system is increasingly relying on tools that classify and facilitate the management of youths' level of risk, with insufficient critical evaluation of actuarial practices in general. Indeed, the current research agenda on controlling youth violence in Canada, especially in light of new provisions in the Youth Criminal Justice Act, is focused on risk assessment. The approach, however, ignores how 'risk' is a sociocultural phenomenon. Through exploring the context in which risk discourse has developed, as well as analyzing the gender, race and class dimensions of the risk
construct through critical theory and particularly feminist perspectives, this study differs from mainstream research in important ways. The research is significant not only to scholarly debate in social and cultural theory focused on risk and its impact in late modern social life, it is also valuable in highlighting potential problems or assumptions in correctional practice through the voice of 'risky girls'.

**Keywords:** risk; sociocultural theory; young female offender; Aboriginal; rehabilitation; youth custody
DEDICATION

The dissertation is dedicated with love to

Kelsey Christopher Clark

for his generosity, encouragement and
unwavering faith in my ability to succeed.
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CHAPTER 1.

INTRODUCTION

In the late 1990s almost everything your mother taught you about polite society has disappeared from popular culture and nowhere is this more apparent than in what is happening to our teenage girls. (CBC Nasty Girls March 5 1997)

The Canadian Broadcasting Corporation's news documentary on the Nasty Girl provided the impetus for this study on female youth violence in Canada. Supported through expert discourse, the documentary confirms that "Canada's teenage girls are committing more violent crimes than ever before and girl crime is growing at an even faster rate than boy crime" (CBC 1997). With this awareness, the beating of British Columbia youth Reena Virk by mostly female teens in November 1997, and other isolated cases of girl violence in the country around the same time,¹ not only led to public outrage, but also fuelled a pervasive belief that something has gone terribly wrong with young women. Although statistics indicate a phenomenal rise in cases of young women charged with minor or moderate assault over the past decade, several researchers indicate that the increase is more a reflection of the youth justice system’s change in policy and charging practices than a ‘real’ change in girls’ behaviour (Doob and Sprott 1998; Reitsma-Street 1999). In fact, youth crime statistics indicate that in 1999 the violent crime rate dropped (-6.5%) for female youths (Statistics Canada, July 18 2000) and the number of girls charged for murder and attempted murder has been consistently low for the past twenty years (Reitsma-Street 1999: 350). Nonetheless, the current moral panic over young female aggression has contributed to demands by the public

¹ In London, Ontario on November 25 1997, a thirteen year old girl was involved in a schoolyard stabbing, for which she was later convicted of attempted murder. On December 18 1997 Helen Montgomery, a community homes operator in Saskatchewan, was fatally stabbed by two female young offenders in her care.
and the government for harsher penalties for violent offenders (Barron and Lacombe 2005).

The public outcry is best understood in a late modern context, within which social, economic and cultural changes in the past forty years have altered key social structures and our understanding of self and the world around us. Although there are various terms to depict this new era, late modernity is used in the dissertation to describe the contemporary situation as a period where there is an acceleration and transformation of trends seen in modern societies (Giddens 1991), such as changes in the logics of capitalism, in the role of the state and its agencies, and in our sense of identity and security. As Beck (1992) documents in *Risk Society*, the transition from modernity to late modernity fostered public anxiety, uncertainty and a concern over ‘risks.’ The public’s decreasing sense of security is especially evident in a generalized fear of crime and the development of a ‘crime consciousness’ (Garland 1996 1997 2001). The governmental response to limitations of the modern criminal justice apparatus to control crime and to provide protection to citizens has taken various, and often contradictory, forms.

In conjunction with the current punitive modalities and mentalities that govern the youth justice system, the creation of risk profiles on young offenders signals the emergence of actuarial technologies in correctional-based programs. The shift from old penology to new penology, and the development of “actuarial justice” (Feeley and Simon 1994) are central to understanding the impact of risk governance. As Garland (2001) explains, the new ‘culture of control’ includes a scientific and economic style of intervention. The most ‘successful’ crime control strategies are those that resonate with the political, popular and professional cultures developing in the shift towards late modernity. One such strategy, seen increasingly across Canada, is the implementation of risk assessment tools for the prediction and management of youth crime. In the authorities’ search for new and improved crime control technologies for youth, the Saskatchewan Department of Corrections and Public Safety (DCPS) has recently implemented the *Level of Service Inventory Saskatchewan Youth Edition* (LSI-SK), a
tool used to identify the criminogenic risks/needs of young offenders. Based on the results of this risk assessment tool, youth authorities devise “an intervention strategy to effectively manage and reduce the risk to re-offend” (DCPS 2002: 2). Despite the existence of such risk assessment tools, the youth justice system is only partially governed by risk rationalities. As the dissertation reveals, the practice of youth corrections combines elements of management, punishment, treatment and exclusion.

This dissertation questions the impact of risk thinking on young female offenders in Saskatchewan. To what extent is the youth justice system governed by risk rationalities? What does treatment and ‘rehabilitation’ mean in the age of risk management? How are systems of representations such as gender, sexuality and race influenced by risk logics? How do girls understand their ‘risk factors’ as presented by expert knowledges? In order to address these questions, I deployed the method of “grounded theory” to conduct in-depth interviews with forty-seven research participants involved in three youth detention centres in Saskatchewan: Paul Dojack Youth Centre in Regina, Kilburn Hall in Saskatoon and Orcadia Youth Centre in Yorkton. Twenty-three of the respondents are young, mostly Aboriginal, women incarcerated for a violent offence and twenty-four of the respondents are youth justice authorities including front-line staff, community youth workers, directors, psychologists and government policymakers. I also investigated data from the girls’ custody files as well as from program and policy manuals in all three facilities.

This introductory chapter provides the context and background research for studying a new breed of female offender: the ‘risky girl.’ The first section details the historical context and changing discourse in understanding female crime. It is apparent that the bewilderment over unruly girls is cyclical and that the conceptualization of and response to female delinquents, female young offenders and, most recently, female youth criminals, reflect political and social context. This background will provide the context for investigating the emergence of a seemingly new rationality. The second section details how girl crime is currently framed for public consumption. I outline the current fascination with girl culture and examine how this fixation is supported and
addressed through expert discourse on aggressive girls. I examine the most recent focus by the experts on risk assessment techniques as an intervention strategy in youth justice. Lastly, I highlight the importance of this study and outline the content of the remaining chapters.

1.1. History

The 'risky girl' has a complex history; she did not emerge in a straightforward fashion. As Gusfield claims, "[h]uman problems do not spring up, full-blown and announced, into the consciousness of bystanders" (1981: 3). The dynamics of "making trouble" (Ferrell and Websdale 1999) exist before and beyond the issue of concern. While social problems such as girl violence recur over time, the characteristics they acquire at a certain time and place are novel. The past becomes rewritten in memory with new discourse and description (Hacking 1995: 94). Tracing the social construction of the girl problem demonstrates how public and legal perceptions reflect the social and political climate. In particular for girls, the historical connections between law-breaking, morality and gender are significant to this study. Understanding the historical response to the young female offender, highlighted in this section, is important to analyzing the current impact of risk rationality.

In the latter part of the 19th century 'child-saving movements' in Britain, the United States and Canada promoted better treatment of children. The 'child savers' were mainly upper- and middle-class reformers whose motivation is a matter of debate between good, altruistic intent to improve the lives of children and self-interest fostered by capitalist forces to control young people in a rapidly changing urban society (Corrado and Markwart 1992: 142). As the legitimate guardians of the moral sphere, middle-class women, in particular, patrolled the normative boundaries of the social order and contributed to the policing of female behaviour. For example, the Toronto Women's Court, organized on the model of the family, was established in 1913 as a feminist response to the androcentric criminal justice system. However, as Glasbeek (1998: 480) argues, "in place of paternalist justice, white middle-class feminists succeeded in
legitimating maternalist family values within the criminal justice system, thus both increasing their class authority over wayward "girls" and enveloping them within the coercive project of the law." The rhetoric of 'familialism,' and the call for gender-specific sanctions for girls, were expressions of specific class interests (Glasbeek 1998).

The reform movements also led to the establishment of child welfare agencies and the creation of juvenile justice systems which included facilities separate from adult systems. Specifically, the *Juvenile Delinquents Act* (JDA) was passed in Canada in 1908 in response to the reformers' objective of "saving wayward children" from a life of crime and destitution (Bala 1992: 21). The JDA gave the state authority to bring young people to court and place them in reform schools, training schools or other institutions for violation of federal statutes including the Criminal Code, provincial statutes, municipal by-laws and "status offences" (Geller 1987: 113). It was girls in particular who were often arrested for non-criminal status offenses which included such activities as running away from home, being "incorrigible," or being beyond parental control, as well as "sexual immorality or any similar form of vice" which was added to the JDA in 1924 (Sangster 2002). Although the early juvenile and family courts promised a kinder atmosphere with the intent to rehabilitate youth, they served, as Chunn (1992: 167) states, as "police courts in disguise" (cited in Myers and Sangster 2001: 672). The youth court evolved as a judicial parent or "parens patriae," through its legal intervention in the relationship between children and families (Chesney-Lind and Shelden 1992: 102). As Geller (1987: 116) explains, officials of the juvenile justice system believed they were acting in the best interest of young people, which signalled the increasing involvement of the state in regulating adolescent behaviour. Legal and social work authorities were concerned over a new found independence for young women with the onset of World War II. The result of the moral campaigns launched against these independent, or "loose women" as they were constructed (Freund 1995), resulted in increasing numbers of girls being put on probation or incarcerated.

Not only were youth court officials instrumental in constructing the female delinquent, but also important were the parents and the girls themselves (Sangster 2001...
2002). In fact, the conceptualization of girls' delinquency included the parents' response and their insistence on the state's involvement in the discipline of their child (Myers 1999). The girls sent to reform schools were rarely incarcerated for, or associated with violent acts. Rather, they were characterized as incorrigible and sexually promiscuous and were later deemed sexual delinquents or the unfortunate products of broken homes. Although described by one psychologist as "submissive rather than assertive, bashful rather than brazen" (cited in Myers and Sangster 2001: 669), some of the girls were in fact defiant, ran away and a few committed extreme acts of violence. As Myers and Sangster (2001) uncover in their study of Canadian reform schools for girls from 1930 to 1960, there were various methods of girls' resistance to incarceration and to their designation as 'delinquent.' Similarly, my research reveals that girls employ resistance strategies against their designation as 'high risk.' Moreover, as both studies confirm, locating girls' resistance in a feminist framework allows for recognition of systems of power based on class, race and gender as well as the girls' consciousness of their oppression.

The young female delinquent was also constructed through expert discourse, which reflects the political and social climate. For example, Carolyn Strange's (1995) seminal study on the rise of the Toronto 'working girl' illustrates how the various agencies and experts who 'discovered' her were also part of her regulation in an attempt to control the demoralizing effects of capitalism. Girls' resistance to their feminine role, which included obedience, modesty and dependence (Chesney-Lind and Shelden 1992: 109) was pathologized by the experts. In a similar vein, although the girls in the present research are not pathologized for resisting their feminine role, the experts fail to account for the rewards girls receive in late modernity for participating in culturally recognized masculine terrain such as violence. As Myers and Sangster (2001: 669) also recognize, the historical account of girls' reaction to their being criminalized is compromised by the perspective of those recording the information. Although current risk assessment tools are designed to curtail subjective evaluation of girls' behaviour, the dissertation reveals otherwise.
Although the power of the expert to define the girl problem continues to the present, the lack of rights afforded young women was challenged by a new regard for civil rights. From the mid-1950s onwards the control of girls through the *Juvenile Delinquent's Act* came under criticism for its unfair treatment of youths in comparison to adults and for its lack of due process and unfair sentencing rationale. The *Young Offenders Act* (YOA) was passed in 1984 and was intended to address criticisms over discretionary control under the JDA. The transition from the JDA to the YOA signalled a philosophical transformation from a treatment and welfare-oriented model to a more justice-oriented model. The YOA came under repeated attacks for being difficult to implement by practitioners, and for being ‘too soft’ on both male and female young offenders by the public. These demands led to increases in the maximum length of carceral sentences that could be imposed by youth courts and they are reflected in recent legislation which replaced the YOA.

On 1 April 2003 the new *Youth Criminal Justice Act* (YCJA) came into force. The first section of the Declaration of Principle in the YCJA states that:

> the youth criminal justice system is intended to: prevent crime by addressing the circumstances underlying a young person's offending behaviour; rehabilitate young persons who commit offences and reintegrate them into society, and ensure that a young person is subject to meaningful consequences for his or her offence in order to promote the long-term protection of the public. (Section 3)

To address the focus on 'reintegration' the YCJA stipulates that in each custody disposition, two thirds of the youth's sentence is served in custody and one third of the sentence is served under strict supervision in the community (Section 42 (2)(n)). The mandatory community portion of every youth sentence is important to this study because it has legitimized the 'need' for techniques that are able to predict the likelihood that a young female offender will reoffend in the community.

Although the new Act is designed to address the contradictions in the YOA and reduce the numbers of incarcerated youths, its focus on offender accountability (and
provisions which lower the age for which a youth can be sentenced as an adult) and on rehabilitation within a restorative justice framework, means that the YCJA also represents a conflicting piece of legislation (Green and Healy 2003: 233). The discrepancy in intent is further complicated by the political and media rhetoric which identified the Act as the government’s commitment to being ‘tough on crime’ which, Doob and Sprott (2006: 230-231) argue, is not actually reflected in the legislation or in the available data on youths’ treatment in court. Although the Act appears to be reducing the number of youths sent to prison, my research supports the argument that principles of restorative justice operate on the margins of criminal justice practice without changing the main philosophy of a retributive, risk-adverse system (Garland 2001: 104).

The history of the juvenile justice system is a chronicle of the creation of organizations and policy to monitor the social and moral behaviour of youth and this background is important to analyzing whether changes in how we deal with girls in the age of risk are in fact ‘new.’ The role of the juvenile justice system with respect to girls has continued to be the enforcement of “girls’ obedience to a set of expectations about their deportment, their sexuality, and their obedience to familial demands” (Chesney-Lind and Shelden 1992: 6). There is also a renewed emphasis on the role of the family as the bastion of conservative gender roles (Reitsma-Street 1991). As Madriz (1997) recognizes, the expectation is that crime control is the responsibility of the family and especially of mothers.

In the current period of restructuring, deregulation, and privatization, the historically contingent lines between public and private are being redrawn, with the private sphere being expected to assume greater responsibility for things that were once viewed as ‘public’. (Brodie 1994; Kline 1997 cited in Boyd 1997: 19)

The result, as demonstrated in the dissertation, is that ideologies related to families and the private sphere also inform public laws and policies. As with past youth justice policy shifts, issues of social control are connected to the larger political and social climate. Although the term social control is often used to describe an organized reaction to deviant or socially problematic behaviour (Cohen 1985: 3), the concept of social control
is expanded in the dissertation to better reflect how contemporary control strategies employed by both state and non-state mechanisms target everyday behaviour. This is especially apparent in the age of risk. As Innes (2003: 5) explains, "controls have become embedded within our key institutional forms to such an extent that we are all subject to different types and combinations of control as we go about our daily lives, whether our behaviour be considered deviant or not." The current climate of risk management and its impact on our understanding of girls are detailed in the next section.

1.2. From ‘Bad’ to ‘Risky’ Girls

The proposed area of study for this dissertation, and the topic when I began the research, was the construction of the ‘Nasty Girl’ phenomenon. The expression, Nasty Girl, is not often used in journalistic or academic discourse on young female violence. It was, as mentioned above, the title of a 1997 CBC documentary which examined girls’ experience with and use of violence (Barron 2000: 81-85). Although the term ‘bad girl’ is more commonly used, the ‘Nasty Girl’ image represents an elevated concern over violence. The commentary and images in the documentary illustrate the popular perception that "once the repository of sugar and spice and everything nice, today's young women celebrate materialism, aggressive sexuality and nasty behaviours" (CBC 1997). However, as I began conducting the interviews, I quickly became aware that use of the Nasty Girl image as a guide for my research agenda was problematic. The sexy, material, powerful Nasty Girl had little relevance to the young women who participated in the interviews. This disconnect speaks to how media images are often inconsistent with the reality of those they portray. This is not to imply, however, that the media does not provide an influential avenue for sense-making. Several of the adult participants indicated that girls' behaviour has changed in a way that very much reflects the media images. This section highlights how girl crime is currently framed for public consumption and the role that experts play first in defining the problem, and second in providing intervening strategies. I argue that, based on the direction of expert discourse on the violent female criminal, we are shifting away from a focus on the 'bad' or more violent
‘nasty’ girl, to an emphasis on the ‘risky’ girl. This context is central to later discussions on how risk rationality has impacted the youth detention centre and girls’ sense of self.

There is a paradoxical fear of and fascination with bad girls in popular culture. As Barron and Lacombe (2005) document in their paper on the moral panic over girl violence, newspaper headlines indicate that, on the one hand, girls are the dangerous ‘other,’ illustrated in the title “Bad girls: a brutal BC murder sounds an alarm about teenage violence” (Chisholm 1997). On the other hand, girls are also a profitable commodity: “Bad girls = big bucks” claims the Vancouver Sun (Todd 2001: A17). Most contemporary accounts of defiant girls are also connected to the mantra of ‘Girl Power’ which is sexualized and mocked in backlash journalism (Faludi 1991). For example, a pullout section of the Vancouver Province has a picture of the petite head of the popular 1990s sitcom star Ally McBeal superimposed on the body of Rambo. While she smiles innocent to the camera, her muscular arms are holding a machine gun. The caption reads: “It’s A Girrrl’s World: Yikes! It’s only a matter of time before women take over” (Bacchus, August 2 1998 cited in Barron and Lacombe 2005). News accounts of girl crime often emphasize that not only are girls becoming more aggressive, but those involved are also younger. “Younger and much more brutal: crime trends point to an explosion in adolescent criminality” reports the British Columbia Report (n.a., June 24 1996). This attention to age is often discussed in a wider context of a new generation of girls who are maturing at a faster rate than in the past.

The term ‘tweenies’ [or tweens] has been coined by various commentators in the mass media to represent those children (aged 12 and under) whose lifestyles appear very much like the teenagers of previous generations, particularly in relation to their forms of dress and patterns of consumption. (Cieslik and Pollock 2002: 16)

In late modernity, aggressive and violent girls are also understood as a new breed of female whom experts, parents, teachers and youth justice officials are attempting to comprehend and tame. Part of the allure of girls for both popular culture and academic study is the perception that girl culture is not well understood. “Why are girls so cruel? It’s a question that baffles even the experts who grapple with teen
violence," states *The Province* (Tanner and Colebourn 2000: A14). Girls are referred to as 'elusive subjects' whose identity as a social group lacks any 'fit' with established social science categories (Hudson 1990). Girl culture has been described as 'well insulated' (McRobbie and Garber 1976), hard to understand (Wiseman 2002) and composed of threatening relationships that are difficult to detect (Pepler 1998). It is not surprising therefore that Rosalind Wiseman recently became an expert on girl relationships with the publication of *Queen Bees and Wannabes: Helping Your Daughter Survive Cliques, Gossip, Boyfriends & Other Realities of Adolescence* (2002). She earned international celebrity after the book inspired the recently released big screen movie *Mean Girls*. The book is touted as a 'guide for parents' because their daughters exist in a different world, speak a different language and live by different laws. In her review of the book, Katherine Follet (2002: 1), a professor of psychology, states, "[t]hrough reading this book we are taught to develop a 'girl brain.' Watching our little girls grow up and turn away from us toward friends who are often mean, spiteful, destructive, manipulative, and bullying can be very frustrating." The attention to these mean, manipulative girls has also focused expert discussion on the non-physical forms of aggression, or 'relational aggression' (Crick et al. 1999; Chamberlain and Moore 2002; Moretti and Odgers 2002; Geiger et al 2004). As Pepler (1998: 5) explains, the definition of aggression has been expanded to include those behaviours that are typical of girls' attacks: indirect aggression, aggression directed at peers, and aggression meant to damage reputation or social status. Teasing, gossiping and, in particular, bullying, are now targeted for intervention because researchers have suggested that severe forms of relational aggression may serve as predictors of other types of aggression (Moretti and Odgers 2002).

The current discourse on girl aggression raises concerns over the attention, or lack thereof, to race. As Chesney-Lind (2003) explained at a recent conference, discovering aggression in girls has resulted in a media search for the latest type of bad girl. The shift in discourse is race-based but it does not include critical acknowledgement of underlying race issues. In the early 1990s there was attention on the "gangster girl" who was always a young woman of colour but "[t]he last half of the
1990s continued this 'bad girl' discourse, with an added focus on white girls' aggression as an undiscovered, concealed culture" (Chesney-Lind and Pasko 2004: 31). One expert who brought considerable attention to this issue is Sibylle Artz and her 1998 book *Sex, Power, and the Violent School Girl*. As she states in the introduction: “The violent, non-gang, white girl and the violent white school girl who is not in juvenile detention have been virtually ignored. It is as if such girls do not exist – but in fact they do; and they are very much in the forefront of the rise in violence in schools, both as victims and perpetrators” (1998: vi). Artz's book is based primarily on the experience of six school girls who are not members of a visible minority. The media picked up on Artz's emphasis of a rising trend in girl violence with little or no attention to the issue of race (Faith and Jiwani 2002: 90).

Ironically, because the mean, aggressive bully now includes white girls, the issue of race is conspicuously absent. It appears that the discourse on bullying has replaced a discourse on racism. Nowhere is this trend more evident than in the newspaper coverage on youth who have suffered at the hands of bullies. For example, in an article series on 'Bullies in our schools' run in the *Vancouver Sun*, the photos of four victims compose almost half a page of the newspaper (Culbert and Steffenhagen 2000: B4). Under each picture are the tragic details: Hamed Nastoh, age 14 jumped off the Pattullo bridge on March 11 2000 after persistent harassment by other students; Dawn-Marie Wesley, age 14 is the Mission girl who killed herself on November 10 2000 after being bullied at school; Reena Virk, age 14 was tormented and eventually murdered by fellow students; Azmi Jubran, now age 20 was beaten by classmates from 1993 to 1998. Although the photos of each victim make clear that they are all visible minorities (less so for Dawn-Marie who is Aboriginal), there is, incredibly, no mention of race in the two page spread on the issue. This absence is especially troublesome considering that the article includes an insert from experts on the issue of bullying, notably Dr. Debra Pepler, who also fail to pay any attention to racialized youth or the issue of racism. Instead, the expert advice for the readers indicates that "Girls do the verbal and social bullying while boys are more likely to be physical. ... 'In our research we find that bullies are often perceived as powerful and popular and enjoy a fairly central position within the peer
... Victims are younger, weaker and peers see them as crying easily and lacking humour” (cited in Culbert and Steffenhagen 2000: B4). In my research this lack of attention to race is central to the analysis on the impact of risk governance and to girls' sense of self.

The above discussion on how girl crime is framed for public consumption clearly illustrates the role experts play in constructing the problem. Although the violent or aggressive girl is identified as a new societal problem, there is some historical continuity in expert discourse which provides explanations of, and also informs responses to, female offending. Since the nineteenth century, two themes are consistent on female crime: female aggression is understood from the perspective of male behaviour, and it is decontextualized and understood as an individual pathology. Historically, unruly girls were described by experts as “…masculinized monsters (Lombroso 1920), insensitive and lacking moral values (Thomas 1907), envious of men due to lack of a penis (Freud 1933), and promiscuous (Davis 1961)…” (Klein 1995 in Madriz 1997: 26). The basic premise uniting these, and some of the authorities' perspectives in this dissertation, is an understanding that aggressive girls are simply emulating their male counterparts. The media interpretation of 

Sisters in Crime, written by Adler in 1975, confirmed the sexist interpretation of the outcome of the women's movement.

While subsequent research denied any validity to Adler's "emancipation hypothesis", contemporary explanations of girl aggression continue to reflect Adler's idea that female crime is grounded in male behaviour. For example, in her book, When She Was Bad: Violent Women and the Myth of Innocence, journalist Pearson (1997) argues that girls, the fastest-growing group of violent offenders, have "gotten hip" to this newfound ability to resist sexism. However, as Chesney-Lind (1999) notes, [e]very one of [Pearson's] discussions of women's aggression and violence, in fact, erases patriarchy as the context within which the behaviour occurs...She minimizes and dismisses women's victimization and its clear connection to women's violence, and then argues that such violence should be punished without regard to gender" (1999: 117-118). Although Pearson's ideas are very appealing in the current climate of fear of and
fascination with girl power, it is most often experts from the 'psy' professions who outline and treat the problem of female offenders. Media accounts of girl crime are most often based on the views by those who understand girl aggression as stemming from biopsychological problems and psychosocial circumstances relating to peers, the family and the school (see Barron and Lacombe 2005). In *Giving Youth a Voice: A Basis for Rethinking Adolescent Violence* (2000), Barron outlines the once dominant medical model in the psychological assessment of incarcerated youth. The result of psy discourse was a focus on individual adjustment, often through medication, as the main response to female offenders.

However, the dominance of the medical model in understanding and responding to girls is weakening with risk governance. The leading authorities on girl crime in Canada have recently released *Girls and Aggression: Contributing Factors and Intervention Principles* (Moretti, Odgers and Jackson 2004), an edited book sponsored by the American Psychology and Law Society. They state in the introduction that:

Admittedly, the study of individual level factors has dominated the majority of research on aggression and violence to date. The examination of aggression among girls throughout this volume, however, emphasizes the importance of developing a more comprehensive understanding of the impact of socio-cultural and gender role factors on the initiation, development, and contextual precursors of aggressive behaviour, and understanding how these same factors can play a role in the victimization of girls... (Moretti, Odgers and Jackson 2004: 3).

Several of the papers in the book also focus on the utility of risk assessment tools and girl-specific risk factors. This book illustrates the myriad of perspectives influencing the response to girls in late modernity. As detailed later in the dissertation, while consideration of socio-cultural factors is reflected in the strategies used to manage girls' aggression, the overall definition of rehabilitation has changed in a way that continues to reflect individual adjustment. The shifts in discourse have consequences for the role of medical professionals in the youth justice system. The changing discourse also challenges the assumption that one perspective influences the modalities and mentalities in youth justice.
Although risk assessment tools are only one aspect of risk governance, their use in the youth justice system and impact on how we perceive young females is a central focus in this study. A brief history of the development of these tools is important to analyzing the impact of risk governance in Saskatchewan. First-generation tools were developed in the 1960s and 1970s to assist psychiatrists in predicting the 'dangerousness' of adult offenders. Clinical prediction eventually came under attack for being subjective and unreliable in its predictive accuracy (Beaumont 1999). In the early 1980s second-generation actuarial models for all offenders were based on the more objective, empirically-reliable assessment of static risk factors. However, a focus on static, or unchanging risk factors generated concerns over the offenders’ inability to address their level of risk category, designated as high, medium, or low, which resulted in a 'fixed risk subject' (Hannah-Moffat 2002 in Hannah-Moffat and Maurutto 2003: 5). “This conceptualization of the offending subject naturally limited practitioners and prescribed little by way of intervention, other than incapacitative measures; thus providing little guidance to correctional administrators and limiting the scope of correctional intervention" (ibid.). These earlier assessment tools reflect the general sentiment over the failure of rehabilitation. As Pitts (2001: 180) explains, the idea that youth custody may rehabilitate young offenders began to be challenged in the 1970s. The belief that rehabilitation may actually make youth worse led to the ‘nothing works’ mentality which resulted in ‘progressive minimalism’ until the early 1990s (ibid.).

Third generation risk assessment tools, in conjunction with a reconceptualization of rehabilitation in the ‘what works’ movement (Andrews 1989), focus on the relationship between offenders’ risk factors and criminogenic need factors for improving predictability and prevention of reoffending behaviour. Whereas offenders are unable to change risks (or static factors) such as past criminal convictions, experts argue that criminogenic needs (or dynamic factors) such as pro-criminal attitude can be altered through rehabilitation or treatment programs. The professionals claim that by including recognition of the offender’s needs in assessment, interventions targeting those areas will enhance the accuracy of decision-making and will benefit the offender (Andrews and Bonta 1998). “Risk/need classification, therefore, results in a security classification, as
well as an allocation of level of treatment or supervisions" (Hannah-Moffat and Maurutto 2003: 4). The current ‘rehabilitation of rehabilitation’ as Pitts (2001: 181) describes, is “palpably political in intent...It is an axiom of the new correctionalism that, if ‘properly applied’, evidence-based techniques will arrest the development of ‘offending careers’, thereby averting subsequent custodial sentences and maximising the economy, efficiency and effectiveness of the youth justice system.”

The Level of Service Inventory Saskatchewan Youth Edition (LSI-SK) was adapted from the Level of Service Inventory – Ontario (LSI-OR), a standardized risk assessment tool used in Ontario for adult offenders (Hannah-Moffat and Maurutto 2003). The copyright holders of the tool are D. Andrews and J. Bonta and MuliHealth System, Inc. Before deciding on this particular format for risk assessment in Saskatchewan, a provincial reference committee² was formed to review existing tools in North America and to conduct research on feasibility issues for the province. In addition, “Researchers and policymakers have devoted a considerable amount of time to ensuring that there are consistent and clear instructions on how to interpret the criteria contained in the revised LSI-OR” (ibid.). Most of the authorities involved with youth are required to take a two-day training session on the LSI-SK, and all supervisors, community youth workers and select facility staff must reach ‘mastery criteria’ before they administer the tool or write a report for the court. I attended the initial two-day training sessions in which it was explained that the reference committee received permission from the copyright holders to adjust the LSI-OR tool to reflect the Saskatchewan youth population data, which is continually being collected.

The LSI-OR was also appealing to Saskatchewan authorities because it allowed for the LSI-SK to be one of a few models that is ‘theoretically based.’ The two-day training includes a discussion of how meta-analysis and theoretical development of risk

² The committee included representatives from the Department of Corrections and Public Safety, Adult Corrections, Federation of Saskatchewan Indian Nations (FSIN), psychologists from Regina Health Services, social workers, addictions counsellors, community youth worker managers and other stakeholders in the youth system.
assessment have resulted in a statistically-supported understanding of the dynamic variables that correlate with criminal conduct. The instructor emphasizes that the LSI does not stem from 'dust bowl empiricism' but is grounded in a theoretical framework that includes bio, psycho and social models of human behaviour, with a particular emphasis on Social Learning Theory.

The fourth generation of risk assessment tools is, according to the youth experts, being developed, but one could argue that the LSI-SK falls within this category because it incorporates 'responsivity' in the assessment of risk/need. A responsivity principle, according to Andrews and Bonta (1998: 245), includes providing services in a manner that is in keeping with the 'ability and learning style', such as developmental delays, of the young person. The LSI-SK includes a 'Special Responsivity Consideration' section, which was explained in the training as useful to ensure that the nature of intervention is tailored and matched to the individual's needs. Although there was little mention of 'responsivity' factors in the LSI-SK written reports, I anticipate that a growing discourse on Fetal Alcohol Syndrome, or the brain impairment stemming from prenatal alcohol abuse (see Chapter Five), will be reflected in this section of the report. In addition to responsivity, risk and need, the fourth principle of 'effective correctional treatment' is 'professional discretion' (Andrew and Bonta 1998) or 'professional override' as it was referred to in the training on the LSI-SK. Although this principle reasserts the need for professional judgment in using risk assessment tools, I will demonstrate in the dissertation how 'professional' now includes several less specialized youth practitioners, mainly front-line workers.

The criminal justice system is increasingly relying on risk rationality, and tools that classify and manage youths' level of risk, with little consideration by practitioners and policy-makers of the limitations. Indeed, the current research agenda on controlling youth violence in Canada, especially in light of new provisions in the YCJA, is focused on risk studies. For example, researchers are questioning the barriers to conducting violence risk assessments with girls, based on: their high level of marginalization and victimization; the gender differences in definition and measurement of violence; and the
different adult outcomes for aggressive girls (Odgers, Schmidet and Reppucci 2004). Other researchers argue that once risk/need areas are identified, gender-specific programs are required to address those areas (Antonishak, Reppucci and Fried Mulford 2004). However, there has been insufficient critical evaluation of actuarial practices in general. As Lupton (1999:2) argues, the technico-scientific approach to risk ignores how ‘risk’ is a socio-cultural phenomenon in its own right. Through exploring the context in which risk assessment has developed, as well as examining the gender, race and class dimensions of the risk construct, this study differs from mainstream research in important ways. These are highlighted in the next section.

1.3. Significance and Outline of the Study

When my research proposal was first being reviewed by the Saskatchewan authorities to gain access to conduct this study, I was advised that my use and understanding of the concept of ‘risk’ was problematic. In particular, it was felt that the corrections understanding of risk, or risk to re-offend, was quite different and disconnected from my more general discussion of risk governance. The discussion of risk within the context of the new penology in my prospectus was said to simply reflect the ‘opinions of the authors’ rather than scientifically validated research. In addition, it was explained to me that the gender, economic and minority status of youth was a ‘non issue’ because the LSI-SK is a standardized tool. My understanding was also problematic because I surmised that a score of ‘high risk’ may translate into increased punishment, which, I was told, is not the case. Moreover, my reference to ‘actuarial techniques’ is apparently a historical term used in early assessment tools. The newer research, which validates the ability to predict the likelihood of recidivism, was where I was directed to better understand the concept of risk.

I appreciate the feedback from the authorities and I spent much time considering the assumptions outlined in my prospectus. It was apparent that the difference in our perspectives was based on a positivist, or ‘realist’ as Lupton (1999) suggests, versus a constructionist approach to risk and that each could benefit from an understanding of the
other. The authorities' 'realist' approach to risk includes "a rationalistic approach which assumes that expert scientific measurement and calculation is the most appropriate standpoint from which to proceed" (Lupton 1999: 2). The 'real' feeling and experience of risk in an everyday context cannot be denied or ignored. Nonetheless, after conducting the research I maintain that several of my initial questions around the concept of risk, and how it serves specific social, cultural, political and economic functions, are important to raise and acknowledge. In addition, I explain in Chapter Two how the theory generated through this study is also 'valid' (Strauss and Corbin 1998: 294).

Although I now have a much better understanding of the 'validation research' on risk assessment tools, this has not convinced me that the scientific understanding of risk and the theoretical framework, or critical understanding of risk, on which I draw, are disconnected. Policy-making does not occur in an apolitical vacuum. There is little recognition by youth justice experts that they in fact contribute to the identity of the aggressive girl through policy-making aimed at addressing her as a social 'problem' or a 'risk' to re-offend. Instead of acknowledging that social problems are brought to public attention through various agents such as the media or experts, we often speak of recognizing the problem as though it existed independent of our actions. The 'problem' of a risky, manipulative girl is not an objective condition; it is the application of values and biases to a set of objective conditions. As Hannah-Moffat and Maurutto (2003: 5) state in their review and critique of risk/need assessment tools,

[g]iven the rapid growth of risk/need assessment tools and their increased use at various stages of the criminal justice process, few international researchers have critically assessed the impact of this trend and or collected data on how these tools impact decision-making. (Hannah-Moffat and Maurutto 2003: 14)

This research is therefore important to highlight how assessments rely on subjective judgments about the girls' character.

This study challenges the objectivity of risk assessment tools in research and in practice. The predictive accuracy and validity of the LSI are supported by a large
volume of academic literature (Hoge and Andrews 1996, Andrews and Bonta 1998; Jung and Rawana 1999; Bonta 2004). In fact, a Masters thesis from the University of Saskatchewan is entitled Validation of the Youth Level of Service/Case Management Inventory With Saskatchewan Young Offenders (Gossner 2003). However, as Hannah-Moffat and Maurutto (2003: 11) point out in their review of the literature,

[]It should be stated that a potential problem with LSI-based research is that most of the research has been conducted by those working within the justice system or by the authors of the tools and/or their immediate students... It would be preferable for future studies to be conducted by those without a vested interest in the promotion of these tools.

The present study is important because the data collection was a process of discovery rather than being based on a specific research agenda.

This research topic as it is framed is not only valuable to highlight potential problems or assumptions in correctional practice, it is also important to scholarly debate in social and cultural theory focused on risk and its impact in contemporary social life. Although the main critical approaches on risk are based on similar epistemological foundations and raise related concerns, there is little effort by the theorists to acknowledge or integrate the work outside of their particular perspective (Lupton 1999: 6). Moreover, there have been few attempts by the risk theorists to ground their work in empirical data. Just as the 'realist' approach by the authorities has informed me of some of the practical and political advantages of risk assessment for the youth system, critical theorizing about risk also requires empirical validation. This is the goal of the present study.

Overall, it is the contention of this dissertation that risk rationality and actuarial techniques depoliticize the process of social control and further marginalize and exclude young female offenders in Saskatchewan. Exclusion is not understood as being on the inside or outside of society. Rather it is a complex process occurring throughout society. "[E]xclusion is a gradient running from the credit rating of the well-off right down to the [authorities' perceived] degree of dangerousness of the incarcerated" (Young 1999: 65).
The ‘currency’ of exclusion is risk (ibid). Assigning risk to certain groups of people, such as female offenders, neutralizes the liberal conception of equality before the law (Lianos and Douglas 2000).

This pattern of exclusion will be illustrated throughout the dissertation. In Chapter Two, I highlight my theoretical and methodological approach to studying the impact of the risk governance. I outline all three sociocultural perspectives on risk and explain why governmentality theory, and works that detail the result of neo-liberal forms of regulation, are especially helpful to understanding the impact of risk rationality. In particular, I draw on Bauman’s (2000a) argument that there is an inclination to resort to a ‘paradigm of exclusion’ and a reliance on incarceration in maintaining order in the contemporary landscape of crime control. I use a “grounded theory” approach to analyze the interview and other data collected at the three youth detention centres. Although other types of risk assessment techniques had been used in an ‘ad-hoc’ manner prior to the LSI-SK, the official and standardized use of risk assessment only began with the training in April 2001. The tool was implemented in the fall of 2003 and I conducted this research between November 2003 and June 2004. It is important to note the time frame during which the data were collected in relation to my findings. The youth facilities were in a transitional phase such that some staff were still receiving risk assessment training and very few girls were familiar with risk discourse. Although some of my comments may be perceived as premature based on the newness of the model, there is strong evidence to suggest how risk rationality is evolving. It is also important to recognize that I am focusing on young women who have been convicted of a violent offence, which results in a skewed emphasis on those girls deemed the highest risk.

The substantive chapters address the impact of the risk governance. Clear and Cadora (in Stenson and Sullivan 2001: 3) caution that “making risk a centerpiece in portraying the present penal practice may over-emphasize its role in producing whatever change may be afoot in penal thought and activity. It follows that the impetus for change in contemporary penal activity lies less in the shifting distribution of risk than in other forces, though we await a full analysis of those other forces.” The grounded theory
approach produced three central categories – management, punishment and treatment – those ‘other forces’ which are the organizing ideas in the next few chapters. Chapter Three examines the development and impact of an emphasis on ‘managing’ the young female offender in risk governance. For example, the youth detention centre has been transformed through a culture of security consciousness focused on managing the risk of violent offenders. The emphasis on safety in all interactions with youth has diminished relations of trust between the authorities and girls, with exclusionary consequences. Highlighting the origins and presence of a lack of trust in girls is central to the remainder of the dissertation because it establishes why risk assessment tools are deemed necessary. Chapter Four continues the theme of managing girls through an in-depth focus on the eight general risk/need factors evaluated through the LSI-SK. I analyze the interpretation of, ‘reality’ of, and response to girls’ risk/need factors in the youth justice system, to illustrate how the tool is better able to identify than respond to girls’ area of risk. Chapter Five questions how we understand ‘punishment’ in the age of risk. Although the term punishment has been replaced by more inclusive notions of ‘being held accountable’ and ‘consequenced’ the response to high risk girls, particularly stemming from changes in the YCJA, is punitive and exclusionary. Chapter Six questions what treatment and ‘rehabilitation’ mean in the age of risk management, and how the ‘new’ practices of cognitive skills training and behaviour management contribute to girls’ exclusion. In addition to mental health professionals, I consider how risk governance impacts the role and perspective of other professionals and staff in Chapter Seven. The authorities’ perceptions of the young women are particularly important to Chapter Eight, which questions the impact of risk governance on the young female offender. This includes an analysis of how systems of representation such as class, gender, sexuality and race are influenced by risk logics. The conclusions drawn in Chapter Nine illustrate how the response to young women involved in violence in the age of risk represents a ‘paradigm of exclusion.’

3 The noun ‘consequence’ is used as a verb in youth justice terminology.
I wish to conclude this introductory chapter with recognizing the optimism in Saskatchewan that identifying risk/need areas holds the key for not only reducing crime but, more significantly, for helping those youth in desperate need of services. There are notable positive outcomes for youth stemming from provisions in the YCJA that focus on restorative justice ideals. However, good intentions do not necessarily produce desirable results. As the research demonstrates, it is the process in between policy ideals and what translates into practice that generates my concern for young women in the age of risk. My criticism of the system and logics in risk governance is not meant to undermine the genuineness and dedication of those working with young offenders, who were so helpful and instrumental in accommodating me and the research project. My foremost concern in this research is to report in a fair and ethical manner the voices of the research participants. This is particularly important for the young women in this study, most of whom were baffled as to why I would be interested in their story.
CHAPTER 2.

THEORETICAL AND METHODOLOGICAL FRAMEWORK

The methodological approach in the dissertation draws on Strauss' and Corbin's (1998) method of "grounded theory," the main feature of which is that concepts and eventually theory are grounded in the data. In fact, the authors clearly state that a researcher does not begin with a preconceived theory in mind. As they advise: "...one must remember that because emergence is the foundation of our approach to theory building, a researcher cannot enter an investigation with a list of preconceived concepts, a guiding theoretical framework, or a well thought out design" (Strauss and Corbin 1998: 34). While it is questionable whether we can ever enter a research situation without preliminary thoughts, the requirements of doctoral studies, such as developing a theoretical framework in a prospectus prior to conducting the research, do not allow for the ideal of beginning the research without preconception. Although I am not simply testing theory, I cannot deny the influence of diverse but complementary strands of critical sociological and criminological theory in conceptualizing the project. In particular, risk literature (Douglas 1985 1992; Giddens 1990 1991; Beck 1992; Ericson and Haggerty 1997), analysis of governmentality by Foucaultian scholars (O'Malley 1996; Garland 2001) and feminist works (Razack 1998; Miller 2002; Chan and Rigakos 2002) inform the initial conceptualization of the research, including the preliminary questions asked in the interviews. It is important to outline this theoretical framework to reveal assumptions in the analysis. Nonetheless, in keeping with a grounded theory approach, the focus and questions changed through the interplay between data collection and analysis. For example, as stated in Chapter One, I abandoned reference to the Nasty Girl identity soon after my first few interviews because that image did not fit with what I was hearing and observing.
Although theory and method are interconnected within this approach, I have separated the two for purposes of discussion in this chapter. I begin by highlighting the utility of risk theory in understanding the construction of the risky girl. In the first section of the chapter I examine the concept of 'risk' and identify the scholars and ideas associated with risk theory. In the second section I focus on the theorists' ideas about the way risk rationality is transforming the criminal justice system and the subjectivity of offenders in professional discourse. Although the theory is helpful in assessing how risk rationality is altering governing regimes in penal institutions, there is little empirical work which considers how risk discourse impacts firstly, the everyday practices in institutions of control and secondly, the transformation of the self on a personal rather than professional level. In the third section I consider the critiques of risk theory which point to the need for scholars to acknowledge the benefit of incorporating critical sociological and criminological analytical frameworks into risk discourse. I contend that the useful analytical tools of risk theory should be combined with critical analysis developed from a gendered, feminist perspective. In addition, I explain why a grounded approach is crucial to providing a fresh perspective on the impact of risk governance, one which moves beyond established theory. In the fourth section I outline the stages of grounded theory, including the development of concepts, how the data are coded and procedures to safeguard valid findings. Also important to the theory is the research process. In the fifth section I describe how the data were collected. I detail the difficulty in securing access to conduct the research, the background of the research participants, the interview schedule and ethical concern throughout the process. Overall, this theoretical and methodological background reveals the development of my 'central category' or contention that girls are "excluded" in the age of risk.

2.1. The Concept of ‘Risk’

Analyzing the impact of risk rationality on young female offenders requires a discussion of the context in which the notion of ‘risk’ developed. This context includes an understanding of the anxiety associated with late modernity. As reflected in most current media portrayals, aggressive girls are understood within the language of societal
decline and doom. There is often an imagined "Golden Age" of community or moral virtue which is confronted by a threat to the social order. In *The Exclusive Society* (1999), Young details the transition from modernity, the "Golden Age" of the post-war period, to the present late modernity, which is from the late 1960s onwards. He argues that the shift entails a movement from an inclusive to an exclusive society — that is, from a society which incorporated its members and enjoyed full (male) employment, rising affluence, stable families and conformity, to an exclusive society arising from changes in the labour force and the individualism of a market economy. Combined with the economic changes in the labour market, the cultural revolution of the 1960s contributed to the transition from an inclusive to exclusive society. As Paul Willis (1990: 26-27) explains:

The market is the source of a permanent and contradictory revolution in everyday culture which sweeps away old limits and dependencies. The market’s restless search to find and make new appetites raises, wholesale, the popular currency of symbolic aspiration. The currency may be debased and inflationary, but aspirations now circulate, just as do commodities. That circulation irrevocably makes or finds its own new worlds. (cited in Young 1999: 99)

The cultural emphasis on self-fulfillment, and consequently diversity, contradicts the ontological security of one culture proclaiming its unchallenged dominance. "The disembedding of the self from the secure tracks of family and work, the circumstances of uncertainty and multiple choice, the reflexivity of scepticism and anxiety meld together both material and ontological insecurities" (Young 1999: 96). Material certainty and unchallenged values have been replaced with risk and uncertainty.

The contemporary notion of risk is always situated in a context of uncertainty. As Garland (2003: 52) explains, "[u]nlike dangers or hazards, risks never exist outside of our knowledge of them... Where there is certainty about an event...we do not talk of risks... Claims about risk are, literally, uncertain knowledge claims...." The important question therefore becomes whether measurements of risk are well constructed as estimates that the event will occur. The risk literature has evolved through addressing this question. As Garland (2003: 55) states, "The old natural science idea of 'objectively'
measuring 'actual' risks is increasingly being redefined by a more complex, more social, understanding of the processes involved (Royal Society 1992).”

In the evolution of the risk literature, critical risk theorists have categorized their approaches in several ways, such as ‘risk society’, ‘cultural-symbolic’ and governmentality. As Garland (2003) argues, each perspective has a different disciplinary affiliation and object of analysis. Although the governmentality literature can be classified further as studies in neo-liberalism, prudentialism, post-modern rationality, or responsibility (Rigakos 1999:137), I use the term ‘risk governance’ throughout the dissertation to recognize that this later theoretical perspective provides a framework in which this study is best located.

While ‘risk’ is viewed as an objective phenomenon by exponents of the technico-scientific perspective, espoused by the authorities who develop and implement risk assessment procedures for youth, the critical perspectives on risk question how risk may be understood as a sociocultural phenomenon. As Lupton (1999: 2) explains:

For exponents of these perspectives, a risk cannot simply be accepted as an unproblematic fact, a phenomenon that can be isolated from its social, cultural and historical contexts. Rather, what are identified as ‘risks’, by ‘experts’ as much as lay people, are understood as inevitably the outcome of sociocultural processes. Further, such risks tend to serve certain social, cultural and political functions.

Although the critical perspectives on risk have similar epistemological approaches and concerns, each asks different questions and produces a different understanding of risk in ways that are useful to analyzing the impact of risk rationality on young female offenders. The following briefly outlines each perspective to indicate that while I draw on specific insights from each of the critical theories, the overall analysis is aligned with governmentality theory.

The first perspective on risk, referred to as ‘risk society’, was developed in large part by Giddens (1990, 1991) and Beck (1992). These theorists focus on ontological risk and argue that due to drastic changes in the mode of production in late modernity, we
are all at increased risk of harm. According to Beck (1992), fuelled by the perceived
dangers in society, governance is geared towards the provision of security in all aspects
of life which has culminated in a 'risk society.' Risks are contextualized in the structures
and processes of late modernity, such as globalization, neo-liberalism and
individualization. As Chan and Rigakos (2002: 745-746) explain:

Beck argues that as ecological and industrial fallout becomes ‘democratic’
we must grapple with the reality that dated notions of class affiliation
become obliterated. Since the effects of contamination are global, and
since technological innovation produces and uncovers even more risks,
we become endlessly trapped in a world that produces both actual risks
and risk knowledge....We are in an era where obsession with risk
management is merely a function of what is truly a more dangerous
world. The reaction to risks and our obsession with risk information is, in
part, a product of this changing social reality. People and institutions
must react to these developments. Science is sent to the rescue, only
revealing even more risks in an endless cycle of unease – Beck's 'system
immanent normal form of the revolutionizing of needs.'

Thus, for Beck contemporary western society is in a transitional time from modernity to
late modernity, which is characterized by a change in economics, habits and customs.
He argues that the economic pursuits of a techno-industrial society in late modernity has
resulted in ‘bad’ risks (such as pollution and family breakdown) from which we feel
threatened. The risk society theorists develop the concept of ‘reflexive modernity’ to
explain how late modernity is characterized by a self-critique of the processes of
modernity (Beck, Giddens and Lash 1994). There is recognition that the production of
wealth in late modernity is accompanied by the production of real risks, which we must
prevent and minimize in our daily lives.

For Giddens, modern reflexivity includes recognizing a need for expert advice on
how to prevent risk. People feel that they can no longer rely on local or traditional
knowledges to conduct their everyday lives as they did in modern times. Giddens (1990:
26) argues that a reliance on expert knowledge and other ‘abstract capacities’ means
that trust is an important and reassuring aspect of late-modern relationships. As Lupton
(2004: 78) explains further, trust in expert discourse today “allows individuals to develop
a cocoon of invulnerability which enables them to get on with life, to fend off their knowledge of the risks that await them at every turn." However, the role of trust in late modernity is debated among risk theorists and the dissertation explores the concept further. For example, Giddens' understanding of trust is useful to explain the public's faith in expert risk assessment tools which claim to predict and manage the risks of young females. However, as revealed in Chapter Three, because this trusting relationship is reflexive, trust must be earned and is continually negotiated in a way that impacts the success of management techniques. This particular theoretical discussion is helpful to understand why a relationship of trust between the staff and the girls in the carceral system is significant.

The second perspective on risk, developed in the early 1980s by Mary Douglas, is a cultural anthropological approach to risk referred to as 'cultural/symbolic.' This approach concentrates on the social and cultural contexts in which risk is interpreted. In questioning why some people choose to engage in 'risky' behaviour of various descriptions, Douglas (1992: 103) explains that "[a] refusal to take sound hygienic advice is not to be attributed to weakness of understanding. It is a preference. To account for preferences there is only cultural theory." Douglas developed a structural functionalist analysis of risk to highlight the intent behind classifying some dangers as 'risks.' With particular relevance to this dissertation, Douglas reveals how 'risk' is used in contemporary society to deal with danger and Otherness. The concept is deployed to maintain cultural boundaries between, for example, the included and excluded in the social body (Douglas 1985; Douglas 1992). Chapter Five in the dissertation highlights how risk acts as a locus of blame such that 'risky girls' are seen as dangerous. Not only is the aggressive girl seen as the risky 'other' who poses a threat to one's own physical body, she is also a threat to the symbolic body of the society in which she lives. Understanding the girls' risk is, drawing on Douglas, phrased through cultural assumptions. Her work exposes how the assumed neutrality of risk discourse contains ideations of blame and responsibility which in fact translate into punishment, the focus of the chapter.
Drawing on the work of Foucault, the third perspective on risk is referred to as 'governmentality.' Although this perspective informs the theoretical framework of the dissertation, there are times I diverge from this standpoint as outlined in the above paragraph. In contrast to my integration of Douglas' ideas on blame, the governmentality theorists, including Garland (2003: 63) argue:

When we talk of 'risk management' as a mode of governance, we are generally referring to a distinctive form of practical morality that is quite at odds with traditional forms of moral and judicial reasoning. Instead of going in for *post hoc* blame allocation and holding the individual actor fully responsible, a risk management approach tends towards a more structural account of responsibility and is less concerned with fixing blame or imposing penalties.

Developing an institutional risk theory, these theorists (e.g. O'Malley 1991, 1996, 2004; Rose and Miller 1992; Garland 1996, 1997, 2001; Maurutto and Hannah-Moffat 2006) focus on the position of the institution in the surveillance and discipline of risky behaviour. These scholars question how risk is institutionally represented rather than seeing risk as a 'real' entity (Chan and Rigakos 2002: 745). As O’Malley (2004: 301-302) argues, risk governing is not a new technique but rather a variable technique of government. "[T]he current era is distinguished by the ascendancy of new forms over the 'social' forms of the welfare era [such that risk-taking is]...just as important to neoliberal governments as is risk reduction." For these theorists the emergence of late modernity comprises three main themes: governmentality, individualization and risk.

Governmentality is a rationality whereby power or governance evolves from the margins of society rather than from one concentrated centre or the state (Foucault 1982). Control relies more on non-invasive forms of discipline. As society moves from a liberal to Keynesian to neo-liberal (or prudential) forms of political order, state strategies of control become "pluralized" (Rose 1996: 56). "It is in the interstice between the state and the individual, that is to say in the social field occupied by the school, the hospital, the juvenile court, and the social workers' and psychologists' offices, that different forms of rationality emerge and produce their disciplinary and regulatory effects onto the social body" (Barron and Lacombe 2005: 61). While the strategies of power, produced in those
"centres of governance" (Garland 1997: 179) have disciplinary effects on the subjects they target, they also act through autonomous, self-regulated citizens who police themselves in pursuit of their own self-interest (Lupton 2004: 88). The result of this more recent governmental technique of power is individualization, whereby groups and community-based identities are replaced with reflexively constructed individual identities that reflect lifestyle choices (Joyner 2000). As the governmentality theorists point out, in the past twenty years neo-liberal governments have taken several steps, such as deregulating markets and emphasizing free enterprise, to relocate the responsibility for risk on the individual (Garland 2003).

Also significant in the governmentality literature is recognition that in late modernity individuals and groups are expected to be prudent in their own risk management. Managing personal risk through prudentialism (O'Malley 1996) entails embracing the norms and expectations of society; deviation is statistically and socially significant. Thus, moralities are part of the technologies and expert systems of risk management (Ericson and Haggerty 1997: 123). Governmental techniques of power in late modernity, or "government-at-a-distance" as identified by Foucauldian scholars (Rose and Miller 1992; Garland 1997), regulate and manage free individuals through fostering a culture of risk management, public safety and security consciousness. I draw on the governmentality theorists to investigate the way girls' risk is constructed by clinical and criminal justice experts but I provide a new understanding of the effects of that knowledge on the girls.

In more recent governmentality theory, risk is a fluid concept that merges with various rationalities to produce new forms of risk-based governance (Maurutto and Hannah-Moffat 2006). According to Dean (1997, 1999) three types of risk rationality have developed in neo-liberal societies: insurantial risk (see also Ewald 1991) epidemiological risk (Lupton 1995) and, with particular relevance to the dissertation, clinical or case management risk. Clinical risk discourse is concerned with treating the risk posed by individuals, such as young offenders, who threaten the social order. Risk assessment is derived from individualistic sources of data such as interviews,
observation by the professionals and their file notes. The relevant experts devise strategies to treat specific risk factors. However, the emphasis on individual pathology and therapeutic intervention associated with the clinical approach is increasingly combined with epidemiological risk rationality which is more concerned with managing populations rather than the individual (Dean 1997). In what is described as new ‘assemblages’ risk combines with the language of rehabilitation and welfare. As Maurutto and Hannah-Moffat (2006: 439) explain in reference to their work:

The concept of assemblages, adapted from Deleuze and Guattari’s (1998) work, is used to explore the interface between risk and other logics, such as clinical assessment, rehabilitation and welfare practices that are increasingly shaping criminal justice sites. The focus on assemblages with risk enables us to counteract the presumption that risk technologies necessarily operate in opposition to rehabilitation or more welfare-based approaches. Rather, we underscore how new penal technologies combine, merge and continually reassemble risk with other logics in response to various institutional agendas.

I draw on the analysis of the governmentality theorists throughout the dissertation but their account of developments in risk and case management is particularly useful to understanding the properties of ‘rehabilitation’ in Chapter Six.

Overall, the theorists’ understanding of ‘risk’ provides insight and questions that are complicated by the data. The youth justice system in Saskatchewan is influenced, but not solely governed, by a managerial perspective. As Strauss and Corbin (1998: 155) caution, in turning to the literature to look for unifying concepts to fit data, “more often than not, existing concepts only partially fit the data.” The analytical focus in the dissertation is to develop theory on the impact of risk governance which, stemming from the results of grounded theory, includes an understanding of how the female offender is managed, punished and treated in the youth justice system. The theoretical context for understanding changes in the youth justice system, and the impact on professionals and young women are developed in the next section. The construction of security consciousness in the youth justice system and the effect of that knowledge for girls are of paramount importance in the dissertation.
2.2. Risk Governance, the Criminal Justice System and the Offenders

Within this culture of security consciousness, the focus is on developing new and improved technologies to manage risks in the various institutions in society. The techniques of risk management adopted by the criminal justice system are most relevant to the dissertation. The shift from the old penology to new penology, and the development of "actuarial justice" (Feeley and Simon 1994) are also considered in the analysis of how risk governance has impacted the aggressive or violent girl.

Under the old penology, according to Feeley and Simon (1992), policy is rooted in 'reforming' the individual deviant. Reformation is connected to notions of personal guilt and responsibility, as well as treating the individual pathology through the medical model. Integral to this individual approach to the deviant is a specific technique of disciplinary power which works through and upon the deviant, and constitutes her as an object of knowledge (Foucault 1979). For example, in *Discipline and Punish* (1979) Foucault presents a genealogy of the modern prison and details how it fostered the identity of the criminal. As O'Malley (1996: 189) explains:

In the disciplines, the central technique is that of normalization in the specific sense of creating or specifying a general norm in terms of which individual uniqueness can be recognized, characterized and then standardized. Normalization in the disciplinary sense thus implies 'correction' of the individual, and the development of a causal knowledge of deviance and normalization.

Committing a crime is an anti-social act and the offender is in need of diagnosis and treatment. Foucault (1988) details how psychiatry intervened in law beginning in the early nineteenth century to shift the focus of interest away from the crime and onto the mind of the offender. During this "psychiatrization of crime," psychiatry became important because "...it instituted a new medical technology in the treatment of mental disorders as a means to enable the judicial machine to police public hygiene" (Foucault 1988: 125).
In the new penology, or "actuarial justice," policy is no longer concerned with reforming the individual, but is based on techniques for identifying, classifying and managing groups varied by levels of risk. The task of actuarial justice is to manage the danger in society rather than transform it (Cohen 1985). The implications are a new type of criminal process that relies on increased imprisonment to manage rather than reform offenders. Prediction tables, population projections and other aggregate classification systems are used to provide the basis for surveillance, confinement, and control. "It is not surprising to find these actuarial logics meshing well with an organizational structure that is both individualistic and obsessed with risk management" (Rigakos 1999:141). The essential component of intervention resides in establishing flows of population based on a range of factors which are deemed likely to produce risk. Crime is understood as a set of risks which are predictable and manageable. This stems from the fact that risk discourse is future oriented:

The center of risk consciousness lies not in the present, but in the future. In the risk society, the past loses the power to determine the present. Its place is taken by the future, thus, something non-existent, invented, fictive as the ‘cause’ of current experience and action. We become active today in order to prevent, alleviate or take precautions against the problems and crises of tomorrow.... (Beck 1992: 34)

Hence, policy within the new penology focuses on prevention and risk management as opposed to the former concern with detection and correction.

Analyzing institutional practices from Feeley's and Simon's (1992) perspective of the new penology has, however, the potential to conceive risk thinking as a static, homogeneous process. As Maurutto and Hannah-Moffat (2006: 438) argue “critiques of the ‘new penology’ suggest the coherence and global character of risk governance and the associated erosion of welfare practices are overestimated.” Chapter Seven considers this critique through analysing data that speak to the impact of risk rationality on youth justice professionals and staff. The chapter demonstrates that the new penology is more complex than that described by the risk theorists. Although reform or
treatment is still practiced by the professionals, it interacts with other mentalities so that the result is punishment rather than rehabilitation for some girls.

The acceleration in the production of knowledge in order to manage populations and minimize risks requires experts and expert systems in both the public and private spheres. The result has been an increased reliance on bureaucratized managerial techniques (Ericson and Haggerty 1997: 92-104). As Rigakos (1999: 141) points out, "At every level of contact with criminal processing, expert systems and risk templates assess the riskiness of offenders, determine where prisoners are to be located (or classified), when they should be released, and the dangers they might pose (e.g. Ericson 1994; Feeley and Simon 1994; Menzies 1989; Simon 1994)." Because there is the perception that risks are escalating, the demand for an increasingly scientific risk management system increases. Actuarial criminologists are tasked with answering the question: How can the system be improved? In Saskatchewan this question has been addressed through the implementation of the LSI-SK. Promising to enhance the efficiency of criminal justice and mental health systems, actuarial risk assessment tools for predicting and preventing criminal recidivism have flourished in recent years.

The governmentality theorists present a helpful analysis of subjectivity in official discourse. One perspective espouses that both the specialized role of the professionals in the criminal justice system and the individual identity of the criminals themselves disappear in the age of risk. The shift to new penology displaced the equilibrium between the specialized professionals who defined the crime problems and the administrators charged with putting into operation the new policy. "The specialists find themselves now cast in a subordinate role, while managerial policy formation is allowed to develop into a completely autonomous force, totally beyond the surveillance of the operative on the ground who is now reduced to a mere executant" (Castel 1991: 281). Moreover, as Castel (1991: 288) explains, the new strategies dissolve the notion of 'subject', a point on which not all theorists agree, and replace it with the factors of risk:

To intervene no longer means...taking as one's target a given individual....There is, in fact, no longer a relation of immediacy with a
subject because there is no longer a subject. What the new preventive policies primarily address is no longer individuals but factors, statistical correlations of heterogeneous elements. They deconstruct the concrete subject of intervention, and reconstruct a combination of factors liable to produce risk. Their primary aim is not to confront a concrete dangerous situation, but to anticipate all the possible forms of eruption of danger. ‘Prevention’ in effect promotes suspicion to the dignified scientific rank of a calculus of probabilities. To be suspected, it is no longer necessary to manifest symptoms of dangerousness or abnormality, it is enough to display whatever characteristics the specialists responsible for the definition of preventive policy have constituted as risk factors (emphasis in original).

The theorists also point out how the new technologies of surveillance create subjects, such as the ‘risky girl’. Because there is no “natural” system of social order in late modernity, current modes of government include stimulating the engagement of citizens in projects of self-governance. Risk rationality constructs the subject as an autonomous individual, capable of exercising self-control and governance by abiding by techniques of risk prevention. Individuals make choices for their own ‘self-constitution’ (Bauman 1992: 201-4 cited in Hunt 1999: 3-4). As Garland (1996) explains in his discussion of the recent shift in crime control strategy, part of the new mode of governing crime includes a “responsibilization strategy.”

An integral part of the responsibilization strategy includes voluntary ‘techniques of the self’ geared at controlling but also creating, in this case, the ‘risky girl’ subject. As Garland explains, power, for Foucault, involves “two poles of governance: the forms of rule by which various authorities govern populations, and the technologies of the self through which individuals work on themselves to shape their own subjectivity” (Garland 1997: 174). Through the emergence of an era of “bio-power,” Foucault indicates that the use of statistics is a technique for achieving the subjugation of individual bodies and controlling the population. “Statistical knowledge fuels bio-political technologies—and is produced by them—in the same way that a knowledge of individuals spirals in and out of disciplinary practices” (cited in Garland 1997: 180). This relational aspect of governing disrupts the conventional notion of power as something that is differentially possessed by various social agents. “It constructs individuals who are capable of choice and action,
shapes them as active subjects, and seeks to align their choice with the objective of
governing authorities" (Garland 1997: 175). Hence, our decisions are mediated by, what
Ericson and Haggerty (1997: 126) refer to as, our 'political economy of the self'. "We
police ourselves in order to govern our personal identities. We are radically
individualized in a new way" (Chan and Rigakos 2002: 744).

Power, in this sense, is not simply 'objectifying' but 'subjectifying'. For example,
the girls' awareness of their 'risk' factors may prompt them to adjust their behaviour to
avoid such risks and to comply with what is deemed 'normal'. As Ian Hacking (1986)
illustrates in his essay on "Making Up People," "statistics contribute to the shaping and
self-governing of people's selves, as they adjust their self-conception and behaviour to fit
with 'the normal' or with other social types that are statistically produced" (cited in
Garland 1997: 181). Part of managing and disciplining young violent females entails,
according to this perspective, offering techniques of self-discipline to be adopted by
willing individuals who take an active part in their own 'subjectification' (Foucault 1982).
Far from abolishing the individual's capacity for choice and action, this kind of
disciplinary power presupposes it (Garland 1997: 175).

In sum, scholars focus on different aspects of the 'subject' in official discourse.
Castel (1991) is interested in the effect of risk rationality on the notion of the subject. He
argues that individuals were once understood by experts as having a deep, complex self
(e.g. ego and super ego) which developed through a history of socialization. However,
in the context of risk governance, the subject dissolves into a point on a risk scale or a
calculation of risk. Other theorists are interested in how the risky subject is constructed
through the process of naming based on expert knowledge. In other words, the 'risky
girl,' as identified by the youth criminal justice authorities, develops her self through
notions of risk. The 'risky girl' subject is constructed through self-governance of her risk
factors. Although this dissertation is greatly influenced by governmentality theory, the
work of the theorists is limited to an evaluation of subjectivity in official discourse. There
is little consideration for the impact of risk governance on those who are labelled 'risky.'
This is the focus of Chapter Eight. Risk is interrupted and responded to on a more personal level than what the theorists suggest. As Lupton (2004: 108, 104) points out:

It has been argued by other commentators that while risks may be debated at the level of expertise and public accountability, they are dealt with by most individuals at the level of the local, the private, the everyday and the intimate... [Although the theorists'] insights are important in the abstract theorizing of risk responses, the writers from whom these perspectives are drawn have tended not to explore in detail the diverse and dynamic ways in which lay people respond to risk.

Even more important is the need to reveal how the risky girls perceive themselves. Do the girls identify themselves as 'a risk'? What kind of consciousness do they develop? For example, stemming from Boyd (1999) and Chunn and Menzies (1998), girls' self-governance may be a result of knowing the consequences, including negative and/or pathological labels, for 'improper' behaviour. As these authors reveal in their work on the regulation of mothers and illicit drug use and on 'criminally insane' women respectively, the subjects of control may negotiate professional discourses in ways that render relations and strategies of regulation incomplete. As Chapter Eight uncovers, although the risky girl agrees she is a high risk to reoffend, she employs resistance strategies during assessment to lower her score. Details of the girls' personal response expand and supplement risk theory by highlighting the complex process through which risk is both resisted and reproduced.

The data also speak to the importance of incorporating a gendered perspective, as well as an understanding of identity as it is connected to group membership, in the analysis of the impact of risk governance. There is a historical tendency of policymakers to extrapolate strategies designed from adult male populations on to women (Nuffield 1989). But the negotiation and response to risk are different for men and women. As Stanko (1997: 492) argues, “risk is not about modernity and the ontological insecurity people experience, for women it is about misogyny and the continued perpetration of women’s oppression through fear of crime and blame for their situation.” Identities, as they are connected to group membership, may also vary between males and females. Drawing on the ideas of Wynne (1989 1996) “as members of social groups
and networks, people's responses to risk are embedded within these relationships, and are therefore collective as well as developed through individual biographies" (in Lupton 2004: 110). The girls' position of being 'at risk' and 'a risk' is part of a self-identity which is connected to their social group or subculture. "The 'at risk' label tends either to position members of these social groups as particularly vulnerable, passive, powerless or weak, or as particularly dangerous to themselves or others. In both cases, special attention is directed at these social groups, positioning them in a network of surveillance, monitoring and intervention" (Lupton 2004: 114). Thus, this dissertation uncovers how both the authorities and young women engage with risk and risk management as individuals and as members of social groups and networks.

2.3. Critique and the Need for Grounded Theory

Although the risk theorists offer valuable insights, the theories do not address the 'micro-politics of government' (Hannah-Moffat 1999: 74). Drawing on Hannah-Moffat (1999), a critical analysis of risk theory highlights three areas in particular that require attention and research in order to understand the impact of risk on girls' subjectivity. First, there is an assumption in the literature that in all penal settings actuarial forms of power have displaced past forms of governing. Second, risk theory in general lacks attention to the historical, moral and political elements of actuarial strategies. Last, because gender, class and/or race are seen as realist categories (for example see O'Malley 2001), there is a dangerous assumption that risk management occurs uniformly across entire populations. Chan and Rigakos (2002) point out that risk theorists have assumed a general universality of the risk concept, which ignores the gendered nature of risk taking and risk management. As they argue, a rejection of modernist emancipatory politics "allows risk theorists to make dubious claims about the death of class, gender and race; and by implication proffer a decidedly liberal analysis in its place" (Chan and Rigakos 2002: 745).

Although actuarial risk assessment procedures have infiltrated the adult correctional system, the extent to which risk discourse informs decision-making and
practices in the youth system is not yet clear. Although researchers have examined the functioning of risk rationality in adult female institutions (ex. Hannah-Moffat 1999), the need for research on young women specifically is important. As Pate (2002:1) states in an article from the Canadian Association of Elizabeth Fry Societies: "Although there are some incredibly problematic philosophical issues and extremely challenging practical problems that have been created by attempts to adapt imperfect models of risk assessment(s) designed for adults to the circumstances of youth, there is virtually no research regarding the appropriateness of applying such approaches to youth."

It is also important to evaluate the extent to which the authorities have converted to risk rationalities on a practical, daily basis. Has risk management replaced the old paradigms of punishment and treatment or is the juvenile justice system based on hybridized modalities/mentalities (Hannah-Moffat 1999, 2000)? Is there resistance to risk management in the experts' ways of conceiving and responding to aggressive girls? For example, during preliminary research on another project, a probation officer shared her insight on the risk assessment process in British Columbia. Her feeling is that risk assessments indicate very little about the clients but are used more to protect the officials if anything goes amiss. She explains that the probation officer could also use the assessment to sway court decisions to incarcerate the youth or to enrol the youth in certain programs by indicating to the judge that the young woman has a high risk of a particular behaviour.

This example also illustrates that while different techniques of governing, such as punishment or risk management, co-exist, one is not necessarily less disciplinary than the other (Ericson and Haggerty 1997). Some risk theorists contend that actuarial justice moves away from a Draconian, punitive response to offenders towards a post-disciplinary society (Simon 1997). It seems somewhat contradictory to think that actuarial justice curbs the public's need for vengeance, which is fed by the media. As Young (1999) points out, one response to insecurities in late modernity includes constructing the deviant 'other,' a scapegoat on which our insecurities are projected. The combination of late-modern exclusion and a perceived weakening of social control
results in a public fear of crime. In a late modern society, such fears "...are not free-floating illusions. Both distortions and refraction of fears are ever likely, and in a world of plurality and difference it is on the deviant other...that such projections are likely to be made" (Young 1999: 96).

Thus, reforms in current penalty should not be evaluated by risk theorists in isolation from former regimes of governance. There is an assumption in youth justice that actuarial techniques are more efficient and objective than in the past. A belief in the 'progression' of risk management has significant ramifications for young offenders. The lack of 'objectivity' in risk analysis is illustrated through research by the Canadian Association of Elizabeth Fry Societies. As Pate (2002:6-7) states:

Overall, many of the assessment criteria require front-line staff who have relatively little to no relevant training to make subjective appraisals of their respective applicability to each prisoner. Consequently, prisoners' individual assessments very much depend upon the judgement, attitudes, and perspectives of staff.

The result, as argued by Hannah-Moffat (1999) in her investigation of women prisoners, is that offenders' 'needs' are often redefined as 'risk factors.' The goal of actuarial tools is more focused on management than on addressing repressive social conditions. Because actuarial prediction is calculated on a group basis, these methods will likely contribute to the continued marginalization of populations already located on the outside of the economic and political mainstream (Silver and Miller 2002). I have examined whether the criteria for assessing the 'risk' of girls is based on middle-class standards of behaviour which allows for an interpretation of need/risk that may be classist and/or racist.

These critiques point to the over-arching problem with the risk theorists' negligible discussion of the historical, moral and political context of risk thinking. Rigakos and Hadden (2001) argue for a need to examine the genealogy of risk to uncover how risk governance encompasses the overlapping rationalizations of retribution and actuarialism, as opposed to being simply 'forward looking', and how it is
connected to the techniques, aims and interests of 17th century English capitalists, as opposed to being an apolitical actuarial rationality stemming from 19th century probability science. Because risk theorists speak of the newness of risk with no consideration for how risk categories are socially constructed, "...this allows theorists such as Beck (1992) and Ericson and Haggerty (1997) to argue against more dated notions of inequality since these are superseded by their supposed new risk society" (Chan and Rigakos 2002: 747). In other words, because modernization affects all people, risk theorists argue that traditional class positions are replaced with new social risk positions. As Beck (1992: 36) clearly states, "...risks display an equalizing effect within their scope and among those affected by them." Although this criticism is well taken, this dissertation attempts to highlight the moral and political context of risk rationalities only as they relate to the female offender. It is beyond the scope of this study to attempt a genealogy of risk.

Risk theory also inaccurately assumes the universality of risk rather than understanding the concept of risk as inherently political. As Chan and Rigakos (2002) explain, "theorizing risk from a gendered perspective highlights its political nature, challenging the idea of risk as a neutral concept and risk assessment as an intended apolitical actuarial practice of late modernity...Formulations of risk are deeply embedded in gender, race and class politics, and the narrow conception of risk taken in criminological writings has consequently excluded women's experiences of crime" (2002: 743). The redefinition of gender inequalities as risk factors produces a lack of critical impetus and the re-subordination of gender in theory (ibid). Hence, feminist theory is central to an analysis of how the construction of risks for young female offenders, particularly in correctional policy, is based on a middle class, white, and often male, norm (Hannah-Moffat and Shaw 2001). Feminist theory is also useful to analyze the multiple and changing identities of young aggressive girls within the age of risk.

Feminist legal theory can contribute to risk theory to understand how law and policy on aggressive girls function as a technology of gender and as a process of producing static gender identities (Smart 1995: 191). This notion allows for a conceptualization of policy in terms of process and relations without an inherent assumption that it exploits females. Further, it moves away from girls being fixed by
biological, psychological or social determinants of sex, towards the more fluid notion of a
gendered subject. "[I]f we accept that Woman and women are not reducible to biological
categories or—at the very least—that biological signs are not essences which give rise
to a homogeneous category of women, we can begin to acknowledge that there are
strategies by which Woman/women are brought into being" (Smart 1995: 193) In
addition, there is much utility in Chunn's and Lacombe's (2000:3) argument in Law as a
Gendering Practice that "...law intersects with other institutions and discourses in the
construction of 'woman' and 'womanhood'" (Chunn and Lacombe 2000: 3). The authors'
"...view is based on the assumption that social and legal agents are constituted by a
multiplicity of power relations (both discursive and non-discursive) that they
concomitantly help to reproduce through their activities and practices. In other words,
subjectivity and activity are constituted through complex and contradictory systems of
representations such as gender, race, class, age, sexuality, etc., which they themselves
are constantly reproducing" (Chunn and Lacombe 2000: 13). Hence, risk policy and its
intersection with other discourses both constrain and enable agency, which is an
important factor in analyzing the impact of risk rationality on young aggressive girls.

The ideas of the risk theorists are useful to establishing a theoretical framework
for investigating the impact of risk governance on aggressive girls. The risk literature
provides an understanding for how strategies aimed at girls not only serve to control girls
but also "responsibilize" parents, teachers and the wider community, which is indicative
of a new mode of governing in late modernity (Garland 1997). It allows for a complex
examination of how power is exercised over individuals and it provides the tools to
understand the relations between state power and other modalities of governance
(Hannah-Moffat 2000: 510). Risk theory also offers conceptual tools for understanding
shifts in penal control and the way risk rationality has transformed the criminal justice
system. Risk theory, and particularly the ideas of Douglas and her colleagues, also
contributes to an understanding that our definitions and interpretations of what
constitutes 'risk' hinge on specific cultural, political and moral evaluations of behaviour.
Through exploring the impact of risk governance on young aggressive girls, the
dissertation research differs from many of the current actuarial criminology studies which
search for how risk factors in girls increase their aggressive tendencies, without questioning how those 'risks' are constructed. As Rigakos argues, "[w]e must pay careful attention not to misread risk systems as operating on a separate or detached logic from 'unscientific' impulses such as racism, heterosexism, classism, etc." (Rigakos 1999: 146). Critical theory and particularly a gendered, feminist perspective is integral to the analysis. However, risk theory is limited because it does not access the daily decision making in the penal system or the impact of risk discourse on young women themselves. For this reason, the method of grounded theory is central to acquiring a fresh perspective and extending knowledge on the impact of risk governance.

2.4. The Process of Grounded Theory

The methodology for the dissertation is grounded theory. It was first developed by Glaser and Strauss (1967; 1987) but my approach closely follows the refined method outlined by Strauss and Corbin (1998). Based on their perspective, the resulting theory on the impact of risk rationality was derived from the data that are gathered and analyzed throughout the research process. "In this method, data collection, analysis, and eventual theory stand in close relationship to one another" (Strauss and Corbin 1998: 12):

The notion that theory should emerge from the data is conducive to studying the impact of risk governance because the method involves innovative interpretation and analysis of the data which move beyond established theory. Although it is impossible not to revert to the theoretical framework within which the idea for this dissertation developed, this methodology forces me to examine my own preconceptions and to be creative in thinking about the subject to get a fresh perspective. "Creativity manifests itself in the ability of researchers to aptly name categories, ask stimulating questions, make comparisons, and extract an innovative, integrated, realistic scheme from masses of unorganized raw data" (Strauss and Corbin 1998: 13). Through the grounded theory process, I am able to present a portrait and explanation of female young offenders in a way that differs from the populist, expert and critical rationalities that create them in the
age of risk. “Generating theories about phenomena, rather than just generating a set of findings, is important to the development of a field of knowledge” (Strauss and Corbin 1998: 23). This section outlines the procedures for grounded theory to reveal the development of the theoretical ideas in the dissertation.

Careful coding of the data is central to developing grounded theory. Microanalysis, or line-by-line examination and interpretation of the data, includes a process of sequential open and axial coding. Microanalysis and the process of considering numerous meanings of a single word/phrase or examining the specifics of an idea force the researcher out of usual modes of thinking (Strauss and Corbin 1998: 65). Open coding is utilized to break down the data and generate categories (Strauss and Corbin 1998: 102) and axial coding to develop the relationships between concepts (ibid: 124).

As part of open coding, ‘conceptual ordering’ is a significant stage in grounded theory. “This refers to the organization of data into discrete categories (and sometimes ratings) according to their properties and dimensions and then using description to elucidate those categories” (Strauss and Corbin 1998: 19). The first three main categories resulting from the grounded theory process in the dissertation are: the management, punishment and rehabilitation/treatment of girls. Under each of these categories, I identified items in the data which specified the general properties (or characteristics) and dimensions (or location along a continuum) of each category. For example, in Chapter Five I reveal the properties of the concept of ‘rehabilitation’ and how those properties vary according to level of risk posed by the girls. Theory derived from this method incorporates conceptual ordering as well as description. Thus, the girls’ voices and lived experience with rehabilitative programming are detailed throughout.

Through the process of axial coding, categories (such as ‘punishing girls’) are related to the subcategories (which explain the where, when and why) to form a complex explanation of the punishment of girls in the age of risk. In other words, in order to understand the phenomenon, I establish a ‘paradigm’ or the relationship between
structure (the conditions underpinning ‘why’ we punish girls) and the process (which
denotes the ‘how’ or the sequences of actions/interactions between the youth justice
system or authorities and the girls) (Strauss and Corbin 1998: 127). These complex
relationships are then sorted through an analytic device, in diagrammatic representation,
which Strauss and Corbin (1998: 182) refer to as the ‘conditional/consequential matrix’:

The conditional/consequential matrix is a coding device to help analysts keep in mind several analytic points. Among these are (a) that macro conditions/consequences, as well as micro ones, should be part of the analysis (when these emerge from the data as being significant); (b) that the macro conditions often intersect and interact with the micro ones and (c) thereby, in direct or indirect ways, become part of the situational context; and (d) that the paths taken by conditions, as well as the subsequent actions/interactions and consequences that follow, can be traced in the data (the paths of connectivity).

In the later stages of analysis, selective coding is utilized to integrate and refine the theory. A category is ‘saturated’ when no new information emerges from the data. For me, repetition of the same quotation or idea signalled that I had analyzed and made connections to an appropriate point.

Although this method of coding and analysis sounds like a mechanical process, it is in fact a fluid, at times chaotic, interaction between ideas and data. As ideas were formulated, I continuously compared the theoretical idea against incoming data which often led me to different questions.

At the heart of theorizing lies the interplay of making inductions (deriving concepts, their properties, and dimensions from data) and deductions (hypothesizing about the relationships between concepts, the relationships also are derived from data, but data that have been abstracted by the analyst from the raw data)... Once concepts are related through statements of relationship into an explanatory theoretical framework, the research findings move beyond conceptual ordering to theory. (Strauss and Corbin 1998: 22)

For example, there are few linear connections in my diagram attempting to establish the relationship between the actions of staff (which the girls claim led to a riot) and the punitive consequences/reactions which are not deemed to be ‘punishment.’ It was also
challenging to illustrate the 'paths of connectivity' when formulating ideas around the
"event" of the case conference to assess the risk/need factors on the young woman and
how that impacts her sense of self.

The issue of validity, or the extent to which the final theory accurately represents
the phenomenon being analyzed (Hammersley 1990: 57 in Silverman 2000: 175), is of
paramount importance to grounded theory. However, the issue of validity and grounded
theory more generally was a concern of those granting me access to conduct the
research. Often it is assumed that only quantitative or more 'scientific' methods contain
procedures that guarantee validity. For example, my proposal to interview young female
offenders was initially reviewed by the Alberta government. After consideration from a
Senior Management Committee (SMC) I was denied access partially because, as it was
explained to me, "SMC concluded that the proposed study is not empirically well
grounded methodologically, in that it relies too heavily on essentially anecdotal
information from female young offenders" (email correspondence 23 May 2003). This
response implies that the gatekeepers' knowledge represents the voice of 'truth' and
reason while the girls' voices and lived experiences are little more than 'anecdotal'
information. Moreover, "this complaint of 'anecdotalism' questions the validity of much
qualitative research (Silverman 2000: 177).

The issue of validity was also raised by the Saskatchewan authorities, who, in an
initial telephone conversation, questioned if the method of grounded theory was simply a
subjective "opinion approach." As Strauss and Corbin (1998) explain, theory is validated
through techniques in the data collection and analysis. The first technique involves
comparative thinking (Strauss and Corbin 1998: 43). Not only did I compare incident to
incident in the data, I also used examples from the risk literature, as well as from my
experience on past research projects, to think about the ideas emerging in the data.
This process was particularly important when making claims about the impact of risk
assessment when it is a relatively recent intervention in Saskatchewan.
In addition, the process of comparison also may include theoretical comparison “to stimulate our thinking about properties and dimensions and to direct our theoretical sampling” (Strauss and Corbin 1998: 78). Theoretical sampling suggests further interview questions or areas of research based on evolving analysis. For example, through asking the authorities questions about resources to address the areas of the girls’ risk/need factors, I received several responses that were more about the respondents’ ‘expressed dissatisfaction’ (concept) with the response from First Nations communities to the issue of youth violence, than about an actual program or resource. These responses led to additional questions and a line of analysis that had more to do with race relations in the province and the impact these were having on the perception of responsibility to address youth violence. The properties, or characteristics of the concept of racial tensions, include, for example, reference to ‘problems’ in the community, lack of responsibility, and a misuse of government funds. I dimensionalized these properties to locate the range or degree to which the respondents indicate this is an issue.

The second technique for achieving valid results through grounded theory is to obtain multiple perspectives on the same event and/or to gather data on an idea via different modalities. This is achieved through asking the same question in several interviews with both the girls and the authorities, as well as asking the same questions as I reviewed file data and recorded my observations and field notes. These similarities and variations are built into the theory on the impact of risk governance. It was also important that I ask the respondents about some of my initial hypothesis or findings as I went through the research process. This approach does not allow the researcher to force the hypothesis on the data; rather, a productive search for new questions and alternative explanations follows. “This validation process is especially important for researchers [like me] who use categories derived from the research literature (variable identified in previous studies) because categories always are context specific” (Strauss and Corbin 1998: 45).
The resulting thesis statement or 'central category' in the dissertation is that girls are "excluded" through a depoliticized process of control in the age of risk. As Strauss and Corbin (1998: 146-147) explain: this central category must appear frequently in the data; all other major categories must be related to it; the explanation supporting it must be logical and consistent; it should be sufficiently abstract so that it can be used to do additional research in other substantive areas and the concept should be able to explain variation, contradictory or alternative cases. Perhaps most significantly, "a theory that is grounded in data should be recognizable to participants, and although it might not fit every aspect of their cases, the larger concepts should apply" (Strauss and Corbin 1998: 161). This final point guided several of my decisions in the analysis. It was clear at various times that I was imposing the significance of risk governance onto the data, which was likely the result of having a well-established theoretical framework prior to the interview process. This speaks to the importance of recognizing the immersion of the researcher in the data. This issue, as well as more detail on the sites of data collection and ethical concerns in the research, are expanded on in the following section.

2.5. Data Collection and Ethical Concerns

The data collection for the dissertation, which includes documentary analysis and interviews, took place between November 2003 and June 2004. Three youth detention centres in the province of Saskatchewan provide the location to investigate the impact of risk rationality on the criminal justice system and those who work in it, as well as on young female offenders. In keeping with a grounded theory approach, I use theoretical sampling (Strauss and Corbin 1998) which requires that data gathering is not structured too tightly in terms of either timing or type of persons. Unlike statistical sampling, theoretical sampling is not planned prior to conducting a study. When building theory inductively, the concern is with the representativeness of concepts and the search for incidents that are indicative of phenomena, rather than with selecting a portion of a population to represent the entire population. This section will detail the 'where', 'who' and 'how' of the data collection process as well as ethical concerns recorded throughout
in my 'conceptual baggage file.' Recruiting, interviewing participants, and interpreting data in this project was a process laden with potential ethical dilemmas.

The three youth detention centres include: Paul Dojack Youth Centre (PDYC) in Regina, Kilburn Hall (KH) in Saskatoon and Orcadia Youth Centre (OYC) in Yorkton. At the time of the research, detention centres were referred to as 'Open' or 'Secure' custody facilities, which function based on the danger or risk the youth poses to the community. For example, as the Department of Correction and Public Safety in Saskatchewan explained, Open Custody facilities encourage more community contact with the residents. Although the facilities house both male and female young offenders, each has a different history, purpose and environment which shape the interview data.

My first interview took place at Paul Dojack, a Secure Custody facility. In total, I interviewed eight young women at PDYC. The Centre is located in a large open field, which is separated from a residential community by a long, narrow, elevated driveway. Visitors enter the facility through the Central Communications Unit (CCU). In addition to the CCU, the front building also contains a few visiting rooms, office space and the Oshihtawin units, a behaviour modification program which is discussed in more detail in Chapter Four. After completing a few administrative procedures, such as signing into the visitor log, I walk through a long corridor before reaching the back of the main building. Along the corridor there are rooms to either side which contain the building shop, art studio, kitchen and gymnasium. Upon exiting at the rear of the building, I walk into a large outdoor circular field that is enclosed by barbed wire fencing. There is a hockey rink at the far side of the circle and the living units, or 'cottages' where the youths are housed, are located around the circumference. Each detached building contains two units which are connected only through the office space of the staff, and the class room which is used in an alternating fashion. The facility has capacity for 98 youths, which is divided into one girls' unit and seven boys' units.

In the girls' unit there is an open communal space, where the residents eat, play games, watch TV and have meetings. The girls' bedrooms and one visiting room form
the boundaries of the communal space. There are ten single rooms and two double
rooms which provides space for twelve girls. When I was not spending time eating
meals or doing different activities with the girls, I worked in the staff office or visitors'
room. Although PDYC is a Secure Custody facility, the girls' unit also houses girls who
are on remand or are awaiting a sentence from the youth court.

By the end of the research process, I had the impression, through the opinion of
several of the respondents, that PDYC has a poor reputation in its treatment of young
people. It is also known to house the "worst of the worst" offenders in the province with
some youth spending most of their teenage years in the facility. There is in fact a dark
history of this site, which is documented in "Paul Dojack Youth Centre: Historical Essay"
written by Goulden and Connell (1985), who at the time of writing were staff at PDYC.
The site was first used in the late 19th century as an Indian Industrial School in the
government's attempt to assimilate Aboriginals into white Canadian society. The School
closed in 1910 and then became a temporary jail. Although the authors report "the
school was soon to change from an institution of learning into a place of confinement"
(Goulden and Connell 1985: no page number), most would argue that it was a place of
confinement for Aboriginal youth at its outset which continues today.

At the time of research Kilburn Hall in Saskatoon housed some youth sentenced
to secure custody but it mainly operated as a Remand Detention Program, which made it
a difficult site at which to conduct the interviews. The facility has a history of changes
from a young offender facility to a remand program, and it is now referred to as a Secure
Custody facility (CPS 2005) which is discussed in more detail in Chapter Three. There
were a few times that the staff had to cancel my visit because of 'disruption' on the unit.
It was explained that the nature of remand means that there is a high turn-over of youth
coming into the facility. This brings uncertainty in terms of how the new resident will
integrate into the unit because so many of the girls know each other, and in terms of the
insecurity the young person is facing with recently being arrested and awaiting sentence.
In addition, while a few of the girls were serving a lengthy sentence, most of the girls
who expressed an interest in participating in the research were released or transferred
before I was able to interview them. Thus, I was only able to conduct three interviews and spend relatively little time interacting with the girls in Kilburn Hall.

The physical layout of the girls unit was similar to that at Dojack but the units are all contained within one building. The main difference that I noticed between the two designs was the noise level. At Kilburn, the sounds of people in the hallways and heavy doors banging shut constantly echoed throughout the building.

Orcadia Youth Residence is located 13 km west of Yorkton Saskatchewan and is made up of three 'Pods' which contain space for a total of 39 youths: one Secure Custody unit for girls, one Open Custody unit for girls and one boys unit. There is space for thirteen girls on each Unit and I interviewed twelve in total. Orcadia has a much different environment than the other two facilities. Although the girls in the study are dissatisfied with the rules and procedures at Orcadia, they also comment that it was the 'nicest' facility particularly because each bedroom has its own bathroom. As the Director explains, "the philosophy is to take away the jail house mentality...right from the look of the building with aquariums and plants." He explains that although the youth are still being punished, the physical environment "is supposed to allow the person to grow and feel safe in more of a home-like environment even though it's a dorm." In addition, the staff schedule whereby the staff sleep at the facility for four nights "means there's more continuity. For four days you see the same person...people are here more as a parental [figure] than just staff."

The girls regularly access a recreation building which has pool and fooseball tables, a miniature bowling alley, a weight room and a large gymnasium. The grounds of the facility contain baseball diamonds, volleyball courts and trailers, where visiting family members can stay. I was fortunate to stay in a trailer about thirty feet behind one of the girls' units for the weeks that I was conducting the research. This allowed me to participate in the daily schedule of the girls, including morning coffee time, eating all meals together in the dining area, watching movies at night and playing various sports
games. This intimate contact with both the girls and the staff provided a most rewarding research experience.

As part of the data collection, there were forty-seven research participants with whom I conducted at least one interview. There were also several people who provided information, shared their perspectives in passing or chose to participate in an informal manner. For example, one of the security guards in the front office of a facility shared his knowledge about the costs associated with researching and implementing the LSI-SK as well as other information, each night as I was leaving. All of these 'bits' of information were recorded and contributed to theory in the dissertation.

Although theoretical sampling is not supposed to be planned prior to the data collection, this was not possible with regard to the young women. In order for me to gain access, I had to clearly indicate the criteria for the population in which I was interested. The criteria included: any young female offender (age 12-18) who is incarcerated or on probation for a violent offence (classified as an offence against the person), including various levels of assault (including minor or level 1 assault) and homicide (murder and manslaughter). Although a community youth worker attempted to connect me with one young woman on probation, this interview did not materialize. All of the young women I interviewed were incarcerated at one of the three facilities. Some of the girls were on remand awaiting their sentence but most were sentenced youth. A few of the girls were incarcerated at the time of the interview for breaches or other non-violent offences, but they had been convicted of a violent offence in the past. All but two of the girls had assault charges (ranging in levels of severity), one of whom was convicted of robbery with a weapon and the other had been in several fights for which no charges were laid. Both girls had experienced a lot of violence growing up and were interested in participating so, although they did not exactly fit the criteria, they were valuable contributors. Three of the girls had been charged with attempted murder but the charge in all of the cases was dropped down to either aggravated assault or assault causing bodily harm. Most the girls had three or four assault charges, some as many as six. While most of the assaults were against peers in the community, there were several
assaults against police officers, staff in the facilities or family members. A few of the girls were also charged with armed robbery with violence and assault with a weapon. One girl was charged with sexual assault but claims that she “took the charge” for the younger perpetrator. Other charges include: procuring, arson, break and enter, theft, robbery and several other property and administrative offences. Almost all of the girls had numerous charges of breaching court orders, ranging as high as forty-seven counts.

The girls had lengthy sentences and experiences of the ‘revolving door’ of the youth justice system. As one young woman states, “I’ve spent like all of my birthdays in here; my thirteenth, fourteenth, fifteenth and sixteenth birthday have been in here.” One of the respondents was serving 27 months, and others had been incarcerated for 18 and 20 months at a time. As reported in the criminal record histories, they often return shortly after being released. Most of the girls had been in trouble prior to being old enough to be charged so the first official charge occurred when they were twelve years old. The age of the participants was as follows: one girl was 14 years old; nine were 15 years old; four were 16 years old; seven were 17 years old and two were 18 years old. All of the girls were Aboriginal except for two who were white.

Theoretical sampling was possible, however, with regard to the authorities whom I interviewed. The first couple of interviews I conducted were with staff members at one of the facilities, which guided me to interviews with Directors and other government officials. In total I conducted twenty-four interviews with authorities of various descriptions. In order to protect the identity and confidentiality of those I interviewed, I am intentionally vague about their titles. The responsibilities and duties of the authorities are described in more detail throughout the dissertation. They included: six staff members from all three facilities; four community youth workers and one Supervisor who are based in Regina, Saskatoon, Yorkton and Lloydminster; four people who were either Directors or Supervisors of the Girls unit in the facilities; three psychologists; one teacher; one community homes coordinator; one day program worker, and three senior government officials. Two of the correctional staff and the day-program worker were Aboriginal, one of the Supervisors was Black and the remaining participants were white.
Although there were other Aboriginal staff on the girls' units whom I did not interview, there appears to be few Aboriginal personnel, especially community youth workers, making decisions about the young women. The lack of Aboriginal authorities is significant considering the high numbers of Aboriginal youth in the system and the girls' comments about their relationships with staff.

Although setting up the interviews with the authorities was not difficult and often required only a phone call to explain my interest, arrange an interview time and have them sign a consent form, the process was much more involved with the girls. In the initial stages of setting up the data collection, the government authorities determined which facilities had the most females for me to interview. Along with a government official, I participated in a conference call with the Directors of each facility during which I introduced myself and the research, and arranged further contact. It was agreed that my first visit to each facility would begin with a presentation to the girls which explained who I am, what the research is about, their rights as participants including the meaning of informed consent and the requirement of parental consent, the possible benefits and/or risks of participating, and the interview format including the general areas in which I would ask questions. Upon arriving at both PDYC and OYC, I met with the Director (and Supervisor of the Girls unit at PDYC) and we went through the list of girls who were currently incarcerated to see who fit my population criteria. The same procedure was done with a staff member at Kilburn Hall who wrote out the contact details for each girl who might be interested. The government official suggested that the Directors of each facility would advise me as to which girls may not be 'stable' enough to participate. However, I was not discouraged from approaching any of the girls based on their behaviour at the initial meetings at each facility.

After the presentation to the girls, they were encouraged to ask any questions about me or the research process. Some were very curious about the research and, in particular, the life stories of other youth I had interviewed both as part of this project and others. There were also concerns from some girls that I would not be able to reach their
guardian for parental consent. There was not one girl who resisted the idea of participating.

Although the girls’ enthusiasm was exciting (and a relief) for me, obtaining parental consent was, at times, a huge obstacle to interviewing those girls who were interested. I owe a great deal of gratitude to the staff at each facility for assisting with this task. They helped me determine who qualified as a legal guardian, which was not clear in a few cases, as well as talking to the parent if they called and I was not at the facility. In most cases at PDYC, the girls let me know when a parent was scheduled for a visit and I would meet with them for the first few minutes.

Obtaining parental consent was particularly difficult at OYC. Because of its location, the girls rarely see family members. I began by contacting all of the girls’ community youth workers to introduce myself and to find out how best to make contact with a guardian. This took several days because, as I later found out, there had been a delay in communication from senior authorities to the community youth workers that I had ‘approval’ to be conducting the research. There was apparently a flurry of phone calls attempting to find out who I was and what I was doing, before the youth workers started to return my calls. Some of the community youth workers were instrumental in helping me obtain parental support through taking the research forms to their visit with parents. The parents were given a telephone contact number to reach me if they had additional questions. This only worked in a couple of cases so I eventually went to the Director to see if an alternative system of obtaining consent could be worked out. We agreed that parental consent could be given over the phone whereby the young woman expressed her willingness to participate to the guardian and then I got on the phone and explained the project further and answered any questions they had. The phone was then handed to staff, who witnessed the consent from the guardian and signed on her or his behalf. Some of the girls’ guardians were incarcerated themselves at the time so I faxed one consent form to Pine Grove, a prison for adult women. On another occasion, I met a girl’s mother at an appointment she had in downtown Regina. All of the parents/guardians received, or I offered to mail to them, an Information Sheet/ Consent
form (Appendix A) outlining the research and how to contact me, as well as a copy of the Areas/Samples of Interview Questions for the girls (Appendix B).

The interview format was semi-structured but the data from each interview guided the questions for the next. Some of the first questions I asked the participants stem from my experience as a research associate for the FREDA Centre for Research on Violence against Women and Children in Vancouver. I conducted interviews with eight young immigrant and refugee girls on probation for aggressive behaviour, with the recognition that the data could also be used for my dissertation. The purpose of this exploratory research was to focus on the factors which render racialized girls vulnerable to violence and to being caught up in the criminal justice system (Barron 2001). However, because risk assessment procedures have been used in the youth justice system in British Columbia for a longer time than in Saskatchewan, the Vancouver girls were much more familiar with risk discourse which rendered some questions from the former research project irrelevant to the current study.

The first few questions I asked each girl were general demographic questions such as her age, grade and family construction. I then often led into questions about the young woman's home life, the responses to which took several different directions. Although I very much allowed the girl's perspectives and thoughts to guide the direction of the questions, at some point I asked about her experiences with school, crime and the youth justice system, her familiarity with risk assessment and programs in place to address her risk/need areas, her perspectives on racial issues and gender roles, the impact of the media and her aspirations or things she enjoys. It was clear to me in the initial interviews, and I was told by the authorities, that risk discourse is not very familiar to the girls. Although several were able to relay their risk/need factors and their overall 'risk to reoffend,' the 'risky girl' persona did not exist for the girls. This is not to say, however, that they did not reveal several dynamics which reflect a significant impact of risk governance.
The authorities, particularly those responsible for administering the LSI-SK, expressed the language and rationality of risk more frequently. Although I had specific questions that I wanted to ask, the direction of these interviews was also very open-ended. The first questions I asked each authority were about their experience in the system and the nature of their current position, which I felt very much conditioned their response. It was also important for me to record the type and frequency of contact that they had with the young woman, especially when assessing their perspectives about a 'change' in girls and their 'risky' behaviour. My initial questions were geared towards understanding the rationales behind current policy and programming, or lack thereof, aimed at curbing female aggression. The questions were meant to assess the extent to which the authorities have converted to risk rationalities. Did they still speak of 'punishing' offenders? Is there resistance to risk management in the experts' ways of conceiving and responding to the young female offender? A few of the authorities had little knowledge of risk assessment but their expertise in other areas led me to new and different topics which were revealing about the impact of risk governance.

In addition to the interviews, I also conducted documentary analysis of the girls' Corrections files and court records, and of policy and program manuals in the facility. I reviewed these documents to question if and how 'risk' is organized, reported and conceptualized. Prior to accessing the file data, I had to obtain written permission from the Chief Judge of the Provincial Court of Saskatchewan. I also asked for the girls' permission to access their file. The girls' files were massive documents which contain the following reports: Staff Recordings which includes, among other items, a daily account of the girls' "activities and significant events/behaviourally specific recordings"; General/Medical Documentation; Legal Documentation; Development Plans/Education and Work Placements, which includes any report such as the LSI-SK written on the girl while she has been in the system; Clothing and Possessions list. Because I was not permitted to photocopy any of the materials, I recorded my own notes on what I read. Due to time constraints, it was impossible for me for to review all of the girls' files. I concentrated on a select few files (from each of the facilities) in detail so that I could trace different changes over time, such as the girls' offences and dispositions, staff
comments, the programs in which they participated and are currently involved, and their 'progress' in the institution.

The ethical issues in this research stem mainly from my position as a graduate student and feminist researcher, and from the population I interviewed. Interviewing young "captive" offenders posed particular ethical matters throughout the data gathering, analysis and the final written text. All of the interviews were recorded on tape but I was the only one who listened to and transcribed the interviews. After transcription, the tapes were stored in a locked cabinet and will be destroyed once the dissertation is complete. In this section I outline the ethical concerns that required on-going consideration.

Guidelines for ethical procedures, including those for Simon Fraser University, emphasize the importance of research participants giving their 'informed consent.' The concept of informed consent and the girls' rights as participants were explained during the presentation and prior to the interview before they signed a consent form (Appendix C). Ensuring that participation is voluntary is part of the principle of informed consent (Silverman 2000: 201). It was important that the young women were participating in the project because they wanted to, rather than because they felt any pressure to do so either by me or institutional personnel. In my initial proposal to the Saskatchewan authorities I suggested that I would offer twenty dollars to each young woman for the interview. I explained that payment is to express my gratitude for their time and willingness to share personal experiences and opinions. However, it was advised that payment may be viewed as 'bribery' which would jeopardize the ethical intent of the project. When I first met with the Directors or staff at each institution, I implemented their suggestions as to what would be appropriate compensation. At Paul Dojack it was decided that prior to the interview, I take each girl to the vending machine in the main building and purchase a treat of her choice. This was not an option at Orcadia so I organized a 'treat night' on a couple of occasions whereby the girls requested either pizza or ice-cream for which I drove into Yorkton and brought back to the facility. At
Kilburn Hall, the Supervisor and staff agreed that it was ethical and fair to pay the girls twenty dollars, which was deposited into their account.

Because the research was introduced to the girls by me and not the staff or other authorities in most cases, I diminished the likelihood that the girls would agree to participate because they are asked by someone who routinely judges their behaviour in a system that emphasizes conformity. As part of the informed consent process, I gave each girl an Information Sheet (Appendix D) and, on the requirement by the government authorities, a copy of the questions that I was interested in asking to all of the research participants. As stated in the Information Sheet, the young woman "will not gain increased privileges or receive preferred treatment as a result of participating in the study" and "no harm will come... as a consequence of refusing to participate." I asked that the girls read through the information and ask any questions prior to agreeing to the interview. Because the population in the girls unit was constantly changing, some girls were not part of the initial presentation. I would meet with the new girls in person to cover all of the same points. Overall, the girls appeared very pleased to talk to someone who was not connected to the system such that I am confident that participation was on a voluntary basis.

Giving the research participants additional information about the benefits and/or drawbacks to participating is also an important part of ensuring informed consent. While the girls' perspectives and knowledge on the topic are invaluable, I acknowledge that discomfort may occur through the young women re-telling their stories of past violence, abuse, neglect or other painful experiences which are often a part of the lives of young offenders. I am confident that my training and experience as a full time youth care worker as well as my past experience interviewing violent young offenders prepared me to appropriately respond to these situations. The participants in the study were informed at the beginning of the interview that they have the right to stop the interview at any time and/or decline answering questions with which they are not comfortable. In addition, the participants were instructed not to talk about any illegal activities for which they or their friends have not been caught to prevent the disclosure of any incriminating evidence.
Although I felt prepared to deal with any emotional or negative reaction from the girls, perhaps I did not realize the impact that the interviews would have on me. Because grounded theory requires a constant interplay between the researcher and the act of researching, "by the end of the inquiry, the researcher is shaped by the data, just as the data are shaped by the researcher... The problem that arises during this mutual shaping process is how one can immerse oneself in the data and still maintain a balance between objectivity and sensitivity" (Strauss and Corbin 1998: 42). Admittedly, I was distraught by the life stories of the young women. Having a historical understanding of the oppression and difficulties faced by First Peoples, I anticipated hearing about sexual abuse, poverty and addictions. But the extent of the abuse these girls describe overwhelmed and haunted me. At times, exploring the impact of risk rationality, my research question, seemed so removed from more significant and pressing issues in the young women's lives. I often questioned how I would adequately report what is happening to these girls and what utility, if any, this would have. Fortunately, grounded theory allows for these questions and concerns to become part of the analysis.

Adhering to the principle of objectivity in grounded theory allows the voice of the young women to be heard regardless of my research question. Objectivity is defined as: "The ability to achieve a certain degree of distance from the research materials and to represent them fairly; the ability to listen to the words of respondents and to give them a voice independent of that of the researcher" (Strauss and Corbin 1998: 35). However, as Strauss and Corbin (1998: 59) recognize, it is not possible for any researcher to be entirely objective. In fact, bringing my emotive, disciplinary and research experience into the analysis enhances the creativity in theorizing.

Although I experienced 'in the field' data collection, there were difficulties in reporting certain perspectives and instances. Regrettably, because I had not identified myself as a participant observer in the consent form for the authorities (Appendix E), it would have been unethical to include several of my notes on informal conversations and observations in the final analysis. I have taken several measures to ensure the confidentiality and anonymity of the authorities, which are equally as important as for the girls. This precaution is particularly imperative considering the relatively small size and
population of Saskatchewan. In addition, during some interviews I was asked to turn off the tape recorder if I wanted to get an honest perspective on the question asked. Other authorities also said what they stated were “off the record” comments. Although these thoughts are important data, I had to report them in the analysis in a way that respects the participants’ concern over sharing certain ideas. Because it would not be difficult for someone in the Department of Corrections and Public Safety to identify the respondent based on their job title or the revelation of other significant information, I have not reported the correct position or gender of the speaker in several cases and have reported bits of information of one conversation in an order that does not reveal the respondent's identity.

Some tenets of feminist theory shape my understanding of what constitutes an ethical interview process, particularly with regard to the power dynamic between me as a researcher and the young women as participants. There is a long history of exploitive relations between researcher and subjects brought to light by feminist researchers (Oakley 1981; Stanley and Wise 1983; Reinharz 1992) which I hope I did not repeat. Although I maintain that giving voice to young offenders is a beneficial process both to the young person and to building knowledge on a particular topic, I do not argue that the process *empowers* the participant. Feminist methodologists have taught us that we need to question how our efforts as researchers to 'liberate' can perpetuate relations of domination. “This suspicion of the intellectual who both objectifies and speaks for others inveighs us to develop a kind of self-reflexivity that will enable us to look closely at our own practise in terms of how we contribute to dominance in spite of our liberatory intentions” (Lather 1991: ix). Hence, part of the ethical considerations in the dissertation includes transparency, a process of revealing how my social location shapes the research (Klein 1986; Stanley 1993) and reflexivity, which involves including me as a white, middle-class researcher in the issues being studied (Fonow and Cook 1991; Gouldner 1971; Stanley 1990 in Ristock and Pennell 1996: 13). Power relations operating throughout the research process are acknowledged. As Foucault (1980) argues, there is no “outside” of power-knowledge.
Reflexivity is particularly important to how the interview data are written into the dissertation. As Olesen (2000: 235-36) explains, all feminist qualitative researchers:

...need to attend to representations, voice, and text in ways that avoid replication of the researcher and instead display representation of the participants. This is an issue that is not resolved through the simple presentation of research materials or findings in new or shocking ways. Rather, it speaks to the ethical and analytic difficulties inherent in the intertwining of researcher and participant and the mutual creation of data, which are brought to the fore usually by the researcher.

Although the girls' perspectives were central in directing me to additional questions and topics, this is not a collaborative project whereby the girls are part of the coding, analysis and final report. However, I maintain a commitment to reflexive practice to expose my power position as the researcher and the influence I have on the findings. Reflexivity includes making observations and recording them fully throughout the research process. "In all research, it is necessary to record both the information sought and gathered (the content) and how the research is done (the process). In researching from the margins, conceptual baggage is a large part of that record" (Kirby and McKenna 1998: 49). There are several recordings in my conceptual baggage file which include recognition of the "responsibility to anticipate whether research findings can be interpreted and used in ways quite different from [my] own intentions" (Finch 1984: 83 cited in Fonow and Cook 1991: 9).

Theorists on Black feminism (hooks 1990, Hill Collins 1998; 2000), lesbian identities (Herman 1994; Petersen 1995; Robson 1995), and many "others" whose perspectives are excluded, brought attention to the position and the power white, middle-class able women have had to define notions of 'womanhood.' While this critique had directed attention to more appropriate methodologies and epistemologies in the study of adult women, there has been little attempt to analyze whether these approaches are also appropriate in the study of girls. As part of a series on international perspectives on feminism and criminology, Hansson (1995) states "to date, most feminist work has been focused on adult women. There are few feminist analyses of the gendering of social control and conflict in relation to children and youths" (1995: 52). This study includes a
space for thinking that does not subjugate various subjectivities to allow for recognition that the ‘risky young female offender’ does not have a unitary self.

There may be criticism that I, as a white woman, am not an appropriate person to research the lives of mainly Aboriginal girls. I do not deny that my race produced some hesitation and rightful suspicion on the part of guardians from whom I attempted to gain consent. In fact, despite her daughters' interest in participating, one parent refused to give parental consent and advised the girls not to talk to me. The sisters were both incarcerated at the same facility and were of particular interest to me because of the family connection as well as the fact that one of the girls was twelve years old. The older girl explained to me that the mother, who had just been released from prison, thinks that I am working for the government and that the information from the girls would be used to "rat them out" or somehow get the family in further trouble. Although the details were not clear, the mother had mentioned something about a government survey taking place on the reserve, in which residents were advised by the Band not to participate. The mother may have thought I was connected to this survey.

This same concern about being "ratted out" was not expressed by any of the girls. They were asked prior to the interview if I could have permission to access their file information and they were informed that I would also be interviewing the staff and authorities in the system. I also explained to the girls that there were certain issues, such as unreported crime and abuse, that I had an obligation to report to the authorities. Despite these caveats around limited confidentiality, none of the young women expressed concerns about how the information they were providing me may be relayed to or used by their 'keepers.' Some did, however, double check during the interview that I was not going to share certain thoughts with the other girls.

I also was cognizant throughout the data collection and analysis that mistrust stemming from racial dynamics may have been experienced by the girls. But my sensitivity to race relations seemed more an issue for me than it was for them. They did not hesitate to point out how white people had been racist towards them or that some felt
more comfortable with Aboriginal staff. Some girls, like Michelle\textsuperscript{4} for example, would initiate their comment with "like, no offence but...". Other girls clearly stated that they did not like most white people. Methodologically speaking, I took comfort in these comments because although there was recognition of race difference between the girls and me, I did not find that my being white was preventing them from reporting their perspective on racial topics. While an Aboriginal researcher may have been beneficial in some respects, to assume that she is more appropriate because of her race forces the participants into a single identity, which essentializes the young Aboriginal girl experience. In addition, there may be ideas that the girls would not want to reveal to an Aboriginal researcher based on the close-knit nature of some community members and a concern over culture-specific data seen as betraying racial solidarity (Lucashenko 1996; Razack 1994). As bell hooks (1990) argues, scholars of any racial background can produce work that opposes structures of domination and that advocates for a transformed future by reflexive and willingly interrogating their own work on political grounds. "This interrogation itself becomes an act of critical intervention, fostering a fundamental attitude of vigilance rather than denial" (hooks 1990: 55).

In conclusion, as this chapter outlines, the grounded theory approach is somewhat incongruent with the tendency for universities to maintain a monopoly on the creation of knowledge. Conventional academic research continues to define the "rules of the road" (Kirby and McKenna 1989) which include developing a theoretical framework prior to commencing the data collection. Although uncovering this framework provides a helpful literature review of the concepts, it also forces me to consider assumptions I may have made in the analysis. I found it very difficult to think about the data on their own merits rather than conceptualize and understand them in relation to established theory. Although I reveal in the next few chapters how the risk theorists' ideas provide insights to the discussion, the grounded theory approach has allowed for a fresh and innovative perspective on the impact of risk governance. As Hill Collins (1998) states "although critique remains valuable, without moving to the next of step – taking a

\textsuperscript{4} Pseudonyms are used for the young women who participated in the research.
stand by constructing new knowledge – critique can become a predictable and

Constructing new knowledge raises the issue of praxis, or the thoughtful
integration of 'knowing' and 'doing' (Kirby and McKenna 1989: 34). Although Fonow and
Cook (1991) argue that action orientation in feminist research is reflected through a
focus on the policy implications of the research findings, there is a clear distinction
between praxis and simply making policy recommendations. Action orientation is
reflected throughout the dissertation in the topic selection, theoretical orientation, choice
of method and definition of the researcher’s role (Fonow and Cook 1991: 5). Praxis
requires theory that is relevant to the world and nurtured by action in it, as well as an
action component in its own theorizing process that develops out of practical political
social research assumes that the world is changed by reflective practical activity and is
thus not content to simply identify the nature of oppressive structures but to point to
ways in which they can be combated through praxis" (Harvey 1990: 32). The point of
detailing how risk governance results in exclusionary consequences for girls through a
grounded theory approach is to highlight the need for alternative directions in our
treatment of 'risky' young women.
CHAPTER 3.
MANAGING THE YOUNG FEMALE OFFENDER

This chapter will address the impact of risk governance on the development of rationalities and techniques to 'manage' the risky girl. As explained in Chapter Two, the subcategories (which explain the why, what, how and with what consequences) of the concept of 'management' will form a complex explanation of the administration of girls in the system. In the first section I question why managing girls is deemed necessary. It is apparent that a concern over safety in risk governance has resulted in policy and structural changes that have transformed the daily functioning and interpersonal interaction in the youth facility. A culture of security consciousness, in turn, changed the authorities' perception of youth and diminished relations of trust between the authorities and the girls. Although the risk theorists do not agree on the role of trust in late modernity, the research participants provide an understanding of trust as an on-going process of negotiation which is central to whether management techniques 'work.' In the second section, I outline what form of assessment is used to manage the aggressive girl. In the authorities' search for new and improved technologies, the Saskatchewan Department of Corrections and Public Safety has recently implemented the Level of Service Inventory Saskatchewan Youth Edition (LSI-SK), a tool used to identify the criminogenic risks/needs of a young offender and provide "an intervention strategy to effectively manage and reduce the risk to re-offend" (DCPS 2002). I outline the purpose of the tool, the information that is collected and how the scores are interpreted. In the third section, I question how we manage aggressive girls. I focus on the youth justice system's policies and rules that are geared to managing 'risk' both in the institution and in the community context and how these are shaped by wider governmental change. I examine policies within the institution, such as the Level System, which contribute to managing the daily behaviour of the girls. The community interventions, based on
'government-at-a-distance' policy, include few resources which go beyond situational crime prevention. Lastly, I consider the consequences of a managerial perspective for young women. Overall, the chapter highlights how risk rationality has the most detrimental impact on violent girls, who are excluded from the more innovative and pragmatic interventions because of their potential threat.

3.1. Security Consciousness Impedes Trust

Late modernity has witnessed the emergence of managerial rationales for controlling crime, which stems from a general lack of faith in the ability of the youth justice system to change offending behaviour in young people. Criminal justice authorities have had to make adjustments to acknowledge changes in a late-modern climate. As Garland (2001: 105) explains:

They have had to reorient their practices in the wake of internal developments, such as the critique of correctionalism; adjust to changes in adjacent fields, such as the decline of work and welfare; and accommodate to the newly dominant political currents of neo-liberalism and neo-conservatism, however much these currents pulled in different directions or went against the grain of their own beliefs... They have had to face a new criminological predicament.... (emphasis in original)

This criminological predicament has fostered an acceptance that crime, even violent crime, is a part of everyday life. Moreover, addressing the 'causes' of crime are no longer deemed the responsibility of a criminal justice system. As one government authority in this study states: “Most of the issues that lead to criminal behaviour...such as addictions, mental health issues, dealing with abuse, [and a lack of] education and employment...are outside of the responsibility of a Corrections department.”

Increasingly, the responsibility of Corrections is simply to manage the behaviour that stems from these problems. This changing context in the youth system is detailed in this section to uncover why we see the emergence of techniques that ‘manage’ the violent girl.
Criminal justice authorities are attempting to improve the 'fit' between crime policy and the new political and cultural context in which it functions. The increased fear of crime and acknowledgment of the limits of the justice system to control crime have resulted in managing individuals through fostering a culture of security consciousness. These trends are particularly evident in the youth justice system whereby policy and structural changes have addressed the 'need' for safety in the age of risk. However, as Garland (2001: 103) explains, "[t]his ongoing attempt to reorient crime control institutions and revise their relation to a changing social environment was very much a matter of patchwork repairs and interim solutions rather than well thought-out reconstruction" (Garland 2001: 103). The research participants explain these policy shifts in youth justice, which are an important background to understanding the emphasis on managing the young female offenders.

Some of the authorities attribute the focus on security as stemming from changes under the Young Offenders Act (YOA). Prior to the YOA, the Juvenile Delinquents Act (JDA) allowed provinces to set the maximum legal age for defining a youth. In Saskatchewan that age limit was set at sixteen, which meant older youth were dealt with in the adult system. With the implementation of the YOA, and the age of youth being set at eighteen, like similar detention centres elsewhere, Kilburn Hall was converted from a 'stabilization and assessment program' to a secure custody facility (Perry et al. 2001:90). The influx of sixteen and seventeen year old youth required renovations to the building which included two 14-bed residential units, a central communications unit for intake, and four isolation rooms. The physical changes to ensure 'security' were also evident to staff who have worked at Paul Dojack for several years. Constructing a barbed fence around the perimeter of the property made some staff feel it was becoming "too much like a jail." As one of the Supervisors explained, "prior to that we did a lot more training, therapy and different things that were so helpful to the kids."

Other authorities indicate that the focus on security had to do with changes in government departments and policy. At one time both youth and adult corrections in Saskatchewan were under the Department of Social Services. In the 1980s,
responsibility for adult corrections was transferred to the Department of Justice while young offenders remained under the Youth Services component in the Department of Social Services. Part of the concern, indicated by one government authority, was that most of the services for ‘children in care’ came under the auspices of the young offender system so it was seen as an unhealthy evolution and therefore as necessary to have a separate department responsible for corrections. In April 2002 it was decided that youth and adult offenders should be dealt with under the same department. Hence, youth justice was transferred out of the Department of Social Services (DSS) to the newly created Department of Corrections and Public Safety (DCPS). The department is now responsible for the young offenders program, adult corrections and public safety (which includes safety standards for things like building construction, fire prevention programs and emergency preparedness, emergency telecommunications equipment).

While there are various perspectives from the authorities as to why the transition in departments occurred, there is an implicit understanding that they have had to respond to public perceptions and demands to deal with an increasing risky youth population. One authority in government surmised,

I think the intention of government was to provide a focus in that whole area of community safety and public safety; they felt that needed to be enhanced. [This] is a trend that is happening across the country, there are many new departments around public safety in Canada.

She indicates that the shift has nothing to do with the implementation of the YCJA, a change in Departments or in her words, a “false dichotomy” between rehabilitation versus security for the purpose of protecting society. Instead, the changes are stemming from a need to focus on “effective Correctional programs” for repeat offenders so that youth are held accountable and rehabilitated, and public safety is ensured. A different perspective, given by another government authority contextualizes the response as stemming from a moral panic over youth. As she states:

I think as the community has become less tolerant, the media has exploited some of that to a certain extent and you find that we’ve had to respond... the transition I think had a lot to do with the change in view of
kids. The new Act was coming into place, [it was a] political signal to the public that you're doing something about it. Moving kids from social services over to justice or corrections, that's a huge step, that's a big signal saying how you're going to deal with it differently...Kids [are] being treated differently because of the information in the media.

Regardless of the impact of the media, there was some agreement that the transition occurred because youth have become more aggressive. One supervisor commented that the departmental shift was welcomed among his peers who wanted to be affiliated with Corrections because "jail is what they do." Reaffirming this perspective, one authority states:

I think part of the rationale behind [the change in departments] was we need to get some more programming in place, more research based stuff happening and Social Services kind of looked at us like black sheep. "Oh my god, you're talking about cuffing and shackling kids!" Well, when they're throwing things at you, you've got to keep people safe: themselves, us, the whole works...So [they] had a nice philosophy of dealing with kids and it kept people from getting too adult-Correctional focused...[but] when we went into the adult system, it's had some benefits because we've been able to take some knowledge that's been learned from adult correctional and see how it fits for kids...It's getting a little bit more research-based again instead of just artsy, social worky...[Social Services] didn't want to come up with policies or they didn't want to use the wrap because they just hoped that whole portion of life would go away.

He explains further that whereas the staff used to hog-tie youth with cuffs and shackles in a process called "cradling", the research-based Wrap is a safer method of restraining "out of control kids."

Although I am not in a position to support or refute the claim that the behaviour of young offenders in Saskatchewan has changed to the point of warranting these types of security measures, it is important to acknowledge the authorities' felt experience of 'real' risk and danger. It is also important, however, to contextualize that felt experience as possibly stemming from institutional policy. The departmental change in dealing with young people in the institution illustrates how the 'need' for safety and security has been partially fabricated through the mechanisms put in place to manage youth. Although
these research-based techniques of controlling aggression in the institution are meant to keep 'everyone safe', they also foster reliance on such techniques without consideration for less intrusive and harsh intervention.

An additional change fostering a security-conscious institution is that youth correctional facilities became more remand centre than detention centres. This situation is expected to change again under the new youth legislation. High numbers of 'low risk' youth are incarcerated for a short time while they await sentencing. For the girls at Paul Dojack programming depends on whether the unit is being run as a sentence or a remand unit based on the proportions and status of the girls being detained. While I was conducting the research at the facility, it was run as a remand unit, which, according to the Director, makes programming more difficult. There are apparently disruptive “undercurrents” when short-term and long-term girls are together and a “higher level of structure and security” is therefore required. As I observed, this pattern translates into very little activity for all of the girls. Kilburn Hall also experienced a transition from housing sentenced youth for an average of four months, to a remand facility where 80-90% of the youth stayed 12.9 days (Perry et al. 2001: 89). In an article assessing the impact of the changes in Kilburn through interviews with Kilburn Hall staff, community agencies, and former and current residents and their families, one of the problems identified is the struggles that occur over the facility being perceived as both a jail and a helping facility (Perry et al. 2001: 94). As the staff indicated: “The remand nature of work has led to an increased emphasis on security and safety and a reduced emphasis on building relationships and providing programs. Staff members are examining their roles as social workers and reported a need for changes to policies, procedures, programs, and the physical building” (in Perry et al. 2001: 95). As one staff member recalls:

This had a huge impact [because of] the constant turn over and short term kids. What caused what? ... The remand kids caused us to be tighter in security or were we tighter in security because we found that the kids were unstable... It's hard to say but I think the impact is the kids are a little more guarded, they respond to the environment itself. We're being a little more security conscious, [there is] less relationship building.
Thus, a focus on effective management and security in the institutional arrangements has created practical difficulties for the staff who work in youth detention centres.

In the three facilities where I conducted the research, several authorities have noticed a 'shift' from helping to policing young offenders. When I asked one staff member how her position had changed in the last ten years, she indicates that the number one focus now is security. "We're very security conscious, the doors are locked, security checks are done all the time, [the youth] are in their rooms more and there's a count of cutlery after every meal." Although the official argument is that these security measures result in a safer institution, the research participants indicate that the changes negatively impact how staff and youth respond to each other.

In fact, security measures aimed at managing the potential danger of young offenders in the facility produce a different kind of 'risk' resulting from a lack of trust. As one of the Supervisors commented, "you don't develop relationships anymore because now you have to lock the door...and that does make a difference." A long term staff member at Paul Dojack noted a change in the facility environment when policy stipulated that staff members are required to conduct strip searches when youth come back from Temporary Absences. They are also now required to search the youths' personal belongings on a daily basis. The staff, he explained, went from being counsellors to security guards which resulted in the girls no longer wanting to disclose to or confide in them. "It completely changed the level of trust." It is ironic that the security measures put in place to increase safety for all concerned result in diminished relations of trust between youths and authorities which is a relationship necessary for security in the first place.

Although the risk theorists have different opinions about the import of trust in late modernity, it is an aspect of institutional relations that is key to examining the impact of risk governance on young female offenders. Whereas Giddens (1994) argues that trust remains a necessary aspect of human interaction because of our reliance on expert systems, Lianos and Douglas (2000: 261) argue that in the 'dangerized society' social
control is no longer administered through interpersonal interaction, eliminating the need to build relations of trust. However, the research participants illustrate that a relationship of trust between a youth and an authority determines the course of action and reaction to risk taken by the individual. Trust is a negotiated process that can be earned and broken with significant consequences. For example, the girls speak of trust as a requirement to benefiting from any type of institutional program. If the young woman does not trust the person who is advising her, she will not listen nor respect the advice. Similarly, the authorities’ trust in a girl impacts her daily routine and opportunity within and outside the institution.

Although this relationship of trust sounds applicable to everyday human interaction, it is a process with acute personal meaning and consequence in a carceral environment. The lack of trust in the highest risk girls was evident in the interview data, the correctional files and my interactions with the girls. For example, while I was conducting the interviews at Dojack I would take the girls out of the locked unit and walk with them to the main administration unit where the only vending machine is located. I had been doing this for weeks as it proved to be a good way to get some fresh air and chat informally with the young woman before we had the interview. However, on one occasion the Supervisor of the unit, who did not have a problem with me taking the girls, was away on vacation. The person covering the supervisory role sent a staff member chasing after us to explain that I was not allowed to leave the unit without being escorted by a staff member. The young woman laughed and asked: “what do you think I’m going to do? I’m not going to hurt her.” It was explained that my actions were breaking the rules and “something could go wrong” such as an escape attempt.

This lack of trust in the girls fosters a self-fulfilling prophecy. There appears to be a revolving cycle of suspicion in which the girls react to and provide grounds for continued mistrust. Angela’s story is similar to that of several other girls. She explains that when she first came into custody she was transferred around to the different facilities because of her behaviour.
I was usually freaking out on everything... I got restrained all the time. I was swearing around and stuff like that and I was in my room for one month and I wasn't allowed anywhere as part of my care plans... I started riots in Kilburn and they'd take me down and put me in Iso[lation] and I cut myself up and everything and I was like putting blood all over the walls... Then when I came back on the unit they never trusted me. Like every time I used the washroom I'd come out and they'd search me and before I'd go in my room they would search me or when I'd come out.

Angela's file outlines what is deemed an appropriate response to manage her in the institution. The following steps were recommended by the psychologist “to promote safety” at Kilburn: “regular monitoring of [Angela's] behaviour during group activities of any transitional periods; ongoing monitoring of items that she could use to harm herself or others, such as pens or safety pins”; and “given Angel's tendency to brood...[and] to plan to act-out, consistent use of appropriate institutional safety procedures [should be followed] during any interactions with [Angela].” A different report states that if Angela does not return sharp items, such as pens or pencils, in programming, “staff should not enter the room until she has relinquished personal objects to maintain their personal safety.” If staff need to use those items, it is stated that they “need to have a safety plan in place prior to working with [her].” This focus on security and having a “plan” in place to manage everyday interactions with the girls appears to have actually increased the level of aggression in the youth. As several authorities pointed out, the girls are responding to how they are perceived.

In sum, this section partly addresses why there has been a shift towards a managerial approach to dealing with young female offenders especially from the perspective of the authorities. A late modern fear of crime and the inability of government to address that fear through crime control, have resulted in policy and structural change. These structural changes are designed to manage girls, and the risk they pose, through fostering a culture of security consciousness. However, the institutional response to a real or constructed ‘need’ for safety has negatively impacted the relationship between youths and authorities in the youth facility. The interview and file data illustrate how institutional discourse can contribute to a lack of trust in daily interactions, with exclusionary consequences for the girls. The girls' behaviour is often
monitored in a way that assumes they will do something bad or risky. Hence, trust is a key relationship in determining if management techniques 'work.' The subject of what technologies are used to manage the violent girl is analyzed in the next section.

3.2. Management Tool

The emphasis in the Youth Criminal Justice Act on keeping low risk youth out of prison and 'reintegrating' incarcerated youth back to the community has resulted in the need for techniques that predict the risk of each girl to guide how and where she will be managed. The impact of risk governance on the Saskatchewan youth criminal justice system is perhaps most obvious in the recent development and implementation of the Level of Service Inventory Saskatchewan Youth Edition (LSI-SK), a risk assessment tool used to identify the criminogenic risks/needs of young offenders. In order to analyze how the LSI-SK is used to manage the violent girl, a description of the tool and its use is necessary. In this section I outline when the LSI-SK assessment takes place and for what purpose. Then I describe what information is relied upon and how the resulting score is interpreted, with significant consequences. This section provides important background information on the management tool, which is critiqued in the following supplemental chapter on the risk/need factors in the LSI.

The community youth worker plays a central role in assessing the girls' level of risk with the intent of devising a management strategy. Once a youth is found guilty of a crime under the YCJA, she is assigned a community youth worker. In keeping with an emphasis on restorative justice ideals in the new Act, the youth worker, judge or other professionals dealing with the case may convene a conference for the purposes of giving advice on "appropriate extrajudicial measures, conditions for judicial interim release, sentences and reintegration plans" (Section 19 (1)(2)). The youth worker also prepares for the court a Pre-Sentence Report (PSR). According to the Saskatchewan Corrections and Public Safety Policy Manual:
The content of the Pre-Sentence Report will be based on a comprehensive Risk, Needs and Strengths Assessment which will include, but is not limited to the administration and interpretation of the Level of Service Inventory LSI-SK. This assessment will identify the criminogenic risks/needs of the young person, and an intervention strategy to effectively manage and reduce the risk to re-offend presented by the young person (Chapter 3, Section 2 (8.2).

The LSI-SK is also required as a stand alone document for other purposes such as court reviews and reintegration planning. On the LSI form there is a section indicating the various “contexts” in which it is used. Within the community, the report and score may be used for a PSR, Probation Intake, Alternate Measures or Reassessment. Within the Institution, they may be used for Classification or Reclassification, Internal/Program, ICM (Intensive Case Management Program) and Community Release. Although these options are stated on the form, most of the reports that I read were prepared for PSR and Community Release plans.

The information for the LSI-SK is collected through a variety of sources including file information, professional reports and semi-structured interviews with the youth, family members, victims, school officials and/or other significant people in the young person’s life. Because the tool had recently been implemented when I was conducting the research, not all of the girls I interviewed had been assessed. For the young women who are incarcerated, information for the assessment is collected through a “case conference” which is arranged by the youth worker. At the case conference the young woman and the community youth worker, and sometimes other adults such as the facility worker or guardian, meet to discuss the youth’s progress or plans. It is also at the case conference where the youth worker conducts the interview with the young woman to complete the LSI-SK assessment. As part of the two training session on the LSI-SK, in which I participated, we watched a video-taped simulation of how the interview between the youth and community youth worker should proceed. The video was also used as means for us to practice what we had learned about scoring the LSI and to conduct our own assessment. Although the interview is meant to be a conversation around the areas in which the youth is evaluated, some of the girls in the study indicate that it is
more of a check-list process in which the youth worker asks questions and fills out the risk assessment form. The purpose of conducting interviews with other significant people in the youths' life and consulting file data is to cross reference and validate the information given by the youth.

Section A, "General Risk/Need Factors", is the focal point of the assessment. Under this section, the girl is assessed on 45 items in eight risk/needs subcomponents: criminal history, education/employment, family circumstances and parenting, leisure/recreation, companions, procriminal attitude/orientation, substance abuse and antisocial patterns. The information she gives in each is used to rate, from zero to three, each item. For example, under the category "Companions" the youth is rated on whether she has: some delinquent acquaintances, some delinquent friends, no prosocial acquaintances, no prosocial friends. The Instruction and Scoring Manual (2002) explains in detail how to rate each item and indicates that a score of "0", for example, means that the particular factor reflects "A very unsatisfactory situation with a very clear and strong need for improvement" (2002:2). The subtotal is calculated on each of the eight risk/need subcomponents and then a final total of all the scores produces a LSI-Score from 0 to 30+ which is recorded in Section D "Risk/Need Summary." This score corresponds to a classification outlined in Section E, the "Risk/Need Profile" ranging

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5 There are other sections of the LSI-SK which are mainly used as further explanation in the report outlining the results from the assessment. Section B, "Specific Risk/Need Factors", contains two sections: 1. Personal Problems with Criminogenic Potential (which includes items such as "clear problems of compliance" and "diagnosis of other personality disorder"); and 2. History of Perpetration (which includes items such as sexual assault, physical assault and gang involvement). Section C, "Custody Experience/Institutional Factors" is an open box for comments. Section F "Other Client Issues" includes a list of Social, Health, and Mental Health items such as financial problems, homeless or transient and diagnosis of psychosis. Lastly, Section G, "Special Responsivity Considerations e.g. development delays" contains a space for comments. The LSI-Assessment Report: Format and Guidelines document explains that the information collected in the above cited areas is written into a section entitled "Additional Concerns/Client Issues." Under each of the eight subcomponents, except Criminal History and Antisocial Pattern, there is also space to score the youths' strength in that area. Recognizing the youths' positive attributes is identified as "reasons for lowering security/supervision or recommendation for community conditions from Section A" but the score does not figure into the LSI score. The issue of recognizing the youths' strengths in risk governance is discussed in more detail in Chapter Six.

6 These areas of risk/need in which the young women are evaluated are outlined and critiqued in detail in the following supplemental chapter.
from Very Low to Very High which represents the youths’ “probability of overall risk to re-offend if no targeted services are provided.”

Although the LSI-SK is touted as an objective tool for evaluating the young woman’s level of risk, the interpretation of the information collected and the resulting score have potentially (contingent on the judge’s view of the tool) significant consequences for how the girl is managed. The findings from the LSI compose the first section of the Pre-Sentence report in which the community youth worker makes recommendations, including custody or community services that could be offered as an alternative to custody, to the judge. Under the YOA, the judge decided if the youth would be detained in open or secure custody. That decision is now made by the provincial director, who, in accordance with YCJA must choose the “least restrictive” level of custody considering the seriousness of the offence, the programming needs and circumstances of the youth, the safety of other residents and of society (Section 85). The extent to which the judge and the provincial director rely on the findings from the LSI-SK to inform their decision is questionable. But it is reasonable to assume, based on the attractiveness of techniques that simplify complex decision making, that as the tool gains familiarity in the youth justice system, the girls' score from the LSI-SK will be influential in all levels of the system.

Given its potential influence, there are some concerning limitations in the LSI's ability to predict the level of management required for the risky girl. In addition to misinterpreting 'needs' for 'risks', a problem discussed in the next chapter, there is an assumption that the LSI score predicts what type of crime the youth will commit. This is especially relevant to youth convicted of a violent offence. As Hannah-Moffat and Maurutto (2003:2) point out, the logic of LSI assessment contradicts a main principle in the YCJA which indicates that young offenders "are to be held accountable through interventions that are fair and in proportion to the seriousness of an offence." As the authors argue, "Risk/need scores are not a measure of the seriousness of an offence, nor do they predict potential for future serious offences, nor is future crime relevant to proportionality. The use of risk/need assessments to facilitate decisions under the YCJA
needs to be carefully reviewed and monitored" (ibid). In other words, although the tool may give some indication that a girl is likely to reoffend, it does not predict if it will be a violent or non-violent offence. The score for young women convicted of a violent offence is likely to be interpreted as the degree to which she is a threat or 'danger' to either the institution and to the community, which result in exclusionary consequences. Youth justice practice in both these locations is geared towards managing that danger, which is discussed in the next section.

3.3. Managing Risk Inside and ‘on the Outs’

Upon admission to the youth facility, the girls are assigned a "case manager" who is one of the full time facility workers. It is the responsibility of the case manager to develop for the girl a Community Safety Plan (formerly the Developmental Case Plan) which reflects the results of the LSI-SK assessment. The Plan outlines the case management goals "...that youth are encouraged to work towards and are intermittently evaluated upon" (Orcadia Program Description). Institutional staff and community youth workers will all take a two-day training session on the model of the Community Safety Plan, which is put in place at the admissions conference for the young woman. The intent is that from the time a girl is admitted to the facility, her areas of risk are known so that individual 'targeted services' within the facility and later in the community will help address those risk/need areas. As one government official stated, "now we’re providing a program that meets the individual kid’s needs" rather than relying on a generic approach for all offenders. Through a "holistic approach to case management" the facility is supposed to address the personal, family and community development of each girl. (Orcadia Program Description). This section analyzes the approach to managing girls in, firstly, the institution and secondly, the community. The managerial perspectives are considered in light of the role of government in the age of risk.
3.3.1. **Institution**

At the heart of actuarial forms of governing is personal risk management. During the admission process into the facility, each youth is given a Residential Handbook which outlines the rules, procedures, daily schedules, legal rights and court information. As it states in the introduction of one Handbook:

> **DO NOT GIVE UP HOPE!** At Paul Dojack Youth Centre, we offer you an opportunity, in a highly structured, highly programmed institution, to start to take responsibility for your wrong-doing, your wrong-thinking and your irresponsible behaviours. ... We believe that the time has come for you to take control of your emotions and behaviours and we have developed our level systems, case management and programs around this. (2004)

I examine the level systems and corresponding rules, case management and schedules in the facilities to illustrate how the ‘responsibilized’ rationality is evident in both group and individual management strategies in the institution.

In order to manage the girls’ risk in a group context, the girls’ behaviour is monitored through a Level System. Although there is some variation in design, all three facilities have a system in place to encourage “[c]onsistent responsible behaviour and a sincere effort to work on identified problem areas [which] may be rewarded with increased privileges demanding higher degrees of personal responsibility” (Orcadia Program Description). When a new resident is admitted to the Girls’ Unit, she is placed on ‘24 hour observation’ and must remain in her room. If there are no concerns during this time, she moves to “Admin” which lasts for four days. During this level, the youth partakes in programs but she must spend ‘free-time’ in her room and she is not allowed off the unit for activities, such as time in the gym or art classes. Residents are then admitted to “Entry Level” which includes participation in all regular programming. To remain at this level and receive privileges the youth must conform to daily responsibilities and behavioural expectations outlined in the Girls Unit Expectations form. If expectations are not met, privileges are revoked and the youth is placed on “Security” or “Supervision” Level. This includes attempted escape, acting out behaviour, verbal abuse or other behaviour which reflects, as one staff explains, that the girl “can’t
be trusted.” However, if the youth behaves for two weeks, she can make a request to move to Level I and then Level II (and Level III in Orcadia for open custody girls) which represent graduated responsibility and privileges. The privileges that the girls can achieve include being allowed: their own possessions (such as hygiene products they choose to purchase rather than the ones provided by the facility), paid chores, increased number of phone calls, later bedtimes and requests for temporary absences from the facility.

As part of the new penology aggregate classification systems are used to provide the basis for surveillance, confinement, and control. The “Girls Unit Expectations” are listed in the general areas of: Respect Issues, Participation, Leadership and Self Responsibilities. The twelve to fourteen variables (depending on Level) are evaluated by the staff each day and evening through a point attribution system where zero represents a failure in the category and five (for some categories) is the highest standard. There are 38 possible daily points and these are calculated into a daily average given as a percent. For example, at Orcadia if a “Level One girl” has a daily average below 75%, she will be confined to her room for the following day. However, if she is behaving well over an eight-day period, and she achieves above an 85% in the last three days of that time frame, she can request her Level II status. For a “Level II girl”, three zeros in one category in eight days results in a loss of level. The girls are allowed to “book sick” during which time they remain in their rooms and are not evaluated for that day. The staff at Paul Dojack have a meeting every two weeks to discuss and determine what Level the girls are at. The girls are allowed to make level requests in a “Wish List” which is considered at the meeting. As indicated in Denielle’s file, the level book is “a behaviour modification tool.” Violent girls are managed through a Level System in which they are encouraged to adjust their aggressive or rude behaviour to fit with social types that are statistically produced (Hacking 1986).

The behaviour that is evaluated for the Level System reflects the authorities’ desire for a polite, well-managed institutional environment. However, some of the girls, such as Sue, view the rules simply as a control mechanism for “simple mistakes. People
make mistakes, like forgetting your slippers on the unit, but you don't need to write it
down every time." Under Respect issues, the first item on which the girls are evaluated
is "Respect Staff (accepts staff direction, no arguing, challenging or attitude)." Nicole
explained she received a zero on this item because she initially told staff that she did not
want to attend a performance in the evening. Later on she changed her mind and asked to attend. As she explains, the staff member "said I got a zero because once I make a
choice, I should stick to it. I think [the real reason] is because I pissed her off. I wouldn't
be her partner when we were playing Ciazer." I asked if there was any recourse when a
girl feels she is unfairly penalized. "No, they'll tell us not to 'justify our zeros'... like you
did it, don't try to justify what you did, I guess." Similarly, another girl was insulted by a
comment a staff member made about the girl's sexual habits when the group was out in
public. The girl complained to another staff member about the comment and she
received a zero because she did not confront the person with whom she had a problem.
Based on the young woman's understanding of the incident, it is ironic that she received
a zero for a situation that was prompted by a "disrespectful" comment from a staff
member.

The Level System and expectations also require that the girls manage their
behaviour with respect to their peers. The philosophy underpinning interactions and
rules in both Orcadia and Kilburn draws on the Guided Group Interaction (GGI) model
and a Positive Peer Culture (PPC). As stated in the Orcadia Youth Residence Program
Description, the approach includes daily group meetings during which youth are held

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7 One of the Supervisors indicated that The Guided Group philosophy had been used in Paul Dojack
Youth Centre (PDYC) as well but she was unsure why it was abandoned. However, there were
references to the importance of peer culture in managing the girls' behaviour at PDYC. For example,
in the Staff Recordings there it states that Cathy "has been questioning procedure in the unit... The
senior girls informed her... that the unit works as a group and it is the responsibility for each of them to
correct each other for their behaviour."

8 "A Positive Peer Culture (PPC) is nurtured within the groups and program that promotes cooperation
and teaches positive strategies to deal with everyday living issues (see rules pacage [sic])" (Orcadia
Youth Residence Program Description).
responsible and accountable in front of their peers for their behaviour. The group process model requires the girls to accept responsibility for herself and for her role in the group. “Daily participation in the guided group process is designed to enhance the positive effect of peer influence on resident behaviour, control and decision making.” (OYR Program Description). For example, the second and third Respect Issues concerns the girls’ interaction with each other. They are required to: “Respect peers, self and property (tone of voice, attitude and muscling); and Display positive behaviour with peers (interacts with several peers and no cliquing).” Sue was at a hockey game, on an outing from Orcadia, and received a zero for cliquing, which, she explains:

is hanging out with one girl and not interacting with the rest of the group….I was talking to one of the girls that was beside me and I got into trouble for not talking to another girl that was a seat away…I was like how can I talk to her, like the hockey game was so loud and I’m not going to sit there and yell to her.

Again, the girls’ experience with these rules suggests that they simply reinforce the authority of staff rather than teach the girls more positive interaction skills.

Moreover, the girls’ desire to have intimate conversation and form friendship bonds is restricted through institutional rules that emphasize managing the relationships among the girls. One girl’s response to receiving a zero at the hockey game was: “I think that’s a stupid rule because you want to talk to one girl…we have stuff that we need to talk about.” Similarly, one of the girls got a zero for cliquing at an evening meeting that I attended. The staff stated that she has not corrected her cliquing behaviour. As they asked the young woman: “Where did you sit at dinner? Where are you sitting during this meeting?” The girl was sitting next to the one that she is accused of cliquing with. Although ‘cliqying’ is strictly prohibited in Orcadia, Katie indicated that

9 I observed some of the evening group meetings during which the young women “salute” something positive in their day and staff discuss the girls’ behaviour and indicate who got “zeros” for not following specific rules. Each of the girls then states how she will address the zero. For example, during one meeting the staff pointed out that one girl received a zero for talking to her mom on the phone past the time limit. The girl said that she would address this zero by asking her mom to monitor the time. The staff stated that this was insufficient and that it was the girl’s responsibility.
the staff at Kilburn will let the girls use the visiting room to talk to each other when they are feeling depressed but do not want to confide in staff. From one girl's perspective, the staff at Kilburn "try to focus more on your problems rather than worrying about cheap little things, like saying 'as if'... and 'err' like they do in Orcadia." This comment reflects the fact that girls will respect rules that they are perceived as being in place to help them. Most indicated to me that they did not understand what some rules are meant to accomplish beyond controlling all of their interactions. In the same way that girls' 'trust' is a negotiated process, the girls are more easily managed by rules that they see as beneficial or useful.

The girls' behaviour is not only managed by staff, but also by each other. They are evaluated each day on their Leadership skills including: "Shows leadership (role modeling, shows initiative); Gives guidance positively/respectfully as necessary (ex. Tone of voice); Accepts guidance from staff and peers (applying guidance to self)". As part of Positive Peer Culture, the girls are expected to "take the responsibility of coaching and correcting negative behaviours as well as keeping each other on task." (Orcadia Program Description). As part of the 'coaching and correcting' rule, the girls point out any rule-breaking behaviour, such as using inappropriate language or not completing a task. As Jackie explained, "if the girls are doing something wrong, you coach them so they confront their mistakes and try to make them change." Although Sue indicated that the coaching and correcting rule "is just trying to help you make better choices" it was an aspect disliked by most of the girls. One girl states: "it's their choice and I shouldn't have to correct them for their choice... if they don't want to correct their self then it's their problem, why should I make it into mine?" Similarly, Judy said "I've been working hard since last Wednesday so I could get my level but then I end up screwing up and I get a zero. It was for my leadership because I'm not correcting somebody if they're talking inappropriate, it's mostly why I got zeros." The girls are also required to 'correct' in a certain manner. In Kim's file it states that she "overdid the feedback to [another girl] during the meeting, it was good feedback but overdose...i.e. overcoaching, sarcasm." Overall, the 'coaching and correcting' rule illustrates an extreme form of prudentialism. The girls are not only required to manage their own
behaviour, but are also responsible for managing that of their peers. Failure to do so results in a loss of privilege.

The official intent behind the 'coaching and correcting' rule is to manage relations in the institution in a way that benefits both the staff and the girls, but it also represents a specific type of governing power. As one of the Directors states, the girls see the rule as a system of "ratting each other out, which goes against their belief system on the outside. In here it's to keep everybody safe." As he explains, prior to the rule, "there was a real 'us against them' mentality." Part of the intent, therefore, is to break solidarity among inmates and position girls against one another, rather than against staff. However the rule also protects the girls. For example, one of the girls told staff about Nicole's intent to fight one of the girls from the other Pod in Orcadia. It never occurred because Nicole lost her level and the associated freedom. Perhaps most significant, according to the Director, is that the rule teaches girls empowering skills to stand up for themselves to prevent others from "railroading" or bullying them. The girls are encouraged to practice the skill in the institution so that they are able to execute it when they are out. As the Director states, "even if it helps the girl tell mom that brother is coming into their room [rather than] just laying in bed and letting him abuse. That's a big leap to be made for keeping yourself safe." There is no denying the good intentions of teaching young women skills that give them the confidence to prevent harassment or abuse in any form. But, as Hannah-Moffat (2000) demonstrates in her study of the concept of 'empowerment' in women's prison policy, the responsibilization strategy gets linked to penal power and used to create a new system of governing. "Disciplinary power is employed on those prisoners who fail to take responsibility for their own empowerment, which indicates how neo-liberal strategies of government grow and function with other forms of power" (Hannah-Moffat 2000: 512).

The case management system in the institution also demonstrates a 'responsibilized' approach to managing young female offenders in risk governance. Because the Community Safety Plan is a new document, it is interesting to compare its language and purpose to the older Developmental Case Plan to get a sense of the shift
to managerial practices in the facility. The Developmental Case Plan was originally used when youth justice was under the Department of Social Services. The document identifies the girls' 'problem areas' which was a term more familiar to, and used by, the girls than the term 'risk factors.' The Developmental Case Plan has four categories, which are exemplified with data from Denielle's file. The first is Problem Areas which for Denielle includes a problem with anger management. The second category in the Case Plan is Goals which "determine what the source of anger is and how to deal with it positively." Strategies, Methods, What Are We Doing, Who, When, How and Time Lines is the third general category. These include for Denielle her need to "work on work books: Cage Your Rage and Chill Out" as well as "participate positively in life skills programming pertaining to anger management." The final category is Outcome. Did we accomplish Our Goals? If Not, Why?. Under this category in Denielle's file it simply states: "made referral to attend counselling at Mental Health Services." Although there is little difference between a 'risk factor' and a 'problem area' in these two documents, addressing the matter is now the responsibility of the young woman.

In comparison to emphasizing more of a team effort in helping youth, seen above in questioning whether the authorities' helped accomplish the goals, the new Community Safety Plan outlines the strategies for the girls' individual Risk Management and Risk Reduction. The Risk Management section of the document includes: Conditions and Instructions, Safety Agreements and Supervision, and Reporting Schedules while in custody and in the community. The Safety Agreement, for example, lists the "instructions and/or restrictions mutually agreed to by young person, his/her support persons, and the youth worker, which contribute to management of the young person's risk to reoffend." In Kristine's file this includes her responsibility to "make positive use of leisure time, work with a counsellor on development and consider and pursue treatment for addiction" while in custody. The section on Risk Reduction strategies includes a list of the activities which correspond to the youth's identified criminogenic needs and a time line for completion. For example, to reduce Kristine's risk in the area of 'companions' it recommends that she "avoid negative peers and behind-the-scenes activity [and to] practice independent thinking and counsel with staff to deal with self-esteem issues [and
to] utilize prosocial skills...rather than manipulating and intimidation." The focus in the Community Safety Plan is the individual's responsibility to seek services and on avoiding strategies rather than addressing underlying 'sources' of problems as previously emphasized.

While there are more options for girls with an open custody sentence outside of the facility (such as inpatient drug and alcohol treatment, mental health counselling and going to school in the community), 'services' for the majority of girls are provided through programs in the facility. Although the girls spend a lot of their time on regular school subjects such as math, English, art, physical education and recreational activities, the facilities also include anger management, life-skills, prosocial classes and various types of cultural programming as part of the daily schedule. Some of the programs, which are analyzed in relation to the girls' areas of risk/need in the next chapter, reflect the risk theorists' argument that risk rationalities result in managing rather than transforming offending behaviour.

The girls are also managed through a daily routine, in which each hour of the day is scheduled from the time they wake up. However, scheduling every minute of an inmate's institutional life is not a 'new' practice connected to risk governance. As Foucault (1979: 149) points out: "The time-table is an old inheritance" in the control of various groups. Similar to the 'regulations of the great manufactories' in the seventeenth century, the girls' schedules, which are written in a time-referenced grid, are posted on each Unit. There is some variation in the schedule between the three facilities, but they all contain timed activities which outline when the girls wake-up, eat, shower, have meetings, classes and chores, and go to bed. While I lived on the grounds of Orcadia I was able to participate in and observe how the scheduled routine is a significant aspect of managing the girls.

The girls have internalized the schedule and shift from the activity of one hour to the next with little guidance or prompting from the staff. This likely stems from the fact that the girls will receive a 'zero' under the category of Self Responsibility in the Level
System if they are not making a timely, orderly transition to the next activity on the schedule. The corresponding item under this category is: “Punctuality: On time for programming through out the day. Goes to bed and room promptly” (OYR Description). During a regular week-day, the girls must be dressed and out of their rooms by 7:15 in the morning. According to the schedule, from 7:15 to 7:30 a.m. the girls are involved in 'smudging', a traditional Aboriginal cleansing ceremony which includes the burning of sacred medicines such as sweetgrass. Although some of the girls mentioned this practice at Paul Dojack, I did not witness any of the girls at Orcadia partaking in this ceremony. This time was used instead as "coffee time" where the girls made their own coffee and relaxed as a group in the communal area. They played music and talked. Breakfast was scheduled from 7:30 to 8:00am. The girls at Orcadia would all line up against the entrance wall prior to walking down in single file to the dining room. After breakfast, the girls in Pod I had a Physical education class and then showers. School classes ran from 10:20 to 11:25 before the girls had lunch. The afternoon ran in much the same manner during which, for example, they participate in a Life Skills class for an hour, have a different school subject for another hour, spend an hour in their room as part of “Quiet Hour” and then eat supper from 4:20 to 5:00 pm. In the evening, the girls who have a Level II or higher are allowed 'Freetime' in the communal area while the others must be in their room. There is a Unit meeting from 6:00pm to 7:15 pm to discuss each girl's day, followed by an activity, chores, night lunch and various bedtimes depending on the girls' Level. "Lights Out" for everyone during the week is 10:30pm.

Although the use of routines in the discipline or management of offenders is not new, it may be argued that the rationality around schedules has changed in age of risk. Unlike the disciplinary aspects of routine on which Foucault writes, there is common reference in most child care discourse that schedules provide a sense of security for young people. Based on my experience as a youth care worker, and reconfirmed through this research, there is a professional understanding that “at risk” youth need routine in place to make them feel safe. The rationale, which I recall citing to youth in the group home where I worked, is that a strict schedule provides predictability, and
therefore comfort, to youth who have not had much 'stability' in their home life. As one of the community youth workers in this study explained:

These girls come from homes where they're pretty much allowed to go wherever and do whatever they want. A lot of them do really good in custody because it's very structured, they know what's expected... But then they come back out and [with] the lack of structure again, they just end up getting into trouble.

Because the girls have grown up in and return to an unpredictable environment, I question: what is accomplished, apart from institutional management, by providing a temporary, rigid structure of predictability and routine? Does it not make more sense to encourage and foster the girls' skills for an unpredictable world to which they will return? I am, of course, not denying the benefits of teaching the girls the importance of being on time and other middle-class skills that will help them compete in a capitalist environment, but I am perplexed by institutional rationales that continue to impose interventions that are geared towards 'normalization' to "help" girls, without accounting for the disconnect with their everyday lives. Thus, a central impact of risk governance is the role 'routine' plays for the maintenance of ontological security. As Giddens (1990: 98-99) points out, when routines are not abided by, anxiety and fear are produced (in Lupton 2004:150-151). However, it seems that this anxiety is a problem more for the adult authorities than for the young women.

3.3.2. Community

The Level System, rules and schedules are not only meant to foster a well managed institution, but are also to teach the girls skills which may contribute to their management in the community. The community youth workers are expected, as it states in Kristine's file, to review with the girls their risk management goals and progress. The LSI is supposed to be re-administered at least every twelve months by a trained facility worker to assess if the young woman has lowered her level of risk. As indicated in one file:
[Angela] has done well during her time at OYR. However, she still has many things she needs to accomplish in order to lower her level of risk within the community. Angela advised she feels she is still a high risk and wishes to continue working on her issues in order to help permanently lower her level of risk.

Section 2 in the Community Safety Plan outlines the strategies for Risk Management in the community including the conditions imposed by the youth court judge as well as those imposed by the community youth worker. These may include, for example, participating in addiction services, attending an educational facility, following the institutional rules and/or maintaining a daily curfew.

The girls are also required to have consistent contact with their community youth worker as part of the management strategy, but the workers’ case load and the quality of encounter render the effectiveness of this strategy questionable. As indicated in the YCJA: “personal and collateral...contact with the young person...is subject to the minimum contact standard corresponding to the young person’s Overall Rating, as mandated by the Standards for Supervision of Young Persons in the Community policy.” In fact, with the implementation of the LSI, there was an entire unit of community workers in Saskatoon designated to those youth who have a “high-risk” score. The workers are supposed to have smaller case loads and operate as an outreach service. They are given greater access to the community with cars and cell phones, which are to be used to seek out the young person rather than relying on the youth reporting to them. One community youth worker explained that they have to manage more “troubled kids” in the community setting who would have received custodial sentences prior to the new Act. As she states: “There’s more kids that could potentially be dangerous and put society at risk out there...so the contact standards have changed.” The minimum contact standard for those girls who score “high risk” and “very high risk”, as defined by LSI, for the first four weeks after they are sentenced or when they are released from custody, is one face-to-face contact every forty-eight hours, followed by one face-to-face contact per week until the level of risk decreases. The frequency of contact is reduced with each lower classification of risk. One of the community youth workers indicated that it was impossible to meet the contact standards at the present time because the workers
were trying to manage case loads that average forty 'high risk' youth. As he comments: "I don't think that whoever decided to implement... the LSI was of the understanding that most of our kids [score] as high or very high risk." Another community youth worker feared the fact that so many "high risk" youth are being given community supervision orders. As she points out:

> We can't be with them twenty-four, seven. We certainly have the contact standards that we try to maintain... but the quality of those is questionable... A kid could bull-shit me for a half an hour quite nicely and I'll be on my merry way...[I] can't tell if he's going to do an armed robbery tonight.

The limits of the youth justice agents to manage crime has resulted in what the governmentality theorists observe is a shift towards redistributing responsibility to 'the community' (Garland 1996 2001).

The limits of the justice system have resulted in government agencies claiming that they, alone, cannot succeed in controlling crime. As stated in the preamble of the YCJA:

> Members of society share a responsibility to address the developmental challenges and the needs of young persons and to guide them into adulthood... 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.

The community is increasingly involved in managing the risk posed by violent girls. As Garland (2001: 123) explains:

> Drawing on the critiques of total institutions, arguments about the dangers of stigma and exclusion, and a belief in the healing powers of community relations, there has been whole series of reform initiatives that identify the community as the proper locale for crime control and criminal justice.
Evident in the mandatory community supervision portion for youth, as well as a reliance on alternative measures programs, managing risky youth is cultivated through collaboration with non-state mechanisms and agencies.

The focus on involving a wide cross section of people and organizations in the management of risky girls not only harnesses the social control efforts of these groups but it also aligns them with official crime control policy. This extension of state agencies by connecting the ‘private sector’ and ‘the community’ reflects how the responsibilization strategy extends well beyond the violent girl. This is illustrated by the Saskatchewan government’s action to hire community members as service providers to assist community youth workers achieve the contact standards with ‘high risk’ youth. As one worker explains, “the service providers do curfew checks, they take the kids out and they do counselling with them...and that counts as a ‘contact’ for us. We had a service provider hooked up with every kid coming out of custody [but] now...they’re on a wait list for like a month or so.” In addition, the emphasis on community conferencing provisions in the YCJA (Section 19), including sentence conferencing with the judge, lawyers, family and community members in an informal circle session, is welcomed by all of the authorities with whom I spoke. As one community youth worker commented, “these conferences bring it down to a more personal and understandable level [for the youth] and I think the judges get a better sense of what we write in the [Pre-Sentence Reports].” Similarly, community members are also encouraged to develop Youth Justice Committees, a legal option in both the YOA and now the YCJA (Section 18) to assist with programs or service delivery for young offenders.

In Saskatchewan the ‘youth services model’ is a new policy initiative to manage repeat young offenders in Regina and Prince Albert. As part of the “government-at-a-distance” (Rose and Miller 1992; Garland 1997) strategy, diverse professionals assembled to govern the behaviour of those deemed problematic. The aim of the model, as described to me, is to manage high risk youth in a way that does not result in incarceration. The ‘round table’ consultants include representatives from the Departments of: Justice, Social Services (which, at the time of conception was
mandated to deal with young offenders and is now participating with a new mandate), Corrections and Public Safety, Health (who co-chaired the committee) and Government Relations. It also included members from other federal departments, from employment programs in the province as well as representatives from First Nation organizations such as FSIN, Tribal Counsels and the Métis Nation. As one authority explained, "so all those folks gathered around to try and figure out what to do with a small core group of youth in a different way."

The group recognized that one problem contributing to reoffending, in Prince Albert in particular, was the difficulties youths faced in the transition from school to work. The committee created three positions to help youth with this process. In Regina, there was a problem coordinating efforts to develop and deliver First Nations services to youth. According to one government authority, "these types of initiatives which began prior to the YCJA and are continuing under the YCJA, I think, do have some kind of an impact on the allocation of resources to people based on need. There may not be more resources available, it's maybe targeted a bit better." For example, through the youth services model there were incremental resources given to Addictions Services in Prince Albert. Garland (1997: 179) explains an additional result of the model:

> Governmental power flows through – and acquires its effectiveness from – this network of professional enclosures and agencies. Fanning out from these settings it cultivates alliances between...the teacher and the schoolchild, the social worker and the neighbour, etc. and seeks to adjust the behaviours and self-image of individuals, bringing them into line with socially approved aspirations and identities.

As Kristine enthusiastically explains, her upcoming Release Plan includes enrolment in the Transitions to Employment in Moose Jaw, through which, "I get two hundred dollars a week for going and they set me up with a job too." Thus, the violent girl is managed through strategies which involve the community in structuring the lives of its members.

The management of the violent girl is attempted through various techniques in both the institution and the community. As illustrated in the comparison between the
approaches outlined in the Developmental Case Plan and the more recent Community Safety Plan, part of the impact of risk governance has included an emphasis on 'responsibilizing' the individual offender in her own self-management. Not only is she responsible to manage and reduce her own risky behaviour, she is also responsible to point out when her peer is not conforming to the same management model. Although the official intent of some of the rules in the institution is to encourage the girls' self-confidence to stand up for themselves, other rules, such as not being allowed to question decisions, or 'justify their zero', defeat this purpose. Moreover, policies designed to enhance the girls' ability to integrate into the community are at odds with rules that have exclusionary consequences, such as the girls not being allowed to develop friendships with one girl or having to report behaviour which they do not always see as problematic. Late-modern forms of governing also insure that community members play a significant role in reinforcing the crime management apparatus, with albeit more inclusive outcomes for girls. As one of the community youth workers states:

I like some changes in the new Act where we have the ability to make changes in community sentencing...In the community supervision portion we have the ability to pull kids in and say 'this isn't working, how can we change this...'I think it gives a feeling of power to the kids that they have a place in this [and] that they aren't just made to do certain things because that's what they're told to do by the judge.

Most young offenders do have much more voice in the community portion of their sentence. However, for the girls in this study, there are few innovative options both inside the facility and outside in the community because they have committed a violent offence. As the next section illustrates, they are 'too risky' to participate.

3.4. Too Risky to Qualify

While the previous discussion outlined management strategies for all violent girls, this section focuses on other options in the institution and community that manage girls through an attempt to 'normalize' their behaviour. However, they are the types of opportunities which the girls themselves indicate are helpful and address important
needs. Unfortunately, most of the young women in this study do not meet the requirements of these programs because of their past violence. There continues to be a paradoxical logic in youth justice that those youth most in need of services are also the ones who do not qualify for those services. In addition to the girls’ level of risk, there are also sexist and discriminatory rationales for why they cannot participate, which are easily accepted in a climate of fear over the violent girl. This section focuses on the consequences of a managerial perspective.

The more constructive programs, those that aim to transform rather than manage behaviour, take place outside of the Girls' Unit. Because it has an open custody unit, Orcadia has more options for girls who are able to reach and maintain a certain level of security. For example, some of the girls attend school in the community and come back to the facility at night. There is also a school incentive plan which allows for participation in a group activity on Friday afternoons. “To meet the criteria residents need to complete and follow weekly educational goals, complete a weekly book report, and to avoid receiving two zeros in the day program of the level book” (Orcadia Program Description). Residents who are at level II privileges are also permitted to accompany the teacher to the library and to take books out once a week.

These and other options in the facilities are geared towards exposing the girls to the activities and skills of 'normal' youth. For example, Orcadia has a three stage work program with the purpose “to instill in youth a sense of normalization through the attainment of employment skills assisting in gradual re-integration with the community” (Orcadia Program Description). The first stage are positions within the Centre, including kitchen duties, plant maintenance and outside grounds work; the second stage includes staff-supervised projects in the community such as property maintenance, independent business contracting and regional park maintenance; and the third stage is a temporary absence, individualized employment opportunity. These positions include volunteer public sector employment, such as park and town maintenance projects, as well as apprenticeships and other private sector employment which can translate into high school credit. To qualify for any stage the residents must be at least 16 years of age or
older and be “TA Eligible” [or meet the security requirement that allow them to partake in a Temporary Absence] and be a level II (the highest institutionalize level rating). “To qualify for the third stage, the resident must have a work component associated with their individualized case plan and have the ability to succeed in the assigned work environment” (Orcadia Program Description). I witnessed several girls in Orcadia participating in the kitchen program and one young woman worked at a hair salon on Saturday afternoons.

Although program development based on the concept of “normalization” is highly problematic, the girls indicate that these are the types of activities from which they gain, or would gain, the most benefit. Drawing on Foucault, ‘normalization’ in criminal justice policy is used in a disciplinary sense. As O’Malley (1996: 189) explains: “In the disciplines, the central technique is that of normalization in the specific sense of creating or specifying a general norm in terms of which individual uniqueness can be recognized, characterized and then standardized. Normalization in the disciplinary sense thus implies ‘correction’ of the individual and the development of a causal knowledge of deviance and normalization” (O’Malley 1996: 189). Despite this theoretical critique, most of the girls have no form of employment training and they express a strong desire to participate in activity, any activity while they are incarcerated, that is productive. Unfortunately, in addition to the girls level of risk, there are several reasons for why they to do not qualify for these alternative programs, particularly in Paul Dojack Youth Centre.

Reminiscent of the ‘too few to count’ phenomenon (Adelberg and Currie 1987) and a long standing sexist mentality towards female offenders, girls more than boys are excluded from innovative programs. Although there is a work maintenance program at Paul Dojack, it is only available to the boys. As one staff explained, “I mean let’s face it, there are fewer girls and you can’t justify resources…so I can understand that there would be a lot more available for the bigger population.” Other excuses were that the girls may not have the skills required for the job program, they may not be interested and qualification depends on their security level and “stability.” Given these reasons, none of the young women at Paul Dojack were involved in programs outside of the Unit.
is also a kitchen program at Paul Dojack but one of the teachers said that in her four years working at the facility, she had not heard of any girls participating. Similarly, the boys are involved in over-night cultural camps on a regular basis whereas the girls have not attended in the past two years. When they have attended, they go to a day camp and come back in the evening. As one of the teachers also stated: “I have problem too when they have sports days and things, or they have baseball tournaments or basketball tournaments. I had to fight to get them to invite the girls.” A different authority said the situation was the same at Kilburn in that “the schedule favours the boys as well.” Part of the explanation from some of the authorities about the lack of opportunity for the girls at PDYC is that the Unit has been very unsettled and the girls have had behavioural issues when they are at cultural camps, which, naturally leads to staff not wanting to take them off the Unit. However, as indicated in the first section of this chapter, the girls respond to how they are treated.

Although I do not deny the ‘real’ risks and concern associated with a young woman repeating violent or aggressive behaviour, there is an increasing tendency to view youth capable of violence as being ‘beyond the pale’ which results in a purely managerial response. As I have also documented in past research (Barron 2000), those youth who are the highest risk and in need of the most services, are also the ones who tend to receive the least. If experiencing ‘normality’, in the sense of setting goals and feeling a sense of achievement, contributes to reducing the risk to reoffend, these girls more than anyone would benefit. As Angela states:

I don’t know how to explain this...it's just kind of how I grew up...Everything that's really really rough and un-normal, like if people around you are drinking heavily and abusing, that doesn't seem like a big deal to me but according to the newspapers and everyone else, it is...So normal is hard for me to realize.

Although the Level System does allow the risky girl a chance to gain the trust of authorities and demonstrate that she is willing to follow the expectations and rules, as illustrated above the levels can be difficult to maintain long enough to allow her access to these programs.
Even if the girls do not qualify for programs that take place outside of the unit, there is a sense by several authorities that more could be done with the programming on the Unit. As one staff points out, even if the girls are “not eligible” for the work program, they still need to learn where to start: how do you fill out the job application, how do you interview. I’ve always said I’d love to have a facility where we’d have green houses and have the youth out there planting stuff, growing stuff, taking care of it. That shows them work ethic...how to produce something.

Another staff member pointed out that the youth enjoy the wood-working shop as part of their curriculum but thought the program should be developed to teach them how to frame and build a house. “If they learn a trade, they’d have options.” She points out, however, that the community would not respond well to these alternatives because it is a closed custody facility. “I think it’s just a sign of how these kids are viewed.” Thus, the community may also be more interested in controlling risk than taking a chance on programs that may transform behaviour.

In risk governance productive programming that goes beyond simply managing girls is unlikely to garner public support or outcry, which seems to be necessary for services to be implemented. According to the community youth workers, the only program currently receiving attention and funding is The Auto Theft Strategy because of the public outcry over the high number of vehicles being stolen in the province. In addition to the program running inside Paul Dojack Youth Centre, the strategy “…included providing more information to judges at sentencing, intensive case management during custodial sentences, and stricter supervision after release” (Green and Healy 2003: 140). One community youth worker expressed her frustration over the lack of other services:

Today when you steal cars in abundance you’ll get more services whether you’re in Dojack or in the community...The joke around here is that some of us are going to tell our kids, who are in need of serious services,... ‘go steal two cars and they you’ll get labelled and then you’ll get the services you need.’
As part of the auto-theft strategy there is a treatment program at Dojack for chronic offenders, as well as HEAT (helping eliminate auto-theft), an alternative measure program in the community and preventative education programs for inner city schools. The youth worker explains further: “The whole auto-theft initiative came as a response to the public...Unless girls become a big issue, which I can’t see that they will, I mean, unless the public becomes concerned about them...nothing will be done.” Although violent girls are a public ‘concern’ in the current climate of fear and security consciousness, the more relevant issue is whether the system has given up on rehabilitation. This is examined further in Chapter Six.

Although public outcry may have an impact, in the age of risk the result is likely detrimental for violent girls. For example, one month after the 1997 murder of Reena Virk, Helen Montgomery, a Community Homes operator in North Battleford Saskatchewan, was fatally stabbed by two young female offenders in her care. The Community Homes program was established in the late 1980s for youth sentenced to open custody. Rather than being managed in a facility, the youth were placed in private homes which functioned as a “continuum of residential services.” A past Director of the program indicated that there were roughly eighty youth at any given time in the program and the referral came directly from court. All girls sentenced to open custody, regardless of their offence, served their time in the community. Initially they attended either school or a day program in the community and then stayed in a Community Home at night. A community youth worker who used to run the day program explained that it was more therapeutic- than security-focused. In a heightened climate of fear, the response from both the youth courts and young offender authorities may have been partially to satisfy public wrath. The case of the girls, Serena Nicotine and Catherine Mackenzie, was elevated to adult court where they pleaded guilty to second-degree murder. Both young women received life sentences with no eligibility for parole for seven years. As one government authority noted, the incident “sounded the death knell of...fairly innovative programming for young people in this province.” Ten days after the Battleford murder, the doors for Ocardia’s open custody facility were opened. It is interesting how one
incident, however tragic the result, forced consideration about the potential
dangerousness of any girl involved in past violence.

The official response to the Battleford murder has led to managing aggressive
girls through increased incarceration with few community housing options. The
government established the Saskatchewan Social Services Community Homes Review
(1998), which documented a need for policy changes around case planning for high-risk
youth. The most significant consequence for the girls in this study is that the Admission
Criteria for the Community Homes Program now state that “A youth serving an open
custody disposition with current or previous conviction of significant acts of violence against others will not be considered for placement in a Community Home” (no date given, underline in original). The result, as explained by a community home worker, is that there has “been no investment” in a program “that takes kids out of custody facilities where they may be further criminalized or victimized.” There is strong support for this option for girls because, as one authority indicates, “Community Homes is where they get to see what normal is like.” It is also explained to me that the home environment is preferable because there are fewer “acting out issues than you see in an institution.” Moreover, there is recognition that girls, like boys, need some sort of transition back to the community. According to the community youth workers, the youths require some structure to help them abide by the stringent conditions of the community supervision portion of their sentence. However, boys, more than girls, seem to be benefiting from what remains of the Community Homes program. One community youth worker in Regina said,

I should note also that we don’t have any community homes for girls in our area, it’s all for boys... We would love to have community homes for girls but there’s probably higher demand for boys, like, when you think,

10 These acts of violence include presumptive offences, any charge involving loss of life, kidnapping and hostage taking, robbery with violence and assault causing bodily harm. The second standard of criteria for placement states that “All youth serving an open custody disposition with current offence involving other acts or threats of violence not addressed above must have a mandatory period of assessment in a custody facility prior to consideration for placement in a Community Home” (underlined in original). The other acts of violence include assault, sexual assault, armed robbery and any other charge against person not already covered.
we had one [Community Home] out of town who ended up taking a girl and that girl caused so much stress and problems for her that [the operator] decided she would just house boys.

Another authority who also had experience as the Director of the Community Homes Program prior to the murder explained that they had difficulties “finding resources that could deal with the issues that the girls present [one of them being that] some of these girls are parents themselves and the cycle of abuse continues.” Rather than address girls' "difficult" issues through prioritizing resources within a gendered framework, the response has been to manage these issues through incarceration.

Several of the research participants state that the most useful resources are those which would allow for a different living situation for the girls when they are released. As one youth community worker stated “the only person that we have the ability to change is that youth...When they do come out sometimes they just can't go back to where they came from and we need more resources for them to have that option.” In an attempt to facilitate addressing these needs, one of the community homes workers conducted her own survey on all of the youth on case loads in the North Battleford office to establish that youth who grow up in violent homes and who are abused, are more likely to have aggressive personalities. She did the survey, as she explains:

...to try and gather some of the information here to advocate for more services from Child and Youth. We need to establish a lot more resources for women and when you do that...you will really help girls' situation. I mean it all comes down to equity issues in all areas like access to resources.

Alternate housing is not the only area requiring resources that move away from managing girls' problems.

In addition to housing, there are also complaints from the community youth workers about the "restrictions" on Mental Health Services for the girls. Youth are not
eligible for programs if they have a charge pending before the court. As one community youth worker commented in reference to Paul Dojack:

I mean it is a jail but we’re here to help and it’s a sad case when you know... they’d get more help if they were in the adult Correctional... They’d be able to access more, they’d be able to learn more, they’d get more treatment for their needs... Dojack is getting to the point that they’re so sticky they don’t even want to send kids to treatment anymore.

The Mental Heath resources available to young women are discussed in detail in Chapter Six. However, the concern is the result of not having options for which ‘high risk’ girls qualify. As Green and Healy (2003) point out, although a youth court judge can now make a referral to assess if a young person requires child welfare services, “[a] related and crucial question, however, is whether the needed child protection and mental health services are actually available to youth. Our experience has shown many young people end up in custody because of a lack of resources, especially within the child protection and mental health systems” (Green and Healy 2003: 55). Although the YCJA specifies that custody is not to be used “as a substitute for appropriate child protection, mental health or other social measure” (Section 29 and 38), the problem of inadequate resources is exacerbated by the increased emphasis on community-based sentences. This is especially evident in rural areas and on First Nation reserves, where the lack of resources translates into a dependence on incarceration.

This lack of options for high risk girls is recognized by the authorities but addressing the problem does not coincide with the government’s role in the age of risk. For example, in discussing Kids First, an early intervention program targeting “at-risk parents” from the time of pregnancy, one government official commented that for “pregnant moms who are at-risk [we need to] first of all identify them, plan the services effectively and then you get the outcomes... I think a number of studies have shown that to be very effective in dealing long term with criminal justice intervention [we need] more and better employment, better education [and] fewer people on social assistance.” However, reflecting the risk theorists’ analysis of the role of government, another official stated:
We’re not a department of ‘do everything’… One of the things that we’re clear on in Corrections and Public Safety is we’re not responsible for everything. We’re not responsible for all of society and how society prioritizes things, how society establishes its entire service system… We have a responsibility around effective programs to reduce the likelihood this youth will re-offend and the issue around accountability [in regards to] the legislation and the offender.

Returning to my initial point in this section, risk governance has exclusionary consequences for high risk girls because they are not eligible for the most ‘effective programs.’ Their level of risk is seen as a ‘management’ issue rather than a systemic problem.

In conclusion, this chapter demonstrates that a significant impact of risk governance is the management of young female offenders in ways that differ from established theory. The risky girl is responsible to regulate not only her own behaviours but also those of her peers within the institution. She is also managed through relations of ‘trust’, a risk assessment tool, institutional routine and policy, community members and programs that focus on ‘normalizing’ behaviour. However, she is excluded from more inclusionary programs because of her gender and the threat she poses. In contrast to the governmentality theorists’ assumption that risk management occurs uniformly, there are detrimental consequences for young women specifically. One of the government authorities indicates that he meets regularly with community agencies to discuss programming but they entail “all boy discussion.” As he explains further, “I think girls are an annoyance in the system for reasons that then make it difficult to have [gender-specific] programs.” Among other injustices, viewing girls as an annoyance contradicts a unique feature in the YCJA Declaration of Principles which states that “the measures taken against young persons who commit offences should… respect gender, ethnic, cultural and linguistic differences and respond to the needs of aboriginal young persons and of young persons with special requirements” (Subsection 3 (1)(iv). At this point there is little evidence of the youth justice system in Saskatchewan addressing this principle. Moreover, the lack of resources in the province to manage the girls’ areas of risk raises questions over the intent and function of the LSI-SK risk assessment tool.
The following chapter provides an in-depth focus of the eight areas of girls' risk/need identified by the tool and by the girls themselves to assess the corresponding programs and government techniques available to manage those risks.
One of the significant impacts of risk governance is the use of risk assessment tools to manage a variety of populations. There is a sense of optimism among Saskatchewan government officials that identifying risk/need areas in young offenders holds the key for helping youths and reducing crime. Their optimism is supported by a long tradition of research on predictive factors of delinquency (see, for example, Glueck and Glueck 1950; Loeber and Dishion 1983; Simourd and Andrews 1994; Lattimore, Visher and Linster 1995; Gendreau, Little and Goggin 1996; Andrews and Bonta 1998; Catchpole and Gretton 2003). In fact, according to experts in the field, "the largest body of well-established research findings in the whole of criminology is that devoted to the prediction of the criminal conduct of individuals" (Hoge, Andrews and Leschied 1995: 36). As discussed in Chapter One, this literature has more recently been focused on 'robust' correlates of criminal behaviour as risk/need factors. Andrews and Bonta (1998), who developed the LSI model, provide data which point to the 'Big Four' as being the best predictors of recidivism: criminal history, antisocial cognitions, criminal or antisocial associate and antisocial personality. In addition, the authors establish in their research that predictive risk/need factors for criminal behaviour are the same despite gender, race, class or presence/absence of mental disorder (for discussion see Gossner 2003). A focus on both risk and need is intended to firstly identify the key problem areas and then gear interventions to those specific areas which results in efficient resource allocation and a reduction of risk to offend. However, Hannah-Moffat and Maurutto (2003:3) point out in their review of risk assessment tools that "[r]esearchers' attempts to identify and quantify risk/need have resulted in the reconceptualization of needs and certain social structural barriers as risk factors." In other words, there is 'slippage'
between the two concepts such that an unsatisfied need is understood as a potential risk factor (Hannah-Moffat 1999: 83). If the interventions do not address the underlying issues in the risk/need profile, the tool simply identifies problems rather than solving them.

The focus of this chapter is to analyze the eight general areas of risk/need in the LSI-SK. Although section B of the tool lists ‘Specific Risk/Need Factors’ (such as diagnosis of other personality disorder and anger management deficits) and History of Perpetration (such as intrafamilial sexual assault), the training that I received and most of the reports I read focus on the general risk factors. Although I will not engage with the techno-scientific academic literature which justifies each item, I will analyze the interpretation of each factor as it is explained in the Scoring Manual. This will be accomplished through revealing what goes on the life of the girls related to that area of risk, which is also important for the following chapters. It should be noted that due to the grounded theory approach and to the fact that risk discourse was not familiar to most girls, the amount of data on which I draw to analyze each area of risk/need greatly varies. I will also consider what resources are in place to respond to the corresponding area of risk/need and, where possible, whether this response addresses important issues for the young women. Continuing the argument presented in Chapter Three, it appears that the girls have access to very few activities or resources that could actually change their situation or environment. As Silver and Miller (2002: 157) point out, “not enough emphasis has been given to the activities that must follow once risk is assessed,” rendering high risk girls an excluded group of offenders. Drawing on Douglas (1992) and related theory, I will argue that areas of risk on the LSI do exist in ‘reality’ for the young women, but they hinge on cultural, political and moral evaluations of behaviour in an attempt to manage the risk posed by violent girls. The consequence is that the process of control is depoliticized. The areas of risk are looked at as individual issues which the girls must resolve, rather than as cultural problems which require a response often beyond the girls’ capacity.
4.1. Criminal History

'Criminal History' is the first risk/need factor on which the girls are evaluated in the LSI-SK. The youths' level of risk is based on how they score on: their number of prior dispositions; whether charges were laid in a breached probation or conditional supervision; whether they have been incarcerated and, if so, were they 'consequenced' for behaviour that resulted in an official incident report. Almost all of the girls in this study have reports detailing their aggression while incarcerated and all do have lengthy criminal histories and violent charges to such an extent that crime is a "normal" part of life. The file data also indicate that the girls' history of offending has progressively become more serious, which contributes to their overall risk.

There is an understanding among criminal justice researchers that the best predictor of future violent offending is a history of previous aggression and violence (Lattimore, Visher and Linster 1995: 56). However, the relevance of history and personal biography has new meaning in risk governance. Stemming from a political emphasis on individual responsibility, the intent behind this risk/need factor is not to examine how the young woman's socialization and environment has contributed to violent behaviour. Nor is there any scrutiny of the role youth justice itself plays in that history. For example, Gunnlaugsson and Kristinsdottir (2000) found that the more severe the sentence given by the justice system, the greater the chance a person will reoffend (cited in Green and Healy 2003: 20). Rather, the girls' history and experience of issues that have contributed to offending behaviour is dissolved into a calculation of risk.

Instead of addressing conditions that contribute to girls' use of violence, the rationality of the programs offered suggests that girls' offending simply stems from their inability to control their aggressive tendency. This approach does not address the issues that the girls say are important. As Vivian, for example, explains: "my sexually being abused, like in the past, that's why I'm here too much. I have so much anger; I take it out on other people." The institutional response to preventing aggressive
behaviour includes providing anger management classes, a main component of programming in all three facilities. The content of Anger Management, however, does not address the anger caused by past trauma. Instead, it focuses on the 'here and now' and on learning the “anger sequence” and rehearsing the proper responses “before anger buttons are pushed” (Orcadia Program Description). In addition, the Violence Intervention Support Group program, developed by Saskatchewan Mental Health, is also being delivered to the girls in Orcadia for the first time. The twelve sessions in this program range from 'The Facts About Violence' to 'Creative Violence Avoidance and 'Stress Management and Life After Group.' There are also specialized violence prevention programs through Mental Health which are discussed in more detail in Chapter Six. However, the key point is that within this risk/need factor there is an underlying assumption that the young woman has refused or is incapable of adhering to the sound advice offered through past probation and specialized programs to reduce her risk of violent behaviour (Douglas 1992: 103). This moral assumption about the girl's inability to change results in exclusion through a reliance on incarceration as the only option.

4.2. Education/Employment

The second risk/need factor in the LSI is 'Education/Employment'. The girls are deemed at-risk depending on how they score on the following: not in school/currently employed; not in school and not employed for a full year (this is a community-based item so the client's history while in a custody facility is not taken into account); have less than grade 10 or equivalent but are 16 years or older; are more than two years behind age appropriate grade; were suspended or expelled at least once; participation and performance; and interactions with peers and authorities. I questioned the authorities whether the girls could actually work to reduce this “risk” area while they were incarcerated and, if not, whether this was in fact setting up the girls for failure. The answer, as explained by one government official is that they are able to work on some factors while in custody.
When it comes to the issue of school attendance, it's based on attendance in the community so that item can't change while the youth is in custody... However, if while going to school [in the facility] she's completing some classes and finishes another grade level, she can get improvement on that particular item.

There are several assumptions within the evaluation of this area of risk that clearly demonstrate the 'slippage' between girls' risk and need areas.

There is no denying that the girls' lack of education and employment skills places them in a marginalized and 'risky' situation. However, again there is little focus on the underlying factors associated with why this is the case. For example, several of the girls had the responsibility of taking care of younger siblings during school time. Judy explained that when she went to live with her dad on the reserve:

There was a lot of drinking and that's when I started watching my little brother who was just a newborn... I was only eleven and I never knew about taking care of babies, but I had to take care of him. I wouldn't go to school if they were still drinking during the day... my dad and my brother's mom would have passed out and the baby would be hungry... I hardly went to school.

Similarly, rather than attending school, Denielle was procuring or, as she says, "putting girls on the street because my mom left and she was an alcoholic and stuff and she was always gone. I was twelve and I had to look after my sister." The girls' experience, and duties around child care, which are not the same for the boys according to the authorities, demonstrates the gendered nature of 'risk.' However, this is not accounted for in the institutional response to this area of risk.

The institutional response, by both the education system and the justice system to this area of risk reflects a technocratic system of governing that simply manages the girls' risk in isolation of the context. Ironically both the education and justice system are critical of the other for not addressing the girls' needs. On the one hand, as one government official explained, the youth in custody have had negative experiences at school because of its inability to address their learning or behaviour difficulties. As she
explains, the school’s response to these difficulties is, in their terms, to “dis-invite” the youth back to school. Most of the girls in this study are no longer in the regular school system and are having a difficult time staying in the “alternate” system supposedly designed for risky youth. For example, Leanne was briefly in SWAP, an alternative school program, but she was eventually ‘kicked out’ because, as she states, “I was too much into the drugs and stuff.” Vivian explained that she was not in school “because I got suspended for three days and I couldn’t go to any of the other schools unless I got counselling for my anger management.” She was in the LINKS re-entry program for, as she says, “my behaviour. I had to go into it until I could learn to get along with others and stuff like that and then you can move into a regular class.” Katie is on a “Performance Contract” at school through which, she explains, “if I fight or anything I’ll get kicked out of every school in the city.” Although I do not know enough about the curriculum in the alternate school system, the education system is part of governing moral order in the age of risk. The behaviour that results in girls being ‘kicked out’ of school and that which is evaluated in the LSI, is individualized and problematized as an infraction of other students’ freedom. In other words, the girls’ behaviour challenges “…the very presuppositions of moral consciousness, self-control, and self-advancement through legitimate consumption” (Rose 2000: 321) upon which institutions such as the school depend.

Although an alternative education system for the risky girl may be in theory intended to foster inclusion by at least keeping youths in the system, in practice education becomes a course of exclusion for most young women. Because a focus on education is a large part of the girls’ case plan, the community youth workers have frequent contacts with the education system in their attempts to get the youths reinstated. One worker relayed an example stemming from a common problem with rules on attendance. One of the high-risk girls on her case load finally made it to school after months of being absent. However, as soon as she arrived, she was suspended for past poor attendance. “It doesn’t make any sense...We need ways of pulling them in whether it’s through organized sports activities, computer classes...anything to [foster] inclusion.” I had similar experiences with the education system as a youth care worker.
in West Vancouver. The problematic process of trying to keep "trouble" kids in school reinforces the message to them that they do not "fit" in conventional institutions. As Green and Healy (2003: 77) note, "[a] youth may be physically large but not have much more than grade four or five. Ordering the youth to go to school [as part of community supervision] is not the same as ordering the schools to make the appropriate accommodations for the youth..." (Green and Healy 2003:77). Reflecting the same approach as in the LSI, the education system refers to the youths as 'special needs' but they are treated as 'high risk.'

The justice system, on the other hand, actually provides a helpful context of learning for some young women, mainly because they are not under the influence of alcohol or drugs. In fact, most of the schooling for the girls in this study is only accomplished while they are incarcerated. Denielle indicated that in Dale's House (a former open custody facility), Dojack and Orcadia, "they have this program that really helped me learn to read. I was thirteen and I didn't know how to read. The girls in Dojack also taught me." However, the justice system does not provide an adequate system of recognizing the girls' accomplishments to allow them to advance in grade level. As one of the teachers explained, it is difficult for the girls to advance because there is only one teacher and the girls are all at different education and skill levels. For example, Denielle has been incarcerated for nine months, was soon to be released, but had no idea what grade she was working on. One of the teachers referred to the girls as "hidden kids" because there is little bridging between the schools in the facility and the ones in the community. The youth can earn regular school credits for the courses they have worked on while incarcerated. But they are often released before they have completed the class and therefore they do not get credit for the work. As the teacher explained, the girls "can go to school for six years and get nothing because it's not continuous education...[Michelle] has been doing grade nine English for four years, like it's ridiculous." Thus, the education program in the youth facility is useful to the young women considering that it is often the only time the girls are in school. However, there are limitations stemming from a managerial approach which does not want to bother with the difficulties associated with a continuity of education. The result is that it is more
difficult for the girls to advance grades and, based on criteria in the LSI, reduce their level of risk.

The government authorities argue that the LSI-SK has the potential to force a more inclusive response to young offenders by the Department of Learning. As the Director of one facility explained, the results from the LSI “puts more pressure on the schools. Where the school would previously say ‘no this kid isn’t allowed’ we can now say ‘you know what, if this kid is in school he’s less likely to break the law, he’s under sixteen and you are required to allow him in...Work with us to see what we need to do to have this person in school.’” The School Plus initiative is described as a policy direction that the Department of Learning in Saskatchewan is taking based on a report which indicated that the role of schools need to be more engaged in larger community issues, such as dealing with young offenders. As the Director further indicates: “By law the school system has to provide education until the age of 21 and I think School Plus is trying to address that issue. [The school system] has rallied around keeping the riff-raff out and they need to figure out a way to deal with the needs of the riff-raff in conjunction with other helping agencies and departments.” However, the authority questioned if and when they would see any results of this program. He relayed the comment made by several authorities that a focus on prevention and responding to the ‘criminogenic needs’ earlier would be more helpful to the girls:

Again, the kids that we deal with don’t suddenly become delinquents at age twelve. There’s issues usually from birth on through the school system. You could go to a classroom and say ‘this kid will likely wind up in the correctional system’...To have the ability to respond to needs when they occur, to hit them as early as possible so that we don’t have to drag on throughout adolescence until they come into the justice system, is what I would like to see. It seems to me that our services are centered around the justice system where it is easier to get an assessment if it’s court ordered...the same kid needs it before they stole a car or [did] something [illegal]. So I would like to see that and that requires a whole lot more coordination.

Some of the alternate school programs are designed with this goal in mind. For example, the Odyssey program in Belcaris Community School is a "senior retention
program.” As the teacher of the program explained, the goal of the program is to ‘retain’ kids rather than kick them out for attendance or behaviour issues so “we deal with all of their issues such as if they don’t have a place to live, if they’re pregnant, if they’ve been raped, if they’ve been fighting with parents...[or] if they’re in trouble with the law.” There were other outdoor education and after-school hour programs, such as Spirit Builders, run by Elders in the province. The girls, however, did not comment on being involved in any of these programs.

In summary, the girls’ experience and perspective from the authorities reveals how each item on the LSI-SK under education/employment is focused on outcomes that go beyond the control of the young woman being assessed. Her risk score in this area reflects the inability of the education and criminal justice systems to understand and respond to problematic behaviour from the context in which it is derived. I am not downplaying the frustration by teachers who are required to manage large class sizes and feel they cannot cope with the difficulties presented by ‘high needs’ girls. I am, however, suggesting that it is precisely because these difficulties are not responded to as ‘needs’ but are seen as ‘risks’ which is problematic. The managerial approach, and resulting lack of education and skill development, translate into further exclusion for young female offenders.

4.3. Family Circumstance and Parenting

The third area of risk/need on the LSI-SK is ‘Family Circumstance and Parenting’. The girls are scored on the degree to which: the youth is dissatisfied with family (or equivalent) relationships; there is a lack of care giver prosocial support; and there is criminal record for any family members. There were horrific stories from all of the girls regarding their experience with familial abuse and neglect. In addition to being beaten, almost all of the girls had been sexually abused by a family member. Although there was a great deal of emphasis by both the girls and the authorities on the lack of family support in the young women’s lives, focusing on ‘family dysfunction’ as a risk area for girls conceals wider social problems and leads to blame. It is important to relay these
experiences in the girls’ words to provide context which challenges the claim that family dysfunction is an individual risk/need factor. Hence, there is a disproportionate amount of interview data cited in this section.

The devastation resulting from historical injustice for Canada’s Aboriginal population has translated into a risk/need factor for the young women in this study. Generations of abuse stemming from government residential schools continue. When I asked Denielle why so many of the girls in the detention centre were Aboriginal, her response was:

I kind of think it's because of their homes, the way they grew up, the way their parents treated them. Some of the girls I'm friends with, they were sexually assaulted by their dad or their grandpa and stuff, you know, it's because of how much hurt they've been going through since they were growing up or what happened to them when they were little kids...it just passes down until it hits the point it comes to you.

In addition to sexual abuse, several of the girls were physically abused, which they say stemmed from their parents’ addictions. Alcohol abuse is rampant and the girls see this as being connected to the lack of parental guidance. Leanne had to help her mom ‘fix’ or inject intravenous drugs from the time she was ten years old. She explains:

My home life was hurtful because I always got beatings for no good reason ... Getting beaten up, it just scares you man, you can never forget about it, especially from your own mom to beat you. She's supposed to love and respect you. When she was drunk, she'd tell me that I wasn't supposed to be born and I believe that I wasn't supposed to be born.

For some of the girls, physical and sexual abuse only stopped when they were big enough to fight back. Cathy’s mom used to hit her more frequently and, as Cathy states, “she still tries to but she’s more scared of me now.” Several of the girls have in fact charged family members for either physical or sexual assault and some said that they started to get into trouble just to get some reaction from their parents. As Vivian explains:
My mom used to drink because she had problems... she didn't raise us kids up right... she didn't really care, she didn't lecture us about doing something bad like when we were drinking... I'd see when I was in someone else's house their parents getting mad at them and showing them that they really do care... I had money all the time, I don't know why I stole, just to act up to get attention so [my parents] would see why I'm acting like that and they'd ask me why.

The girls also saw their aggressive or violent behaviour stemming from unsettled living arrangements and the influence of family members.

Several of the girls were moved around because care givers were in prison, an additional source of 'risk' according to the LSI-SK. As Tracey explains “we lived with my dad but when he had to go away to jail, we lived with our mom and when she either got beat up or arrested... then we got sent to foster care.” Contact with the correctional system is a family affair for most of the young women in this study. All six of Michelle's family members had been in jail. The experts' concerns over the influence of family members who have criminal records on the girls was reflected in several of the girls' stories. As Leanne said “the only one thing that I learned from my uncle is never tell when you get picked up [by police]; my mom taught us that also.”

The neglect and abuse experienced at home was the catalyst for a life time of living with other family members or in foster placements, children's shelters and short term living arrangements. Almost all of the girls had lived with another family member and several referred to their grandma or aunt as “mom.” In some cases the girls had been away from their birth parent for so long that they no longer recognized them. A very emotional Cathy said her mom would often leave for long periods of time without saying where she was going. “Then one day, she came home and I didn't recognize her.” Prior to being incarcerated, Michelle was living at the YWCA with a friend. Some girls were even housed in treatment and open custody facilities because, as Judy states, "I had no where else to live." While several of the girls reported feeling 'safer' in these places (especially with other family), a few said that they were just as destructive and others, such as Cathy reported, “I don't know, I just didn't feel right anywhere.”
The key point is that the girls made a connection between their abusive environment growing up and the crimes they commit. However, the neglect experienced by the girls translates into a risk/need area on the LSI-SK. Apart from a variety of youth-care housing options, which are limited for youth with a violent conviction as discussed in Chapter One, there is little institutional response which addresses this area of risk. There is also little a young woman can do to change her level of risk in this area. As the day program worker on one of the reserves indicated:

We cannot view these girls as trouble-makers... They are youth who are lost; they've lost their culture. They don't belong in White or Native society. They're caught in the middle and they seek attention. That's why they get in trouble.

While the ramifications of this lack of context in thinking about the risk/needs of Aboriginal girls is addressed in more detail in Chapter 7 and 8, the important point here is that the historical impact of oppressive race relations is irrelevant in risk governance.

Risk rationality is future oriented. As Beck (1992: 34) explains, the past has little power to determine the present. Youth justice officials are only concerned with what they can manage in the present to prevent risk in the future. Thus, several authorities focus on the need to address 'bad parenting' without recognizing the context in which it developed. According to Denielle's LSI report, Denielle "views the [area of parenting] as a source of strength, however the info uncovered in the assessment indicate otherwise... She has few rules at home, discipline is inconsistent and, at times, nonexistent and there is little guidance or support." Based on this perspective, some of the authorities suggested that the consequence should be imposed on the caregivers. While one staff commented that parents should have a license to parent, one of the Directors thought part of the solution should be to incriminate the parents rather than the children. "My true philosophy is that we're doing it backwards when we apprehend the kids from the home." She thought it was giving youth the message that they are the "bad guys" without making parents accountable. The punishment, she indicated, should be that parents raise the kid with staff, making meals together and learning parenting skills. When the parent is able to properly care for and raise the child, the sentence
would be done. She was aware this would be a human rights issue but she was concerned about how to break the cycle of poor parenting. Although there is helpful recognition in this scenario of how young women are blamed for a situation that is beyond their control, simply penalizing the previous generation does not address systemic inequalities. Making parents responsible for their children's crime, seen, for example, in Parenting Orders in the United Kingdom, is increasing popular in crime control policy in the age of risk.

Although the response to this risk/need area on the LSI-SK supports Beck's (1992) theory that risk discourse is only concerned with the future, it does not reflect his contention that risk rationality results in an equalizing effect on all populations. The girls' experience with 'family circumstance' illustrates how formulations of risk are embedded in race politics (Chan and Rigakos 2002). This is not easily detectable because history is discounted. In fact, race inequalities are redefined as risk factors such that assessing the girls' level of risk on parenting and family circumstance involves racist interpretation. While technico-scientific studies on risk factors have 'proven' that risk/need factors for criminal behaviour are the same regardless of race, the girls' experience, influenced by a history of oppressive racial policy, suggests otherwise. This is not to deny that one of the girls who experienced neglect and abuse at home was white. But the significance of race, and the lack of acknowledgement of its role in a managerial perspective, results in continued exclusion and marginalization of the majority of young female offenders.

4.4. Leisure/Recreation

The fourth area of risk/need is 'Leisure/Recreation' which refers to the girls' participation in activities in the community. This box is checked and the topic is rated if the girl: has 'no recent participation in an organized activity'; 'could make better use of time' and has 'no personal interests.' For example, according to the Instructions and Scoring Manual, a rating between zero and three is given based on 'how the client occupies potential discretionary leisure time...whether she or he participates in positive and beneficial activities during free time or whether s/he is mostly idle with little or
nothing to occupy free time." (2002: 19). A girl will receive a zero on her ‘constructive use of time’ if she has no leisure activities or if she “takes part in explicit criminogenic activities (e.g. gang membership; joy-riding (in stolen vehicle); cult or satanic rituals; activities that include alcohol/illicit drug use; providing cover or acting as lookout for others involved in antisocial activities.” In regard to constructive use of leisure time, the Manual states in bold letters that “At the risk of making a value judgment, discover in what ways a client’s activities are rewarding for him/her. How is his/her use of time possibly impacting on, or relating to, other need areas: e.g., education/employment, alcohol/drug.” In contrast to risk theory, the evaluations of girls’ recreation activities are embedded in class politics. Probabilities of risk stemming from use of leisure time construct social classes (Rigakos 1999). The girls’ economic and social position often dictates how they score in this risk area.

According to the girls in this study, apart from satanic rituals, the items outlined as ‘criminogenic’ comprise their daily activities. Their desire for conventional leisure activities exists but, as they point out, these often cost money. As Cathy states:

We need places for girls to chill and not get into trouble. There’s a youth centre but it’s just open until nine o’clock. What’s that? They should have places where they have scheduled programs for you to go, like to be active. On the streets there’s nothing for you to do except drive around and get into fights... If there is something to do, it costs so much money. Like there’s a movie theatre here that costs just three bucks but it’s all the way on the other side of town. They should have more stuff in the centre of town where the people who aren’t rich live, because that’s where all the problems are.

Ironically, according to Cathy’s LSI assessment she “has not been utilizing her spare time as well as she could be, however with more consistent involvement in her areas of interest, this area could be considered a strength for [Cathy].” In effect, Cathy is evaluated as being risky because she does not engage in productive activity to which, as she explains, she does not have access. Similarly, in the LSI contained in Denielle’s file states that the area of Leisure/Recreation is a risk factor for her. “[Denielle] has few leisure and recreation interests. She spends her free time in the community listening to
music, riding her bike...and getting into trouble...The boredom generated from [a lack of legal activities] leads to drinking and drugging, fighting and stealing cars." The girls did indeed identify a lack of activity as a problem but, to reiterate, they indicate that any structured activities require money or other resources to which they do not have access.

Moreover, the curriculum in the youth facility is antithetical to helping young women work on this area of risk. There is little activity or physical education, particularly in Paul Dojack where the lack of exercise was a source of complaint by the girls. Although the girls detained at Kilburn Hall, and especially at Orcadia, had a variety of physical activity, the girls in Dojack only had time in the gym once a week for an hour. Stemming from the Level System, any activity including gym time is treated as a privilege; the option is taken away for any 'bad behaviour.' Several of the girls commented that their behaviour is used as "an excuse to cover staff's laziness." The girls find the inactivity frustrating. As Cathy states:

"We sit around and eat all day...We do the same thing over and over. Sure, it's supposed to be jail but we ain't here to get fat. We're in here, we're being punished but that doesn't mean being lazy...even in jail, like Correctional, [the inmates] do stuff.

Some of the girls, such as Leanne, said to me when we went to play basketball that "the only reason we get to go is because you're here." During my interview with Michelle, we discussed the programs at Dojack. She asked: "so can you get more programs happening here?" There appeared to be no lack of interest or enthusiasm by the girls for more recreational activity. Several girls wanted access to the weight room but there were apparently no staff qualified in weight lifting to provide this as an option.

So although the girls are not being taught the skills or importance of healthy lifestyle in Dojack, they are expected to make better choices in this regard to reduce their level of risk on the LSI-SK. As part of Kristine's Risk Reduction strategy in custody it states in her file that she needs to be "creative and make suggestions for leisure activities." This inconsistency in youth justice policy which recognizes the importance of recreational activity in theory but not in practice was acknowledged by some of the
authorities. One of teachers commented she would really like to get the girls involved in more activity but "by law this is a secure custody facility so I can only take them snow boarding or to a cultural camp if they're at a certain level in their behaviour and at a certain time in their incarceration. So, generally speaking, I can't take them out to do anything." She indicated that the girls are so desperate to do something different that when she taught full time, she scheduled something more active for Friday afternoons. "I did something educational that was based on the curriculum but they got to talk or dance or listen to music. On Monday morning they would say to me 'what do I have to have done so that I'm allowed to come on Friday'; that's how big the desire [for activity] was."

Thus, the interpretation of this risk/need area reflects a classist assumption that girls have the resources to access 'appropriate' leisure and recreational activities, but choose not to. This is one area, however, that community youth workers seem to be addressing. Several of the girls happily report that their youth worker was establishing recreational programs based on their interests, such as membership at a gymnastics club, for the girls once they were released. But this attempt in the community needs to be complemented by changes in the facility. Rather than teaching the girls that physical exercise is a privilege for example, they need to be shown that it is a central feature of overall well-being. The girls may have never had the resources to participate in 'organized activity' so sending them to structured community programs may be setting them up to fail. This failure will be interpreted as a sign of their 'riskiness,' resulting in further exclusion, rather than as an indication of the misconception and flaws in youth justice practice.

4.5. Companions

'Companions' is the fifth area of need/risk. The girls are assessed in the areas of having 'some delinquent acquaintances' and 'some delinquent friends.' 'Delinquents' in the LSI is defined as individuals who have criminal records or who are involved in criminal activity. 'Friends' are defined as 'associates with whom one spends leisure
time, whose opinions are valued, who provide help when in difficulty, etc. A friend is someone who is personally well known and held in warm regard or affection”. The girls are also evaluated on their number of prosocial acquaintances and prosocial friends. The section on ‘companions’ in the girls’ LSI and other reports often focuses on gang activity. Similarly, when I asked the girls questions in the interviews about their friends, they often referred to gang affiliation. Thus, in this section I will focus on acquaintances and friendships through gang membership rather than on ‘companions’ in general. As with the other sections in this chapter, I will look at the interpretation of gang activity, what goes on in the lives of the girls related to this area of risk and what is in place to respond to their risks/needs. I will indicate how the response by the youth justice system reflects a managerial perspective with exclusionary consequences for young women.

In the age of risk gang imagery is a familiar cultural resource which is used in the construction of the youth problem. There has been a valid concern in the literature on youth crime that the term “gang” is used indiscriminately both in the media and by justice officials. Groups of youth ‘hanging out’ are often portrayed as gangs in a climate of moral panic over deviance and crime (Schissel 1997: 58; Barron 2000:73-74). As Faith and Jiwani (2002: 90) note, “[c]ertainly the evidence is lacking for establishing a trend of violent girl gangs in Canada, but the media insist on it with an explicit anti-feminist stance.” Although my intention is not to fuel the moral panic over youth gangs, the research did reveal a distressing level of participation by the girls in organized gang activity in Saskatchewan. The girls state that the gangs in Saskatchewan include: Crazy Cree (CC), Mixed Blood (MB), Notorious Bloods (NB), Indian Posse (IP), Crips, and Native Syndicate (NS). As Vivian explains, the gangs are distinguished by colour and specific clothing: “The Crazy Cree and IP are fighting for their colour. Crazy Cree now wears a certain type of clothing, like the jersey and the bandanas that shows they’re Crazy Cree.” Gang involvement became a topic of conversation in most interviews with both youths and authorities, some of whom expressed frustration over the lack of official attention to the problem. The academic literature on and attention to girls' involvement in gang activity in the United States is well-established. And, as Miller (2004) points out in her article “The Girls in the Gang: What We've Learned From Two Decades of
Research," youths involved in gangs are more likely to be involved in serious criminal activity. As the experiences by the girls in the study reveal, there is no denying that gang affiliation is a risk factor for girls to reoffend, as outlined in the LSI-SK. What is not recognized in the literature or by the authorities is the way in which the response by the youth justice system to the girls' risk/needs in this area is conditioned by risk rationalities. The response includes an attempt to simply manage the girls' affiliation with gang activity rather than address the factors that may make the gang so attractive to marginalized young women.

All of the girls in this study had knowledge of gangs in Saskatchewan, although their degree of personal involvement varied. Some girls reported being well entrenched in gang life, which began through familial connections. Vivian got involved through her father, who, along with her sister and brothers, is in IP. As she says, "It was hard not to, like my dad said, 'my girl should be like me'." All of Angela's cousins are also with her in IP. However, some of the gang participation of other girls was described by the authorities as "wannabe" activity. Some of the girls in fact said they made up their own gangs. Jackie laughed when she said she used to belong to "a so-called gang" made up of her friends, which did not involve committing crime. They referred to themselves as the Eight Ball Chicks because there were eight girls involved. Denielle was also involved in making up a gang, but it was affiliated with an established gang and its illegal activities.

We asked the president of Native Syndicate if we can make up a Baby NS and he said yes...I was the very first girl to be in NS. I didn't have to get a lickin or anything because I was his niece. I started to be president [of Baby NS] and I had like fourteen to sixteen girls in there...we started putting these girls on the street.

Several authorities indicate that there is a serious problem with gangs in the adult Correctional system but, because more young people are getting involved, it is an issue

Jackie did not make the connection to the infamous LA female gang, 8 ball chicks, detailed in Gini Sikes' (1997) book by the same name.
for youth justice as well. It is also deemed a 'new' issue on some of the Aboriginal reserves. One of the First Nations day program workers said that the girls do not yet understand what is involved with gangs, "but they are wanting to be gang members; they're acting aggressive, bullying and terrorizing other girls for attention." Thus, being part of a gang, 'real' or made-up, is an area of risk in which most of the girls engage.

The site of the custody centre is, ironically, a risky space which facilitates some aspects of gang life. The community youth worker supervisor indicated that a current problem is the youth are being 'initiated' while incarcerated, which includes getting 'their minutes.' As Tracey explained:

Like you have to get beat up for so many minutes and then you're in, you can wear your rag, you can wear your bandanna so people know who you're representing... It tells you who you're part of.

In fact, the girls unit at Paul Dojack had been 'shut down' shortly before this research began because one of the girls was initiated in the bathroom. Apart from initiation while being incarcerated, the girls also report being intimidated by rival gang members entering the same facility. As one girl stated, "When you're on the inside and they come in, like say there's three IPs and there's only two NSs, we've got our back up, and that's the only thing I get scared of in here." So within this context, I questioned how girls could work on managing their 'risk' associated with having "some delinquent acquaintances" while they were incarcerated with other offenders and gang members. As one government authority explained:

Yah, it isn't the ideal circumstance... but it's a good place to test somebody's ability to cope with that and try to develop skills... it is much more real because he'll have to say to the other kids 'no, I'm not going to riot tonight; no, I'm not going to kick and bang my door; no, I'm not going to assault staff... and if they work through that, that says a lot about the kid's ability to cope in the community where they're going to have even more options.

As this perspective demonstrates, risky spaces in late modernity are controlled through situational or social prevention techniques. The youth system relies on a
responsibilization strategy and reward system that expects young women to manage their 'risk' in relation to peers in ways that are disconnected from the girls' reality both inside and when they are released. This institutional approach is especially problematic considering the benefit young women gain through gang affiliation.

The girls report that their involvement with gangs includes crime, violence, abuse but also a support network. In fact, the relationships they have with gang members are described in a way that very much reflects the definition of a "friend" as outlined in the LSI-SK. Ethnographic studies on girls in gangs (Campbell 1984a 1984b 1990; Miller 2001) have documented the paradoxical dynamic for marginalized girls who find belonging and respect as well as abuse in gang life. As part of her role in Native Syndicate, one girl explains that she gets sent on 'missions' which includes "doing a B&E" or "beating someone up." Some of the girls are also involved in the sex trade through gang affiliation. As Angela explains, "like for girls, they claim you. I was going out with this guy and he used to mark them girls... they would get used and abused lots." However, several of the girls refer to the gang as their 'family' which provides a sense of comfort and protection. As Tracey explains, through belonging to a gang "you got somewhere to go, and you got your friends there. If you need a favour done, they'll do it. They're there for you, to protect you. If you're hurting, they'll support you." In her review of the gang literature, Miller (2001:12) states that feminist scholars have highlighted how gender inequalities intersect with class and racial oppression to form girl's involvement in gangs. "As Campbell summarizes, 'The gang represents for its [female] members an idealized collective solution' for dealing with a myriad of problems in their lives, including...limited education and occupational opportunities and gender inequality, in addition to the powerlessness of underclass membership they share with males in their communities" (in Miller 2001: 12). These factors are not accounted for in the authorities' response to this risk/need area.

It was also clear that the girls experience an inferior status to their male counterpart in the gang, which they often endorse. Andrea described an incident where her friend was beaten for not making enough money 'working the street.' Andrea had in
fact hidden some of the money and when her boyfriend found it, he asked her “are you whoring on us?” Her friend was hit again with the explanation that “it’s just tough love, you girls have to learn.” This same boyfriend had also raped Andrea because, as he told her, “you were putting up a fight, bitch.” The girls are also referred to, and refer to other girls, as being “little bitches” if they back down from what they are told. Raquel was charged with attempted murder for her role in a beating and stabbing. As she explained: “it was just because, I don’t know, being around all my bros and trying to show what I was about...you have to play.” The girls also abuse each other in the sex trade. One young research participant had roughly fifteen girls working the streets under her force in association with Native Syndicate. Several were beaten before agreeing. She explained that it was difficult to prosecute her because she had threatened all of the girls who were scheduled to testify against her. Similarly, Lily said she used to “hang around hookers” and “be mean to get their cash.” As Miller (2001) points out, few studies on gangs have focused on why young women endorse gender inequality within the gang.

Girls exploiting other girls is not often discussed in feminist or risk literature. "While the images of female solidarity, sisterhood, and resistance to oppression within gangs are seductive ones – and are in some ways true – there is another side to girls' gang involvement...that has to be addressed" (Miller 2001: 14). It could be argued that just as the girls are constructed as a risky ‘other’ by the youth justice system, they too respond to risks in a way that is conditioned by their social group or subculture. In other words, as Lupton (2004: 114) points out, the ‘at risk’ label positions some members of a social group as especially vulnerable and powerless. The girls in this study who were involved in prostitution discussed it with some trepidation and were quick to explain that they only do it to feed their addiction or when they are desperate for money. The girls who are not involved adamantly claimed “I would never do that.” As Douglas demonstrates in her work, “notions of risk often use the fleshy body as a symbol for the body politic” (Lupton 2004: 124). Thus, it appears that within the gang, those girls who are ‘marked’ as prostitutes are ‘othered’ and are treated as such by members. The response by the youth justice system does not help matters.
These complex economic and structural issues are responded to as simple risk factors by the youth justice system which contributes to exclusionary and, in some cases, dangerous outcomes. Some of the girls do in fact want to leave the gang but it is difficult to do so. They are not so concerned about the requirement of getting a 'bad stomping' but some say leaving is not an option. Andrea's story was particularly disturbing and highlights how treating the issue of gang affiliation simply as a 'risk factor' does not address the reality faced by some girls. Andrea reports she wants to leave the gang, but her boyfriend has threatened to “rush” her family's home if she does not come back to him. “Rushing,” as she experienced when she was younger, involves a group of people demolishing the house and beating up or terrorizing whoever is inside. Her facility worker knew of her situation and wanted Andrea to lay charges against the boyfriend for threatening. But as Andrea explains: “[My worker] doesn't get it. I'm not going to be a rat and be beaten up more.” She described in detail the level of violence of which her boyfriend is capable.\(^{12}\) As Andrea questioned, “where are girls supposed to go?” She did not qualify for a ‘Section Ten’ (legislation stipulating that a youth will be supported in an independent living situation) because she was eighteen and she did not qualify for a community home because of her violent charges. Her custody youth worker understood the problem stemming partially from the fact that she was “immature and didn’t want to deal with the situation.” The worker indicated that Andrea had an uncle who was willing to have her live in his home and grandparents on the reserve but, as she says, Andrea felt there were “too many rules” in both homes. Andrea was released from custody while I was conducting the research and I did not find out the final decision in her discharge plan. However, a few weeks later I was told that she had been arrested and, if it was a new charge rather than a breach, she would be sentenced in the adult system.

Apart from using a responsibilization strategy to address the girls' involvement with delinquent companions, the authorities have also taken more formal measures to

\(^{12}\) Andrea states that her boyfriend and his friends have bookshelves of videos of beating people up. As she says "they call them 'stabbing vids' and they zoom in on the victim's face to see the reaction. They're sick."
manage the girls' involvement in gangs. There has been a gang intelligence unit
established with the RCMP in Regina and the provincial government is working with the
Federation of Saskatchewan Indian Nations (FSIN) on a gang management strategy.
With funding mainly from the Department of Justice Community Mobilization unit, the
 Alter-Natives to Non-Violence is an FSIN initiative which was mandated by the Chiefs of
Saskatchewan in April 2001. The purpose of the initiative, as indicated in the FSIN
Alter-Natives to Non-Violence Report entitled Aboriginal Youth Gangs Exploration: A
community development process (2003), is “to begin to build a First Nations response to
youth gangs through an examination of the conditions underlying the growing gang
phenomena within Saskatchewan's major urban centres and First Nation communities
that are most impacted” (2003: 2). There are nine recommendations in the FSIN report,
which are to be developed in the three to five year strategic plan, including prevention
education and policies that redirect funding away from custody beds towards community
programming. The report maintains that 'community mobilization models' should be
initiated and developed under First Nations influence.

One finding from the FSIN report, which was confirmed by the girls in this study,
indicate that custody facilities are “breeding grounds” for gang recruitment. One of the
authorities explains that part of the history of the gang problem in Saskatchewan stems
from the legal crack down on Aboriginal gang activity in Manitoba. Gang leaders from
Manitoba were forced to move and their influence spread throughout Saskatchewan,
especially in the youth population. The Director of Paul Dojack indicated that a gang-
affiliated riot took place in DC South, a boys unit in the institution, which resulted in that
unit being "unsettled" for two years following the riot. In response to the 'unstable'
conduct by the young men, the facility implemented the Oshihtawin Program, a
behaviour management program which will be discussed further in Chapter Six. An
additional response to the increased recruitment of youth into gangs included the federal
inmates in the Prince Albert Penitentiary beginning a program “Broken Wings” through
which they go to schools and talk to youth about the harsh realities of gang life.
The FSIN report also indicates that the strategies for youth in gangs must emphasize 'harm reduction' rather than 'gang busting.' In contradiction to this suggestion, it appears that 'gang busting' is the technique used in managing gang activity in the detention centres. The girls are consequenced for any mention of what may be interpreted as gang affiliation or 'street talk.' In bold letters in the Rule 1.17 at Kilburn it states:

**NO GANG TALKING, GANG GESTURES OR GANG WRITING (gang numbers); if you do, you will receive an automatic 4 days R.C. [room confinement]. No warnings.**

In Paul Dojack there were posters indicating the girls were not allowed to rent movies with gang content. The severity of the consequence was obvious during the interviews when I asked the girls to comment on their gang experience. Jackie stopped herself suddenly after she referred to her "bros." She then laughed with the recognition that I would not consequence her.

The girls indicate that the strategies for managing the 'gang problem' impacts what they are allowed to say and do to a point that is nonsensical. The girls complained that common language, which had no gang-affiliation, was deemed inappropriate. As Katie indicates:

>You can't say 'man', 'cha', 'as if', 'errr', you can't say nothing here. Like 'hold up'. I told the staff to 'hold up, I'll be right back' [meaning] 'hang on'. And you can't say that. Also, when you're writing the word 'anyways' and you put a 'z' instead of an 's', you can't do that either. The staff say, 'That's gang related, that's slang. You can't talk slang, you can't talk street talk'...But, they're just words. Like I could understand [if it were] swearing or 'hey bro, what's up sis' [in reference to gang members] but things like 'err', it's not slang, it doesn't even mean nothing. I just think they need to make it more real, like more realistic.

Judy had gang symbols tattooed all over her arms so she was not allowed to wear clothing that exposed her arms. "I get really hot but I have to keep it covered." As well, there was a large box of letters, notes and drawings that Orcadia staff had confiscated from the girls as it was deemed gang-affiliated. The intent was to give it to the RCMP for
analysis. This response to the risk associated with the young woman being affiliated with gang members includes a type of 'hear no evil, see no evil, do no evil' mentality. While the girls also agree that gang activity should not be supported in the facility, denying that it is part of their lives in this way, does not provide them with resources to address this risk factor.

In summary, for the girls in this study the discussion of 'companions' in the LSI-SK report mainly revolves around their involvement in gang activity. The girls reveal that they are involved in varying degrees, and it is apparent that some type of gang affiliation gives them a sense of belonging in the age of risk. Although gang life includes support and companionship, it also includes abuse, particularly for those girls in the sex trade. The girls do not see the institutional response of 'gang busting' as helpful. In fact, denying the role that gangs play in some of the girls' lives leads to exclusionary and dangerous consequences. Rather than planning for how the young woman may leave the gang when she is released, the response by the youth justice system is to simply manage the gang problem while she is incarcerated. This may change, however, through recommendations in the FSIN report which include recognizing the underlying problems that make gangs so attractive for marginalized girls.

4.6. Procriminal Attitude/Orientation

The sixth risk/need factor is 'Procriminal Attitude/Orientation.' The Instruction and Scoring Manual (2002) for the LSI explains that the youth is assessed on "what and how a person thinks and feels about her or him and others in regard to violations of the law and alternatives to law violations. Are her/his attitudes, values, beliefs, thinking and feeling oriented in a pro-criminal, antisocial direction or are they anti-criminal and pro-social?" The variables on which youths are rated include whether they are: "supportive of crime", "unfavourable toward prosocial convention", "poor, toward sentence/offence" and "poor, toward supervision/treatment."
There is an inherent assumption in this risk area that girls have an unqualified choice about crime and that they have been socialized through acceptable conventions in society. This is reflected in the fact that the girls score a zero if “the offender places emphasis on the usefulness of criminal activity...” (2002: 21). For example, Kristine is a high risk to reoffend partially because, according to the LSI report in her file, her “attitude towards crime and the benefits she states she gains from these activities is primary. She displays a rejection of home... and community conventions.” In my interview with Kristine, she in fact echoed these same sentiments and later described how little any interventions, including drug and alcohol counselling, have helped. Most of the girls internalize this inability to change as a personal failure. As Kristine states: “lots of bad things have happened to me and I should want to change but I just don’t care. I guess I just got to the point where I just don’t care anymore.” She saw herself as being part of the adult prison system when she turned eighteen. However, as Katie points out:

For some people, they don’t know no different, that’s all they’ve known all their life, abuse and drugs, that’s all they knew, stealing, jail, whatever, that’s their life and to them that’s their means of survival. I’m not saying ‘alright go ahead, go do crime, but how can you force them to change?

Katie’s insight identifies the key difficulty with this risk/need factor. The young women are expected to embrace legitimate goals and means, which may be counterintuitive. Some of the community youth workers commented that using violence is an integral part of the young women’s belief system. As one worker states, “the violence has just been ingrained in some of these youth. They’ve seen it growing up and that’s all they know... If someone does you wrong or someone does your family wrong, you have the responsibility to make up for that through violence.” Prior to each interview I asked the girls not to talk about any illegal activity for which they had not been caught. Although they would all agree, it seemed impossible for them to discuss their lives without including the everyday life experience of unreported beatings and gang activity. This made it particularly difficult in determining what I could and could not record and report and highlights the futility of institutional efforts to manage risk in this area.
Cognitive training to rethink patterns of crime does not appear to help the young women reduce this area of risk. In order to change girls’ procriminal attitude, institutional programming includes a Prosocial Skills Curriculum. This includes teaching skills in six main areas: 1) Beginning Social Skills which include, among other tasks, listening, asking a question, saying thank you and giving a compliment; 2) Advanced Social Skills which include asking for help, giving instructions, following instructions and apologizing; 3) Skills for Dealing with Feeling such as knowing your feelings, dealing with someone else’s anger and dealing with fear; 4) Skill Alternatives to Aggression which involve asking permission, sharing something with others, using self-control, standing up for your rights and keeping out of fights; 5) Skills for Dealing with Stress which include expressing a complaint, talking after competing, responding to persuasion, dealing with contradictory messages, dealing with group pressure; 6) Planning Skills which are deciding on something to do, deciding what caused a problem, setting a goal and making decisions. As part of Kristine’s Risk Reduction strategy in custody, it is recommended that she participate in “individual counselling, take meetings seriously...participate in Anger Management and Prosocial...and address her authority problem....” Although the Prosocial skills are without a doubt useful, the girls are given the message that learning these skills will reduce their level of risk to reoffend, and will therefore help change their life if they want to. Risk discourse, and the strategies for managing risk, hinge on individual responsibility and prudentialism. There is a dangerous assumption that all these girls require is a desire to change.

The girls' stories and experiences indicate that there is no accounting in the LSI for how systems of oppression impact the girls “choice” of lifestyle. For example, the girls are deemed to have a poor attitude if “The client views her/himself in regard to the offence or sentence as the victim of circumstances, misunderstandings, unworthy other, an unfair system” (2002: 24). In other words, the youth justice system, which is fraught with inequalities and unjust practice, is not acknowledged as contributing to the risk or likelihood that the young woman will reoffend. This denies the effects of institutionalization which the young women identify as part of their experience. Tracey relayed a conversation she had with her dad about being in jail: “He doesn’t tell us [what
he did], he just tells us 'I've been in' and I'm like 'yah, I know how it is, it's hard to get out of the system. I'm used to it now, like, it's what you seen when you're little, you've been in so much and now you follow it." Risk discourse does not include consideration for the influence of structures that cannot be controlled by the individual. In fact, institutionalization has a function in risk governance. Because there are few alternatives but incarceration for the highest risk girls, it is beneficial that they come to see this as a way of life.

Part of the difficulty in providing appropriate resources for girls to address this risk/need factor is because recognizing the utility of crime for marginalized girls is the antithesis of expert discourse in risk governance. Several girls see crime as a means to acquire status and to alleviate boredom. They describe the fun and 'rush' they experience from the risky situation of committing crime. In Denielle's file, procriminal attitude was checked as a risk/need area. In the written section of the report it states that Denielle “indicated that she enjoyed the status that came with being a 'tough girl.'” This is not surprising considering the respect (or fear) Denielle commanded. However, in a risk-adverse society, those who seek risk are deemed irrational. This is a focus of cultural criminologists, who analyze the lived experience of 'outsiders' to reveal the rationality in their emotional drive to resist and transgress (Katz 1988; Lyng 1990; Presdee 2000; Ferrell and Sanders 1995; Ferrell et al. 2004). As Batchelor (2005) also reports, violent girls identify moral superiority and enhanced identity as part of the 'rewards of violence.' In their worlds, being a tough girl may be part of 'a controlled loss of control' (Hayward 2004), which is not recognized in the LSI-SK nor addressed in the resources to reduce the girls' level of risk.

Overall, the girls' procriminal attitude or orientation is deemed a risk factor but there is little in place beyond managerial techniques to address their needs associated with this factor. The girls provide several reasons why crime is in fact a useful activity considering their life experience: it satisfies addictions, it is part of 'survival' where other options are not available and it provides excitement and a sense of control. These are deemed irrational reasons in risk governance and there is therefore little discourse on
how to address these issues from the perspective of viewing crime as rational considering the girls' life experience. Moreover, there is no acknowledgement of the role the youth justice system plays in fostering a procriminal orientation. The girls' inability to address this risk factor and change is interpreted as personal failure. Although the girls do talk about the excitement they get from crime, most also state that they wish their life were different. Tracey began sobbing when she explained to me the experience of slashing her arm with a knife: "I was just thinking about my past, or how my life, like how it is and how stupid it is... I can't believe in anything. I can't even believe in myself. I always say 'this time I will stay out, this time.' Next time turns into this time. It's just me. I always mess up." Thus, the girls come to see procriminal orientation as a fundamental part of who they are.

4.7. Substance Abuse

Substance Abuse is the seventh risk factor. The LSI-SK Manual states that "risk items in this section cannot decrease while a youth is in custody; however, they may increase while in custody (e.g., substance abuse during a T.A.)." (2002: 24). There are eight items assessing the youths' degree of substance abuse including whether there has been an alcohol problem currently or ever, a drug problem currently or ever, law violations because of alcohol or drug use, problems with family or other relationships as well as problems with school/work due to drug or alcohol use, and if abuse has lead to medical or clinical issues. An example of a medical issue includes experiencing 'blackouts' when drinking. As Jackie indicates, "every time I drink it seems to me that I always get into trouble...but when I'm sober, I'm scared to do stuff, like I'm scared to fight, I'm scared to argue with people, I'm kind of quiet. But when I'm drinking I just blackout, I lose my memory and I don't care what I do." All of the girls I interviewed stated that they had some degree of substance misuse and, according to their files, most are considered severely addicted, a point on which they agree.

Severe alcohol and drug misuse is an everyday practice for most of the girls in this study. This was highlighted by the fact that overdosing and other substance related
illness is a common experience. For example, some of the girls comment that at most parties they attend, the bath tub is kept full of ice water to deal with people who are ‘od-ing’. Several family members had died from drug overdoses, a process Denielle witnessed her brother go through. Leanne overdosed when, as she explains:

my uncle’s girlfriend introduced me to coke. I didn’t know how much you’re supposed to take or how much you’re supposed to be using so...she gave me a forty shot and I almost died. They didn’t want to take me to the hospital because they would have got charged...They left me in the tub until I came to.

Early on in the research I was introduced to the term “slamming” which the girls use in reference to injecting drugs through intravenous needles. Most often the girls were introduced to this method through family members and they report that their addictions began at home. Angela started drinking with her mom when Angela was ten years old and started doing drugs by the age of eleven. Similarly, Andrea indicated “it was my dad that got me strung out on coke.” Thus, the girls’ substance abuse is definitely a concern that they say is the main contributing factor to their criminal behaviours. However, because it is interpreted in the assessments as a character flaw or individual ‘risk’ rather than as a medical issue, there are few resources which actually reduce their level of risk in this area.

This interpretation of substance abuse as an individual problem stems from the tools used to measure it, rather than from the perspective of the girls or authorities whom I interviewed. The authorities clearly recognize that this is a complex issue which is not being adequately addressed. In some of the girls’ files there is a detailed assessment of their alcohol and drug abuse, the results from which are reported in the Substance Abuse section of the LSI. The facility worker administers the Adolescent version of the Substance Abuse Subtle Screening Inventory (SASSI) which is described as an objective tool to differentiate substance abusers from non-abusers. The report is based on a questionnaire filled out by the young women. The Obvious Attributes (OAT) scale in the SASSI measures the clients’ “ability to see character defects within themselves, their ability to self identify with problems with chemicals, and indicates their degree of
denial as suggested by their ability to 'normalize' their circumstance." It further explains that "Individuals with high Defensiveness (DEF) scores may focus on blaming other people and external circumstances for their problems...." Whereas the reports focus on the girls' willingness to recognize and manage their addiction in isolation from underlying issues, the girls readily point out why they have substance abuse issues and why there is little motivation to change. For example, according to Kristine's file, her Subtle Attributes (SAT) score of 8 "suggests that she is detached from her feelings...[and] probably doesn't believe the importance of substance abuse in her life." However, during my interview with Kristine she readily acknowledged the influence of alcohol and drugs. When I asked her who was to blame for the assaults she committed, she stated, "myself, when I drink. I'm the one who did it. I can't really blame anyone else." Despite her desire to change, she indicates that none of the attempts to help with her substance abuse have been successful. As one community homes worker points out, addiction represent "people's way of coping...coping with poverty, coping with sexual abuse, coping with physical, emotional abuse, racism and the many other isms we have." This indicates an understanding of substance abuse that is not reflected in the response to it by the youth justice system. As detailed below, there is little connection between the many 'isms' and alcohol abuse.

There is recognition in the LSI-SK that a history of substance abuse in the family contributes to the likelihood that the girls will also abuse. However, this can translate into suspicion or blame rather than treating the problem within the socio-historical context in which it occurs. For example, The Family-Friends Risk (FRISK) scale measures the extent to which family enables substance abuse. "Content analysis of the FRISK items suggests that clients who have elevated FRISK scores are likely to be part of a family and/or social system that may promote rather than prevent substance misuse." As one of the community youth workers explains:

I think drugs are one of the biggest problems. I think we're also moving into a generation thing where it's now the parents have grown up with the exact same problems. I think the generation before there was alcohol abuse but I think you had some more traditional people and then you've moved into a generation where alcohol abuse and the use of drugs is
even increasing and then they're having children... You've got parents who aren't parenting and that is getting worse because of the drugs and alcohol.

This context can translate into a lack of trust by staff working with the girls and parents on a daily basis. Although I did not hear any reports of drugs actually being smuggled into any of the centres, Raquel explained that staff had recently accused her mother of bringing drugs into Dojack. She explained that her mom was drowsy in the visit because she had recently started a methadone treatment program. The staff terminated the visit because of her mom’s behaviour. As Raquel states, “my mom is bringing someone from the methadone clinic to explain because, like, they have no proof of her bringing in drugs or me having anything... just because they had suspicions.” Raquel was so upset by the injustice of the situation that she was eventually restrained by the staff for her acting out behaviour. It is understandable that staff have to block any substances from entering the facility. But this example illustrates how risk rationalities, and the accompanying mistrust and zero tolerance of factors, including family members, that contribute to risk are responded to in an unhelpful manner. Part of the staff’s mistrust likely also stems from the fact that the detention centre functions as a place of forced detox for the girls. The staff are aware that the girls’ are desperate to satisfy their cravings, “every hour that they are in here.”

Forced detox is one way the youth system responds to this risk/need area. This renders some of the girls sick and overwhelmed by cravings. Leanne explained that “the withdrawals hurt and I couldn’t handle it” so she was on medication for eight months. Tracey’s cravings were so strong that she ended up being room confined for taking another resident’s medication “and for planning to take the staff out.” As she explains:

I wanted to run away so I could go get drunk. You go pretty low and it’s really sick. Once in treatment I drank my hairspray. They had this hand cream that smelled like alcohol so I snuck it in my sweater and I was trying to drink that too... I’d just always be thinking of ways to get drunk.

In addition to trying to get friends to bring alcohol to her court appearance, Tracey was caught for making 'home brew' with fruit that she hid in her room in Dojack. Forced
detox and a lack of access to alcohol or drugs while the girls are incarcerated means there are few difficulties with the young women addressing this issue while they are incarcerated. However, there is little in place to help them once they are released on Temporary Absences or at the end of their sentence.

Several of the authorities complained that the lack of resources for addictions is one of the most concerning issues in dealing with youth violence. Although the SSASI recommends that "Clients with elevated scores may need a highly structured and supportive program to assist them in making the difficult changes necessary to avoid continued substance misuse," the majority of in-patient treatment centres throughout the province of Saskatchewan have an age limit which excludes youth. Whereas the girls at Orcadia did have access to an outpatient program through a counsellor from Drug and Alcohol Services of Yorkton who came into the facility and conducted one-on-one sessions with willing participants, there was little available at the other facilities. As one youth worker in Saskatoon explained, Addictions Services in Saskatoon will not work with youth who are incarcerated.

Now isn't that a whamo. They don't want to see their services as being connected to the justice system. It's been an age-old battle...They speak to how motivated is a kid if they're in custody...are they truly motivated or are they just capitalizing on the opportunity. I say 'so what capitalize away. Do what you can when you can.' But the whole addictions model [is based on] being voluntary as opposed to involuntary.

Similarly, a staff at Kilburn stated that there is an assumption that a youth in cuffs implies they are not capable of change. However, the problem may not be so much the lack of programs; rather, as Silver and Miller (2002: 149) point out:

intervening to reduce substance abuse behavior without also attending to the social or personal conditions that make substance abuse attractive in the first place...may have little effect in reducing violence and crime. In short, the correlations between actuarial risk factors and outcome behaviors do not imply the presence of causal mechanisms.

This explains why the girls have little success with the programs. As Katie stated, "look at how many people went to treatment and detox...they don't come out all right." In fact,
Lily reported that she was still drinking and getting high on her visits away from the treatment centre.

There is also a lack of attention to social conditions in the programs offered within the facility. The overall finding in Kristine’s report was that because she “scored in as a high probability of having Substance Dependence Disorder... she would benefit from educational life skills or counselling with a drug and alcohol worker to assist in reducing the risk of future problematic usage.” Part of her Risk Reduction strategy in custody is to read informative materials. Although it is not stated in official discourse, youths are increasingly expected to address their own addictions through situational crime prevention. There is optimism that cognitive skills training will foster this technique. As one government official explains, this will include teaching the girls to address the following questions with their custody worker:

How are you going to handle Friday night when you’re not allowed to drink and all of your buddies are going to drink. What do you do? Let’s talk about it. These are the skills that you need to handle the situation.

The girls’ addictions are too strong for prudent, avoidance techniques to prevail. Katie says that she hopes she stays away from drugs, but the guidance she receives is irrelevant when she is confronted by the opportunity to use drugs on the outside.

I try to think of my sisters when I’m doing it but, you know, when there’s someone holding a needle or something...your family is not what you’re thinking about, and what you learned in treatment is not what you’re thinking about. You just think about how it feels, the high you get, the rush you get... I don’t know what’s going to stop me, hopefully common sense.

Again, in the age of risk the girls are taught that they should have the ‘sense’ to avoid the addiction, without changing the context that contributes to that addiction.

In summary, although substance abuse is a risk factor that appears in most risk assessment tools which predict violence and recidivism (Silver et al 2000; Steadman et al. 2000), it does not necessarily indicate that alcohol and drug treatment is the means to
crime reduction (Silver and Miller 2002: 149). As the girls in this study point out, the social and personal conditions that lead to substance abuse are the same conditions that lead to crime. Sue explained that her youth worker was putting plans in place to keep Sue busy in the evenings so that she could avoid the temptations of doing drugs with her friends. However, the next questions I asked Sue were regarding other supports at home and whether there was enough food on the table. “My mom is starting to have a hard time feeding us but I never really cared because I was too much into drugs and alcohol...now to think about that I'm scared to go home because I eat properly here, I eat three times a day.” Thus, Sue's addiction is being dealt with in isolation from other socio-economic difficulties such as being worried about being fed properly at home. In risk governance addictions are an individual problem to be managed rather than resolved. Silver and Miller (2002: 148) argue that a former concern with treating drug use has been replaced with tracking drug use as a risk factor.

Drug use is viewed not so much as an act of deviance or as a reflection of a troubled, oppositional subculture but, rather, as a risk factor for classifying offenders....Hence, we have seen, in both the criminal justice and mental health systems, an increased emphasis on drug testing rather than drug treatment. (Silver and Miller 2002: 148)

Therefore, the problem is not just a lack of programs or resources. It is the shift in responsibility for dealing with the problem. As one of the government authorities in this study clarifies, addictions treatment is no longer the concern of youth justice. “I think the YCJA, it's fair enough to say, is trying to maintain the justice system for those that need justice intervention for criminal matters, it's the other issues that have to be dealt with, that can be dealt with outside of the justice system.” This again speaks to the political appeal of risk assessment tools in a late modern context. Through incapacitating girls who are high risk to reoffend because of their addictions, the LSI “presents the opportunity to effect changes in the rate of crime and deviance without attempting to alter individuals and the social circumstance from which they come” (Silver and Miller 2002: 148). In other words, the girls are sober and not a risk while they are incarcerated; they are receiving their 'just' intervention which is not concerned with wider social problems.
4.8. Antisocial Pattern

Lastly, the eighth risk/need factor on the LSI-SK is Antisocial Pattern. This section of the tool examines previous psychiatric and psychological assessment for antisocial patterns or other indicators of antisocial behaviours, such as being arrested or charged under the age of 16 for assault or a violent act, having an escape history, or being charged for probation breaches or suspension of conditional supervision. There is additional consideration given to 'criminal attitude' and 'pattern of generalized trouble' in areas already checked in previous sections of the LSI. The *Instructions and Scoring Manual* states that the primary purpose of including previous clinical assessments is “to set the occasion for the identification of very high risk/need cases characterized by extreme egocentrism and a pattern of violations of trust and responsibility. Emotional problems and even psychosis without clear criminogenic potential are not sufficient for a check here....” Although I will provide more detail on the content of the psychological assessments in Chapter Six, suffice it to say here that all of the girls in this study are deemed to have a well entrenched antisocial pattern.

The interpretation of this area of risk/need includes classist assumptions, particularly with regards to the neighbourhoods in which the girls live. In Denielle’s LSI-SK the writer states that “[h]er procriminal attitude and desire to return to ‘the hood’ make it difficult for [Denielle] to accept alternative lifestyles or to make better choices.” Andrea, who is Aboriginal, explained that ‘the hood’ is “the raunchy part of Regina. It's like a bunch of poverty and there's a whole bunch of Indians and they're on welfare.” Cathy, who is Caucasian, also reported living in the ‘hood,’ which, she stated is “definitely not the rich area.” Thus, the girls are deemed a risk if they do not aspire to live outside the neighbourhood they call home. In a similar vein to social disorganization theory (Shaw and McKay 1942) and related environmental criminology, the ‘hood’ is considered by the authorities a risky space because of the disadvantaged inhabitants rather than because of inequalities in social, economic and political factors. Kristine's level of risk to reoffend is “Very High,” because, in the youth worker’s opinion, “her behaviour cannot be effectively managed within her home community.” Drawing on
Feeley's and Simon's (1994) argument that actuarial tools are used to manage the risk for violence posed by groups of Blacks and Hispanics living in poverty in the United States, concentrated urban areas of Aboriginals in Saskatchewan generate a similar political space. The discourse surrounding these groups is similar to that produced about the 'dangerous classes' of the 19th century. In their discussion of the 'underclass' to "characterize a segment of society that is increasingly viewed as permanently excluded from social mobility and economic integration," Feeley and Simon (1994: 192) indicate that the violence and social disorganization stemming from the underclass "resonates with the discourse of actuarial justice, which is couched in terms of collectives." Thus, all members in 'the hood' are deemed a risky population which the girls must avoid if they are to reduce their level of risk to reoffend.

Although the institutional programs to reduce the risk associated with antisocial patterns do not target contributing social and economic barriers, the girls do report some benefit to these programs. In addition to Anger Management and problem solving skills classes mentioned throughout this chapter, a key focus in all three institutions is on Lifeskills. The Lifeskills program at Orcadia includes sessions on drug and alcohol, abuse prevention, parenting life-skills, sexuality and self-esteem. Some of the girls were positive about the programs and commented, as Judy did, on enjoying the discussions. When I asked Leanne about the programs at Dojack she stated, "it just helps with the way you talk, like saying "please" and "excuse me". Denielle stated, "their Lifeskills programs are helping me with self-esteem and how to take responsibility for yourself." The girls' other comments lead me to believe that in risk governance, building up their self-esteem appears to have little to do with pointing out their positive attributes and highlighting their potential contributions to society. Instead the girls are taught to feel good about themselves when they take personal responsibility for the political, social and economic factors that are not the business of the youth justice system.

If nothing else, the programs teach the girls the language and manners that are important to the criminal justice system. This can facilitate their progress on the Level System and a reduction in risk, which may ultimately lessen the amount of time they are
incarcerated. For example, several girls stated to me that they know how to respond to the questions around antisocial patterns which is reflected in their LSI report. This is reflected in the youth worker comment's that one girl "has a prosocial attitude in regards to the societal expectations and the legal system...this area is not determined a risk at this time due to her having more positive areas." Thus, even if the girls do not internalize the manners and expectations of acceptable behaviour, they do know what to say during their assessment to reduce their level of risk. Their agency in determining their level of risk in the LSI-SK is considered in-depth in Chapter Eight.

In sum, the institutional response to the girls' antisocial patterns does not address the many complex inequalities that result in their offending behaviour. In some cases the evaluations find fault in the girls being raised in poor families and neighbourhoods which the girls are encouraged to abandon. As Feeley and Simon (1994) and Douglas reveal, 'risk' is used in contemporary society to deal with danger and Otherness (Lupton 2004: 36). The concept is deployed to maintain cultural boundaries between, for example, the included/excluded in the social body (Douglas 1985; Douglas 1992). However, the programs do teach the girls a discourse that may in fact foster a more inclusionary response, not because the skills could lead to employment or better housing for example, but because the girls learn which manners and behaviours are necessary to reduce their exclusion in the youth justice system.

In conclusion, this chapter reveals that the LSI-SK does identify key areas which contribute to the girls' risk to reoffend. However, there are contradictory or inadequate resources to address the area of risk. As Rose (2000: 322) points out, "[t]he prisoner is to be incapacitated, or the prisoner is to be taught life skills and entrepreneurship, or the prisoner is to be stigmatized and made to accept moral culpability, or the prisoner is to be helped to reintegrate into the community." Underpinning risk assessment strategies is an understanding that the girls are rational agents who choose crime based on a calculation of the benefits and costs. The girls in fact demonstrate how crime does pay considering their life circumstances. But the resources offered to address these life
circumstances do not address, or pay attention to, the underlying political, socio-economic issues which contribute to the area of risk.

The resources that are available are mainly in the forms of programming focused on creating a new self that the engineers of risk governance wish to promote. The girls are taught to be prudent individuals who take responsibility for their areas of risk, but some of these are clearly beyond their control. In the Community Safety Plans there are expectations that they, for example, “make use of leisure time” in an environment that does not provide any opportunity. Also, the file data indicated that some girls need to make more effort to “work closely with a counsellor and staff.” Not only did I witness some staff being very uninterested in the girls and/or unapproachable, there was a complete lack of counsellors or counselling services. The reasons for this will be discussed in detail in Chapter Six. In my questioning how the girls are supposed to address the eight risk need areas without adequate resources, one government official explained that it is a matter of prioritizing. “Saskatchewan has a fair number of kids...which means you have to prioritize. Coming from a case planning perspective you may not be engaged on a particular [risk factor] for a bunch of reasons, one of them being that the resource isn’t there but two, because that particular area isn’t prioritized...how high are the risks and you plan based on those.” He explained that this issue is being addressed through the Department’s ‘quality assurance system,’ which is designed to identify the gaps in service. He indicated that these gaps “are unknown at the present time” and that they were still working on training and case standards. Although it seemed very apparent what the socio-economic ‘gaps’ are for the girls in this study, the government officials countered that larger social structures are not the responsibility of the youth criminal justice system.

My critique of the youth criminal justice system is not based on an argument that the system has the capacity or role to address large social problems such as poverty. My concern is that these structural issues are not considered in the design of risk assessment tools or when attempting to address the girls’ areas of risk. This sends a message to the youths that these are individual problems which they have a
responsibility to address. There is little attempt to recognize that the elements requiring rehabilitation are wider societal issues such as institutional racism, inequality and injustice for First Nations. "Indeed, [risk assessment tools] may be politically attractive because they do not require policy makers to allocate resources that might alter the social and economic conditions of the underclass. Instead, actuarial tools measure those conditions (and their correlates) to keep law-abiding citizens safe by identifying high-risk groups before they offend" (Silver and Miller 2002: 144). Consider, for example, if the LSI-SK reflected statements made in the 2004-2005 Saskatchewan Provincial Budget Performance Plan for the Department of Corrections and Public Safety. "Although there is no single cause of crime, risk factors, or vulnerabilities, work together over time to influence the likelihood of negative outcomes. Major risk factors are poverty, abuse, violence, education, employment problems and substance abuse." If the LSI-SK included poverty or education and employment problems as risk factors, I am curious as to the form of interventions that would be in place to address that area of risk.

I must reserve some critique based on the newness of these strategies in Saskatchewan. Perhaps some of my criticism is unjust because the youth system has not had adequate time to assess what resources will address the risk/need factors outlined in the LSI-SK. However it is safe to assume, based on the development of cognitive skills-type programs, that the direction of interventions remains focused on what the girls can do rather than what the system can do to reduce their level of risk to reoffend.

This direction is especially problematic because there is no reflection on how the youth criminal justice itself contributes to the girls' risk to reoffend. As highlighted in almost every area of risk outlined in the chapter, the context and structure of the detention centre can play a significant role in violent behaviour. However, there are negative consequences or evaluations if the young women question the rules in the system. The girls' life stories also point out how several of the areas on which they are evaluated are based on cultural, political, racist, sexist or classist assumptions about
what is acceptable behaviour in the age of risk. Their experiences also challenge the assumption by risk theorists that risk assessment occurs uniformly across a variety of populations, which is expanded on in Chapter Eight.

Because actuarial techniques do not alter the causes of violence and reoffending, the process of social control is depoliticized. Although there is effort required on the part of the violent girl to engage the ideas presented in institutional programs, if contingent resources do not exist or they do not address underlying problems, the official discourse on addressing 'risk/need' is rhetorical. Moreover, as Hannah-Moffat (1999) points out, 'need' is being interpreted by correctional researchers and policy-makers as dynamic risk factors.

This interpretation of needs as criminogenic neatly locates them within a realm of correctional managerialism and justifies normative interventions aimed at reducing the effect of criminogenic needs/risks... The danger here is that as hybrid risk/need factors, characteristics like self-injury, history of abuse and incidences of mental health problems can be used by correctional officials to justify various interventions, increase security and to hold the offender accountable for her actions and life circumstances.

It is apparent that the girls' 'needs' are used to justify increased security, which translates into longer periods of incarceration and exclusion. However, in risk governance this action is deemed part of risk prevention as opposed to 'punishment', which is how the young women interpret aspects of their prison term. This issue of punishment in risk governance is the focus of the next chapter.
CHAPTER 5.

PUNISHING THE YOUNG FEMALE OFFENDER

The concept of “punishment” is rarely used in risk governance. The term is not referred to in the girls’ files, nor is it used as a justification for certain actions. Rather than punishment, the expressions “behaviour modification,” being held “accountable” and “consequenced” describe punitive reactions in the youth justice system. As Garland (2001: 103) explains: “Late modernity and the new politics to which it gave rise changed how organizations thought about crime and punishment, justice and control, just as it changed the terrain on which these organizations operated.” For example, after reading my doctoral prospectus, one government official corrected my inference that “risk” translates into “blame” and therefore punishment. He explained that this reasoning occurs more with high-risk adult offenders, but for youths, the focus is on what can be done to address that area of risk, rather than punish the youth for it. Similarly, in the training session on the LSI-SK that I attended, the instructor pointed out that the LSI has moved away from equating risk with bad behaviour. The officials’ understanding that, as one stated, “a punitive response to youths only makes them worse,” reflects the new penology’s scepticism that contemporary crime control strategies are concerned with punishment. However, as both the cultural (Douglas 1992) and governmental (Garland 2001; Simon 2001) perspectives on risk point out, punishment still exists but is now couched in different guises, terminology and intent. Thus, the unofficial and denied consequence of a system based on risk assessment for female offenders is in fact punishment. This is particularly the case for high-risk girls who are deemed unmanageable.

13 This point is in fact applicable to all youth legislation beginning with the JDA.
This chapter will analyze the impact of risk governance on young females with regards to punishment for risky behaviour. The first section highlights where female offenders are punished. Government strategies are geared towards keeping ‘low risk’ youths out of custody facilities and incapacitating those deemed ‘high risk.’ In fact, as argued in the second section which focuses on why she is punished, the most violent girls are no longer deemed to be ‘youths.’ Under the YCJA, their actions are understood within an adult context and are penalized as such. Although the YCJA specifies that special attention to the circumstances of Aboriginal girls should be given when sentencing, the lack of options in Saskatchewan, coupled with a societal panic over girl violence, results in lengthy custodial sanctions.

Moreover, as outlined in the third section on who punishes the risky girl, once incarcerated the girls encounter the outcome of a trend towards ‘de-professionalizing’ youth justice in late modernity. Whereas counselling girls through difficult times was previously the role of psychologists and psychiatrists and other professionals in the system, custody staff have now assumed the responsibility of delivering most services, which can translate into formal mechanisms of punishing the risky girl. This change in role will be considered in depth in Chapter Seven but here I focus on the punitive consequences of a new form of power for staff in risk governance. This power does not stem from detailed expert knowledge on the prisoner, as Foucault (1979) demonstrated in his seminal study, but from conditions in risk governance which have reconfigured the need for punishment. Stemming from the work by Simon (2001) punishment (and in some cases cruelty) “means satisfaction at the suffering implied or imposed by punishments on criminals, and this public satisfaction breaks through some of the restraints on the public and officially sanctioned expression of these feelings imposed by earlier liberal values and sensibilities” (in Stenson and Sullivan 2001: 7). Drawing on this theme, the final section focuses on how we formally punish the female offender and argues that for ‘high risk’ girls there are few options but isolation, which cannot be denied as a form of “punishment.” Overall, in contrast to some theorists of the new penology who claim that incapacitation is simply to warehouse offenders rather than to
punish or discipline, this chapter reveals how incarceration is intimately connected with punishment, with exclusionary consequences for young women.

5.1. Less Incarceration: For ‘Low risk’ Girls

Part of the intent in the YCJA is to reduce the alarming numbers of Canadian youths being sent to jail. Under the YOA young offenders were incarcerated at a rate of 447 per 100,000, which was higher than the numbers of Canadian adults being incarcerated and higher than the rate in most other countries, including the United States (R. v. J.K.E. cited in Green and Healy 2003: 44). In addition, more than half of the youths were incarcerated for property and administrative offences, such as breaching probation orders (ibid). According to the Canadian Centre for Justice Statistics (2000) Saskatchewan in particular has a history of charging and incarcerating more youths than any other province in Canada. As one government authority explains:

The overall crime rates in Canada have been decreasing. In Saskatchewan, over the last ten years, the crimes reported have been gradually increasing... The amount of crime is higher here. Quebec tends to send their kids to custody at the same proportion as Saskatchewan does... but the difference is the volume.

Thus, the authorities see the high incarceration rate as reflecting a higher crime rate in Saskatchewan. However, the incarceration rate is perhaps better contextualized with La Prairie's (2002) research on the over-representation of Aboriginal peoples in the criminal justice system, which links socio-economic factors with community risk factors such as social structure, relative deprivation and lack of legal opportunities (La Prairie 2002: 186). Nonetheless, the high incarceration rate resulted in several ‘contingency’ youth facilities being opened in Saskatchewan in the 1990s. More facilities meant that more youths were being incarcerated. However, risk discourse began to dictate that there should be less punishment for those deemed less risky.

Section 4 in the YCJA outlines the availability of extrajudicial measures for less serious, first-time offenders. In fact, for minor infractions, police officers are now advised
not to lay a charge but to consider "tak[ing] no further action, warn the young person, administer a caution...[and] refer the youth to a program or agency in the community that may assist the young person not to commit offences" (Section 6(1)). There is also the option of a 'conditional sentence' or 'deferred custody' which, as explained by one authority, is "like a jail sentence served in the community." There are restrictive conditions placed on the youth and breaching these conditions results in apprehension and incarceration. Although alternative measures were also an option under the YOA, under the YCJA they are deemed a necessity to deal with low risk youths. As one government official explained, the emphasis on alternative measures has corrected the historical bias against youths where custody was the main option in sentencing.

Measures to ensure that low-risk youths are not ending up in custody have been effective. This includes steps to release those youths who are in custody. One of the community youth workers explains:

As an intensive case manager I became 'the review girl.' I was supposed to go around to all the facilities and see which kids are review-worthy. [The authorities] were thinking that a lot of the youth workers might not have had time to be doing reviews to get the youths out of custody and get them into the community.

While the numbers of youths sentenced to open and secure custody has substantially dropped under the YCJA, one government official indicated that it is a trend that has occurred over the last five years corresponding with judges decreasing the use of probation orders. During the course of this research in 2004, the capacity in open and secure facilities in Saskatchewan for both male and female young offenders allowed for 340 youths to be incarcerated, but there were on average 250-260 youths per day who were incarcerated. In fact, the low numbers resulted in the temporary collapse of one open and one closed custody girls' unit at Orcadia into one mixed unit. Several staff expressed concern for their jobs during the research. A girls unit in North Battleford Youth Centre (NBYC) was also closed just prior to the research because of the decreasing numbers being incarcerated. Fewer girls ending up in prison means that fewer are experiencing the punishment of incarceration. As the day program worker at
Onion Lake First Nation explained, although the youths' punishment may be seen as "a slap on the wrist, we would rather they do their time in the community where their own people could be helping them." Although she only had one female on her case load, she relayed stories from the young men in custody, which included experiences of racism and torment.

Although the numbers of youths given community dispositions has also decreased, this decline is deemed problematic by several authorities in the age of risk. One government official explains:

There is currently a catch-and-release going on with the police... We hadn't anticipated that and I'm expecting a bit of backlash in the remand population...[whereby] the justice system will say 'no more releasing.'

The police are apparently frustrated by a system in which the judges are likely to release low risk youths back to the community. Several authorities are also concerned about the impact of low risk youths remaining in the community after an offence. One of the Directors explained that while youths are rightfully no longer being incarcerated for 'family service' issues and there are fewer in general going to jail, those who are eventually being incarcerated are first spending more time completing community dispositions. The result, he says, is that "they are more ingrained in negative behaviour... There are some girls who have fourteen assaults before they come into custody...[they're] pretty entrenched in a violent pattern." Thus, several authorities commented that the changes under the YCJA, which require a lengthy history of crime before incarceration, will simply lead to more crime and danger in the community. A supervisor at Orcadia said that several dangerous youths were being released without a custody disposition. Thus, considering the lack of community resources, a significant impact of risk governance is to challenge the long standing perspective that youths are better served in the community than in prison. Rather than being a mechanism of informal social control to correct the deviant, the community is now a site of uncontrollable risks which is deemed perhaps even more detrimental than prison.
However, a decreased use of prison as a sentencing option for all youths has also changed the prison population. As a supervisor at Paul Dojack states: "we're expecting that we're going to have a larger group of predominantly violent offenders." Several authorities concurred that the facilities are now just for the very high end youths, and an increasing number are girls. Staff at Kilburn Hall explained the facility is expected to undergo a change from a remand to a secure custody facility to reflect the YCJA's focus on only incarcerating violent, repeat offenders. It therefore appears that a major impact of risk governance and actuarial justice is that custody facilities will now house the 'worst of the worst,' with significant ramifications for the high risk violent girl. Researchers who defend the practices of risk assessment tools claim that their research is not used to:

oblige the state by endorsing the confinement of select people to institutions... [It is used] to assist in determining... which individuals are and are not likely to be prone to violence under defined conditions, and to suggest possible means by which they might be able to live under the least restrictive conditions possible (Webster 1998: 471 cited in Silver and Miller 2002: 151 emphasis in original).

However, in their critique of methodological concerns with risk assessment tools, Hannah-Moffat and Maurutto (2003: 13) point out that although the tools do not measure dangerousness, nor do they differentiate between types of recidivism, there is potential for the perception that high risk youths pose a greater risk to society and to the institution.

To summarize, in looking at where we punish risky girls it is apparent that those deemed low risk will be punished in the community and those deemed high risk will be dealt with through incapacitation. This response stems from the official argument that keeping low risk youths out of the court and custody systems will free up resources to assist high risk youths. In fact, the 2004-2005 Saskatchewan Provincial Budget for the Department for Corrections and Public Safety states that "[t]he correctional system must focus its resources on high-risk and high need individuals and define a basic level of services for low risk/low need offenders..." (2004: 11). This discourse ignores that most
resources for high risk girls, as outlined in Chapter Four, are tied to long periods of incarceration or other forms of punishment. Risk, although presented as a neutral concept, very much signifies a negative force that needs to be punished. Although Douglas (1992) recognizes how risk discourse contains implicit connections to blame, the risk theorists do not establish that level of risk corresponds to degree of punishment. In addition, although judicial practice signifies a positive trend towards limiting the number of young people who are incarcerated, there has been an ironic, adverse reaction from some authorities. From their perspective, limited resources or controls in the community mean that the community, rather than jail, is considered a site that fosters more dangerous and risky behaviour. This adverse reaction is also inconsistent with the perspective that youth facilities will house only the most persistent, violent offenders. To better understand this trend towards incarcerating the highest risk girls, we need to question why we punish her, the focus of the next section.

5.2. High-Risk Girls Denied ‘Youth’ and ‘Racialized’ Status

Powered by the belief that the welfare approach to young offenders which was at its zenith in the 1960s and 1970s has failed, coupled with a reliance on a retributive justice system to restore morality in youths, democratic societies have witnessed greater levels of culpability being given to young people (Pitts 2001). Pitts (2001) refers to this as a ‘dejuvenilisation’ in the response to young offenders, particularly evident after sensational cases such as the 1993 killing of two year old James Bulger by two ten year old boys. This case fostered a fear over a ‘new breed’ of under age criminals who were too young to be prosecuted in law. In 1997 in the UK, for example, then Home Secretary Jack Straw abandoned the principle of doli incapax, which obliged judges to proceed from the assumption that offenders under the age of fourteen, based on their immaturity, do not have criminal intent (Pitts 2001: 176). As Pitts (2001: 176) points out, “[t]his was a symbolic intervention; an unequivocal indication that consideration of responsibility, culpability and retribution were henceforth to be a legitimate concern of the youth justice system and its agents.” There is similar discourse on culpability expressed in Canada’s YCJA, which, in practice, is particularly problematic for Aboriginal
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girls. In this section, I argue that we punish female offenders firstly through a trend towards ‘dejuvenilisation,’ and secondly through denying the role of institutional racism in risk governance.

Although there are several measures in the YCJA to discourage the use of incarceration, the clear distinction between "non-violent", "violent" and "serious violent" offences, or SVO, in the Act has significant ramifications for the violent girl. There is no denying the intent to 'punish' violent offenders. This process of labelling ensures, according to Quebec officials, that "the nature of the charge, rather than the circumstances and prognosis of the youth, becomes the major governing factors in how the youth is dealt with under the Act" (Green and Healy 2003: 191). For example, the YCJA (section 61 and 62) allows for youths as young as fourteen years to be sentenced as adults. This was lowered from sixteen years under the YOA. Section 38(2) indicates that the "sentence must not result in a punishment that is greater than the punishment that would be appropriate for an adult who has been convicted of the same offence committed in similar circumstances." Moreover, in keeping with the neo-liberal criticism that the welfare state contributed to the current 'culture of dependency' (Pitts 2001: 179), the YCJA allows provinces, "like Ontario, to implement strategies embracing strict disciplinary incarceration, parental responsibility for youth offending, and privately run prisons for young offenders" (Alvi 2002: 205).

The Act also signals a trend towards dejuvenilisation through new powers to the courts, some of which are not only punitive but may infringe on youths' citizen rights. For example, the Act expands the list of offences, to include a new category of 'serious violent offences,' for which youths may be transferred to adult court. In addition, when youths are being sentenced for a presumptive offence (which includes murder, attempted murder, manslaughter, or aggravated sexual assault), the responsibility is on the youth to make an application to be sentenced in youth court, rather than on the Crown. The YCJA also gives the court discretion to allow the publication of names of young offenders who receive sentences for presumptive offences (Section 75 (3)). This act of 'naming and shaming' is justified on the basis of public protection, but it is better
understood as punishment for those who 'choose' to behave in a risky manner. Moreover, the decision to engage in dangerous or high risk, violent activity, terminates social citizenship in risk governance. As the Quebec government recognized in its protest to the Act, sentencing youths as adults and revealing their identity to the public violates the spirit of the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and the Charter of Rights and Freedoms (Green and Healy 2003: 192).

High risk girls are also considered more adult than youth through the new community supervision orders. As Green and Healy (2003: 42) point out, these orders:

- bring the process of youth custody and release closer to that set out in the Criminal Code and the associated correctional legislation for adults.
- An adult offender receives remission or "good time" usually equal to one-half of the time actually served in jail... The practice of 'gating' is replicated in the YCJA [whereby]... before the expiry of a custodial sentence, the Attorney General or the provincial director may apply to the youth court for an order that the young person remain in custody for a period not exceeding the remainder of the youth sentence.

In practice, this option is often used because of the lack of appropriate options in the community. For example, one of the detention staff relayed an incident where a young woman was complaining because another girl, who had the same sentence, was released before she was. The staff told the girl that there were 'red flags' with her situation because her home environment was not stable. This young woman was essentially being told that her punishment would continue because, as the worker saw the situation, "that's our job, to care about you and keep you safe." Keeping girls incarcerated because of a lack of community support is viewed as protecting the young woman but it translates into increased punishment for factors beyond the girls' control. This is especially the case for Aboriginal girls, who are punished because the role of racism is deemed irrelevant in risk discourse.

Before risk discourse infiltrated the youth justice system in Saskatchewan, the Gladue Factor was considered in an attempt to decrease the concerning reliance on
incarceration for Aboriginal peoples. As Jackson (1988) details in his influential article “Locking Up Natives in Canada”, they experience the detrimental consequences of the justice system’s heaviest punishment more than any other group in Canada. In recognition of this fact, as Green and Healy (2003: 50) explain, “In R.v. Gladue, the Supreme Court of Canada interpreted section 718.2(e) of the Criminal Code which requires sentencing judges to consider ‘all available sanctions other than imprisonment that are reasonable in the circumstance’ for all offenders ‘with particular attention to the circumstance of aboriginal offenders.’”

The authors indicate further that the effects of the Gladue ruling continue to evolve. “Although the Gladue decision has been held to apply to young persons under the YOA despite there being no mention of the circumstances of Aboriginal young persons in that Act, the sentencing principles in the YCJA leave little doubt that the Gladue decision will be applied to the sentencing of Aboriginal young people” (Green and Healy 2003: 51). Section 38 (2)(d) of the YCJA sets the requirement that all available sanctions other than incarceration should be considered where appropriate, especially for Aboriginal youths. Some of the judges in Saskatoon have apparently interpreted this requirement as mandatory in application, and, according to some of the research participants, have refused to incarcerate Aboriginal youths even when it is deemed necessary based on the results of the LSI. Some respondents indicate that high risk youths who should be incarcerated are not going to jail simply because they are Aboriginal. This rejection of the LSI-SK and backlash against the judges in Saskatoon is considered further in Chapter Seven, but it is important to consider here how the Gladue Factor influences sentencing in some cases, but is no longer deemed relevant in risk assessment.

Although some judges may be taking the spirit of the Gladue Factor into account when sentencing, one of the community youth workers reports that it is no longer part of their Pre-Sentence Report (PSR). As she indicates,

In the past, if the youth is First Nation, we would go to the community or we would make some contacts to see where [the youth] might be able to
access some services from their community... Stemming from the Gladue factor, when we wrote our Pre-Disposition Report before [the LSI was implemented] we considered culture and spirituality. So even with Caucasian youths we would talk to them about their spirituality. Now that's gone. That's not even addressed at all in our PSR.

This worker explained further that not only was the *Gladue Factor* employed to improve services to youths, but it also fostered positive relationships between government workers and First Nations community members. These relations have been strained with its absence and with the use of the LSI.

The fact that the *Gladue Factor* is not part of the LSI raises the question of whether risk assessment tools should include race-specific risk factors for populations, such as Aboriginal girls, who are more 'at risk' of receiving punitive sanctions. As Hannah-Moffat and Maurutto (2003: 17) point out, it is likely that Aboriginal girls are classified as higher risk because of their greater criminogenic needs. The result is to 'institutionalize the disadvantages' (ibid.) or incarcerate and punish the girls for their marginalized status. As one of the Directors reports, statistics have consistently indicated that 70-80% of the girls incarcerated in the province are Aboriginal.

The debate over including race as a predictor in crime is not new. As Beaumont (1999) indicates in his review of risk assessment research, prediction studies raise significant ethical issues. Criminological prediction became 'unfashionable' in the 1960s stemming from three major concerns: the stigmatization that can occur through applying the high risk label, inaccurate predictions which result in unfair punishment and the question of how do deal with the issue of race (Beaumont 1999: 71). As Beaumont (ibid) states, "since some American studies found 'race' predictive of reconviction, researchers had to choose whether to ignore it or, by including it, compound the effects of racism" (Farrington and Tarling 1985).

However, the government official who designed the Saskatchewan version of the LSI tool maintains that the tool is valid across a variety of populations, including Aboriginal youths. Risk assessment tools fail to account for the fact that the girls'
offending behaviour contains racialized and gendered aspects (Hannah-Moffat and Shaw 2001). This point is elaborated on in Chapter Eight. As one psychologist pointed out, “although the research indicates that the core criminogenic factors transcend gender and race in their ability to predict [recidivism], it does not mean that the instruments are not biased....” Therefore, it cannot be denied that institutional racism, especially in a climate of fear and insecurity, contributes to the context of and response to girls' offending.

This lack of attention to the role of racism in the LSI-SK has been met with discontentment by some authorities and First Nations communities. Reflecting early debates over the issue of labelling, a day worker on Onion Lake First Nation states “I don’t approve of the youths being called high risk...because high risk assumes that they’re going to be doing future illegal activity; that they’re going to fail...I hate labelling kids [because] kids internalize what they hear.” Silver and Miller (2002: 147-148) concur:

Actuarial risk assessment is more useful in labelling individuals than it is in understanding and resolving their problems. In fact, understanding why a particular individual behaves in a particular way is rendered irrelevant. This is because the unique individual with specific problems who can be treated or, in Foucault’s terms, submitted to a disciplinary regime is replaced by a taxonomic categorization of population aggregates.

However, from the government’s perspective, the resistance by some First Nations to the LSI is simply because of a lack of communication of its benefits. As one official states, “When kids are deemed high risk it’s difficult for [First Nations community members] to accept it. I don’t know if it’s just a lack of education or information sharing between government and those agencies...and we’re trying to alleviate some of those concerns.” He indicated that the government has offered to provide training so that there is an understanding what the judgments or decisions stemming from the LSI are based on. Thus, although front line workers are expressing concern over the punitive result of not considering racism in risk assessment, this is considered an ignorant perspective. This clearly illustrates the governmentality theorists’ insight that risk is a
‘calculative rationality’ (Dean 1999) which is constructed through the criminal justice system’s strategies and practices which deem racism irrelevant.

In sum, apart from the response from some judges, female offenders are punished in the age of risk through a criminal justice system which focuses on their level of risk as separate from their status as racialized young woman. Age and race become irrelevant if the young woman is assessed to be a risk to reoffend. ‘High risk’ becomes her master status, which provides the justification for why she must be incarcerated and punished. Who punishes the risky girl is explored in the next section.

5.3. Power of Staff

A culture of security consciousness and lack of trust in the detention centres, coupled with increased supervisory and responsibility roles for front-line workers, have resulted in a new form of power for the staff. The interview participants do not recognize this form of power as stemming from the context of risk governance, but rather they identify it as an abuse of power or, “power trips” by some members. Although the over-control of female offenders is well documented (see Chesney-Lind and Pasko 2004: 160-164), some respondents note recent changes in the treatment by staff. This can translate into punishment for the girls. Thus, although the risk theorists correctly point out that punishment is not part of risk discourse, risk ‘mentality’ can in fact contribute to more punitive governance by the staff.

The changes in how staff relate to the girls was especially evident at Paul Dojack perhaps because this facility, as the Director points out, houses “the most difficult, most damaged girls.” As one community youth worker, who used to be a staff at Paul Dojack commented:

I’ve seen a definite change in attitude. It used to be a problem when I worked there, but it’s gotten worse. People that work there, they’re on power trips...they’re not understanding that these youths are not adults, they are still kids.
There were also general complaints about staff being more difficult to work with than the youths, as well as comments on staff being racist, swearing at, mocking and belittling the youth. As Kristine stated, “some staff will just push you, egg you on so they can restrain you.” Donna also stated that the staff were rough with her even when she was not resisting. She reported the abuse to her worker during her case conference who, Donna claimed, told her to complain because staff are also getting hurt in these situations.

The girls also made several comments about a former male staff member in particular. They indicated that it was well know that he used to buy sexual services from the girls when they were out and involved in prostitution. He was eventually fired but the girls point out that because of their criminal status, there are few protections for them while incarcerated. As one girl explains:

The staff knew about it...[but] they also know we’re criminals. They think they’re better than us...Staff here back each other. It’s us against them. They taunt us saying ‘who are they going to believe? A thief like you?”

There are several authorities who also commented on the abusive environment and, as one teacher explained, it was the reason several ‘excellent’ staff had resigned. Thus, the institution which houses the highest risk girls is also known to have the most difficulty with staff abusing their power. Drawing on Simon (2001) punishment for some staff may provide instrumental, ideological and emotional benefits in the risky environment of the prison. Punishment, “and the legal structures of assigning and imposing punishments, provide satisfaction to those authorizing them, exercising them, watching them, or merely acting in the highly charged atmosphere that some punishments create” (Simon 2001 in Stenson and Sullivan 2001: 7).

Although there was little evidence that staff fear for their own safety, the consciousness of risk, or the belief that the girls are likely to commit a harmful act, results in punishment. One of the Supervisors is trying to change this attitude. She relayed an incident whereby she took two of the girls out for a walk on the facility grounds by herself, but was reprimanded for not having the girls in cuffs while they
walked. Although she did not describe the response using the language of risk, her comments reflect how some staff view the risky girl: “I would like to see all staff... have unconditional positive regard for young people [in a way] that they aren't concerned about the offence, and that they aren't judgmental, especially about the diseases these kids pick up like Hepatitis C.” It appears that risk consciousness contributes to a derogatory view of the girls and their risky lifestyle. This observation was reaffirmed in several casual conversations I had with staff. The humiliating terms used by a few to describe the girls speak to how the authorities' perception contributes to unquestioned punitive treatment. It is ironic that these same staff members are responsible for rating the level of respect that each girl demonstrates on a daily basis. Perhaps it is not surprising that it was also these staff members who the girls claim ignited a riot (which occurred during the interview process and is described in more detail below) through their demeaning attitude towards them.

Risk consciousness also impacts the staffs’ interpretation of rules and regulations in a punitive manner. As one authority who had long term experience at both Paul Dojack and North Battleford Youth Centre, which are both secure custody facilities, states:

I don’t think it’s the rules or restrictions that are relevant, it’s more the way that people view them. People in this facility get upset when they have to deal with what clothing kids are wearing... [It becomes] a security issue when they don’t want to figure it out so they make the girls wear sweats because it’s easier for staff to dehumanize the girls.

Thus, risk consciousness also provides a convenient and accepted excuse for penalizing even non-risky behaviour. Similarly, Jackie complained that the girls in open custody at Orcadia are allowed to wear make-up, whereas the girls in secure are not. I did not uncover an explanation for the connection between security level and wearing make-up except that it was a privilege to do so and was therefore part of the girl’s punishment in secure custody.
Although the attitude of staff is key in punishing the risky girl, the rules that the staff are required to enforce are simply deemed 'consequences' without accounting for their punitive nature. Consequences for bad behaviour include having temporary absences (TA) and telephone calls revoked. The girls are granted a TA depending on their security level and a demonstrated time of good behaviour. They explained to me that TAs are important to them because they are often worried about family members. In particular, because of the high level of addictions and neglect among parents and guardians, the young women are concerned about siblings who live at home. While I was at Orcadia one of the girls, who I was hoping to interview, received a phone call indicating that her grandmother was on a drinking binge. Because the young woman had her TA revoked for receiving too many zeros in the Level Book, she escaped from the facility while the group was on an outing in the community. Apparently the mother in this situation was also drunk so the young woman was concerned about who was taking care of the children. Revoking TAs as a consequence is especially punitive for the girls at Orcadia who, because of its geographical location, are far from family. As Judy states:

I'd like to change where I am. I'd rather be in Regina doing my time so I could be close to my family. I was supposed to go home but I didn't because I couldn't get my Level Two, which I need to get a TA...I'm worried because my grandma has to watch [my daughter]. And my grandpa is sick and she has to watch him too. She's going to be tired and she has diabetes, like real bad, that's why I get really worried.

I asked her about relaying these concerns to staff and she explained that the only person who "has the power" to give her the TA was her facility worker, who, she described as "difficult." This example illustrates how consequences that are meant to change the behaviour of the risky girl become a form of punishment. This is especially so because the 'consequence' has no connection to the behaviour. How does revoking time from family teach a young woman the inherent importance in whatever institutional rule she has broken?
The girls recognize the impact of the staff's power in interpreting and controlling the young women's behaviour. Regarding Judy's 'difficult' facility worker, she told me that her only option was to "get on her good side." I saw Judy accidentally at the Social Services office several months after the interview. I was meeting a parent to obtain parental consent for another girl and Judy was waiting for her aunt. She indicated to me that she too had run from Orcadia because she could not get help in dealing with her worker. As Donna explains: "when you want to try and tell the staff something about other staff, it's like they just don't believe you, they'll gang up on you, you'll never win." Any resistance to the rules is interpreted by the staff as suspicious or risky behaviour and is recorded in the girls' file. In the daily staff recordings in Kim's file it states that she was being "a bit sarcastic this am about staff needing to hear girls'[] conversations." In Lorna's file staff report that she and her roommate "tend to be too giggly." Kim was being watched because of a "suspicious smile," for which staff approached Kim to ask what was going on. Risk consciousness contributes to punitive governance by the staff because it gives unquestioned power to those in charge of controlling risk. Thus, "neoliberalism co-exists with more traditional, punitive and repressive, residually conservative logics of control" (Sullivan 2001 in Stenson and Sullivan 2001: 3).

This punitive context contains other contradictions with official intent. For example, it is difficult to understand why a TA is deemed a privilege when there is an emphasis in the YCJA on 'reintegrating' youths back with their family and community. Jackie explained to me that if she works on her alcohol problem, she'll "get the privilege to go on TAs, like go home and see my family." Without a TA, Jackie has little contact with her family because she is from a remote Northern community. As one of the community youth workers complained:

To get these kids TAed into the community is getting harder and harder...I understand that you have to have some trust level, but they need a transition period to home. Before we had an early release option and [the facility staff] were way less strict on TAs home.

Although building family and community ties is recognized in legislation as a means of reducing risk, it is instead used as a reward to promote good behaviour in the facility.
Ironically, taking away this option as a form of punishment potentially increases the girl's risk to reoffend because her supports when she is released may have been compromised.

Phone contact is also deemed a privilege and is used as a bargaining chip to encourage the girls to behave. But the girls also see this as punishment. Some of the girls questioned why they were only allowed to contact immediate family members. Michelle, who indicated that the girls at Dojack get three phone calls per week with a ten minute limit on each call, expressed her frustration: "they isolate us from everybody but our family...I think they should let us talk to people that we want to talk to because we get kind of lonely for them and that just makes us more depressed in here." I asked her why the rule was in place and she responded, "they say they don't want contact with other people because it makes us think about the outs and the parties and stuff and makes us miss it. But I think we're missing it anyways and we're more depressed when we don't talk to friends and boyfriends." I did note, however, in the phone log in Kim's file that being a Level II allowed her phone contact with one of her friends. Nonetheless, the girls also pointed out that the telephone in all three facilities is located at or beside the staff desk so there is little privacy in what is being said. This is deemed necessary by the staff for security reasons. Thus, there is a contradictory assumption that depriving girls contact with their friends will motivate them to change their risky behaviour. However, as explained below, the frustration and depression that comes from being disconnected from their support system translates into an increase in risky, aggressive behaviour.

An extreme reaction from girls is to organize a riot on the unit. I heard several stories about the riots during the summer of 2000 from both the staff and the girls, each with their own interpretation of the causes. While some staff indicated that the riots were the result of the girls all knowing each other and, as one states, a collective desire "to stir the pot," the girls contextualize their motivation as stemming from how they were being treated. Michelle claims that she started a riot in 2000. She indicated that the girls were all "locked down" after a meeting during which a staff member expressed his disapproval
of how the girls were acting. Michelle explains that “for three hours he was just being really rude.” Michelle started “flipping out” or acting aggressively and was consequently restrained in her room. The girls started kicking their doors and the staff accidentally pressed the fire alarm rather than the riot button, so all of the girl’s doors swung open. As she explains:

All of the girls came running out and some of them had tooth brushes that were sharpened at the end to make shanks and that time we had our own hangers for our clothes...like they never used to check our belongings because they used to trust us...everybody started flipping out. After the riot everything got taken away. We used to be allowed to wear our own clothes and have make-up. The guys rioted two weeks later and they got all their clothes back...That's why I kind of think the girls are getting mistreated because the guys are still allowed to wear their clothes, and they're allowed radios and stuff.

If the staff were only interested in managing risk in the institution, as the theorists argue, there would be no need to ban items, such as make-up and personal clothing, which are irrelevant to the risky or dangerous behaviour. Although some staff did mention that girls fighting over clothing had been a problem, it was not identified as significant in this case. Thus, the staff’s response can only be understood as punishment. Differential treatment between the boys and the girls is another concern which is addressed in Chapter Six.

Ironically, the girls have also rioted when they feel that staff are breaking the institutional rules. One in fact occurred on the girls’ unit at Paul Dojack while I was conducting the research. I was not there at the time but I was able to travel back to Regina to get the girls’ account of what happened. Kristine indicated that the girls became increasingly frustrated by the treatment of one staff. Kristine stated that she and her mother were in the visiting room and were getting angry at each other. The staff member continually came into the room, interrupting their visit, and asked them to be quiet. Kristine’s mother apparently told the staff that they were working through some issues and needed privacy. The staff member prematurely terminated the visit and Kristine was told to return to her room. She indicated that at this point, “I was really mad and I knew I wanted to do something.” According to Leanne, this same staff member
was "not following the unit rules" which frustrated the other girls as well. The girls began
to talk quietly amongst themselves that they wanted to riot. Because Kristine was in her
room, she explained that one of the girls held a sign up to her window, which read:
RIOT. The staff members apparently sensed the discontent because all of the girls were
asked to go to their room, "lock down" being the standard safety precaution in risky
situations. The girls refused to go and, according to one girl, they were all waiting for
another girl, described as "real solid" and a leader on the unit, to initiate the riot. After
being coaxed for a few minutes to start something, the girl eventually threw a chair at the
staff member and chased her into the office. The staff pressed the riot button, which
activates an alarm at the front administration unit and all available staff rushed to the unit
to restrain the girls. In the end, the television was smashed and some staff were
pressing assault charges against the girls.

The girls received punitive consequences, some discussed above, for their brief
moment of punishing staff. As one girl states about the motivation for rioting: "mostly
when you do it, you're just trying to teach the staff...that you're not going to put up with
them breaking the rules, like they're not treating you right [or, in the last riot] we didn't
like how our unit was running." For her part in the riot, Kristine was charged with assault
with a weapon for throwing the chair at staff as well as damaging property. Her
disposition for these new charges was 18 days custody and 9 days community
supervision which was to be added on to her current sentence. The furniture on the unit
was changed so that 'movable' soft benches and chairs were replaced with plastic chairs
filled with sand. Two of the girls reported that they were called "savages" and "squaws"
by staff attempting to subdue them. One of the parents had called the Child's Advocate
to report the reaction from staff, but I did not hear further about the case. This event
illustrates how risk consciousness impacts not only the staff but the girls as well. They
too attempt to punish acting out behaviour, or in a sense risky behaviour because it is
outside of the rules, by the staff. However, there is little question by the institution as to
who is the 'real' risk. The girls' racialized status is considered further in Chapter Eight.
Punishment is also meted out by some girls to other young women on the unit. During the riot, one girl apparently stood off to the side and cried throughout the incident. As Kristine stated, "I wanted to fight her because she wasn't doing anything." Throughout the research I witnessed this same girl continually being picked on and excluded from the other girls. However, according to the Staff Recordings in her file, she "avoids" the other girls and does not make an effort to engage in group activities. She is described in the file as being "very guarded and close minded to resolving." Thus, the girl was taunted by the others and had little sympathy from staff. Her 'failure' to adhere to the girls' own codes and rules meant that she would be punished through a different form. Shortly after the riot she was transferred to another institution.

In sum, part of the exclusion of risky girls stems from how they are viewed and treated by some of those with whom they have daily contact while they are incarcerated. A significant impact of risk governance is a new form of power given to staff in the youth facilities. This is not simply an abuse of power as understood by the research participants, it is in fact a form of power constructed by conditions in the age of risk. Stemming from public fear of crime, ontological insecurity, and risk consciousness within the institution, staff in their role as controllers of risk are supported by and perhaps benefit from this form of power. This power can result not only in punishment but also cruelty (Simon 2001), reflected in the next section.

5.4. Restraint and Isolation as Punishment

This section focuses on how the youth justice system punishes the risky girl. I relay the girls' experiences with different techniques of formal punishment including physical restraint, room confinement and isolation units. Although these are referred to in official discourse as mechanisms for 'behaviour modification,' a detailed analysis of each reveals punitive intent and consequence. Some techniques, particularly the Oshitawin Program at Paul Dojack, are arguably a cruel response to the highest risk girls. As Simon (2001) points out in his article 'Entitlement to cruelty,' cruelty can be seen as a resource for the youth justice system as it seeks to establish a new moral
economy in risk governance. Keeping this idea in mind, I consider how staff make sense of this style of governance.

In order to understand how the risky girl is punished, in addition to just being 'modified', it is first necessary to describe some of the techniques in the new penology used to control her. When the young women use aggression in acts of resistance, they are often physically restrained by staff. Staff training includes the "Non-Violent Crisis Intervention" course. Although I did not see the actual program description for the course given to the staff, this is a generic course taught to various service providers who work with populations of risky people. I too have taken the course as part of my duties as a youth care worker. The intervention training is described on the program's website as "a safe behavior management system designed to help service workers provide for the best possible care of assaultive, disruptive or out of control persons even during the most violent moment" (Crisis Prevention Institute, Inc. 2005). The course objectives range from learning to identify nonverbal cues in the prevention of acting out behaviour, techniques to de-escalate the behaviour and, if that fails, techniques to take physical control and implement restraint techniques. As one staff member explains, although the course teaches you how to "take down a youth and hog tie them with cuffs and shackles" in a process called 'cradling', the youth facilities in Saskatchewan more recently implemented "The Wrap" restraint system. Apparently youths were being injured by the previous technique of 'cradling' which positioned them face down on the floor. The Wrap is manufactured by Safe Restraints Inc. and, according to the company's ordering website, it "is the ultimate immobilization system [which] can greatly reduce injuries, positional asphyxia, and in-custody death, while attempting to control a violent subject [and] allowing medical treatment while restrained" (2005). One of the staff showed me how The Wrap restricts all movement in the youth's arms and legs with Velcro straps, allowing her to remain in a seated position.

Although a large component of the Intervention course entails the staff learning conflict resolution skills that do not involve physical contact, several of the girls in the study had been physically restrained by staff. One of the supervisors expressed concern
that because the staff are increasingly trained in “take down techniques”, they think this is the only solution to aggressive behaviour. “When there was more training [on other techniques of intervention] we didn’t have the number of restraints happening that we have now.” Some of the long term staff that I interviewed indicated that they have developed different approaches to de-escalate a potentially violent situation. As one states, “I haven’t had to restrain a kid in eighteen years. When I sense things are going on with the girls, I have ways to distract them. I use a lot of humour.” But she also indicated, “you’re going to find a split opinion on the use of restraints.” As one of the Directors commented, restraints are necessary “to keep everybody [in the facility] safe.” Thus, risk consciousness has contributed to a reliance on physical forms of intervention which are viewed as a ‘safety’ mechanism. However, as several girls and staff members recognize, an ironic consequence of this safety procedure is that it fosters a more aggressive environment.

Several girls reported being injured, or physically punished, during the “take down” process. One of the young women whom I was not given permission to interview showed me a large bloody scab and bruises on her knees from when she had been subdued by staff the night before. A logical defence by staff may be that the girls would not get injured if they did not resist and fight back. However, some girls report that because of the ‘hyper’ situation, some staff use force even when they are not resisting. Describing a former male staff, Kristine explains:

He restrains people with too much force. He says ‘get down on the floor’ and we get on the floor and he still tackles us down when we’re already going down. He presses on our neck and digs our head in to the floor...I had bruises all over me. Even ask [Andrea] and the other girls, we’ve all been restrained by [him].
While staff do face situations where their safety and life may be at risk, this technique appears to be more about asserting authority through physical force than keeping people, presumably including the girls, 'safe.'

Another form of punishment is room confinement (RC). There are various behaviours which warrant this response. Sue was room confined twice during her stay at Orcadia. The first time was because she did not get out of bed and the second was for not bringing information forward to staff. As she explains, “one of the residents spit in another resident's milk and I didn't say anything about it. We were all shut down [in our rooms] for two days.” Sue indicated that this was a fair punishment because “the girl could have caught something.” Other girls were room confined for alleged gang activity, note passing and swearing. Although the girls do written activities and schooling while they are room confined, it is difficult to understand how this technique instills behaviour modification through a learning rather than simply punishing process. As one community youth worker noted, “I understand how important security is but putting kids in their rooms and locking them up as behaviour management isn't always the most effective for angry, angry kids.”

The length of time some girls have spent in their room is especially punitive. At the end of the interview with Donna, I asked if she had any other comments on her experiences in Paul Dojack. She is a very quiet, shy girl and was reserved in her response to interview questions. I was shocked to hear her final comment:

The girls get too much time in their rooms. I was in my room for two months once... I never went outside for the month of July... That was when that riot happened. I just kept failing my days because I was sleeping [during the day].... How am I supposed to stay awake? It was real boring. You have to pass your day to go out of the unit, to get more privileges.

I too have been part of a restraint, initiated by a staff member with whom I was working at a youth care home. But it was very apparent to me, as we pinned a thirteen year old boy down to the ground, that the reaction had more to do with the company rules and mood of my partner than the risk posed by the boy.
For two months Donna was only allowed in the common area to use the washroom and shower; otherwise, she says, "they just kept me in my room." Has risk consciousness reached an absurd point in which access to fresh air is deemed a privilege rather than a right of the girls? Again, the justification here may be easily stated that Donna had to change her behaviour in order to go outside, but the detrimental impact of this type of punishment must be acknowledged by the adults who are charged with her care and well being.

The responsibility to care for the young women is especially disregarded in the use of isolation as a consequence for bad behaviour. When room confinement is not punishment enough to change the girls' behaviour in Kilburn and Dojack, the girls are placed in isolation units. In Dojack these units are not considered punishment but are part of the Oshihtawin Program (commonly referred to as "Osh" by the interviewees) which was created in 2000 "due to the increasing number of seriously aggressive youth within this facility who require a highly structured environment to stabilize their behaviour and address their developmental needs" (Program Proposal 2000:1). As mentioned in Chapter Three, one of the authorities explained that a gang-related riot, occurred on one of the boy's units and the unit remained "unsettled," mainly because of the defiance of one boy in particular, for two years. As a response, one Director explains, Oshihtawin was created as a "behaviour management program which requires rigid compliance from youths." It was felt that a "higher level of structure" and "more staff directed" programming would help calm and reintegrate the boy back to his home unit. Attempts repeatedly failed so he remained isolated in Osh for three months.

The Oshihtawin Program has room for six youths who are in separate cells located in a high security area at the front of the facility. According to the Program Description (2002):

The Program goals include assisting youth in preparing to: behave in more appropriate ways by enhancing skills and their decision making ability, and be successfully reintegrated into a regular living unit within the Centre... [Youth referred to the program] have been involved in several incidents and continue to present a very high risk to act out violently,
despite repeated efforts by staff to help them learn and implement appropriate skills and behaviours to meet their needs. They have not responded adequately to individual counselling, peer counselling or use of other interventions employing natural and logical consequences including segregation and reintegration attempts with the regular Living Unit.

Similar to the Levels System on the Unit, the Oshihtawin Program consists of five phases through which the youth works incrementally and advances based on the points she earns. Each phase from Admissions to Phase 4 contains a "specific environmental structure," (which appears to refer to time in her cell) and "particular developmental programming and tasks" (or workbooks and handouts that the girls work through on their own). When the girl first enters the program, the structure is strict in order to, according to the program description, "assist the youth in stabilizing [her] own behaviour...this stabilization process is crucial for the safety and security of all residents and in order for the youth to begin to work on the developmental tasks that follow" (2000: 2). The 'environmental structure' during the Admission phase and Phase One requires the youth to be segregated in her room all day except for a half hour exercise period. Once the girl reaches Phase Two, she is granted two 30 minute periods out of her room, one of which consists of eating her meals in the common area.

Considering the length of time some girls spend locked up as part of the Osh Program, behaviour modification does occur but not in a way that reduces the girls' risk. Most of the girls I talked to at Paul Dojack had spent time in Oshihtawin. Kristine, who spent three months in Osh, explained "you go crazy at first, like, you don't see anyone. You're only allowed out for a half an hour a day. But then you get used to it." Similarly, in reference to feeling like she was going crazy in the Program, Leanne explains:

I first went up there when I was fourteen. I thought I was fucking crouching because all you did was go out for a couple hours and go back in your room, come out for a walk, one lap [around the facility] go back in your room and stay there for the rest of the night. I stayed up there for five months.
Thus, the girls’ comments suggest that behaviour modification occurs from the detrimental impact of isolation rather than from skill development. I witnessed this first hand through conducting one of the interviews in the cells. The cells are small, with a steel toilet and sink bolted to the floor and a bunk bed. I do not do well in small spaces so when the staff closed and locked the door behind me, I struggled at first to keep my claustrophobia in check. Leanne started talking frantically and it was obvious to me, having previously interviewed her and having other conversations with her on the Unit, that she had not had much human contact. She said she had not been outside in nine days. The program outline claims that the strict environment is “in response to the dangerousness and volatility of the individual...” but it is clear that the rationale for the program does not consider its impact in reality.

The official argument that the girls become less risky through developmental tasks is also not supported by the experiences of the girls. The tasks include staff delivering Life Skills programming to the youth for one hour per day. The young woman is involved in choosing which program areas are most relevant to her. The choices are Anger Control Training (which includes different modules that focus on identifying triggers and keeping an anger log to manage that anger), Pro-Social Skills Training (which focuses on 60 different skills and includes brainstorming the behavioural steps for that skill) and Problem Solving (which is premised on how to approach decision making more thoughtfully and therefore have more control over what happens in life). Overall, the focus is on “individualized programming” with “the goal...to assist the resident in learning skills that will help them in controlling and modifying their own behaviour” (2002:5).

These tasks appear to be more concerned with retribution and shaming. The girls are asked to acknowledge that their riskiness stems from problematic families and individual life-style choice. For example, as part of Kristine’s problem solving skills she had to write an autobiography which included answering questions about her family: Where were your grandparents born and what was their life like? Under the category ‘Your Early Life’ Kristine is asked to describe her birth (i.e. were there problems) and
what she was like as a baby. Under 'Who Am I' Kristine is asked “Do you lead a healthy lifestyle? How would you assess your own risk?” The intent of this task is to have the young person gather information to understand how her criminal perspective has developed through the influence of family, friends and lifestyle. However, it may more accurately represent the suggestion that “a new wave of philosophical retributivists has begun to re-imagine punishment as a kind of therapeutic theatre in which the needs of both society and the victim to enact within the subjectivity of the offender feelings of pain and moral shame are satisfied (Hampton 1984)” (in Simon 2001: 127). Moreover, the information provided can potentially be used against the girl. The girls are punished through an exercise that requires them to be submissive to the rules of the program, treatment or institution and to blame and shame their family and themselves. In one girl’s essay on her behaviour, she writes:

I think my problem with authority is that I have not had much rules when I was little so I’m not used to having people tell me what to do... I’m sure that in the future I could learn to get punished for my actions and when someone tells me to do something I will do it.

The girls indicate that they know what the staff want to hear. It is therefore not surprising that the girls indicate that they did not learn much from the modules offered in the program. As Kristine concludes on the issue, “anyone who goes up [to Oshihtawin] always ends up back at some point...it doesn’t help you.”

Once the girls survive the isolation either in their rooms or in isolation units, they are placed on reintegration plans which are intended to document improved behaviour which allows them to return to the unit. At Kilburn, the purpose of the Case Plan, indicated in Kim’s file who tried to incite a riot on the unit, “is to stabilize your behaviour, and gradually reintegrate you into the group.” The plan outlines a gradual increase in participating with the group over a seven-day period. For example, Angela was “observed during a seven day room confinement “and would be allowed to rejoin the group if her behaviour was deemed appropriate.” It is unclear how observing a young women by herself in the confines of her room or segregated space provides the appropriate grounds for determining a change in behaviour.
Reducing one's risk is therefore equated with total subservience to whatever is being requested. Michelle's six-day Reintegration Plan for the Osh Program includes that she is "to work on Pro Social Skills" such as "following instructions, using self control and avoiding trouble with others." Michelle must follow rules each day of the Plan including, for example, on Day 1 and 2: Michelle "is not to have a pencil or chair in her room...[She] must be sitting up with the lights on." There is concern that the girls may use these objects to hurt themselves or others. It is as if Michelle is being retrained to use a pencil for writing purposes rather than for violence, which exemplifies how excessive disciplinary procedures are used to teach the obvious. By Day 3 Michelle is allowed a "pencil to be used during school hours only...to write in self help behavioural log. [She also] needs to read available self help material provided by the staff i.e. Adult Children of Alcoholics..." Although one of the goals of the program is to gradually and successfully reintegrate the youth back to the unit (2002: 6), many of the girls said they have been so isolated that, as Kristine reports, "it's hard going back." This again speaks to how the girls are punished physically and mentally, as they have to adjust to being around people again.

The Osh Program, and resulting punishment, is also used to 'protect' girls. This arbitrary use of punishment is illustrated in Cathy's situation, which lead to one of the more difficult interviews I conducted. Cathy is a small Caucasian girl who, as mentioned, is excluded from the other girls. We frequently talked and played games together during my time at Dojack. We had scheduled an interview time but when I went to the girls unit that day, staff explained to me that she was in Osh after an incident had occurred at court. I got permission to talk to her in Osh to see if she wanted to conduct the interview. Before opening her cell door, the staff simply informed her that she had a visitor. I was not sure how she would respond to me or whether she was still interested in the interview. When she saw it was me at the door she began crying, holding my arm and asking me in desperation why she was in there. In these moments it was admittedly difficult to maintain my role as a researcher. She looked at me as both a source of comfort and information on why she was being punished. Perhaps I should have recognized that it was not a good time to have the interview but it also did not seem
appropriate to leave this very distraught girl. Even the staff, who remained in the doorway, recommended to her that it would be good to talk to someone. After she agreed, the staff placed Cathy in cuffs and we were escorted to a meeting room. Her cuffs were removed and a guard watched us through the window. I embraced her in the visiting room and she cried non stop to the point that her tears soaked the arm of my sweater.

According to one girl’s account, the incident began when Cathy and five other girls who were on remand all went to court together for sentencing. Most of the other girls were new on the unit and Cathy did not know them. While they were in the van, Cathy slipped her hand out of her cuff. One of the girls told her to put it back on, which ignited a verbal argument between Cathy and the girl. Once inside the cell at court the other girls apparently joined in taunting Cathy and making racial comments. One girl provoked a physical fight with Cathy and the others told her that if she reported who started the fight, they would find her “on the outs” and beat her up. One of the girls stood in front of the window so that the guards could not see in the cell. Cathy thought all five were going to “pile” her so when the guard came she yelled, “get me out of here.” There are various perspectives on what happened but according to Cathy’s file she was eventually transferred to the Oshihtawin Unit “for her own safety.” As one staff indicated to me, it was ‘easier’ to put her in the program rather than all five of the other girls.

When I reviewed the file notes on the situation, there appears to be an attempt by the staff to document why Cathy was placed in Osh. I suspect this stems from the fact that claiming it was an ‘easy’ response is not a satisfactory justification for punishment. The file notes indicate staff’s disapproval of Cathy’s unwillingness to take some responsibility in the incident and her unwillingness to disclose what happened. There were also notes indicating the other girls’ version of what happened and statements that Cathy was making derogatory racial comments towards them. As one Osh staff writes:

[Cathy] is still upset she is up here – doesn’t seem to think getting out of her cuffs and fighting warrants HER to be up there BUT RATHER the other girls [should be punished]. She appears to be somewhat
convoluted in how she thinks or perceives things! GOAL: no touching cuffs.

Thus, although there was recognition that Cathy's safety may be in jeopardy on the unit, the staff did not appear to be sensitive as to why Cathy was upset that she was singled out for punishment. The staff understood the potentially dangerous situation posed by the dynamic between the girls but they were unwilling to appreciate why Cathy was hesitant in disclosing what the other girls had done. The situation was deemed Cathy's fault and she was placed on a Reintegration Plan for six days. Part of her plan was to "write an essay about appropriate behaviour in the court van and court cells (removal of her cuffs)" which hardly seems valuable in addressing what needs to be changed.

Although I have analyzed the Osh program as formal mechanisms of punishing the risky girl, it is interesting to note that in the Program Proposal, "Oshihtawin" is the Salteaux word meaning 'preparing' (2000:1). The Paul Dojack Youth Centre Aboriginal Elders Council was established in 1999 shortly after PDYC implemented a Cultural Program coordinator. The Elders Council, which consists of an Elder from each of the five most common tribes in Saskatchewan, chose the name for the Program and were consulted "to ensure that cultural elements are integral to the program." (2000:1). Although the program was designed for all youth in the facility regardless of race or ethnicity, it is curious that a program which is supposedly based on First Nations culture includes locking youths inside a small space for weeks and months at a time. The Program Proposal also states that:

Residents will be allowed to meet with religious leaders, spiritual advisors or elders at their request... If youth are involved in an acting out incident, access to an elder will be offered to them and arranged at their request... [R]egular meetings of the elders and youth will be scheduled on a weekly basis and special cultural events will be facilitated whenever possible (2000: 1).

None of the girls mentioned these options to me during the interviews. Their desperation to talk to someone leads me to believe that this is not in fact an option that they know about or one that is readily available.
Because official discourse does not use the language of punishment in these formal mechanisms of behaviour modification, it is important to consider how the staff interpret this style of governance. The majority of staff expressed some degree of criticism of the Osh Program and their comments suggest that they understand their governance as punitive. Apparently there was a wide-ranging consultation process, which included staff perspectives, before the Osh Program was implemented. As some staff explain, the Program appeared good in theory but it has been abused in practice. There was an understanding that Osh was useful to prevent one girl's acting out behaviour from generating a reaction and "snowball effect" with the other girls, but, as one staff expressed, there is concern that the "lack of interaction or very little interaction with people could psychologically affect them." Osh is also used as an over-flow unit which, as one staff at Dojack recognizes, translates into "extra punishment" for some youths when the unit is full. In fact, authorities from all three facilities commented that there had been official investigations into restraint and isolation procedures at Dojack, based on complaints from the youths.

The Program was not designed to house youths for extended periods of time but it has become an 'easy' way of dealing with youths' behaviour. One of the community youth workers states: "When I worked there three years ago, it didn't take [the youths] long to work through their levels...I don't know what's been happening lately." One explanation, which came from someone who would only make 'off the record' comments about the Osh Program thought it was being used by staff as a "break" from difficult girls on the unit. In fact, several state that because of the degree of control over the girls, it is the preferred place to work in the facility. There is little effort required with youths who spend the majority of the day in their cell.

The rules and regulations to control and punish risky behaviour take their toll on staff. The girls' files are filled with incident reports which detail how staff are assaulted and the punitive actions taken. As it states in Angela's file: "Staff reportedly observed an escalation in [Angela's] acting-out behaviour during the day of the incident, including [Angela] verbally challenging staff, refusing to go to her room, banging on doors of the
unit, requiring restraint and physically charging staff after being returned to her room." Therefore, although the staff acknowledge the mechanisms as punitive in an interview situation, it appears that the impact of risk consciousness and the daily interaction with 'difficult' girls erodes this sentiment. I too have experienced the impact of the day-to-day responsibilities of youth care. It is easy to be consumed by official discourse and rules, leaving little time to think about let alone challenge your role in punishing risky youths. Unfortunately, it is the young woman who is damaged and further excluded in the process.

In summary, the mechanisms of 'behaviour modification' analyzed in this section cannot be denied as punishment. In fact, as indicated by the girls' experience, isolation procedures go beyond punishment and are a form of mental torture. The behaviour by both staff and the girls needs to be understood within the institutional environment of risk consciousness and the wider moral concerns in risk governance. As one government authority acknowledged: "Many of the youths' behaviours are facility-induced or group-living induced, especially with acting out kids." As Shaw et al. (1991:81) argue, violent or aggressive behaviour reveals more about the nature of the institution than the risk posed by the aggressive individual. With recognition that the girls act out in response to staff and/or facility procedures, the action to isolate them is nonsensical, and in many cases, cruel. Girls are therefore excluded through 'estrangement', which Bauman (2000a) argues is a function of spatial separation in risk governance.

In conclusion, this chapter highlights how current penal strategies should not be evaluated in isolation from past strategies of governing. Although criminal justice authorities and theorists of the new penology indicate that punishment is no longer the intent or consequence of incarceration, this research reveals that the two are intimately connected. As Garland (1990) explains, in late modernity there is a cultural tendency to restrict the discourse of punishment and ensure that its forms and expression are controlled.

In fact 'punitiveness', as such, has come to be a rather shameful sentiment during the twentieth century, at least among the educated elite,
so that arguments about prison conditions [and] severity of sentences...tend to be couched in utilitarian terms – even when it seems apparent that hard treatment is what is wanted, not ‘useful effects’ (Garland 1990: 66).

Thus, risk discourse provides political utility. Punitive measures are not referred to as ‘punishment’ and are therefore difficult to challenge. Terms such as ‘behaviour modification’ have replaced the word ‘punishment’ but there is no denying that the girls experience punishment and deprivation while they are being ‘modified.’ Similarly, the language of restorative justice, including notions of ‘reintegration’, has been appropriated but this has produced contradictions in policy intent and institutional practice. Treating Temporary Absences and phone contact with family as a privilege which is revoked for bad behaviour contradicts the goal of reintegration as a strategy of risk prevention. Instead it punishes the girls and contributes to depression and exclusion.

Because youths continue to be dealt with in a punitive, retributive framework, the ‘old’ problems of past disciplinary regimes apply but are compounded in the age of risk. There is a trend towards denying the young and racialized status of most ‘high risk’ girls. Green and Healy (2003: 90) explain part of the consequence.

The problem with systematically inflicting pain on others is the conclusions drawn by offenders and victims to this approach, which is arguably another form of violence. Aboriginal children, for example, often see criminal punishments through the wide lens of cultural oppression rather than an attempt to regulate behaviour.

Thus, ‘high risk’ girls are placed at further risk to reoffend, simply based on the punishment they receive while incarcerated.

The practice of confining the girls for long periods without fresh air or physical activity is in contradiction to the spirit of the Charter of Rights and Freedoms, which protects young people from cruel and unusual punishment. Similar to the story of Cathy in this study, Justice Weagant in Toronto referred to the Charter and other international legal obligations to condemn correctional workers and court security for failing to protect a youth who was victimized in the back of a transportation van. The judge stated:
I also note that Canada is a signatory nation to the 1989 United Nations Convention of the Rights of the Child [1992]...wherein Canada agreed to recognize the right of every child in the juvenile justice system to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth (article 40). (cited in Green and Healy 2003: 230)

Risk mentality has contributed to a form of power for correctional staff that seems to informally over-ride legislative protections. Rights and freedoms in risk governance come second to security and protection. Thus, there is little consideration given to the consequences of our treatment of high risk girls. What is the ‘worth’ we attribute to a young Aboriginal girl when we lock her in her room for five months?
CHAPTER 6.
‘REHABILITATING’ AND TREATING THE YOUNG FEMALE OFFENDER

As outlined in Chapter Two, according to the risk theorists, under the old penology (Feeley and Simon 1992), committing a crime is an anti-social act and the offender is in need of diagnosis and treatment. In the new penology the task of actuarial justice is to manage the danger in society rather than transform it (Cohen 1985). Policy within the new penology focuses on prevention and risk management as opposed to the former concern with treatment and correction. Thus, "[a]ctuarial risk assessment technologies move social control away from rehabilitation and deterrence, away from the reformation/normalization of the soul of the individual, toward surveillance in the form of incapacitation or other handling of high-risk groups." (Silver and Miller 2002: 150). The shift to new penology displaces the equilibrium between the specialized professionals who define and treat the crime problems and the administrators responsible for putting the new policy into effect. As Castel (1991: 281) argues, "[t]he specialists find themselves now cast in a subordinate role, while managerial policy formation is allowed to develop into a completely autonomous force, totally beyond the surveillance of the operative on the ground who is now reduced to a mere executant."

While the language of the YCJA as well as the official intent of the LSI challenge the risk theorists’ claim that there is no longer a focus on individual rehabilitation in risk governance, this chapter will analyze how the conceptualization of ‘rehabilitation’ and treatment has changed. The first section questions the meaning of rehabilitation, reflected in the risk assessment model. The Saskatchewan government argues that rehabilitation completes the risk management/risk reduction strategy for at-risk youth by fostering ‘internal controls’ to reduce their risk. Although cognitive skills training by front-
line workers is part of rehabilitating youth, there are other programs for the very high-risk youths that include expert mental health treatment. These programs will be discussed in the second section, which questions who rehabilitates and treats the high risk girl. I consider how risk governance has produced tensions in the role of psychologists who provide both traditional 'psy' diagnoses as well as risk assessment. Their response to these challenges is reflected in specialized programs for the highest risk girls. The third section questions how treatment needs of risky youth differ based on gender and whether those different needs are addressed in treatment. Lastly, I consider why part of rehabilitating youth also incorporates a new focus on youths' 'strengths' or talents, which appears as the antithesis of 'risk.' Although the 'treatment' of high risk girls includes the positive move to recognizing and building on young women's 'resiliency factors' and constructive attributes, this component appears as an after-thought to more exclusionary tendencies. Overall, the chapter highlights how a key impact of risk governance is a change in the definitions and role of 'rehabilitation' and treatment, with exclusionary consequences for young female offenders.

6.1. ‘Rehabilitation’ in the Age of Risk

As the governmentality theorists argue, the change in meaning of rehabilitation stems from a focus on issues of crime control rather than on individual welfare. Rehabilitation is understood as a set of techniques to manage the risky behaviour of groups of individuals. “Where once the individual's personality or social relations formed the object of transformative efforts, that object is now offence behaviour and the habits most closely associated with it” (Garland 2001: 176). This is not to suggest, however, that the old penology is favourable to the new penology. As recognized throughout the dissertation the new penology in fact exacerbates some of the problems associated with old penal discourse. Invoking the procedures of grounded theory, I was able to examine the various ‘properties’ of the concept of rehabilitation in the new penology to indicate how its meaning in fact varies according to the level of risk posed. This section focuses on the meaning of rehabilitation for all youths, which establishes a framework for comparison to examine the meaning of rehabilitation for the highest risk girls.
The authorities in Saskatchewan understand rehabilitation as being achieved through a process of implementing external controls and teaching skills for internal control, which includes understanding why the risk factors are present. In fact, the 'success' of the Community Safety Plan, once the staff training is complete, is apparently that it will contain elements of both managing and rehabilitating at-risk youth. According to one government authority, "risk management" has to do with external controls, such as court orders that state the young person must stay away from certain peers, or other interventions that reduce offending. "Risk reduction" occurs through rehabilitation and teaching the young person internal controls. "Risk management on its own plays an incomplete role. We now have a broader role [which] includes rehabilitation."

The process begins with the young women knowing their risk factors. But, as one government official states, this is insufficient. The girls also need to be aware how their risk factors contribute to their offence pattern and be taught the skills to 'disrupt' the offence pattern. The official provides an example of how staff may work with a youth around identifying and disrupting offence patterns:

There may be a court order that says 'stay away from Johnny.' [The community youth worker will say to the youth:] What are the areas you need to avoid given this offence pattern, and how do you deal with Johnny? If Johnny approaches you, what do you do? Let's talk about it, these are the skills that you need to handle this situation.

Some of these skills are already being practiced at Orcadia. For example, Orcadia staff draw on the Drug Abuse Resistance Education (DARE) teaching package that is used by RCMP officers in the schools. As the Director explains, they use some of the same examples like questioning the youth: "how are you going to handle Friday night when you're not allowed to drink and all your buddies are going to drink and you're on a TA?" The Substance Abuse Relapse Prevention program, "Double Trouble," prepared by Regina Child and Youth Services has youth work through similar scenarios in order to identify components of the 'relapse cycle.'
These risk management techniques, as part of the process of rehabilitation, are the source of existing criticism by the risk and governmentality theorists. As Silver and Miller (2002:147-148) state, "[a]lthough actuarial risk assessment tools can, in principle, be used to identify high-risk individuals in need of rehabilitation, they are more likely to be used for ‘controlling the opportunities that permit violations to occur’ (Reichman 1986: 154)." However, the government official explains that the third and final component of the case plan process is rehabilitation. As he states:

Just telling people what to avoid, to stay away from drugs, that’s not going to change an addiction... The research is really clear that you need to have targeted interventions along those dynamic factors. You need to know why those risk factors are present for rehabilitation.

On the surface, an emphasis on addressing underlying needs of the individual reflects a more traditional approach towards rehabilitation. In risk governance, however, this is to be achieved through cognitive skills training which clearly places the root of the problem in the individual.

Although the concept of ‘rehabilitation’ has been commonly associated with treatment and "expert" technologies, rehabilitating youth through cognitive skills training will be the responsibility of front-line workers. During the research, the Department of Corrections and Public Safety was in the process of conceptualizing and implementing a cognitive skills program. The model will be based on a program already in place for youths who repeatedly steal automobiles. In January 2002 the Department implemented the Auto Theft Strategy (ATS) which included cognitive skills training for Chronic Repeat Offenders (CROs). A review of the Secure Custody portion of the Auto Theft Strategy (ATS-SC) conducted at Paul Dojack Youth Centre (PDYC) explains that:

The core treatment element of the ATS-SC component at PDYC is the cognitive skills training program called Thinking for a Change. It is a group-based intervention program that utilizes cognitive-behavioural theories and ‘restructures’ offenders’ pattern of thinking in an attempt to change their actions that, otherwise, would lead to reoffending. The program involves a series of 22 modules in which offenders are
challenged to increase their awareness of self and others (Wormith 2003: 5).

The government official reports that the youth who were part of the ATS "did very well" in reducing offending, but there are shortcomings in teaching the skills on a group basis. The Department's priority for the next year was training all workers on how to teach risky youth cognitive skills on a one-to-one basis.

The official understanding is that rehabilitation is achieved through teaching the risky girl to create the conditions for responsible and moral choice. However, these techniques contribute to the girls' sense of exclusion because they are given the message that the way they view the world is deficient. As one community youth worker states, cognitive skills is necessary "to really challenge their belief systems...otherwise they continue acting in the only way they know." As Pitts (2001: 181) explains,

[...these newly disinterred rehabilitations aimed to restructure the modes of thought, the values, the attitudes and the beliefs of the young offender, the control strategies of their parents, and the classroom regimes presided over by their teachers. While presenting themselves as new forms of rehabilitation, these techniques were straightforwardly 'correctional' in both intent and content (Pitts 2001: 181).]

Moreover, there is a dangerous core assumption with cognitive training programs that with new skills, offenders will be able to anticipate the consequences of their actions and will make moral choices accordingly. As Pitts (2001: 184) explains further:

In so reasoning, the purveyors of cognitive skills training, like the eighteenth-century Classicists, conflate rational/logical thinking with moral/law-abiding thinking and, in so doing, commit a categorical error since they fail to distinguish between the cognitive 'machinery' which enables logical thought and the ethical choices made possible by a capacity for logical thought. The assumption that people engage in crime because they lack a capacity for logical thought is, at least, tendentious since in reality people often resort to crime, violence or deception because, in the circumstances in which they find themselves, it 'works' for them (Sutherland 1934). Thus their involvement in crime, while morally reprehensible, is nonetheless rational.
Therefore, although the government authorities present cognitive skills as the 'rehabilitative' element missing from past strategies with youths, it is unclear how this 'new' technique addresses underlying issues which may in fact help change the girls' situation. In addition, penal staff become the final judge on what constitutes rational thinking. The consequence, as Fox (1999) reveals in her study on violent offenders, is that staff can use any inmate resistance to the treatment program's ideas to confirm the girls' cognitive deficiencies or thinking errors.

Also problematic is the fact that this type of 'rehabilitation' fosters exclusion from professionals outside the institution. Several of the girls in this study complained about the lack of people to talk to, the consequences of which are discussed in more detail in Chapter Eight. This complaint from the girls is supported by my past research. In keeping with the notion that 'theoretical comparisons' are necessary for grounded theory (Strauss and Corbin 1998), during a study I conducted in Burnaby, British Columbia in the late 1990s, I found that the medical model dominated the response to young offenders (Barron 2000). In comparison, the girls in this study have little contact with mental health professionals while they are incarcerated. In Burnaby, the psychologists' and psychiatrists' offices were on the same grounds of Willingdon Detention Centre, which was not the case in Saskatchewan.

In addition to the girls, several of the authorities in Saskatchewan also expressed their concern over the lack of mental health resources in the province and the lack of counselling the girls receive. Orcadia had not had a psychologist for a year and a community youth worker there complained that "the rules around getting the girls into mental health programs are so restrictive that for our youth, it's very difficult [to get services]." Similarly, a resident psychologist position did not exist at Kilburn. One of the psychologists I interviewed said because of the heterogeneity of the youth detained at Kilburn it did not make sense to have a psychologist stationed there. "That would be spreading one psychologist way too thin...that's a lot of high risk youth for one person." Different psychologists work at Kilburn in different capacities, including conducting court-ordered evaluations and psychological assessments but there did not seem to be a
general counselling service beyond what staff provide. The one psychologist position at Dojack had been vacant for months and the staff indicate that when there was a psychologist, she mainly worked with sex offenders in the facility and she only came to the girls' unit when there was a suicide attempt. Although for many reasons I continue to be critical of the medical model as a response to youth, it at least provided an understanding that rehabilitation at times occurred through a process of talking and counselling. This no longer seems necessary in risk governance.

The paucity of treatment centres in Saskatchewan is likely contributing to my perception of the shift away from the medical model as influencing 'rehabilitation' in risk governance. There is the White Buffalo Youth Centre, but one of the psychologists stated that it was more of a recreation centre and it did not have a good reputation among professionals. However, the day worker at Onion Lake Reserve, which has a population of roughly 4000 residents, indicated that she sits on a planning committee for a new treatment centre, which will replace the existing one on the reserve. The Centre will be "family-based to start the healing process for the whole family" on issues such as sexual and emotional abuse and addictions. The family lives at the facility for twenty-eight days and the staff will be people from the reserve who are trained in the required areas, including one psychologist and two therapists. Another option for young offenders in the province is Ranch Erhlo which is a private residential treatment facility for "high-needs children and youth." None of the girls in this study mentioned being at the Ranch but while I was conducting the research, I was told about a young woman who had committed a violent offence, was diagnosed as schizophrenic and had consequently been sent there.

In summary, rehabilitation in risk governance contributes to the exclusion of the risky girl because it abandons a traditional understanding of rehabilitation based on addressing underlying needs and deprivation. Instead, rehabilitation is achieved through cognitive skills training which teaches the girl that she is deficient in the way she thinks and that she is responsible to create her own conditions for 'rational' and moral choice. This emphasis on cognitive restructuring for all risky youths only requires direction from
staff. It limits the need for any contact with professionals or counsellors outside the institution. However, mental health professionals are required to rehabilitate the highest risk girls, the subject of the next section.

6.2. Risk and Mental Health

This section questions who rehabilitates and treats the violent girl. Although ‘rehabilitation’ is understood as being achieved through implementing external controls and staff teaching internal controls to risky youths in general, the most violent girls are thought to be also in need of mental health services. However, it is apparent that the role of mental health experts and psychologists, in particular, has changed in risk governance. They now provide a hybridized approach (Hannah-Moffat 1999) which includes both traditional clinical diagnoses, as well as risk management techniques. In the first part of this section, I highlight the tensions that this hybridized role creates. Psychologists are still viewed as the experts in satisfying parental concern over ‘troubled’ girls. But this authority creates some tension between the role of the ‘expert’ and staff. Secondly, I analyze how the psychologists’ role has been transformed both informally, reflected in the terms used to describe the girls, and formally, seen in the Violence Risk Assessment Report. Lastly, I consider how specialized programs for the highest risk girls illustrate a hybrid approach in theory, but the challenges to traditional clinical discourse in risk governance suggest that it is not the case in practice. Overall, the respondents illustrate how the change in role of who ‘rehabilitates’ results in exclusionary consequences for young female offenders.

Risk governance has created tensions over who is responsible for rehabilitating the high risk girl. On the one hand, the use of traditional diagnosis and clinical discourse is bolstered by parental concern. The psy experts are still viewed as the professionals responsible to treat the young women. For example, Kristine was ‘forced’ to have an assessment by her mom. As she explains:
My mom thinks that I have a problem because I keep getting locked up and doing stupid shit. So she told the courts that I need to have an assessment or whatever, so they took me to Child and Youth and I had to see a psychiatrist who asked me a bunch of questions... I didn't even have a choice, it pissed me off. They just told me I have schizophrenia... and that I'm dependent on alcohol and drugs.

Similarly, Leanne's mom was concerned about Leanne's 'hyperness' which she explains as the result of being sexually abused since the time she was four years old. She was diagnosed with ADHD. In addition, as she explains, "now they say I have something like schizophrenia or something because I have messed up thoughts and I always go in and out of mood swings." Kim was sent to the White Buffalo Youth Centre. "My mom put me in there because, like, I was a really, really angry child." These examples indicate that not only do girls continue to receive traditional diagnosis for rehabilitation from mental health professionals, but it also reflects Myers' (1999) historical discussion on the role of parents outlined in the literature review in Chapter One. As she explains, parents can be instrumental in the diagnosis of their daughters. It is not surprising that this practice continues in the age of risk considering the emphasis on parental responsibility and expert advice on how to tame the problem girl (Barron and Lacombe 2005).

The authoritative status of psychologists also produces tensions between the role of staff and experts, which is blending as discussed in the first section. I noticed during my review of file data that the complete reports written by psychologists and other mental health professionals from Child and Youth Services are not often included in the girls' custody file. It is more likely that a summary of a report or a diagnosis and instructions for staff will be in the file. The lack of sharing this type of information was a complaint from some of the staff members. The decision not to include the full professional report may have been an attempt in the past to maintain the boundary between experts and staff. In other words, staff did not have the expertise to interpret the professional reports. However, in risk governance the reason is more likely connected to the fact that psychologists now base a large part of their assessment on what is already in the girls' custody file. This point is illustrated in more detail below.
The lack of communication between staff and psychologists can result in some confusion over what behaviour is in fact in need of rehabilitation. For example, one of the young women in the study has been charged with ‘sexual offence with a weapon.’ She claims that she did not do the sexual act but “took the charge” for a younger girl who was actually responsible. As she explains:

They were trying to put me in sex offender treatment but my sex offender therapist said ‘you don’t need this. I believe you didn’t do this’... because everything I was talking about [with the therapist] was based on my anger. It wasn’t because I got a rush from sexual [assault]. She said I need anger management so that’s what I’m going for right now.

However, it appears by her custody file that she is still treated, especially early on, as a sex offender by the staff. For example, recorded on a ‘Single Room Designation Form’ it states: “this youth’s charges would indicate a risk to be in double room ever in a YO facility.” In addition, in the day-to-day Staff Recordings file it is written that the girl is:

drawing attention to herself today by saying things and then giving it a sexual connotation i.e. during group meeting she said ‘I liked [another girl] pulling my hair. I didn’t mean it like that’... ‘I liked throwing a ball today, I mean a snowball!’ and there was another one.

It appears, therefore, the staff watch this girl and record what she says with reference to its sexual significance. I witnessed the girls making more obvious sexual comments but it seems to be in an attempt to tease each other or to get staff’s attention, which, based on the staff’s recordings, it obviously does. Thus, in some cases, the expert’s diagnosis of what behaviour needs treatment is either not known or not deemed as significant as the charge received by the risky girl. A significant impact of risk governance is that rehabilitative intervention is more ‘offence centred’ than ‘client-centred’ (Garland 2001: 176).

Traditional clinical discourse is therefore being transformed informally by risk rationality. There are some traditional ‘psy’ terms which have taken on new meaning in risk governance. Although the term ‘stability’ has been used to assess a person’s state of mental health, it became evident in this study that it is used by the authorities to refer
to the degree of cooperation from the girls. For example, from very early on in the data collection process, the 'stability' of the girls was to determine whom I could and could not interview. The government official granting me access to conduct the research indicated that staff would assess who was 'stable' enough to participate in the research. When I discussed this with staff prior to interviewing, there was no reference to mental stability; rather, we talked about the young woman's Level within the institution. As discussed in Chapter Three, the Level system reflects the girls' degree of adherence to institutional rules. The use of the term 'stability' was also prominent throughout the interviews with both the girls and authorities, and was used frequently in the file data in determining TAs and other privileges. It reports in Vivian's file that she needs to display more 'stable' behaviour through following custody rules in order to be TA-eligible. Thus, the language of a traditional treatment paradigm is increasingly inscribed with notions of risk and safety rather than with individual welfare.

Clinical discourse is also influenced by the inherent suspicion in risk rationality. As Castel (1991:288) points out, once the experts have established that the girl is a risk, her behaviour does not have to be dangerous or abnormal for it to be considered risky. Fairly 'typical' teenage behaviour is suspect and problematized in the girls' psychological summaries. Although the majority of the girls in this study do not have a therapist while they are incarcerated, a few of the very high-risk girls who had been in the system for several years had been part of, or attempted, psychological programs. Regarding Angela's Mental Status, issue is made of a fairly common teenage response:

Presentation style appears to be influenced by her mood state...When frustrated or angered, [Angela] tends to become uncooperative when questioned (i.e., does not respond, makes one-word responses, or raises her voice), visibly hostile towards others (e.g., exhibits facial muscular tension, rolls her eyes, shakes her head, etc.), and tends to brood.

Conversely, the psychologist writes that Angela "was cooperative and interacted appropriately (e.g. responded to queries, laughed appropriately in response to humorous comments) with the present writer." Documenting such normalized responses provides a benchmark on which other 'risky' behaviour is judged. The files contain several
comments about concerns over the girls’ “use of manipulative behaviour to obtain goals, and surface conformity toward authority figures.” This particular comment was, ironically, written after a lengthy account of the girl’s experiences with neglect, abuse, family service apprehensions and the loss of her caregiver, which was not used to contextualize her mistrust of authority figures. Thus, a significant impact of risk thinking is that ‘normal’ or understandable behaviour becomes suspect when it is the action of someone who is labelled ‘risky.’ However, after conducting the interviews, young women’s hostility and manipulation appear to be more coping mechanisms considering their life circumstance rather than behaviour that is in need of rehabilitation and treatment.

Psy discourse also includes more formal or ‘validated’ risk rationality, seen in the Violence Risk Assessment Report. Evaluations by the psychologist are mainly based on file content, which includes results from risk assessments and bio-medical tests. For example, Angela’s file had a Violence Risk Assessment Report, written by her psychologist after Angela tried to incite a riot and assault a staff member at Kilburn, and harm herself. It states that:

The purpose of the present report is to provide information concerning [Angela’s] current mental health status, risk of self-harm and harm to others while incarcerated, and recommendations to assist in future treatment planning and to promote safety during her incarceration at Kilburn Hall.

The sources of information for the report include a Mental Status Examination and Violence Risk Assessment interviews with Angela, Critical Incident Review, Pre-Disposition and Discharge reports and case conferencing with the supervisor and custody workers, as well as documents that are not contained in Angela’s file. These outside documents include: a Psychological Assessment, a Psychological Brain Impairment Screening Assessment and “the contents of the Child and Youth Clinical File.” Thus, although there were interviews with Angela regarding the incident, albeit within a risk framework, this report reflects what Castel (1991) predicted would be a
significant impact of risk governance. Responding within the risk paradigm requires very little one-on-one consultation between the psychologist and girl.

The psychological assessments draw on the girls’ LSI risk assessments so there is little exploration or discussion of other factors. The girl’s risk factors become a defining force throughout all aspects of her rehabilitation. For example, in Angela’s file, under Current Functioning and Concerns, the psychologist writes that “available documentation and interview, observational and psychometric data indicate that [Angela’s] mental health issues include conduct problems, substance abuse [and] anger management difficulties.” The Risk Assessment portion of the report summarizes the information found in the other reports and outlines Angela’s ‘Risk of Self Harm’ and ‘Risk of Harm to Others’ on which she is given a rating:

[Angela’s] current risk for self-harm is considered to be low to moderate while in secure custody...[her] risk for self-harm within the community may increase...[and] she is high risk for future violent behaviour while incarcerated, particularly when she is challenged...Her risk for engaging in violent behaviour may be reduced if she actively engages in therapeutic services that target her pattern of violence, assist her in learning/using appropriate behavioural and anger management strategies, and assist her in developing future obtainable pro-social goals (underline and italics in original).

It is apparent, therefore, that not only does the LSI risk assessment influence how psychologists have come to understand the risky girl, but also the institutional response to teach cognitive skills by the staff is recommended as the treatment or ‘therapeutic intervention’ by the experts. As Castel (1991) predicted, the experts no longer see the risky girl as having a deep, complex self. She dissolves into a simple calculation of risk, which can be rehabilitated or ‘treated’ by skills to avoid risk. However, this notion of the subject disappearing is challenged in theory by psychological treatment programs designed specifically for the most violent youths.
6.3. High Risk and Violent Youth Offender Programs

There is more emphasis on individual psychological treatment for the highest risk girls. Stemming from recommendations from the Saskatchewan Social Services Community Homes Review (1998), the Saskatchewan Department of Health and the Department of Social Services explored with District Health Boards the 'best approach' to provide an integrated service model in assessing and treating 'seriously violent youth' (McGrath 2001: 1). I was able to obtain a copy of (and copyright permission for) The Touchstone Program: The Regina Model of Integrated Programming for Seriously Violent Youth (McGrath 2001) but the document outlining The High Risk and Violent Young Offender Initiative (HRVYOI) developed for Saskatoon was being updated and was therefore not accessible. However, I was able to interview the psychologist who is responsible for the coordination and implementation of HRVYOI and he gave me the summary of the 2002 Pilot Project which outlines the basic ideas of the program (submitted 2001).

The programs are developed on the premise that youth violence in Saskatchewan has increased to an extent that necessitates a focus on rehabilitation in mental health practice and policy. In the Executive Summary of the Touchstone Program, McGrath (2001: 2) draws on Justice Statistics for the period of 1988 to 1998 to indicate that violence perpetrated by female youth has increased 127% and that the violent crime rate in Saskatchewan in 1998 was 134 youth charged per 10,000 youth. Youth who may be eligible for the programs include those sentenced under the Presumptive Offense classification and those under the Serious Violent Offense classification, as outlined in the YCJA. As one psychologist explains:

Since the YCJA we're getting higher and higher end kids. Fifty percent of the youth are girls, which worries me because in order for our program to take them, they've had at least three assault charges, escalating violence and aggravated assault. The severity of the violence appears to be increasing... I don't know whether that reflects the statistics or whether we're just getting a selection.
Therefore, although all risky youths are ‘treated’ through cognitive skills by staff, serious violent youths are deemed in need of specialized mental health intervention.

Because the rehabilitative intervention is delivered through mental health services, there is a presumption that it will focus on individual treatment. As it states in the 2002 Pilot Project:

The assumptions underlying the Saskatoon HRVYOI are that effective treatment approaches to dealing with violent young offenders should be based on multi-systemic principles and tailored to the particular profile of the youth involved. Such an approach is based on comprehensive assessment of static and dynamic risk factors and a treatment model that focuses on risk/safety management and strength-based planning (Vandergoot and Perry 2001: 1).

The emphasis on tailoring treatment to individual need is also reflected in the entry criteria. In order to enter the program the youths’ situation is evaluated by an admissions and advisory committee before a “focused assessment process” takes place. The HRYVOI psychologist indicates that the purpose is “to pinpoint the emotional and intellectual factors that increase the youth's risk.” For example, in Angela’s file, as part of the admissions’ assessment it states that she “was informed that the purpose of the assessment was to determine her suitability for violence specific services and the recommendations of the assessment would lead to specific goals for treatment and the formulation of a case plan....” Although the assessment process involves extensive testing of the individual, it is no longer based on psychotherapy.

Psychotherapy (techniques to improve the girls’ mental health or emotional or behavioural issues through counselling) has been replaced by tests to determine the girls’ risk. The assessment process for the HRVYO programs involves psychological testing which, in Angela’s case, includes a series of Cognitive, Academic and Personality Tests such as: the Wechsler Intelligence Scale for Children (WISC – III), subtests from the Wechsler Individual Achievement Test, the Children’s Depression Inventory (CDI), and the Jesness Personality Inventory. The results of the tests inform the experts about the girl's risky behaviour. For example, based on the Jesness test,
Angela’s profile is indicative of a personality type that is described as Pragmatic-Manipulative which:

indicates a desire to present favourably with few personal difficulties, while those difficulties she does present are typically blamed on others. [Angela] will likely conform to whatever power structure is present however, this is usually only surface conformity in order to avoid conflicts... [Her behaviour] in many situations may include being conning or scamming.

So even for the highest risk girls, the assessment is done with the intent to determine which behavioural traits increase the girls' riskiness rather than determine emotional deprivation.

There was little resistance by the psychologists to the idea that risk assessment was useful to rehabilitation, but some questioned components of the LSI tool. For example, one psychologist faulted the LSI for not being adequate in assessing the 'violence factor'. She stated that although she is a strong advocate of using a standardized actuarial-based instrument to evaluate treatment needs in youth, her concern is:

the LSI was not designed to look at predisposition for violence...There is nothing that specifically assesses violence...things like angry impulse control, life-style congruent with violence, [it does not look at] the history of violence during incarceration, anger management problems...There's sort of an add-on section that looks at some of those things but...more violence-specific measure needs to supplement the LSI.

The psychologist explained that it does not predict violence better than the Psychopathy Check List developed by Robert Hare (1993). In fact, she indicated that because the LSI-SK is borrowed from a model that was developed for adults (the LSI-OR), the psychologists in HRVYOI are implementing a different tool: the Youth Level of Services Case Management developed in Victoria. It is deemed more helpful for the programs in Saskatchewan because "it is more developmentally tailored to youth between twelve and seventeen [years old]...and it [focuses on] violent specific issues." The consequence of the authorities' resistance to specific risk assessment tools or risk rationality in general is
considered in more detail in Chapter Seven. But the key point is that although there may be resistance to certain aspects of risk assessment, psychologists have changed their overall understanding and practice so that rehabilitation is based on addressing risky behaviour.

It appears, therefore, that specialized violent offender programs may be an attempt by mental health experts to maintain their status in the face of several threats to the traditions of their profession. The following situation is one I encountered during the research which illustrates how high risk girls are perceived by mental health professionals and how the latter guard their professional status. This situation also raised several ethical concerns for me as a researcher.

Although I was able to discuss with some of the girls their experience with the HRVYOI program, I was unable to interview the one young woman who was involved in the Touchstone Program. In fact, my attempts to interview her produced a regrettable situation with her psychologist. In order to access how girls understand their risk based on involvement in the Touchstone Program, I had left a phone message with one young woman's youth worker indicating the girl's desire to participate in the research project. The youth worker called the psychologist who in turn called the facility to express concerns about the interview. As it was communicated to me from a staff member, the young woman was just starting the Touchstone Program and the psychologist wanted to have a first meeting with the girl. The psychologist was concerned that due to the girl's behaviour in the institution, there was the risk that painful issues may be disclosed by the young woman during our interview and I, or someone more qualified, would not be there to work through the after effect of talking about those issues. As the girl's youth worker states, "sometime [she] just triggers...I think [the psychologist's suggestion] was to safeguard against anything happening." The staff member suggested that I lie and let the young woman know that I was simply unable to reach her mother for consent. Although this was the case, I also communicated to the girl that I did not want to interfere with her treatment program. Regrettably, this revelation generated difficulties between the young woman and the psychologist. The interpretation from the young woman was
that the psychologist "can't tell me who I can and can't talk to" and she refused to attend
the next treatment session.

The psychologist explained to me that through my choice of words, I had relayed
to the girl that the program, rather than the after-math of the interview, was the obstacle.
I was asked to attend a meeting with the young woman, her facility worker and the
psychologist to clarify my position. Although still unsure what I had done wrong, I was
concerned about the progress of the research project so I apologized for my mis-
communication over the concerns with doing an interview at that time, and suggested to
the girl that she continue with her treatment as planned. I later asked the psychologist if
it was her wish that I not interview the young woman at all. She stated that was to be
decided between myself and the young woman but that I would have to let the staff and
her know if something came up in the interview that they should be aware of. In
essence, it was made clear that I could not guarantee confidentiality in an interview with
this girl.

I continued to visit informally with the young woman, who, each time I saw her at
different facilities, asked if I had reached her mom for consent to do the interview. I did
not attempt to contact the mother after my conversation with the psychologist, which put
me in a difficult position when the girl asked. After returning from spending some time in
Yorkton, I was told by a staff member that the girl was part of the riot at Dojack and had
"attacked a pregnant girl on the unit." She was transferred to another facility in the
desperate attempt to "stabilize" her behaviour and "because they needed to get her
away to settle the unit down." As her community youth worker indicated, "nobody wants
her in their facility." Towards the end of the research project, the young woman
attempted to hang herself from the waist string out of her sweat pants while she was
'stabilizing' in a cell in the Osh Program. The last I heard there was talk of opening a
unit at Dojack where she will be housed separately from the other youth.

Although I appreciate why the psychologist did not trust the interview situation
and how the young woman may respond, I cannot help but think that a large part of this
girl’s ‘risk’ stems from the isolation she experiences through measures to ‘protect’ and ‘treat’ her. As illustrated throughout various approaches in ‘regulating girls and women,’ protection and measures taken ‘in the interest of the child’ have a troubled history (Sangster 2001). The psychologist’s concern that providing the young woman an unstructured venue to talk to an ‘untrained’ student was deemed more risky than locking her in a cell by herself, suggests that the girl’s welfare is not the only focus here. There was clearly a message that there are more and less appropriate people to talk to the highest risk girls. Because some staff privately mocked the psychologist’s response, it appears that the situation also illustrates an attempt to demarcate professional status and function in the institutional context.

However, the HRVYO programs rely on a ‘partnership’ between experts and staff. Prior to the assessment process outlined above, the Saskatoon model used to be much more rigorous in the tests performed on youths. As one psychologist explains, they had to change the procedure because “the kids wouldn’t [go through] that much assessment, they’d just walk out.” Moreover, after five other psychologists had “given up on this position” part of the strategy in Saskatoon was to facilitate communication and contact between the psychologist and community youth workers so that they would bring youth to the appointments at the office. There was also a need to foster more contact with facility management and staff because there were several who, as the psychologist explains, “have been there for twenty-five years and they don’t want to change things.”

As a response, the psychologist developed a one page form which is meant to ensure that issues discussed at the youths’ case conference are attended to by the responsible party. Under the heading “Coordinated Case Planning” on the form there are two boxes entitled: “Strengths of Youth” and “Issues” and corresponding boxes indicating “Actions To Be Implemented & By Whom.” For example, in Kim’s file under Strength of Youth it states: “Increased recognition/awareness of risk and acting out; feeling ambivalent about changing when peers are acting out.” The corresponding Actions are “1. [Kim] is to continue trying to be aware of risky situations. 2. [The therapist and Kim] to discuss high-risk situations in sessions and discuss with mom.” The
psychologist explained that it was important to specify who was taking responsibility for what because “...we can't let any little things slip. Because a little slip for a kid can be a huge lapse or re-lapse [into violent behaviour], particularly with the girls.” Although the partnerships between expert, staff and community youth worker will likely contribute to a more coordinated effort to manage the girls’ risk to reoffend, these actions illustrate how professional expertise in risk governance relies on information and cooperation from front line workers. This is particularly noticeable with a shift in psychologists replacing psychiatrists as the most influential psy expert. Because psychologists are more likely to rely on front-line workers, these workers have a more central role in 'rehabilitation.' The absolute authority of the expert is further compromised by the attention to formal rights of young people in risk governance.

The role of mental health professionals in treating the girls is also challenged by the need for the youths' consent to and desire to participate in treatment. Although treatment required voluntary consent before the YCJA, one psychologist comments that the new legislation has changed their ability to intervene with youth. “Before the YCJA came in, I had a bigger stick I could use to get the kids [to commit]. I'd say to them 'look, you're mandated for treatment...If you're not here, you're going to get breached.'” In other words, if the young woman did not come to her treatment session, she would be in violation of her court order which often led to additional consequences. Even so, once the girl has consented to treatment, she can still be breached for not participating. As Green and Healy (2003: 77) state with apprehension over the issue of consent, if community conditions include prison as the consequence for not following the rules of a treatment program, “[i]t is not harm to others that is the concern, it is failing to follow a treatment plan that is now criminal.”

Because a lack of consent can result in 'punishments' of various kinds, consent is likely motivated by the youths' desire to reduce their level of risk and be released earlier, rather than a 'real' motivation to be 'treated.' The psychologists I interviewed reported their frustration over the youths' resistance to being 'treated.' As one states, “Although the girls can be forced to come here, they don't have to be made to work.”
Similarly, in the “Critique of the Interview” for Angela’s admissions assessment, the psychologist states that Angela is only participating because she thinks it is expected of her. Perhaps it should not be surprising that after Angela was part of the HRVYOI program for five months (beginning February 2003) her Violence Risk Assessment (dated July 2003) states that although “she has continued to attend treatment while in secure custody, she has made minimal progress owing to participating in a superficial manner.” Thus, treating the violent girl is contingent on her accepting and legitimizing the professional role of the psychologist. First, she has to consent to treatment and second, she has to show how the tools she is being taught are changing her behaviour. According to the file data, some girls are learning ‘superficial’ techniques in risk governance, which do not represent ‘treatment’ and therefore challenge the role of the psychologists. So the girl’s failure to be treated is more a reflection of the inadequate approach by the psy professionals rather than a problem with the girl.

Overall, a significant impact of risk governance is a change in understanding who is responsible to rehabilitate the young female offender. Although psychologists have retained their clinical expert status in the eyes of parents and the youth court, their role has become dual through a need to also provide risk assessment. Traditional clinical diagnoses have been transformed informally through the meaning attributed to language and the inherent suspicion of risky behaviour. In addition, psychologists’ expertise relies more on information from community youth workers and facility staff than was the case when psychiatrists were the key experts in treating youths. The professional insecurities that may stem from this sharing of authority can result in exclusion for some young women, as illustrated in the resistance I encountered by one psychologist. Much of their success in rehabilitating and treating the risky girl depends on the degree to which young women are willing to legitimize this hybridized approach. As I will argue in the next section, there is little success with specialized programs because risk governance inhibits therapeutic alliance, which is particularly important to treating girls.
6.4. Gendered ‘Rehabilitation’

This section focuses on the gendered aspects of rehabilitation. First, I highlight girls’ treatment needs from the perspective of the authorities. Throughout the interviews, I was repeatedly told that girls are more emotional, ‘needier’ and more difficult to work with than boys. As the experts report, they also use violence and aggression in different ways than their male counterparts. This difference stems from the level of abuse and trauma experienced by the girls. Second, I point out that although there is definite acknowledgement that treatment needs are different between boys and girls, there is uncertainty in how to address those needs. Faced with a lack of research and the fact that the LSI does not have gender-specific risk factors, several authorities attempt their own approaches. Although trauma counselling by the psy professionals appears to hold the most benefit from the girls’ perspective, it is inhibited by risk rationality. The lack of ‘trust’ resulting from risk discourse, a theme reiterated throughout the chapters, compromises the therapeutic alliance between the professional and the client, which is necessary for trauma counselling. Moreover, in both counselling and the release plan, the girls’ marginalized status stemming from the trauma they experience in prison is ignored.

The authorities indicate that girls’ needs are complex stemming from their gender-specific attributes. In fact, it is understood that, according to one facility worker, “you have to be skilled and trained in working with girls to get anywhere with them.” The girls were described as being more intricate, manipulative, stubborn and vocal than the boys. According to the experts, some of these characteristics are also seen in their use of aggression. As Pepler (1998: 5) indicates, girl aggression presents a challenge to schools because it is difficult to observe and deal with. Similarly, a community youth worker explains that boys use violence “to even a score and then it’s over.” With the girls, she explains, “it is more retributive and more sneaky. It seems that they hang on to it, they hold a grudge.” The girls’ ‘complexity’ also renders them the less desirable sex to work with. One of the teachers explained that the girls miss out on cultural camps because “nobody likes working with the girls and they sure the heck don’t want to go
over night with them.” In fact, some of the staff at Paul Dojack indicated that it’s hard to recruit other staff, particularly males, to work on the girls’ unit. This reticence also stems from fear of sexual allegations. Despite the various adjectives to describe working with risky girls, a need expressed by many throughout was the significance of establishing a relationship. For example, as one authority explains, because Orcadia is the only facility where the majority of youth are girls:

We’ve had to really struggle with girls’ issues being different than boys... The relationship has to be there for [girls] whereas boys... it’s good to have the relationship but boys will follow rules despite not knowing me... as long as I’m respectful. If a girl doesn’t know me... she’ll look at me like ‘who the hell are you to tell me this.’

Thus, according to the authorities, rehabilitating the risky girl is complex and requires a relationship built on mutual respect. The girls themselves support this observation, as seen in their perspectives on trust discussed in Chapter Three.

One of the reasons given for the difference between boys’ and girls’ treatment needs is said to be the level of abuse experienced by the girls. One authority, who had years of experience both working on a girls unit and in an administrative capacity, estimated that while roughly 10% of the aggressive males in Paul Dojack has been abused, all of the girls in the same population had experienced some form of abuse. As one psychologist pointed out, “these girls are not easy to work with, they’re nasty, these are the worst of the worst, but there’s a reason for it.” The girls, according to one Director, are “more traumatized, damaged and victimized than the typical boy.” In fact, a different authority suggested that “you’re not going to find a really violent girl who hasn’t been extremely violated herself... boys can be violent regardless.” As discussed in Chapter Four, these comments are also reflected in the experiences of the girls in this study. Thus, while it is acknowledged that girls require a relationship with the person attempting to counsel or rehabilitate, and there is an understanding that past abuse contributes to violent behaviour, is treatment based on these needs?
In response to my question on treatment, staff and authorities of all descriptions insist they need more research on gender-specific treatment for girls and violence. For example, one of the facility directors explained to me that he and the treatment coordinator had reviewed the 1990s research on the 'best practices' with female young offenders. Although the literature emphasized that "females come to violence by a different route than males", they had not, as of Spring 2003, found anything in terms of effective programs for females specifically. The result is that they have had to rely on programs developed for males or youth in general. For example, there was an attempt to administer the Substance Abuse Relapse Prevention program to one of the young women in the facility, but it was "ineffective" because the materials are designed to be used in a group format.

The lack of development in gender-specific programs has resulted in some authorities attempting to address the issue on their own. As one of the community homes workers in North Battleford explains:

My colleague and I decided that we're running a girls' group [for girls in the system] over the summer because there is nothing offered specifically for girls...and we haven't been successful in [obtaining] any services from Child and Youth... [It] is a psycho-social educational group looking at issues like how women are portrayed, sexual abuse issues and date rape.

However, a related issue for gender-specific treatment and programming, such as the proposed girls' group, is that both adult and young female offenders are 'scattered' throughout the province which makes the logistics of running programs difficult. The Director at Orcadia has also attempted to implement more gender-specific programming, which also considered Aboriginality. For example, he started bringing in counsellors from the Métis Women's Society and a sexual abuse counsellor for their life-skills program. At one point, they also had the first ever 'mom and baby program' where a young woman had her baby while in custody. As the Director states:

So we've been putting more pressure to get more research [on] and programming for girls...because they have different needs...I think that
we’re still behind on the female offender [information] because we’re now focused on programs...like the LSI and cog skills, for people across the board that are effective and researched.

The lack of research or alternative programs that focus on girls' needs may not be the problem. The Director's comments clearly point out that a major impact of risk governance has been that literature on young females is only useful, or will only contribute to 'effective' practice, if it is constructed within a risk paradigm. However, as the risk theorists point out, gender is no longer a significant factor (O'Malley 2001).

As reflected in the LSI-SK, risk rationality does not acknowledge a need for gendered rehabilitation. One of the psychologists indicates that there is in fact a need for gender-specific factors on the LSI "particularly in regard to relationships [because] females are so much more vulnerable to re-victimization." The inclusion of gender in risk tools is a line of inquiry developing in feminist literature. Based on their study of 444 incarcerated youths' self-reports, Belknap and Holsinger (2006: 48) argue for the inclusion of “feminist pathways to better understand the risks associated with and improve the responses to girls’ and boys’ delinquency by examining demographic, abuse, family, school and peer, and self-esteem variables.” However, the government authority who was instrumental in developing and implementing the LSI in Saskatchewan stated gender-specific risk factors are a non issue:

The question we want to get at in particular is, while the risk factors are the same [for both males and females], is there a different methodology around how to go about changing those risk factors? ... I think sometimes we get lost in thinking 'what’s the package for the female and what’s the package for the male' but I think it’s over simplification to start to think that way across all those risk factors. It has to be individualized at the end of the day.

Therefore, the need for gender-specific treatment will depend on the risk factor being considered and the individual circumstance of the offender. For example, as she explains further, the reasons a youth may not be attending school may stem from gender issues in some cases but not in others. This presumes that treatment, especially for violent girls, will be achieved through addressing their individual needs.
Unlike all other approaches in treating violent girls, the HRVYOI programs do offer trauma counselling. According to the experts, most of the girls in the program have complex post-traumatic stress disorder (C-PTSD), which is characterized by a breakdown of social skills as the result of either a discrete, or one time trauma, or ongoing compounded trauma (Roth et al. 1997). Due to the disruption in common social and coping skills, the girls are unable to properly regulate their emotions. As one of the psychologists explains: "girls tend to have a much more complicated post-traumatic history than the boys do... the girls are much harder to treat." She explains that with the girls the psychologists usually need a year and a half to two years to work just on complex traumatic stress issues. However, apart from being 'difficult', I was unable to uncover what actually occurs as part of trauma counselling. When I asked about the counselling with females, the psychologist responds:

I'd love to see the research progress so that we know more about treatment with females. There are a lot of really good books out there... but it doesn't match what comes into your office... There's [also] a lack of training, even with really skilled clinicians, in how to provide treatment interventions while considering risk management and antisocial issues.

The psychologist's comments suggest the crux of the difficulties of 'rehabilitating' girls in the age of risk. Although one component of the treatment for C-PTSD is usually psychotherapy (Roth et al. 1997), this has been transformed through a competing emphasis on 'risk management.'

Trauma counselling in its traditional sense would appeal to the young women, who repeatedly express a desire to work with, or at least talk to someone about their traumatic experiences. I asked the experts why there were not more therapists or counsellors available, and the response suggests that trauma counselling is in fact more about identifying further risks rather than alleviating the trauma experienced.

These girls chase people away, that's their modus operandi, that's what they do... At first, the girls may give you a superficial 'okay, I'll go along with this' but then after awhile when anything in therapy may indicate any risk or any bad emotions or emotional reactivity, they go into numbing,
hypo-arousal, [which] happens with post traumatic stress ... So any time there's progress or we start getting [into deeper issues] I typically see a lapse, they'll act out, they'll do all sorts of distancing behaviours...So what's very key for the girls is...that you always have to be there consistently. The girls may not like you. I find more than the boys, the girls have a lot more hostility and resentment towards white females...So there's those issues that also impact on their ability to make trusting relationships.

The psychologist surmised that the girls' inability to trust may impact the interview material I was able to collect. "With the girls it takes a much longer time to create any kind of therapeutic alliance, any kind of trust, anything." She explains that this stems from their post-traumatic issues, such as experiencing sexual assault. "They may not even talk about any of these things with you so you may not get a good history." Ironically, I think it was precisely because I did not have a 'therapeutic alliance' with the girls that allowed them to disclose.

In risk governance a therapeutic alliance seems to entail a power dynamic where the therapist is clearly dominant over the client. In fact, it is not an 'alliance' at all. The psycho professional is not only 'helping' the girls reflect on their trauma, but is also judging them in a way that may influence their management in the detention centre or the community. Although the girls did not comment on trauma counselling specifically, some did say that they do not trust the therapists. Because I was not in this position or power, or my intent was not to interpret the girls' stories in terms of risk, there was little hesitation in disclosing their traumatic experiences. In fact, most thanked me for simply listening.

Because the HRYVOI offers some form of counselling for girls, it is considered by other authorities to be a valuable resource in rehabilitating girls. As one youth worker commented, "the HRYVOI program is awesome but if we could duplicate that and have it be more wide-spread for more youth, it would be good." However, the psychologists maintain the success of the program is precisely because it maintains low case loads. One of the psychologists explained that eight youth is the maximum number on her case load because "crisis with these kids is the norm." Based on initial results from an
evaluation of the program, the longest a youth has waited from the time of referral is six
weeks and there is no waiting list for the HRVYOI. "We are able to accommodate all of
those youth who qualify for the program." However, staff in both Regina and Saskatoon
indicate that the need was greater than what was available.

The HRVYOI programs are also considered a success because treatment can
include a focus on gender needs in Release Plans. For the girls, this includes continued
focus on traumatic stress issues, criminogenic issues and vocational planning. As one
of the psychologists explains, if the girls do not have something to look forward to, they
will simply go back to the same behaviour when they are released.

So, the treatment just isn't here [in the office]. We help them build
positive pro-social skills and get out into the community... Modules are
great but they don't look at individual needs... If you don't target specific
things and build a healthy life-style with them, forget it, they relapse. For
them, relapse could be that somebody gets killed.

However, the skills that are being taught in the community are understood as necessary,
because of the girls' lack of socialization rather than as stemming from the
consequences of incarceration. As Green and Healy (2003: 39) explain, "[r]ehabilitation
and reintegration – in effect a goal of bringing youth back into the mainstream – often
requires individual plans for young people, taking into consideration the unique reasons
for their marginalization." Marginalization for these girls stems not only from their gender
but also from their treatment while incarcerated.

Part of the girls' marginalization stems from the incredible amount of time they
have spent in isolation, a factor dismissed as insignificant in treatment. For example,
one of the psychologists relayed an experience she had had with one of the young
women with whom she is working. They were attempting to practice the young woman's
social skills by going up to a teller at the bank. As the psychologist explains:

We get outside of the bank and she stands there and looks absolutely
petrified and there's nobody in the bank. There's just the teller but this
girl won't even go in. She goes 'no, no, you go.' I thought she was going
to pee her pants... It was amazing... you think that they're functioning at a
particular level, that they've made all these gains and then all of a sudden... they just can't manage or they get so anxious and overwhelmed... [and this] is a kid that's almost killed somebody... You're just astounded at the lack of socialization and basic skills like being able to just go in the bank and ask for change.

I asked the psychologist if she thought this may have something to do with the girl spending so much time in custody from the time she was twelve years old. Her response was that "it may be part of it but I also see it in the community with kids who haven't been in secure or open custody." Thus, risk rationality fosters other contradictions in recognizing what the girls need in terms of treatment. On the one hand, the diagnosis of C-PTSD recognizes disruption in previously effective social skills but, on the other, the psychologists fail to see that part of the 'disruption' stems from the trauma inflicted by the youth criminal justice system. In this same young woman's file it states in her Custodial Progress Report that she "struggles in letting her needs be known. She requires prompting as she has become used to others making all the decisions in her life for her." Teaching her the confidence to use a bank is indeed helpful treatment but it must be conducted in a way that acknowledges why she does not have that particular skill.

Treatment for girls must also include recognition that several cannot go back to the same living situation because of gender issues. As outlined in Chapter Three, violence, abuse and child care responsibilities make their home life problematic. As one psychologist explains, if the young women go back to the same family, same peer groups, same problematic situations, "all the therapy in the world won't sustain positive change." The treatment programs, he argues, needs resources in place to sustain the progress made in therapy. "So we need targeted outcomes within treatment [like] returning to school and realistic vocational plans... We need long term, individualized, comprehensive treatment that is based on [the girls'] strengths and areas of risk." Focusing more on girls' strengths rather than risks holds potential for success treatment, an argument that is considered in the next section.
In summary, girls are understood to have gender-specific needs but risk rationality inhibits those needs being addressed in treatment. Trauma counselling, and its traditional emphasis on psychotherapy, presents a form of treatment that is different from the others offered in risk governance. In contrast to cognitive skills and anger management programs, which teach the girls tools to restructure their modes of thought, trauma counselling is presented as a taking place through a therapeutic alliance between the psychologist and the young woman. However, because this form of counselling includes judgments about the girls' level of risk, it is difficult to develop a trusting relationship. It is apparent that in both counselling and in reintegration plans, treatment for girls does not recognize that their marginalized status stems in large part from their experiences in the criminal justice system. This may be overcome by a new focus on strengths and resiliency.

6.5. 'Strengths' and Resiliency: An Afterthought in Risk Governance

This section questions why treatment now includes attention to young offenders' 'strengths.' Firstly, I outline the strength-based philosophy which stems from an understanding that it is important to recognize and foster any positive potential in at-risk youth. This philosophy embraces more inclusionary responses to youth and it is also part of the LSI-SK. Secondly, I argue that despite good intentions, this philosophy of building on the girls' strengths or protective factors does not translate in practice for the highest risk girls. It is apparent that a discourse around 'strengths' does little in their rehabilitation because the system is more concerned with their areas of risk. In fact, including a section of strengths in the girls' risk assessment without giving it equal attention can have the detrimental impact of pointing out that the girl does not possess any strengths. This is complicated by recent attention to Fetal Alcohol Spectrum Disorder, which is said to limit the youths' ability for positive attributes. Overall, the discourse on strengths seems most useful as a buffer to criticisms that rehabilitation in risk governance is only accomplished through risk management and incapacitation.
A focus on 'strengths' is connected to an evolving discourse on "resiliency" in children. Although there is a plethora of literature on how the presence of risk factors, such as drug and alcohol addictions and low socioeconomic status, lead to negative life outcomes for youth, a more recent focus of study is on children and youth who live with these same risk factors but have successful outcomes in life. These 'survivors of risk' are labelled "resilient" children. In studying resilient children and their families, researchers are beginning to identify important factors that protect against the poor outcomes usually associated with living "at-risk." These so-called "protective factors" shield the young person despite her diagnosis, disability, or experiential risks (Vance and Sanchez 1998). These protective factors are located in three general categories: qualities of the child (including "easy" temperament type), characteristics of the family (including secure infant-mother attachment), and support from outside the family (including the presence of an adult mentor for the child outside the immediate family). Focusing on these outside supports is said to be key for building inclusion and positive self-image for youth.

In theory, therefore, focusing on youths' strengths or positive attributes is the antithesis of excluding youths due to risky behaviour. This is the understanding outlined in 'Reclaiming Youth,' a newly adapted philosophy guiding the treatment of risky youths. A leading expert espousing this philosophy is Dr. Martin Brokenleg, a Lakota professor of Native American Studies (Green and Healy 2003: 142). In Reclaiming Youth at Risk: Our Hope for the Future (Brendtro, Brokenleg and Van Bocker 1998) and conference presentations by the same title, Dr. Brokenleg emphasizes that in their basic human need to belong, high-risk youths have few options but to gravitate towards negative peer groups. "He warned that if we cannot find a positive way for our young people to belong within our society, these often troubled youths will find their own way to belong...."(Green and Healy 2003: 142). Brendtro, Brokenleg, and Van Bockern (1998) argue that young people need assistance to achieve balance across four basic needs: belonging, mastery, independence and generosity. This strength-based perspective has informed practices in education, recreation, youth justice and 'positive psychology', which includes looking for the potential in even the most risky or damaged young people.
Several youth programs in Saskatchewan are incorporating strength-based initiatives and an emphasis on 'inclusion' more generally. As one of the teachers explained to me, some alternative educational programs in Saskatchewan are adopting Dr. Brokenleg's recommendation to focus curriculum on the four concepts to foster inclusion: "For example, one is developing a sense of mastery so they...have success in a variety of things not just education and another is a sense of generosity so they learn how to help other people." There are other programs such as Spirit Builders, a national program to occupy youths outside of school hours, which focuses on inclusion to prevent 'trouble'. Similarly, one of the Elders I interviewed runs an outdoor education program four days a week to encourage confidence and skills in ten, as he says, "really troubled kids." The girls in this study had not participated in any of the above programs but they demonstrate a shift in attitude that has also infiltrated the youth justice system.

Assessing the girls' strengths is also part of the LSI-SK. In the *Format and Guidelines*, it explains that six of the eight risk/need factors include thirteen items which can be scored as strengths. In the *Instruction and Scoring Manual* for the LSI (7 October 2002: 3) there is an explanation of how 'strength' factors into the scoring:

In addition to indicating strength on any of the thirteen individual items that are designated as risk/needs strengths items, each of the eight general risk/need subsections requests a check mark if the assessor judges that subsection to be an area of strength. To be scored as a "strength," the evaluation must not only indicate an absence of risk (or a very low risk), it must also indicate a circumstance or level of functioning that is so positive and strong that it ameliorates, shields or reduces the effects of the risk factors identified by that item. Alternately, the strength may be evaluated as offering protection from some risk factors that may be present in other areas.

[Example: "Companions/friends" may be assessed as a risk factor, but the youth's "attitude and personal beliefs" about criminal activities and crime are so anti criminal that the effects of negative companions may be discounted.]

Therefore, in this example, a girl's attitude toward crime (item 6.29) could cancel the risk she poses by fraternizing with delinquent friends (item 5.26). Strengths can also be
acknowledged when there is a lack of risky behaviour. "For example, minimal criminal history in the absence of a violent anti-social pattern can be identified as positive observations and strengths" (ibid: 3). There are examples of how a focus on 'strengths' can translate into positive outcomes for youths, but it seems to depend on the perspective of the case worker.

Some authorities are encouraged by the 'strengths' aspect of the LSI and indicate that it is key for the Community Safety Plan. One government authority gave the example of a youth who was very high risk to reoffend because of peer, addiction and family issues. But his strength was in art, which became the focus in his planning. The result was that he finished his Grade Twelve Equivalency Diploma and he received a $7000 grant from the federal government to produce art work. As the official explains:

Certainly he still has those other issues but you build on the strengths to balance his life a little more and he derives self-esteem from that. He can then develop a different peer group. He can stay busy instead of going out and drinking and...all those things are interconnected so make sure your strengths are build into your Safety Plan.

Most of the Safety Plans I read clearly focus much more heavily on the girls' areas of risk which suggests that although this is an encouraging example, the ability to recognize strengths will hinge on the perspective of the person administering the LSI-SK.

If the youth workers believe, or have been given the message, that fostering strengths is not a key component of crime reduction, there will be little importance placed on this aspect. As one community youth worker states:

We focus on their risk/need factors and that's what we address. When it comes to our recommendations in the PSR/LSI it's like, what needs to be done in order to monitor this kid and make improvements and help him not reoffend...you only focus on the risk factors and you don't do anything with the strengths factors.
Even if the person conducting the assessment has a personal belief in the benefit of focusing on the girls' strengths, this may be difficult to carry out if it is not a priority of the overall approach. As a supervisor commented, "I think that strengths are very important... We didn't talk much about the strengths in the training... but let's not focus on what's not working, let's just work on what's working and do more of it" (emphasis added). I too noticed the lack of attention to strengths in the two-day training course I attended. In fact, I would not have known it was part of the LSI-SK if I did not have a copy of the assessment and scoring sheet. When I asked about the importance given to strengths, I was told that the main focus is on assessing risk which is the focus of the initial training session. Thus, there are tensions in attempting to assess both risk and strengths. This is particularly evident in the treatment programs already discussed.

A philosophy of inclusion is also said to partially underpin the HRVYO treatment programs. In fact the name 'Touchstone' was chosen because the program "should have elements that attempt to mine the true worth of the youth, both for revelation to themselves and to the community around them" (McGrath 2001: 8). Delivery of the program is guided by two ideas: a cognitive/behavioural intervention and the 'Circle of Courage.' The psychologist for the Touchstone program explained to me that she has been trained in First Nations culture and the Circle is based on a 'medicine wheel' which reflects the four basic needs highlighted by Dr. Brokenleg.

As part of the program, the youths go through four phases (McGrath 2001: 31): Assessment (to set out a treatment or case plan); Case management (provided by a team of professionals, which for youths in custody will usually include the facility worker, community worker and psychologist); Orientation (which includes working though module sheets on cognitive/behavioural and Circle of Courage components such as 'aggression and violence', 'self-regulation of emotions', 'grief and loss'); and Intensive Treatment (which includes applying the learning from the Orientation phase to various criminogenic risk factors). Although I did not access the actual modules on which the youths work, it states in the manual that the underlying concepts "incorporate a strengths-based perspective." However, focusing solely on the worth of a youth is not
reflected in governance strategies for those who are most at risk. They are required to learn how their needs and strengths are compromised by their risk factors. This is also evident in the case management phase for both the Regina and Saskatoon programs.

The case management aspect of the HRVYOI is described as an inclusionary 'wraparound process' which focuses on the youths' strengths. The wraparound process, based on the work of Dr. VanDenBerg, is an "integrated and coordinated process for working with high-risk youth and his or her family." (Green and Healy 2003: 205). The youth's case plan is developed by a team of people who know her. As Dr. VanDen Berg explains:

The plan is needs-driven rather than service-driven, although a plan may incorporate existing categorical services if appropriate to the needs of the consumer... The plan is family centred rather than child centred. The parent(s) and child are integral parts of the team and must have ownership of the plan... The plan is based on the unique strengths, values, norms, and preferences of the child, family, and community. No interventions are allowed in the plan that do not have matching child, family, and community strengths" (cited in Green and Healy 2003: 205).

Because the Touchstone program is more focused on youths in custody, the Saskatoon program broadens the people involved in case planning where possible. As one of the psychologists in Saskatoon explains, the wraparound process includes "multi-systemic therapy" which includes connecting to other social structures, such as schools, in the girl's life. But again, this ideal appears to be compromised for the highest risk youth. The girls in this study had very few supports who were part of their case plan. Any of the input I read from teachers and other community members is in the form of criticism and citing the damage the young woman has caused. Similarly, as one psychologist explains regarding family support:

We would like to say 'oh more family intervention' but the reality is that 95% of the cases that are going to come [through the program] the family is not workable. We have to do risk management for the kid so that the family doesn't put the kid at higher risk of getting into things. That's a reality. It doesn't matter how loyal they are to the family [and] I value that
kind of stuff, but having positive, non-antisocial contacts with their parents or siblings is a huge issue.

Therefore, as both programs illustrate, a strength-based perspective may not really apply to the girls who have the greatest need for positive input. Focusing on their risk factors, including their own family members, may preclude attention to their positive attributes. Drawing on Hannah-Moffat (1999), this 'holistic' approach to risky girls is an ideal that is contradictory to actuarial management, which is not concerned with the whole person but with a specific category of behaviour.

Overall, it is difficult at this point to assess the success of the programs from the girls' perspective. While a focus on 'strengths' appears to be initially positive for at least one girl in the study, the file data suggest the detriment that can result for the highest risk girls. For example, one of the "very high risk" girls involved in the HRVYOI program in Saskatoon was asked by the psychologist to identify something positive that she can do. "I'm good at braids" was her response and that became part of her planning. Arcadia purchased a mannequin on which she practices hair-style techniques. She also goes into the community every Saturday to work at a salon. It was apparent during my time at Arcadia that this girl commanded respect from her peers partially through her talents with hair styles. The other girls asked her questions and wanted to see her books and information on the topic. She also seems to find great satisfaction in going to work on Saturdays and relayed her experiences to me.

The early stage of this plan illustrates precisely what is intended in Dr. Brokenleg's theory. As Green and Healy (2003: 215) point out, "[t]he choice of appropriate treatment for those in need is also highly significant in facilitating resiliency" (Green and Healy 2003: 215). Because of this experience, it states in the girl's file that her protective factors include her "commitment to academic studies, her involvement in cultural activities, her good problem-solving skills and her ability to plan and generate option for her behaviour." However, towards the end of my research the young woman, the same girl who could not go into a bank by herself, was fired from the position
because the salon was dissatisfied with her social skills with clients. This illustrates that a wraparound process has its limits.

So much of the success of the strength-based philosophy will depend on who is supporting it. Based on the file data, those who score the highest risk usually have the following note recorded: "Exclusively for the purpose of the completion of the LSI-SK Youth Edition risk assessment, [this girl] is not scoring as a strength in any of the above noted areas." Despite the qualifier that the assessment relates only to the factors on the LSI-SK, there appears to be little consideration given to the impact of telling a young woman that she has no strengths. When I asked the girls about their positive attributes in the interviews, some claimed that they did not have any and others mentioned characteristics such as being a loyal friend and having good style. They pointed out, however, that this will not be in their files as if to qualify that they are not 'real' strengths.

Complicating the issue of strengths for several high risk girls is Fetal Alcohol Spectrum Disorder (FASD). On the LSI-SK the explanation of what constitutes a strength is very much in keeping with the emphasis in risk governance on prudentialism, or individual responsibility for risk. As the example above demonstrates, if a girl is able to demonstrate that she has become more prudent in her attitude towards crime, this is recognized as a strength. However, evidence suggests that FASD challenges the youths' ability to be prudent.

There is increasing medical research to support the theory that drinking alcohol while pregnant puts the fetus at-risk of suffering neurological effects, a disorder referred to as Fetal Alcohol Syndrome (FAS). Fetal Alcohol Effect (FAE) is also referred to as Partial FAS and Fetal Alcohol Spectrum Disorder (FASD) encompasses the wide range of related birth defects. "In addition to prenatal exposure to alcohol, a diagnosis of FAS requires evidence of a delay in growth, a distinctive pattern of facial features, and a central nervous system (or brain) dysfunction" (Conry and Fast 2000:1 in Green and Healy 2003:64). The damage is said to be permanent. In *Fetal Alcohol Syndrome and...*
the Criminal Justice System, Conry and Fast (2000) explain that FAS poses significant challenges to the treatment of offenders:

FAS/FAE is an "invisible" disability, which is life-long. At present, FAS/FAE often goes undiagnosed among adolescents and adults. This leads to unrealistic expectations for their behaviour that may result in ridicule, blame and social stigma. As defendant, victim, or witness, the individual with FAS/FAE presents a challenge to the traditional criminal justice system. (cited in Green and Healy 2003: 66)

Therefore this 'new' disorder may be impacting the girls' ability to change their risk factors or indeed be acknowledged as having some strengths. As Mary Vandenbrink, a social worker who specializes in alcohol-related birth defects states: "Relapse prevention depends on the ability to monitor one's own behaviour. Clients with FASD are unable to do this... [they] often state a desire to change and become self-sufficient, even though this may be an unrealistic goal" (cited in Green and Healy 2003: 69).

Although FASD is a major concern among staff, and several comment that detention centres are inappropriate placements for youths suffering from the disorder, the topic of FAS was not initiated by the girls when we discussed assessments and risk factors. Although some of the girls comment that their mom likely drank while pregnant with them, none of the girls indicate that they had been tested for or diagnosed with FAS themselves. Therefore, several high risk girls may be excluded for behaviour that is beyond their control. Not only are they given the message that they do not possess any strengths, but they may be inaccurately labelled 'defiant' because the disorder produces difficulty in understanding and following institutional rules (Conry and Fast 2000). The diagnosis could one day be used to foster further exclusion by providing evidence that these individuals will always be high risk due to their congenital inability to self-control.

As this section reveals, the notion of focusing attention on the girls' strength and resiliency factors was born out of a genuine concern that we are alienating and excluding 'troubled' youth. Although I did not have any information on how Dr. Brokenleg's analysis of the four basic needs of youth translate in practice, it is apparent
that his overall strength-based philosophy has been influential in community programs as well as in youth justice and treatment programs. However, with some exceptions, this philosophy seems more applicable to lower risk youths. As the youth worker and training on the LSI suggests, there is such a focus on risks that it becomes the only thing the assessors can see, or the only thing they believe has value. Thus, including a focus on strengths serves the interests of the youth justice system more than the girls'. It provides a buffer to the criticisms of the system highlighted in Dr. Brokenleg's argument that exclusion fosters a more marginalized and problematic situation for young people. The girls' ability to achieve positive outcomes is also being challenged with recent attention to FASD. It would be more helpful to acknowledge that all girls, even the highest risk, have strengths outside of those listed on the LSI-SK, which may form the basis for addressing their exclusion.

In conclusion, this chapter analyses the various ways a risk 'lens' has impacted how we rehabilitate and treat young offenders, with exclusionary consequences for the risky girl. Hannah-Moffat (1999) and other risk theorists argue that we see a hybrid approach which includes both traditional clinical treatment of the old penology and risk management associated with the new penology. Although some of the traditional diagnoses and role of mental health experts reflect this argument, this research reveals that clinical treatment has also been transformed by risk rationality to an extent that referring to a hybridized approach is not accurate to describe the treatment incarcerated high risk girls receive. This stems from the impossibility of merely referring to a distinction between 'clinician' and 'risk assessor'. For example, one of the basic tenets of traditional psychology is rehabilitation through counselling. In order for this treatment process to occur, the expert must first establish an alliance, or relation of trust, with the young client. However as the stories from the young women in this study point out, trust cannot be established when the psychologist is evaluating their traumatic experiences in terms of risk. The girls know that their disclosure may elevate their level of risk which has detrimental consequences in either the custody or community case plan.
This change in role for mental health professionals produces other exclusionary responses for high risk girls. Standardized risk assessment has shifted a move away from the medical model and a need for professionals. Front line staff are increasingly the experts who rehabilitate the girls through cognitive skills training. Not only does this exclude most of the girls from some form of specialized attention, they are taught also that they have the responsibility for creating the conditions for change. In contrast to traditional counselling which is meant to bolster a young woman's self-esteem by pointing out how she is not to blame, this form of treatment denies the role of abuse in her life both outside and inside the detention centre. Although the risky girl is described by the authorities as 'complex' in her treatment needs, particularly in comparison to boys, she disappears into a simple calculation of risk.

The one element that does challenge risk thinking in theory, and holds the potential for a more inclusionary response to girls, is a focus on young offenders' strengths. While risk assessment is not concerned with individual personality, an evaluation of strengths must consider the individual. This potentially redirects attention back to the 'complex' girl. This is perhaps one area where the highest risk girls have an advantage. Although the areas of strengths are limited to the factors on the LSI-SK for all youths, in the specialized treatment program for violent girls there is flexibility in uncovering and developing talents as part of the Safety Plan. However, the girls' various 'risks', including time spent in prison and lack of family or community supports will, unfortunately, limit the possibility for 'rehabilitation.'
CHAPTER 7.

THE IMPACT OF RISK THINKING ON YOUTH JUSTICE PROFESSIONALS AND STAFF

One of the main reactions to the 'predicaments of crime control' (Garland 1996) by government in late-modern society has been an emphasis on 'evidence-based' strategies to predict and manage crime. The discretionary powers of clinical experts increasingly came under attack in what Pitts (2001) refers to as 'professional perfidy.' In a review of generations of prediction research on the risk of reoffending, Baumont (1999) reports that the verdict on clinical prediction has been damning. Statistical prediction tools are deemed more reliable and more valid than the intuitive predictions of clinical experts (Gottfredson and Gottfredson 1985: 55). Thus, "[i]t is not surprising that the actuarial approach has taken root in the areas of criminal justice and mental health, because it is here that judges, parole boards, and psychiatrists are required to predict individual behavior as part of their professional duties, and the ability to do so accurately has enormous consequences for public safety and professional credibility" (Silver and Miller 2002: 150). Risk assessment tools shift the centre of decision making from assessments based on expert judgments to those derived from the actuarial model, which has changed the traditional roles of the authorities who work with youth. Community youth workers, psychologists, lawyers and youth court judges are now advised to rely on risk assessment tools and other statistical procedures. "Because actuarial algorithms tend to be more accurate and consistent than human decision makers, some have argued that not to use them when they are available represents a breach of ethical professional conduct (Grove and Meehl 1996; Quinsey et al. 1998)" (cited in Silver and Miller 2002: 140).
This chapter will assess the impact of risk governance on the professionals and staff who work with violent girls. In the first section I review who the authorities are and how their general role has been impacted by risk thinking. This discussion is significant to analyze who is likely to resist actuarial assessment and who is more convinced by risk rationality. In the second section, I consider the authorities' perception of the strengths and weaknesses of the LSI-SK. Thirdly, I consider how risk discourse has impacted the authorities' views of young women. The final section in this chapter details how risk governance has had a detrimental impact on the relations between government agencies and the Aboriginal population in Saskatchewan. Overall, it is clear that although actuarial risk assessment is not infiltrating all decision-making with young offenders, risk rationality more generally has influenced the authorities' perception of and response to the violent girl.

7.1. Change in Roles

Risk thinking has impacted the role and nature of the work performed by authorities and staff in the youth justice system. Although the generic positions of government officials, community youth workers and psychologists have been analyzed in-depth in previous chapters, this section briefly reviews the change in roles for participants in this study in particular. In addition, as the research participants point out, the roles of judges, lawyers and police are also important to consider because their decision-making power has relevant consequences for those working with female offenders in risk governance.

Although the governmentality theorists argue that government is becoming less centralized in its response to crime, government officials play a powerful role in convincing the workers and professionals of the utility of risk assessment. The LSI-SK is touted as an objective tool which moves away from opinion-based assessment and the bias inherent in arbitrary decision-making. Because of the government's role in implementing the tool, the government participants I interviewed were the group most convinced by risk rationality. For example, one government official indicates that
because the LSI-SK is a validated instrument, it has forced authorities to be "more responsible" in how they relate to youth:

There was little responsibility with opinion-based assessments... We didn't have a standardized tool [so] there was no way to gauge, there was no continuity or consistency in what we did... We looked for a way to [correct] that. Saskatoon and Regina could have the same kid [who is evaluated] with two different perspectives depending on who the worker is and what kind of background they come from. The LSI standardizes [the assessment].

Supported by academic research, the government authorities embrace the perspective that a 'responsible' course of action to youth crime can only be achieved through the realm of science (Cullen and Gendreau 2001). This view was reflected in the two-day training course on the LSI-SK session I attended. In fact, a quote by Hippocrates was used to support the instructor's emphasis that the LSI is based on fact and science: "There are in fact, two things, science and opinion; the former begets knowledge, the latter ignorance." Whereas government officials once welcomed diverse professional opinions on how best to rehabilitate the young offender, acting on unscientific opinions is now deemed not only ignorant but irresponsible.

The government's role is simplified by an approach that down plays the influence of human decision-making inherent in any type of assessment. For example, part of the two-day training session includes "practice cases" whereby the group watches a video of a mock interview between an authority and a youth. We were to assume that we were conducting the interview and were to record the information given by the youth on the eight main risk/need areas outlined in the LSI. We then interpreted the data based on the instructions presented in the Scoring Manual and calculated a risk assessment score for the youth. Although we were all evaluating the same case, our individual scores varied greatly. It was explained by an academic facilitating the training that, as we became more experienced in administering the tool, our responses will become more accurate and therefore more uniform. This perspective was repeated in my interviews with research participants. As one government official explains: "[E]veryone comes with a different mind-set and there's going to be some different interpretations but they
should be fairly close. Over time you’re not going to get huge discrepancies.” Thus, there is an assumption that experience with the tool will erase personal bias or opinions. However, as elaborated in the next section, personal bias will always be part of human decision-making. I relayed to some of the authorities that one of the girls admitted to me that she and her mom lied and collaborated on what they were going to say for the LSI interview. Although the young woman and presumably her mother did not know how each of the eight risk/needs factors are calculated, there was an understanding that if they could make it appear that the girl was less likely to reoffend, she would be released earlier. The response I received from some of the officials on this situation is that the youth worker did not do the proper checks. As one explains:

[The youth workers] are supposed to be able to verify everything with some other source before [that item] is scored…. We can’t just trust what the parent would say or what the kid would say. I’m not going to say that some lies and some mis-truths don’t get through, but if they can’t verify [the information] then they can’t mark it as a risk/need area…They can’t mark them when you don’t have any kind of proof.

The government’s role therefore is to foster faith in the LSI-SK as an objective and proven technique to reduce offending. The promotion of the instrument requires that a great deal of importance be placed on the role of the community youth worker.

Although I do not assume that professionals would do a better job of assessing youth than would community youth workers, risk governance requires less training. As Silver and Miller (2002: 140) explain, “Rather than requiring trained professionals to perform in-depth analyses of particular individuals, risk is assessed by inputting relevant pieces of information into a risk assessment algorithm… All that is required to use an actuarial risk assessment tool is the accurate gathering of relevant information…. Thus, the traditional professional-client relationship between a psychologist and young offender that seemed more prevalent when psy experts resided on the grounds of the detention centre (Barron 2000) has been replaced by an information gathering session by the youth worker. Under the YCJA, every youth in the system is now connected to a worker because of the mandatory community supervision portion of the sentence.
Although psychologists still provide counselling to the highest risk youths, some of the youth workers have a greater responsibility for monitoring these youths in the community. The more experienced senior community youth workers are designated to ‘intensive supervision units’ which deal with those youth scoring ‘very high’ on the LSI. As one intensive case manager explains: “we were given the resources to reach out to the kids more in the community as opposed to sitting in the offices and having kids report to us... So we're more of an outreach program, a more intensive service.”

Whereas youth workers were once viewed as being on the periphery of managing violent youth, they are now viewed as essential in addressing the emphasis on ‘reintegration’ in the YCJA.

The psychologists’ role has also changed through their collaboration and ‘partnerships’ with community youth workers. As one psychologist indicates, the North Battleford murder of the community homes operator by two female youths in her care (see page 100) drew attention to the lack of communication between professionals and staff, and the consequences of insular decision-making. The psy programs offered to high risk youths have attempted to address this issue and, in fact, the Program Evaluation of the HRVYOI indicates that the strength of the model stems from the notion that ‘service delivery’ includes active partnerships between psychologists and the other providers such as community youth workers and facility staff. As one psychologist explains:

We need to work together as equals, as partners with staff, which, I’m sorry, psychologists as a profession have not been doing. We are not really trained to think about community or outreach... [but now] the role of the psychologist is not just treatment, it's consultation. Now we're not the case manager, but if we have to have some case management duties, fine, it's crucial to have that consistency.

This blending of roles, or ‘deprofessionalization’ as Pitts (2001) describes it, as well as a reduced emphasis on the medical model, will likely result in psychologists performing more case management. For example, because Orcadia does not have a psychologist, the HRVYOI psychologist out of Saskatoon has to maintain contact with one of the girls
in Orcadia. When the young woman is on a Temporary Absence to visit family in
Saskatoon, the psychologist uses some of the time for ‘treatment.’ She explains how
she has to change from a traditional role to accommodate the lack of mental health
practitioners connected to the justice system in Saskatchewan:

The kid gets here and we do a little bit of treatment, monitoring kind of
thing. We have about an hour before the bus comes so she and I go for
coffee and we practice some of the skills she's working on... I mean these
managerial tasks are things that psychologists shouldn't have to think
about, but we have to think outside the box.... Traditionally a youth going
in and out of custody would be considered an 'interruption of service' but
now the psychologists do increased outreach work which includes going
into the custody centres.

Therefore, the psychologists' role changes through an understanding that the 'risk' of
young female offenders is reduced by having staff and psychologists collaborate as
equals in a professional hierarchy. This role change moves away from more traditional
delineations in professional expertise and requires psychologists to contribute to the
management of risky girls.

The transformation in roles also requires psychologists to change their
professional discourse and make it more accessible to both staff and their young clients.
For example, the Program Evaluation for the HRVYOI indicates that an area of
improvement for the program was better educating front-line staff and youth workers. As
the psychologist states:

Because as psychologists we're great at writing all this technical mumbo
jumbo but it's translating it into what it means [that requires attention].
That's also been a key in treatment. When I do a really thorough risk
assessment, we go through what it means with the kid: this puts you at
risk for this... you're going to find that this is really hard to do. Making it
hands-on and approachable for everybody is really key.

Thus, psy discourse has been impacted through an understanding that risk reduction
can only occur if the young woman understands the meaning of her 'risk factors.'
Psychologists did not have to be concerned with making professional discourse
accessible when the medical model dominated youth justice treatment. For example,
understanding a diagnosis of 'psychopathy' is not an integral component of rehabilitation. However, in risk governance the success of cognitive skills training as a form of treatment requires that the girls have some understanding of risk language.

Although psy discourse may be changing to foster a better understanding from its young clients, one area that has not changed is its failure to include the perspective of youth in evaluating programs which target their behaviour (Barron 2000). When I asked one of the psychologists if part of the Program Evaluation includes consultation with the young people in the program, he seemed flustered by my question. It was not clear what he was searching for as he flipped through binders of notes as he stated:

I get some evaluation from the youth workers and we’re probably going to be looking at more of including youth in that process. I think what the kids see is they see [that] a HRVYOI psychologist does not give up on them. They don’t get kicked out of treatment. They like the fact that things are done [and] are exactly what they need...[Other youth] have said it's really important for them to change their thinking, like to get their life-style back together.

Based on the interview data that I collected, the girls did not identify their thought process as the problem. The girls' ability to resist or internalize this language and meaning is considered in the next chapter.

The role of the youth workers and, to a less extent the psychologists, is also complicated by the response from youth court authorities such as lawyers and judges. One of the community youth workers in Regina explains that some Legal Aid lawyers "have the opinion that [community youth workers] don't have the qualifications to do these assessments of the kids. They don't agree with the risk factors, they don't agree with what we're scoring them on." It is likely, however, that the issue for the lawyers is not the qualifications, but a concern over the assumptions underpinning the instrument. Relying on a predictive tool which is based on aggregate data is incongruent with traditional legal practice steeped in logics of individual identity and rights. It could be argued that the role of those authorities, such as legal aid lawyers, who are acting in the
interests of the young woman, have changed less in risk governance than those whose role is dictated by public safety and government responsibility.

The official role of youth court judges, particularly with reference to their capacity to protect the public, has been impacted by risk governance. According to the YCJA Section 42 (1):

> A youth justice court shall, before imposing a youth sentence, consider any recommendations submitted under section 41, any pre-sentence report, any representations made by the parties to the proceedings or their counsel or agents and by the parents of the young person, and any other relevant information before the court.

This section stipulates that a judge must take into consideration the results of the LSI-SK report prepared by the community youth worker. However, several of the research participants in this study report that the youth court judges vary geographically in their familiarity with and regard for the utility of risk assessment.

One of the facility Directors indicates that the judges in the Yorkton area are still adjusting to the new Act and have not yet changed their sentencing patterns. He described “mass confusion” in the court room one day as the judge and court clerk attempted to figure the days allocated for the community portion of the sentence. Some of the research participants in the Yorkton area are waiting to see how sentencing will change with the new appointment of Justice Green, the co-author of *Tough on Kids: Rethinking Approaches to Youth Justice* (2003) cited extensively in this dissertation. However, in the book and his paper entitled “Youth Justice Policy and the Youth Criminal Justice Act,” Green outlines the “paramount concern” for attention to the needs of FAS or FAE youth (2003: 6), but he does not mention risk/need factors as they relate to sentencing. Both documents relate to Saskatchewan specifically which may mean risk assessment will have little bearing on his and other judicial decision-making.

The judges’ discretion on the import paid to the LSI-SK has significant consequences for the community youth workers. On the one hand, some judges validate
the new role of the community youth worker in risk governance. As one Yorkton worker indicates:

Our judges here like us to make specific recommendations [such as] do we think there should be custody? Do we think there should be probation? They want to know our opinions. They may not always agree with what we say and then they'll just be very frank about it but they are really very good about taking our suggestions because they know that we know the services that are available.

While this perspective brings legitimacy to the role of youth workers, some judges, on the other hand, are rejecting the LSI-SK. In Saskatoon, which is apparently an anomaly and described by some research participants as the “slackest” jurisdiction on most youth justice issues, the participants explain that two Aboriginal youth court judges, Judge Turpel-Lafond and Judge Whellan, are rejecting the use of the LSI-SK in their court room. Although I did not get a chance to interview the judges, a community youth worker explains that “these two in particular are taking issue with [the LSI] because they’re clearly stating that they don’t sentence based on risk. So we’re getting a lot of backlash about these damn LSIs from the courts who we’re supposed to be writing them for in the first place.” This frustration signifies that although community youth workers have new significance in risk governance, their authority and role is dependent upon the views of the youth court judges. While the role of the community youth worker and the psychologist has changed to embrace risk thinking, some lawyers and judges appear to have retained autonomy over decision making which may not include attention to risk.

For the workers and professionals whose role now relies on risk assessment, they generally view the Saskatoon judges’ approach as irresponsible arrogance. One government authority thought that the notion of a worker recommending to a judge how to sentence may “ruffle a few feathers.” He thought that the judges’ response would be to discredit the assessment tool in some form as opposed to admit to not wanting to
surrender some of their power. Similarly, another surmised that there may be resistance to the LSI "because it's definitive, it takes judgment away. When [a community youth worker] is saying 'this kid is high risk and needs custody', how can you argue with that? It's a proven model." The faith in risk assessment is also adopted by some of the psychologists. As one states: "I think it's very unfortunate that there is a strong instrument with demonstrated scientific research that shows that it predicts and that it's not being used to inform sentencing and release decisions... It's not being used for what it was designed to do and I think that's troubling." Some of the community youth workers found the inconsistency in judges' response difficult to deal with. Although it is the judges who are being criticized for their 'ignorance' of the value of risk assessment, the government's response to the inconsistencies reveals little consideration for other significant reasons why the judges may be resisting risk tools.

The Department of Corrections and Public Safety has attempted to prevent the disparity in sentencing by setting up meetings with the youth court judges to provide an overview of the risk assessment research. As one of the government official explains:

Judges are not a homogeneous group. I'm not sure any professional group is, so you have differences of opinion, for sure. All I can say is here's the research, here's the literature... This is how it relates to the requirements in the legislation.

The official explained that there was an additional meeting scheduled for the judges to address how risk assessment relates to case standards. "The more we're able to flush that out, the more people will understand and accept it." This perspective assumes that with education the judges will accept the LSI-SK. It presumes that the tool is transparent, certain and that the judges' lack of acceptance is simply because they do not understand its utility. However, it is possible that the Aboriginal judges' resistance stems from a more contextualized understanding of the utility of assessment tools. As

On November 27, 2006 Judge Turpel-Lafond was appointed Representative for Children and Youth for British Columbia. On December 14, 2006 Judge Marilyn Gray, Q.C. was appointed judge of the Provincial Court in Saskatoon. There are no available details indicating Judge Gray's connection to the Aboriginal community, which may impact the response to the LSI-SK.
several risk theorists have pointed out, "[t]he circumstances specified as 'risk factors' to identify young people likely to become hardened criminals are the characteristics of the so-called underclass..." (Hudson 2001: 164). So despite the "research-based evidence," the judges may be acknowledging the racist and classist potential of the LSI-SK. As the participants confirm, these two judges are attempting to lower the number of Aboriginal youth in custody. One community youth worker in fact complained that the judges refuse to use custody for family service issues, such as keeping a youth clean from the narcotic crystal methamphetamine.

The contradictory discourses of managing and punishing young offenders render judges in a difficult role. As Green and Healy (2003: 51) explain:

On the one hand [judges] must honour the statutory requirement of searching for all reasonable alternatives to custody, and of considering the particular circumstances of Aboriginal youth that have contributed to them coming before the court. On the other hand, they will face frequent requests for custody by the Crown — sometimes for lengthy terms — driven largely by a philosophy espousing punishment as a means of deterring crime.

The judge relies on the community youth worker to point out the available alternatives to incarceration, but these are contingent on an understanding of the young person's level of risk to re-offend. Even if the judge has some sense of young females needs, they do not have the power to order public funds or other resources which would be beneficial (Green and Healy 2003: 149). This was attempted and met with backlash in Saskatoon when Judge Mary Ellen Turpel-Lafond ordered the provincial government to create an in-patient treatment program for a repeat offender who suffers from FAS. This included, as Green and Healy (2003: 206) document, the judge ordering Social Services, Saskatoon District Health, and the young person's community youth worker to collaborate and devise a suitable plan of action. "[T]he Saskatchewan Court of Appeal said in a written ruling that the provincial court judge exceeded her authority" in these actions (O'Connor 2001: A1). In the case of a sixteen year old who pled guilty to using a knife to rob two convenience stores, the Crown and defence agreed on a two-year incarceration sentence. However, Judge Turpel-Lafond did not accept the proposal
because the youth had a difficult childhood and he had been diagnosed with FAS. Instead, Turpel-Lafond placed the youth with an uncle who was a probation officer in a community that she felt was away from bad influences (Blackwell 2003: A1). There were some comments by the research participants that the youth in this case was deemed too ‘high risk’ for a community disposition, which, they claim, was ignored by the judge.

The judge’s role in risk assessment and other legislative changes has also impacted the role of the police. Under the YCJA, the police are charging less, according to the research participants, because they know the youth will be released into the community. One government official states, “the RCMP are feeling frustrated. They go through the time and effort to do the paper work [once a youth is apprehended], for them to proceed to court and have a judge tell them that the kid is going to be released in the community again and again.” Based on the participants’ comments, the police are also having to balance the pressures of fear in society on the one hand, and reducing a reliance on incarceration on the other. As outlined in Section 6(1) of the YCJA, a police officer is instructed to consider if it would be sufficient to “take no further action, warn the young person, administer a caution [or]... refer the young person to a program” before laying a charge or starting judicial proceeding. This discretionary role by the police will be influenced not only by their perception of how court will proceed on each case, but also by the perceived ‘risk’ posed by the girl and her actions.

In sum, the role of the workers and professionals who deal with young female offenders has been affected by risk thinking. Although governmentality theorists are correct that government is less centralized in formal control measures, governmental power in sentencing young offenders has been extended. As this section reveals, stemming from government-level objectives, youth workers, psychologists, judges and police are becoming more rather than less centralized around the discourse of risk (Stenson 1999; Hudson 2001). There are, however, differences in how their role has been impacted. Those whose position relies on government support such as public mental health professionals and community youth workers are more influenced by risk thinking. There appears to be resistance, however, from legal aid lawyers and judges
but the reasons for their resistance require additional research. These professionals may resist the tool because they are acting more in the interests of the young woman than in political or populist interests, they may have more commitment to principles of justice than risk, or they have maintained a position of autonomy to challenge the racist and classist potential of using the tool. Overall, the acceptance of or resistance to risk assessment appears to stem from the degree of contact with the young women dictated by the particular role. This is examined further through the authorities' perceptions of the specific benefits and disadvantages of the tool in the next section.

7.2. Authorities' Perceptions of Risk Assessment

While the above section addresses how the role of the workers and professionals has changed with risk governance, this section is more focused on their individual perceptions of risk assessment. Although the authorities have an official role in relation to risk thinking, their perception of the utility of assessment tools varies based on their experience and degree of contact with the young women. Their perceptions on the benefits and limitations of using risk tools are significant to the assessment process and to the treatment of the young woman.

Although the role of the community youth worker presupposes their faith in risk assessment, there were varying opinions about its strengths and limitations. Most of the workers agreed that the LSI-SK, in combination with cognitive skills training, becomes a tool of self-monitoring and communication for the girls. As one states: “this tool is a great way to communicate with the kids [saying to them] ‘this is where you scored some risk, how could you change it, how could you relate differently with your companions so that you’re not at risk when you are with them’ [for example].” However, in contrast to the official dogma on risk assessment, some of the community workers questioned the objectivity of the tool. Several acknowledged that subjectivity is part of the assessment process. As one community youth worker comments:
We're dealing with things that can't be quantified, like what is 'significant' contact with a negative peer group? Or how much marijuana is too much? When does it cross from being a recreational drug to abuse? As individuals we all have different ideas on those things.

While the Scoring Manual for the LSI-SK provides general guidance on how to interpret each category, the evaluation of risk and the suggestions for course of action are influenced by the practitioner's personal judgment of the offender, the family and interpretation of need areas (Hannah-Moffat and Shaw 2001; Hannah-Moffat and Maurutto 2003). Failing to acknowledge that risk assessments may include racist, sexist and moral judgments is potentially dangerous, especially for high-risk girls.

In order to explore how risk assessment may be detrimental to the girls, I asked the community youth workers if the scoring was ever embellished to produce a rating that signalled a need for custody or for certain services. For example, in a study I conducted in British Columbia, a probation officer explained that they use risk assessment to sway court decisions to incarcerate the youth or to enrol the youth in certain programs by indicating to the judge that the youth has a high risk for a particular behaviour (Barron 2001: 19). However, in the current project the workers did not agree that the LSI is intentionally used to 'fit' the girls into a certain category. Still their comments reveal that the potential exists. As one worker explained, the judge will make quite different sentences for a young woman who scores 'very high' than for one who scores 'medium' risk. "So I think we need to be careful that they are falling in the right category." Similarly, another comments:

We're all human and sometimes we get caught up in 'how high can we go' or 'how low can we go' or 'can we fudge the number a little so that [the youth] can fit into a certain category.' But then we have to constantly remind each other that this isn't what [the tool] was designed to do. It's not designed to slot kids into a place, it's designed to give us information.

One government authority also recognized that there was responsibility on the part of the community workers to prevent the youths from manipulating the process. As she explains, there is room for abuse by the youths: "you have some really skilled kids in
manipulation that would use it, like if they knew they had to drop some of those
categories to get out. They might not do the real work but they'll figure out pretty quick
what they should or shouldn't be saying on how they can do things differently and try
and figure out the test itself." The girls' ability to manipulate the risk assessment process
is considered in more detail in Chapter Eight. But what is key here is that while the
community youth workers and government officials acknowledge the margin of error for
interpretation in the LSI, there is little recognition of the significance of the information
that is being generated by the tool.

Some experienced workers indicate that the information from the LSI-SK is more
beneficial to junior workers. For example, one experienced worker explains that
although the areas of risk/need are very familiar to veteran youth workers and there is no
surprise in how the youth scores on the LSI, the tool may be more useful to a junior,
inexperienced worker who requires information. This suggests that the senior workers
have preconceived notions of the young woman they are assessing. In fact, some
workers said that the LSI-SK is simply more paper work documenting what they already
know. As one states: "we were doing pre-sentence reports previously but we weren't
scoring them... We already knew the youths' risk factors but now it's formalized."
However, the familiarity and experience of knowing the girls' risk areas raises concerns
over the girls' ability to lower her risk score. Based on the content in the girls' files, some
community youth workers have sections of the LSI report which they 'recycle' with other
youth who fit the same profile. Sections were repeated verbatim and one report had the
wrong youth's name inserted in the report. Workers have obviously become very
familiar with a particular discourse and way of describing risk areas such that there is
little variation in the reports, or assessment of the girls. This challenges the notion that
girls' progress towards 'risk reduction' is recorded.

Some of the workers point out that a major limitation of the LSI-SK is the inability
of the youth to change their score. As one community youth worker states: "I don't see a
whole lot of ability for kids to change their rating on the LSI within our short time span
working with them." She explains that she simply points out what the risk factors are
but, as she states, “I certainly don’t dwell on it at all... and I don’t continue to remind them that they’re still at high risk in this area and that area.” This concern over labelling the youth also stems from the difficulty in altering particular risk areas. As one community worker explains:

I don’t agree with the fact that... if [the youth] was ever suspended from school, that’s a risk against them for the entirety of their time. So if they got an official suspension from school when they were in grade eight and they’re now in grade twelve and have never been suspended [since] and are doing very well, we still have to score that as a risk... I really think there should be some time frames in there. I mean just because they’ve had problems and difficulties in school previously but they’ve turned their lives around, why do you still score that as a risk?

This suggests that some elements of risk become part of who the girl is rather than time-specific problems that can be resolved. If this issue is not recognized by the worker, the girls’ level of risk will compounded with each assessment that is conducted.

A process of ‘rolling assessment’ whereby the results of one provide the basis for the next may mean that information, such as progress, may be missed. As Beaumont (1999) explains, “information may be incomplete or unreliable, records are shaped by administrative (not research) priorities and interesting factors remain unexplored because they are not systematically recorded.” For example, in addition to being overwhelmed by the case loads and contact standards under the YCJA, some youth workers are not familiar with the youth and her situation. As one worker explained, when doing remand Pre-Sentence Reports, they often have only ten days to complete the LSI before the day of court.

The problem is you’ve never laid eyes on this kid before and you don’t know anything about her. Of course you phone whoever but who knows how credible they are. You don’t know.

I asked how decisions are then made in these cases and the response was that the report is written based on whatever file information exists or on what the worker can quickly glean from sources who know the young woman. Thus, the realities of the youth
worker’s case loads and time constraints compromise the ideals of an objective assessment.

Some participants argue that these ideals are also compromised by the training structure. There were complaints that the LSI-SK took too long to implement, that the required forty hours of training for the Mastery level is too long, and that only select facility staff will be trained to use the tool. One government official explains that it is not necessary to train all of the facility staff on administering the LSI-SK because they are not involved in case planning. Only some facility staff and all of the community youth workers and their supervisors need to reach the Mastery Level. However, one of the facility Directors disagrees.

My attitude is that if the community youth worker and the facility youth worker are to be equals, you need to have an equal amount of information to make effective decisions.... You need to have them as partners and the only way they can be partners is if they have the same information and work from the same frame of reference.

Although not all of the facility workers have been trained in the LSI-SK, the interview data indicates that they all draw on risk discourse. In fact, several were familiar with or had used other versions of risk assessment tools prior to the LSI-SK. I saw examples of these in some of the girls' files. Orcadia staff, for example, previously used a tool that was developed in Manitoba. As one of the facility Directors explained, during the early 1990s when youth justice was under the Department of Social Services, officials attempted to implement an earlier version of risk assessment based on Andrews' (1989) focus on dynamic factors. However, at the time, Social Services did not want to spend money on incarcerated youth or, in his words, "for kids they had written off" so past tools were used in a more "ad hoc" manner to suggest areas that youths may be at risk. So although some authorities argue that the LSI-SK is compromised by a lack of training for all workers, risk thinking more generally has impacted the language and perception of those working with young female offenders.
The cost-benefit analysis of risk assessment was also discussed by several authorities. One of the community youth workers states:

The rationale for using the LSI is all budget based. Everything we did in the past was viewed as being subjective and subjectivity doesn't get budget dollars. So they needed a tool that's tried and true and deemed as being objective.

This comment reflects the shift from a social to economic style of decision-making (Garland 2001). As Garland (1997: 185) points out, "[t]hese new ways of thinking strip away the sociological and psychological layers in which 20th-century criminology had clothed its conception of the criminal offender and try to rethink the dynamics of crime and punishment in pseudo-economic terms." However, several of the participants view this budget-conscious approach as beneficial to youths.

Several authorities indicate that actuarial tools foster more targeted services to better meet the needs of young women. As one government authority explains, there are very few youths who do most of the crime. It therefore does not make sense to equally distribute resources.

The really good thing about the LSI is it gives you a place to focus. We know these are the risk factors so let's direct services to those specific factors...There is much more emphasis on making sure programs are relevant and on outcome and results than before.

There is an understanding that targeted programming results in fewer resources being wasted on generic programming for all offenders. Moreover, some workers argued that risk assessment prevents the potential detrimental effects from providing programs to low-risk youth which are not required. As one psychologist explains, "research shows that if you give a youth who doesn't need a lot of services too many services, it actually makes him worse."

The tool's ability to accurately delineate between low risk and high risk youths was seen to have other advantages. Some authorities see the main benefit of the LSI as preventing low risk youth from being incarcerated. One of the Directors explains that
with the LSI-SK most of the youths in custody are high or very high on the LSI. This means that custody is no longer being used, as noted previously, for family service issues. He relays a story to illustrate this point. "What was happening [prior to the LSI] is there was no family support so judges... especially from the North, due to a lack of options were sentencing kids [for example] to eighteen months open custody for stealing a bottle of vodka and a Walk-man. It's a true story of a kid from Meadow Lake." He explains that this was not a "protection issue" because the youth was not being abused. There was simply nobody at home to care for the youth. Jail, therefore, provided eighteen months of "care" for the young person. "So the LSI is useful because it should wean all of those issues out. If the kid does not have a criminal record, you need to come up with some other place for this youth." The authority indicated that ironically on the same day this particular youth was being sentenced to custody, one of the local MLAs was also being sentenced for embezzling over eight hundred thousand dollars. The politician was sentenced to a period of probation in the community.

An advantage of risk assessment, according to most of the participants, is that it ensures that custody is reserved for those girls "who need it." The tool is seen as particularly beneficial for high risk youth because, as one government official explains, "we're putting services towards the clients that pose the most harm to the community." However, based on the information in Chapter Four, it is clear that 'services' here mean programs that manage the girls' risk while they are incarcerated rather than resources that the girls need when they are released. For example, those authorities who work most closely with the girls expressed concern that certain risk factors, such as substance abuse, do not get at the underlying issues. As one of the facility workers comments:

I see alcohol abuse as being residual from other issues. So it's a risk factor but the underlying factors to the risk factors are [for example] sexual abuse... So in some ways it limits the ability to put a little more pressure on the kids to deal with those underlying issues. We focus on the treatment, such as AA, but the reality is they're getting hammered every weekend because they've been abused since they were two years old.
Similarly, one of the community homes workers thought the LSI did not get at 'real' issues of risk. For example, in reference to the risk around leisure time on the LSI, she said that she grew up on a farm and was never involved in extra curricular activities but she never committed a crime. Similarly, she pointed out that several people have acquaintances who are involved in the legal system which does not mean that it increases their risk to offend.

What I would like to see identified more in interpreting the LSI is how poverty is underlying those risk factors, like why is something a risk?...[Also] we need to be looking at the impact of being Aboriginal.

These comments point to how the LSI-SK contributes to a process dating back to the 1970s identified as a 'bifurcation of control' (Young 1999; Rose 2000; Garland 2001). As Innes (2003: 11) explains, “the socially included sections of society, when subject to censure for engaging in deviant acts, tend to be subject to reintegrative forms of control, whereas, individuals drawn from more economically and politically marginalized groups, are dealt with via means that serve to reinforce their exclusion” (Innes 2003: 11). There is no denying that a tool which contributes to young people being steered away from custody is beneficial. However, as some of the participants point out, this same tool reinforces the marginalization of some youth by not questioning what underpins their high risk to reoffend.

To summarize, the authorities' perspectives on the strengths and weaknesses of risk assessment reiterate some of the same themes outlined in the first section on who is likely to be convinced by risk thinking and who is likely to resist. However, what this section reveals is that those authorities, such as government officials, who have the least amount of contact with young offenders, are also the ones who are likely to point out the "evidence-based" benefits of using the LSI-SK, such as the contribution to a more efficient cost-effective system. It is usually the staff and workers who have regular contact with the young women who point out concerns over risk assessment such as inadequate time to complete the assessment and impediments to addressing specific areas of risk. Despite the benefits or limitations, it is apparent that the authorities and
workers have embraced risk rationality with little recognition of how the information generated by the tool is in fact constructing the identity of the young woman being assessed. This is further complicated by the authorities' perception of the risky girl, the subject of the next section.

7.3. Change in the Perception of Girls

Despite the fact that the risk tool is challenged by several staff and professionals, the influence of risk rationality generally is more pervasive. This is reflected in the authorities' perception of the young female offender. Although some authorities recognize that an institutional focus on security in managing the risk of violent girls has changed how staff and youths respond to each other, there is also the perspective that it is the girls themselves who have changed and therefore made a focus on security necessary. This section analyzes the perceptions on how young female offenders have become a risk and reveals that a significant impact of risk governance includes new ways of thinking about girls.

Most of the participants expressed that younger girls are increasingly committing more violent offences. As one comments with regards to the girls in Kilburn Hall:

The younger girls who used to come in [to the facility] were much more receptive to talking to staff whereas now some of them come in and it's scary [because] they have such an edgy attitude...I've seen an attitude shift in terms of the younger girls and the formation of anti-social, anti-establishment behaviour...which you wouldn't expect unless it's a more seasoned kid that's been through the system.

One of the Directors concurred that the girls are now more difficult to work with, but statistically, he stated, the age had not changed. He reports that the average age of girls incarcerated for all types of offences in the province was fifteen years and five months old, which has been consistent over the past ten years. This inconsistency between perception and fact reflects how risk thinking impacts expectations about age. As I have documented elsewhere (Barron 2000), definitions of 'youth' are culturally
produced. The fear stemming from ontological insecurity in the age of risk, and, more specifically, from sensationalized cases such as the Jamie Bulger murder by two ten year old boys, has an impact on how we conceive young offenders. So although the female offender population in Saskatchewan is not getting any younger, a heightened state of panic over girls makes our worst fear seem real.

The authorities' perception that girls are committing different types of offences is, however, supported by data from the facilities. One staff who had worked in various capacities at Dojack for eighteen years stated: "When I first started you would see a lot of miscellaneous offences. As the years went on [the girls were committing more] property offences and now a lot of their offences have to do with violence and fighting...." As one Director explains, in 1992-93 they would typically see half of the young women incarcerated for property offences but now most of the girls are incarcerated for offences against the person. This is supported by official statistics (Canadian Department of Justice 1998) but as Reitsma-Street (1999) cautions, the shift needs to be contextualized by changes in youth justice policy and the fact that the increase is in minor or moderate assault rather than in serious violent offences. For example, as one of the facility staff comments, "girls were always uttering threats, but now they're being charged for it."

Similarly, "A One-Day Snapshot of Aboriginal Youth in Custody Across Canada" conducted by the Department of Justice Canada (2001) indicates that in Saskatchewan 48% of Aboriginal girls in comparison to 30% of their male counterparts were convicted for an offence against the person. As the authors point out, "[a]lthough a larger proportion of females than males was convicted of a crime against the person, the data suggests that males committed offences that were more serious. For instance, males were most likely to be guilty of robbery, while females were most likely to have committed an assault" (Bittle, Quann, Hattem and Muise 2001). Despite the qualification in actual risk of harm, the current climate of 'zero tolerance' fosters an understanding that even minor aggression has increased the risk posed by girls. For example, Ontario's policy of "zero tolerance" of violence in the school system has substantially
increased the numbers of girls brought to court for minor cases that would have likely been ignored in the past (Doob and Sprott 1998). Moreover, based on their analysis of Youth Court Survey data in Canada from 1991 to 2000, Sprott and Doob (2006: 73) argue that "the increased proportion of cases involving girls (found guilty) is due more to a decrease in the rate of finding boys guilty than to an increase in finding girls guilty." In other words, the actual rates of offending for girls are relatively stable but the current perception of female offending is influenced by the fact that the rates for boys have decreased.

The confusion over how violence is defined may contribute to the perceived increase in the riskiness of girls. One community youth worker laughed when I asked her what constitutes a violent act. She responds:

I’m laughing because I haven’t seen a definition of violence period. I walk around the office asking ‘can somebody define violence’ because it has been left as being very subjective. You’ll have a very different view from the Crown prosecutor, from the defence, from any particular lawyer on any particular day, and from any youth worker. You’re going to find different definitions for it.

She explained that it is particularly frustrating when writing Pre-Sentence Reports.

We have to adhere to the sentencing principles of the YCJA and not one of them speaks to [determining] if it’s a violent act. So we’re always questioning ‘well is it or isn’t it?’ Some worker will say ‘it’s just a common assault so it’s not violent.’ Other people don’t call ‘threats’ violent. So it’s all over the map.

She indicated that the debate over how to define violence also occurs in court. A government official disagrees with her perspective stating that violence is clearly defined in the Criminal Code as physical violence. He argues that rumour mongering, gossip and threats are harassment, not violence. This variety in interpretation has significant consequences for how the information from the case conference is perceived by the community youth worker. The final LSI report and risk score, which is presented to the judge for sentencing, will vary based on how the worker interprets any aggression by the young woman.
There were other policy issues which the participants claim may influence their perception of girls. A lack of 'chivalry' in the courts is identified as a possible explanation for younger girls in the system. As a government official speculated: "I don't know if it's less tolerance on the part of the community and the court system whereas before maybe they felt sorry for the girls and they didn't end up bringing them into the system until they were older." However, historical research suggests that girls were treated more severely than were boys. For example, under the JDA girls were most often brought into the youth justice system and incarcerated for minor status offences such as "sexual immorality" whereas boys were more likely to be charged with Criminal Code offences. Chivalry is also a non-issue in the age of risk because gender is irrelevant in calculating the risk to reoffend. The research on which risk assessment tools are based argues that factors which contribute to criminal behaviour are the same regardless of gender (Bonta 1989). The understanding that girls are as risky as boys, in combination with the perception that girls are becoming more violent, may foster a reaction that girls do not deserve 'preferential' treatment. As one community youth worker stated, "with risk assessment, girls are automatically given custody sentences for things the justice system can't ignore such as assaults." In this context chivalrous behaviour by the court would be a risk.

The participants also referred to 'old' ways of thinking about girls which do not reflect risk rationality or the idea that the level of violence has increased. Some authorities argue that girls have always been violent but it is the response that has changed. As one government official who was a former facility worker points out:

I remember years ago the girls unit being involved in riots where girls were attacking each other, going after staff.... People like to think that things change but I'm always cautious about that because as you get older, your point of reference changes. I mean there were knives at school when I was younger...but we’re adults now with [our own] kids so it scares us because we think that’s our kid at school so we react in a much more conservative way just by virtue that we've gotten older.

This comment acknowledges the tendency for adults to 'romanticize' past childhood behaviour, particularly in a climate of fear and panic (Barron and Lacombe 2005; Barron
2000; James 1993). As Davis (1990) points out, categories of youth are used as "projection screens" of adult fear. Similarly, a different government authority who had years of experience at Dale's House, an open custody facility, stated: "we had a lot of girls there who were sentenced or were under the Family Services Act [who] had been involved or charged with very violent offences including murder... So we did see our fair share of very extreme cases but it was under a different type of legislation." It is inconceivable in the age of risk that girls who commit murder could receive an open custody sentence. It is clear, however, that this type of sanction would greatly reduce public perception that they are a risk.

The girls' capacity for violence is said to stem from a variety of issues, all of them confirmed by the girls in Chapter Three. Several of the workers and professionals I interviewed perceive the increased use in drugs, and especially intravenous needles, as a key reason why girls are committing aggressive offences. Gang involvement and especially the girls' role in violent activity associated with the gang is another factor cited by participants. One of the Directors reported that most of the violent charges against girls ten years ago were connected to incidents in the sex trade. He explains that whereas violence used to be in the context of girls assaulting their male clients, it is now more likely connected with gang activity. Others saw the acceptance of violence in society, and the easy access to gangs, guns and other weapons, as making violence more "accessible" to girls. One result of accessibility, as a community youth worker explains, is that the progression to violence no longer involves a gradual increase in offending. For example, one of the young women in this study was charged with attempted murder and it was her first violent offence. However, even those authorities who thought girl violence had increased qualified their response with a recognition that a change in girls' behaviour often stems from an increase in abuse and violence at home. As one Director explains:

If you're victimized and victimized, eventually the only way you can protect yourself is to fight back. That's what is going on these days is these kids are now [saying] I'm going to stand up for myself and the only way that I can see that I have power is to lash out. I'm in control if I'm
wielding a gun or I'm in control if I freak out. When it hurts inside, somewhere it's got to come out and unfortunately it's [through] violence.

Thus, the authorities' perception of why young women engage in acts of violence reflects the areas of risk identified on the LSI-SK, such as substance abuse and procriminal attitude, but there is also an understanding of some of the underlying issues which contribute to the behaviour of girls.

Overall, this section reveals the impact of risk governance on how workers and professionals in the youth justice system have changed their perception of young female offenders. According to the statistics, girl aggression has increased but a critical analysis of official statistics does not support the argument that girls are more violent (Doob and Cesaroni 2004; Reitsma-Street, Artz and Nicholson 2005) or are a threat to public safety. Despite the minor nature of most offences 'against the person', the knowledge that there is 'an increase' has impacted the staff's sense of security both inside and outside the youth facility. As one worker states: "My friends describe my home as Fort Knox" because of the bars he has installed on the basement windows, the security system in the house and the anti-theft devices he has for his car. "I worry about my wife and kids...that's what has changed since working here." This illustrates that with risk awareness, some authorities have come to think differently about girls and what they are capable of. However, the authorities' perception also reflects old ways of thinking about girls. As one of the teachers notes, "you're still talking very small numbers...Most of the girls are prostitutes so a bigger concern is the abuse, needing money, and not having parents." The neglect and abuse experienced by the young woman is often discussed in a wider context of 'problems' with Aboriginal communities, the subject of the next section.

7.4. First Nations and 'Failing Families'

One element on which there was no variance in the authorities' perception was that past and present young female offenders in Saskatchewan are mostly Aboriginal.
One of the community home workers, who has experience in the system dating back to
the late 1980s, indicates that there is not one non-Aboriginal girl on the case load of the
entire office. “It’s still surprising when you see [the numbers of Aboriginal youths] and
you think ‘oh, it’s as bad as I thought.’” She felt that the numbers reflect the struggles
with racism and the continuing impact of the residential school system. While some
participants were very vocal about the tensions between Aboriginal and non-Aboriginal
groups in the province, others would only make “off the record” comments. As outlined
in Chapter Two, this reticence made ethical decisions around reporting this information
difficult. Although the job description of each participant is significant to their perceptions
of the race issue, I have used the generic term of ‘authority’ to introduce some
quotations in this section to protect the identity of the speaker. In addition, the voice and
perspective of First Nations leaders is regrettably missing on several key points. When I
began the project, I was well aware that race would play a significant role in the findings.
I did not, however, anticipate the disclosure of personal political perspectives on several
issues which require additional research. With these caveats in mind, this section
highlights how a significant impact of risk rationality on the staff and authorities in youth
justice is an increase in racial tensions. Changes in late modern criminal justice
departments, including cost-conscious crime control strategies and an emphasis on
‘prudentialism’, have produced race-related conflicts around ‘responsibility’ for youth
crime.

An economic- rather than social-style of reasoning (Garland 2001) in risk
governance contributes to concerns over a quickly expanding Aboriginal population in
Saskatchewan. Several participants in this study referred to the idea that, as one
expressed, “prejudice and racism is alive and well” in the province. It is expected to get
worse as a predominantly white population adjusts to the projected increase in the First
Nations population. The Federation of Saskatchewan Indian Nations reports that the
Aboriginal population in the province will increase threefold within the next fifty years. “It
is projected that the Aboriginal population in Saskatchewan will increase from 135,000
people in 1995 to 434,000 people in 2045. By the year 2045, Aboriginal people will make
up approximately 1/3 or 32.5% of Saskatchewan’s population compared with 1/10 or
One of the biggest issues (which is often misunderstood) fuelling the prejudice is the lack of taxes paid by First Nations. As one authority commented, "I wouldn’t doubt if we saw a civil revolt happening" over the issue of money and youth justice.

Although most of the authorities mentioned the historical injustices imposed on First Nations, it plays a limited role in their understating of difficulties in the youth system. For example, several authorities express frustration over what they perceive as a lack of involvement of the First Nations leaders and community members in addressing the current concerns over youth and young offenders. The issue, as they explain, is especially worrisome considering the growth in the youth population specifically. Young people aged 15 to 24 years will increase 71% by the year 2011 (FSIN 2000:18). As one community youth worker stated, "I think the Aboriginal communities should be taking more of an active role...but I don’t see a lot of people stepping up to the plate in the youth justice end of things. Where are they in terms of community monitoring?"

Similarly, one of the authorities who had extensive experience working with First Nations youths from front-line to supervisory positions in both Saskatchewan and Northern Manitoba indicated that the level of victimization of girls has increased and that the responsibility to correct the impact of victimization needs to come from First Nations families.

I think we’re seeing more and more kids coming from unhealthy lifestyles or parents. I mean as much as I understand the impact from the residential schools and the response that ‘well the white man has done this to us’, at some point I think you can only say that for so long. Eventually [First Nations] are responsible for their own actions and shitty things have happened all the way [through] history for every race...At some point in time they have to say ‘okay, I’m responsible for my actions and no, my kid is not in trouble with the law because of residential schools, [she’s] in trouble because I screwed up and I was drinking and partying and allowing that child to be sexually abused...Once some of that ownership happens, I think people will be better off. Instead of blaming residential schools, as much as I agree that it had its issues and problems, it’s been done and over.
This perspective on wanting to ignore problems stemming from past injustice contains several complex and problematic issues, particularly for responding to the young female offender. As Gill (2002: 159) explains in her article on "The Unspeakability of Racism," policy, law and those who administer them "can produce and sustain a racial social hierarchy by ruling violent histories of Aboriginal dispossession as being out of order and irrelevant." The desire to 'normalize' racial inequalities in the response to young Aboriginal women has significant ramifications for their sense of self, as outlined in Chapter Eight.

Risk thinking and the associated focus on targeted services and fiscal management contribute to an intolerance of 'dependency' on government resources. The problem, according to some authorities, is not a lack of resources but rather how these resources are utilized. One respondent explains that there needs to be a philosophical shift in the allocation of resources "to change from dependency-built programs designed to address needs, to programs that evolve out of community capacity and strength." She wants to see First Nation community leaders use government monies for a different purpose:

Instead of having them ask 'can you hire us a worker to work with these kids' [they would say] 'we've got sixteen people in the community who are organized to provide various services to youth. Could you support us by buying a van and providing transport money because we would like to take them to sweats and cultural camps?'... We identify need and strengths with individuals, the community can do that as well to build on its assets... otherwise nothing fundamental changes and you're sending a kid back to the community and the conditions are no different.

It is interesting how the assessment procedure conducted through LSI-SK is a suggestion for how communities should manage their resources. In a climate of prevention and forward-thinking, the complex history of First Nations' forced dependency on government has little relevance.

Aboriginal involvement in Correctional programs is complicated by issues of control and power by government but some situations are interpreted as simply
reflecting a lack of desire to participate in addressing the needs of youth. One authority had experience in taking youth back to the reserve after they had spent time in an adolescent inhalant abuse treatment centre. She indicated that she would set up something similar to a healing circle. Some communities were “gung-ho” and several members would participate in reintegrating the youth whereas other communities, as the authority recounts, would “expect me to come in and fix me, fix us, fix our kids....” However, government-driven ‘solutions’ can in fact reduce local responsibility and compound community problems. As Tudgen (2000) explains, ‘learned helplessness’ stems from a history of authority-undermining responses and loss of local roles (cited in Hunter 2006: 27). The resulting social problems foster frustration in both the authorities and community members because the demands are excessive in relation to the services available.

The need for First Nations to deliver their own programs is increasingly recognized but the communities vary greatly in their resources and ability to deal with young offenders in their midst. The allocation of resources is influenced by the fact that more First Nations people now live in urban rather than rural reserves. While most of the girls in this study live in urban centres, they did not specify whether their home was on reservation land. Only six of the young women live in rural reserves. One government official explains that in Regina, for example, 80% of the community-based services are now delivered through Aboriginal agencies. “We use alternative measures in Saskatchewan at probably the highest rate of any province in the country and...we’ve made an effort to ensure that it is delivered by Aboriginal agencies such as Tribal councils and community-based agencies.” The services are described as “status-blind” such that they are offered to non-Aboriginal youth as well. In Prince Albert the Aboriginal based Grand Council is responsible for coordinating all of the community referrals and distributes the cases to the different agencies. As the official explains further, they tend to deal with the less serious crimes but serious issues can be dealt with through mediation in the form of a group conference that is designed to meet the specific needs of the case. In addition, “a lot of the Aboriginal justice issues that crop up in the YO system are dealt with through the justice position in FSIN... So there is quite a
lot of consultation and program delivery by the Aboriginal community and that will expand as time goes on." These services are promising for urban reserves but there is less confidence that the situation will improve in rural communities.

Programs in rural areas present additional complications. One of the community youth workers who has youth from three reserves in the Yorkton area on her case load states that one reserve has set up a program, Circle of Strength, through the department of Mental Health. The reserve has hired two First Nations social workers and the program was reportedly working well. However, some youth do not want to attend because, as she explains, they "feel uncomfortable because they don't believe that there is confidentiality...They think what they say is going to be repeated." There is also a problem of continued funding. The Codie reserve, for example, has the Sohto Healing and Wellness Foundation which, the worker explains, is "hit and miss." It has useful programs when there is money to run them. The other reserves have less. As she states: "we try to do our best to utilize those programs and a lot of times you accept services that wouldn't meet the standard in a larger centre." This implies a troubling apathy towards the resources and programs available on reserves. It also raises questions over how risk thinking influences those standards on which funding is based.

The standards for 'effective and efficient' approaches with youth appear to foster tensions over what is deemed appropriate. Although the authorities recognize the positive potential for some programs delivered by First Nations, they indicate that the programs are not being implemented properly by those responsible. One particular point of contention is a contract in place between the Department of Corrections and Public Safety, who provide the funding, and the Yorkton Tribal Council who use the funds for two Reintegration Worker positions, one in the south part of the province and one for the north. The positions reflect the YCJAs emphasis on reintegrating youths from the detention centre back to their home communities. The workers, who must be Aboriginal, are supposed to establish a relationship with the youth prior to their release from custody and then continue that relationship as they reconnect the youth with the community. These connections may include "links with the Elders or even recreation activities so the
kid goes back home and feels welcome," as one authority describes. The difficulty for
the youth, as explained by one authority, is that the cultural coordinator and the staff in
the facility work to have activities such as sweats and drumming groups while the youth
is incarcerated, but when she is released, those resources are no longer available. The
reintegration worker is meant to act as an 'aftercare' resource to bridge that discrepancy.

According to a few authorities, the reintegration workers are not fulfilling their
obligations. As one comments: "None of this is happening and yet we've had these
positions in place for three years." Each reintegration worker has ten youths on his or
her case load, but, as one authority commented in frustration:

They haven't made contact with three [of the youth] who are sitting in this
building. If you can't make contact with them sitting behind a locked door,
how the hell are you meeting with the other seven...I mean it should be
fairly easy to see each kid twice a week.

I also heard complaints about the quality of the reports and the lack of accountability
over recreation monies. As Garland (2001:188) points out, managerial discipline and the
pressure to receive 'value-for-money' have produced a context of economic rationality
that is powerful in criminal justice. Although I did not have the opportunity to interview
the reintegration workers, one authority states:

They will tell you that we are stepping on their toes, that if we just let them
run the show, they were doing fine...They will blame that there's not
enough money...there's all sorts of excuses for why nothing is going on.

I cannot comment on this particular conflict but I did witness other situations in which the
undermining of Aboriginal agency by government was clear.

Risk governance demands that services for youth be constructed within a
particular standard. Although I had heard several authorities call for First Nations to be
more active in dealing with youth offending, it became apparent through a Justice
meeting I attended on Onion Lake First Nation that there is a very specific, government-
approved model of intervention. The 'Onion Lake Tribal Justice and Corrections and
Public Safety Meeting brought the two groups together to discuss service delivery issues related to youth justice.

The content of the meeting, as well as conversations prior to and after, clearly illustrate a tension over control and paradigms of justice.

One of the issues concerned the responsibilities of the day program worker. The Department of Corrections and Public Safety has a contract with Onion Lake in which CPS funds a day program to provide supervision and support for high-risk young offenders serving the community portion of their sentences. Similar to service providers in the city, the day program person works in partnership with the community youth worker in the region, to meet the contact standards (every forty-eight hours) required by the court. The rationale is that it is more useful for the youth to have contact and activity with someone from the reserve. The feedback I received from the community youth worker and the other government officials is that they value the day program worker and the positive influence she has with the young people in the community. However, one of the concerns expressed at this meeting was that she was not handing in the 'contact records' to the Department which were required as part of the contract. The Onion Lake Justice Coordinator stated that her case loads were too high. He pointed out that in the CPS contract the case load is supposed to be a maximum of twelve youth but she had sixteen on her case load. This was not acceptable to the CPS authorities who countered that the wording in the contract also indicates the number may be higher if necessary and that sixteen is still far below the standards, in which case loads are 25-35 youth for workers in the city. In keeping with a managerial approach to risk, it appears therefore that the government's concern was more focused on the quantity, and documented evidence of the meeting, than on the quality.

The government asserted its authority on the need for risk management in all of the proposals by the First Nation members. For example, the Tribal Justice Coordinator stated that the community wanted to explore the possibility of emergency shelters for youth – one that would differ from the community homes program because it does not
accept those youth charged with violent offences. The response from one CPC member was that a shelter would be subject to a ‘home study’ conducted by the community home worker before approval because there was “still a need to set government limits and boundaries.” Similarly, the Tribal members indicate that one of the biggest issues facing the reserve was female violence and gang-related activity, particularly in the school. They had decided to implement a crisis intervention plan which moved away from punishing and simply kicking the girl out of school. Instead, the Directors of the various social services on the reserve agreed to always have one or two professionals available to implement a safety plan and provide resources based on the young women’s needs. Again, the response from the CPS member was that someone from Justice, such as the day program worker or the community youth worker should also be involved in the intervention. Although the justice officials are simply fulfilling their responsibilities, their response to the proposals for risky youths reflects Hudson’s (2001) concern that justice is now less important than risk. “The politics of safety have overwhelmed attachment to justice in the institutions of late-modern democratic polities. If someone, or some category of persons, is categorized as a risk to public safety, there seems to remain scarcely any sense that they are nonetheless owed justice” (Hudson 2001: 144).

The youths on the reserve were not the only risk. The government expressed the need to prevent the potential risks posed to the youths by community members to the youths. For example, the Tribal Justice Coordinator indicated in the meeting that they were interested in organizing a volunteer Big Brother/Big Sister mentoring program for youth in the community. He stated that they had several members “who are in good standing in the community” and who are interested, but they needed money for transportation and activities. The day worker, in a subsequent phone interview, also commented on the proposal and stated that the youth are desperate to have someone to talk to. The response from the CPC members was that although it was a good idea, all of the volunteers would have to be subject to a criminal record check, a child welfare check and they needed to be a “good type” of role model. The Tribal member said he would ensure that the checks were done but it was apparent that there was still concern from the authorities. These concerns stemmed from the fact as I was informed after the
meeting that the person previously running the day program was charged with sexual assault and that sexual abuse by community members was an on-going concern. The CPC official explained that ensuring the young offender's safety is "a huge liability issue" for and responsibility of the Department.

The government's mistrust in those delivering services to youth on the reserve was particularly evident in some comments made in regards to the 'risk' posed by some First Nations Elders. Because several Elders are survivors of the residential school system, they too are dealing with past experiences of sexual abuse. I heard a few comments from both white and Aboriginal staff that some Elders in the province are former sex offenders so the staff do not feel comfortable leaving the girls alone with them for counselling or spiritual teaching.

The Elders are also considered a risk because they are not seen by some to have 'professional standards.' The HRVYOI program considers the involvement of Elders but, as one psychologist explains, "there are no professional standards for elders yet... I believe that [the Elders] have a lot to offer but some say that they're going to visit the youth and they don't... The most important thing for these kids is consistency." Similarly, a different psychologist indicated that having more cultural options in treatment would be helpful to connect a youth with their heritage if they're interested, but it would have to include, as she states:

Bona fide elders... because, I mean, there are people who go around masquerading as elders... I think it would need to be a government-run facility that provides [cultural activities] to give youth positive socialization experiences...[and] addresses victimization issues and other types of mental health issues. I would really like to see something like that, for a psychologist to work in conjunction with those types of people... To help with problem impulsivity, problem solving deficits, anger management... some of us are better trained for that than others.

These comments imply that Elder teachings alone cannot address mental health issues in youths. Moreover, the authorities fail to acknowledge that there are in fact standards
which need to be met to become an Elder. In risk governance, these standards may not be deemed 'professional' because they are not approved by a government agency.

The different styles of teaching, delivering services and responding to crime between Aboriginal and non-Aboriginal groups is a well documented problem (Razack 1998; 2002). As one community youth worker comments:

We’re very stuck in our own system of a,b,c and doing things as 1,2,3... First Nations work in a very different way than we do so there isn’t the same kind of accountability that we would have in [a mainstream program]. I think you have to accept that when you work in a Native community, they need to find their own way of doing things and their own way of delivering services and as they become more professional, I think we’re going to see a better quality of service... A lot of these people don’t have a lot of training but as they gain it, hopefully they’ll be able to work in a more accountable way. And sometimes, the informal stuff really does work well for some kids.

Although there is recognition of 'difference' in style in these comments, it is not based on a position of 'equality.' I was invited to sit in on one of the sessions given by an Elder in the custody facility and it was apparent in his teachings and in the Justice meeting that I attended, as well as in Corrections manuals that include First Nations perspectives, that Aboriginal ideals are integrated into youth justice but only in a way that is in keeping with the recipe for late modern penality.

The Elder whose session I attended emphasized the need for the girls to become prudent individuals. He explained the ‘Circle of Life’ and the responsibilities that each phase of life contains. He emphasized that the girls "need to make better choices in their life style." The Elder concluded the session by stating to the girls that they are now in a justice system that is "very lenient" and is trying to help them. "The rules are there for your benefit." He explained further that although the girls may not have learned from their own mothers, they are going to have to learn parenting skills for when they are mothers. The “Indian way,” he states, is that they all have a responsibility to take care of each other and to treat each other as sisters.
One way in which Aboriginals are involved in a more 'responsibilized' manner in dealing with young offenders is through the Community Homes Program. As one worker explains, at one point 60-65% of the placements both on the reserves and in cities were with Aboriginal care givers. "That was a good option because it was contracting Aboriginal people to deliver a residential service. Although there is decreased use of community homes and less money invested in the program, one of the workers states that currently "some of the best community homes that [we] have are on First Nations and that's primarily where we recruit. They are people who have survived and thrived and are Elders in the community who are now able to play a really great role with troubled youth." This positive regard for Aboriginal care givers in the context of Community Homes indicates quite a different opinion on their capacity to help once they have passed the necessary safety checks. This is in stark contrast to the discourse on the risk posed by the families of the offender.

A significant impact of risk governance on the authorities is their attention to 'failing families' (Pitts 2001) when discussing Aboriginal young offenders. Although an emphasis on 'bad' parenting, and in particular mother-blaming, has existed historically in professional and popular debate over youth deviance, the content of the 'blaming' discourse changes with political and policy shifts. In late modernity, an emphasis on 'prudentialism', or privatized actuarialism whereby the state has retracted its role in managing the risk confronting the populace (O'Malley 1996: 199), has resulted in a renewed emphasis on blaming families for youth offending. As Pitts (2001:177) states:

In the 1980s the 'family', and in particular the criminogenic, lower-class, 'welfare-dependent' family, became a key focus for neo-liberal politicians and a newly emergent neo-liberal intelligentsia. Their lament, in essence, was that the rules of civilized social life were no longer observed, that absolute moral values and their associated norms and practices had been trashed and abandoned....

There is no denying that families play an important role in influencing children's social behaviour, judgments and actions. However, ascribing causal primacy to the
'criminogenic' lower-class, and in this case racialized family, results in the 'fallacy of autonomy' (Currie 1985). As Pitts (2001: 179) explains further:

This is because it denies or ignores the relationship between socio-economic stress, neighbourhood poverty and the biographies of young offenders (Braithwaite 1979 and 1981; Field 1990; Hope 1994; Wikstrom and Loeber 1997; Sampson et al. 1997; Pitts and Hope 1998; Hagedorn 1998; Young 1999), the peculiar, mutually-reinforcing, negative contingencies set in train by socially deviant acts perpetrated by lower-class children and young people (Hagan 1993; Sampson and Laub 1993), and the roles of state agencies in the construction and amplification of their 'deviant careers'. (Muncie 1999; Goldson 1999 2000)

Thus, although significant problems exist in the families of young female offenders, there needs to be an understanding of how these problems are constructed within a particular social, political and cultural context, rather than being a focus of blame.

Several authorities wanted to see larger familial changes in the First Nations communities, but the political and logistical obstacles were rarely mentioned. For example, one of the community youth workers stated that she would really like to see Healing Camps established in Northern Saskatchewan "where the entire family is absorbed into their culture and brought back to the...true meaning of their culture and perhaps come back healthier." Similarly, an Aboriginal staff indicated that FSIN should be more involved in how First Nations are caring for their children, and focus on the family, rather than criticizing the custody facilities. However, I was informed by a government official that several proposals submitted to government by First Nations include custody facilities, cultural camps and programs with residential components but few are approved. When I interviewed the day program worker on Onion Lake First Nation she stated that the least enjoyable part of her job was trying to secure funds from government. It is a slow process, she says, because government officials "don't understand where the problems on the reserve come from...We have a lot of people trained through SFIC [Saskatchewan Federated Indian College] and some of them are just sitting at home with no job." The Aboriginal worker recognized that her communities, as she states, "still face so many issues stemming from the residential
school system, particularly the lack of parenting and continual abuse." But, she says programs need to be developed from the experience and understanding from First Nations and run by their people.

The attainment of self-government for First Nations would correct an imbalance in power regarding youth justice, but some participants indicate this will not occur for several reasons. As one authority commented "apart from Onion Lake, many First Nations in this area are very small and fragmented from each other. They do not work together so they don't have a strong collective voice and that is problematic for them in achieving as much as they might be able to." She said that some communities try to develop their own unique programs, but they still have to rely on provincial and federal funding. "I don't know how they could get away from that because they aren't developing businesses to support social programs...I see people trying but the layers of oppression [result] in pressing each other down."

Some authorities question if self-government is truly the desire of Aboriginal leaders. There were some 'off the record' comments that leaders in the Saskatoon Tribal Council, for example, are "playing a political game" whereby they use the media to broadcast their desire for self-government but there is in fact no willingness behind the scenes to deal with high-risk, violent youth. As one government authority claims:

In our dealings with FSIN, they politically may say 'yes, we want a separate justice system,' [but] in reality they are very happy with the partnership model...The Aboriginal community and [those who operate the] service delivery program do not want to run secure custody facilities.

There had been some proposals put forth by, for example the Métis Nation, to run an open custody facility but they have not been approved. FSIN operated the Drumming Hill Youth Residence, an open custody, fourteen bed facility, which was open for a time on the Sweet Grass Reserve near North Battleford but, as one government authority indicates, they realized the difficulties in running a custody facility. "You have to deal with all the issues, not the least of which are acting out [behaviour from the youths] and things like restraints...as well as union issues from that whole contract of services." The
desired vision of youth justice by First Nations is an area that requires further research. However, through my observations of the meeting with First Nations community members and government officials, the lack of desire by Aboriginal communities to self-govern is not the issue. Rather, it appears that the authorities fear the 'risk' in considering alternative modalities that may contrast with the established framework. Drawing on Garland (2001), a 'sovereign state' approach is fuelled by symbolic and political concerns rather than by a careful consideration of the outcome for Aboriginal girls and their families.

In sum, First Nations in Saskatchewan have been constructed as a risky population. Dysfunctional home lives, poor parenting, rampant sexual abuse and dangerous lifestyles are identified as contributing to the high numbers of Aboriginal youths in custody. Moreover, the exponential growth in population is predicted to compound these issues. Risk rationality fosters the tendency by authorities to limit the significance of historical and cultural contributions to these problems. Risk discourse dictates that the focus must be on preventing future risks rather than worrying about past injustice. Officials indicate that they encourage the participation of First Nations in helping young offenders but the members and proposals must pass government risk assessment. These safety standards are difficult to challenge as racist because they are presented as evidence-based, responsible practice. In fact, the research on risk assessment claims that race is a non issue. Questioning the government's control is not to deny the crucial need for child protection standards, particularly with regards to sexual abuse issues faced by many First Nations communities. However, the limited understanding of 'safety' precludes alternative ways of thinking about how to respond to young offenders and therefore becomes a mechanism of marginalizing the risky girl.

In conclusion, risk governance has impacted the staff and professionals who work with young female offenders in ways that contribute to her exclusion. Foucault (1979) traced the role the experts played in the historical shift from punishing the body to reforming the soul of the offender. In late modernity, that professional role has been transformed again. The authorities' responsibilities have been altered in ways that
support thinking about the violent girl as a risk to be managed and treated. Community youth workers and psychologists alike collaborate as a team to respond to young women based on the 'objective' knowledge acquired through risk assessment. However, as this chapter reveals, the degree of familiarity with the youth, work experience and personal bias can all influence the final result. Bias may also stem from the impact that risk thinking is having on relations between government officials and Aboriginals.

Although there is a new culture of crime control, it is important to also recognize that the "new practices and mentalities co-exist with the residues and continuations of older arrangements" (Garland 2001: 167). There is resistance to risk rationality by all levels of authorities, which not only reflects 'old' ways of thinking about girls, but also highlights the problems involved in thinking that race has no bearing on whether a young woman will reoffend. In particular, the rejection of the LSI-SK by Aboriginal judges in Saskatoon appears to stem from a desire to correct the results of over-incarcerating Aboriginal youth.

In addition to limiting the number of Aboriginal girls in custody, another benefit of this resistance is that it maintains a much needed space for critical reflection and debate in the response to young female offenders. Although the governmentality theorists argue that the criminal justice state is becoming less centralized, this research reveals the power of the government in rendering risk discourse hegemonic. Without resistance there is the potential for risk tools to acquire a dangerous degree of autonomy. As Silver and Miller (2002: 144) explain:

Using computerized data systems, risk information could be channelled and processed in a manner completely outside the influence of professionals trained to engage individuals as individuals (e.g., psychiatrists, social workers, etc.) By combining actuarial risk assessment technology with computer technology, these practitioners would be rendered subordinate to the objectives of risk management policy. Actuarial risk assessment thus augments administrative rationalization and control.
The newness of the model in Saskatchewan makes it difficult to predict how the impact of risk rationality on the authorities will evolve. It seems reasonable to assume, based on the history of interventions with girls, that if risk assessment becomes a standard and familiar practice, resistance will be difficult. The result is that the 'risky girl' identity will solidify in the minds of those who work with young violent girls. The impact of risk rationality on the young female herself is considered in the next chapter.
CHAPTER 8.

THE IMPACT OF RISK GOVERNANCE ON THE SUBJECTIVITY OF THE VIOLENT GIRL

As outlined in Chapter Two, risk theory provides a variety of suggestions for how risk thinking impacts penal discourse. For example, Castel (1991) argues that the subject disappears for the professionals in the age of risk and the governmentality theorists argue that the technologies of surveillance create risk subjects. Although these perspectives are useful for theorizing about the impact of risk rationality on official discourse, they do not examine how risk governance impacts the subjectivity of those most affected by the discourse. In fact, very little empirical work indicates how subjects govern themselves in the age of risk. Risk theory is therefore limited when applied to the everyday context of young female offenders. In particular, risk theory does not reveal how formulations of risk are imbedded in gender, race and class politics (Chan and Rigakos 2002) and whether ‘risky’ girls internalize or resist this new identity. This chapter therefore considers if the girls’ sense of self is different from the images and knowledge created in the age of risk.

The first section analyzes the interaction between risk discourse and systems of representation to demonstrate how risk becomes gendered and racialized. This process stems from a new form of power in late modernity. Following Foucault’s (1979) seminal study on the shift from sovereign power to disciplinary power, there are further shifts towards informational and mediated power in risk governance (Urry 2002).

Citizenship and social order have always depended upon relations of mutual visibility between the citizen and the state. But by the 21st century citizens are subject to informational mediated power, forms of power that are complex in their mechanisms and consequences. (Urry 2002:60 emphasis in original)
This power is 'technologized' with the development of mass media and global sharing of information and images. I consider how this power shapes an understanding of the risky girls' gender, sexuality and race in ways that contribute to their marginal status. The second section illustrates how the girls govern themselves in the age of risk. Although the girls' use of risk language is limited, it is apparent that their self-governance stems from knowing the consequences of risky behaviour. Thus, they both resist and reproduce risk identities described in official discourse. Overall, this chapter provides a more complex and grounded theoretical picture of the impact of risk governance on the subjectivity of young female offenders than that offered by the risk experts or theorists.

8.1. Systems of Representation

There is a common misperception in popular and academic discourse that girl violence is an objective condition. However, historical, cultural and structural factors contribute to our contemporary perspective of violent girls and to their understanding of self. As cultural criminologists argue, most mechanisms that construct our understanding of girls are found in the codes, symbols, rituals and images transmitted and reinforced by media, experts, and relations between young women and, in this case, between girls and Correctional authorities. There has been little consideration by the experts of how risk thinking interacts with other discourses characterizing girls. As Hannah-Moffat and Maurutto (2003: 14) argue, “one of the often disregarded restrictions of risk/need assessments is their reliance on a multitude of subjective/moral judgments about the youths’ character and [her] lifestyle.” It is important to explore in a site-specific way the meaning of gender, sexuality and race as they construct the girls' identities in shifting positions of power. By drawing on ideas from both cultural criminology and feminist legal theory, this section highlights how risk discourse interacts with 'mediated' and popular perceptions of aggressive girls to represent gender, sexuality and race in ways that have exclusionary effects on young female offenders. These effects include the reassertion of older stereotypes, which present violent female offenders as no different from their male counterparts or as sexual deviants, and an association of race with crime. In a similar vein to Bonnycastle's (2004: 177) findings on treatment for sex
offenders, risk management technologies create new ways of being a violent girl and tying inmates to that subject-position.

8.1.1. Gender Neutral

As outlined in Chapter One, past and present discourse on female offending has focused on either "gender difference" or "gender sameness." One the one hand, the gender-ratio problem (Daly and Chesney-Lind 1988) of understanding the aggressive girl as a biologically maladjusted anomaly, results in essentializing the female experience and overlooks significant differences between girls based on their race and sexuality. On the other hand, understanding aggressive girls as rejecting their feminine role and emulating their male counterpart, or assumptions about gender neutrality and generalizability (Daly and Chesney-Lind 1988), fails to recognize the significance of gender in structuring opportunity for young women. There are few attempts by the authorities and experts to consider mediating variables beyond "natural" sex roles. The feminist analysis of 'doing gender' (Miller 2002) is useful in addressing gendered identities and gendered social practices in a way that moves beyond constructing girls as passive agents of structural conditions. As Miller (2002: 434) argues, "recognizing gender as situated action allows for recognition of agency, but does so in a way thoroughly grounded in the contexts of structural inequalities such as those of gender, sexuality, race, class and age." From this approach gender is therefore not simply understood as a role but as a mechanism through which social action may reproduce social structure (West and Fenstermaker 1995 in Miller 2002: 434). By positioning each offender as a locus of agency and choice, risk discourse reproduces the traditional Western feminine subjecthood (Bonnycastle 2004: 183).

Although the authorities understand risk as a neutral concept, their interpretation of girls' behaviour and the resulting management strategies illustrate how risk is gendered with negative effects for girls. There is a popular understanding, which is validated by some youth experts, that girls are now as violent as boys. As one psychologist states:
These girls aren't ordinary average school girls where, you know, you have the malicious gossip and relational aggression and not talking to one another... These girls are definitely involved in physical violence, acts of assault, sometimes very vicious assaults involving weapons... So the types of violence that I've seen in a couple of the girls referred here hasn't been terribly different from the males.

The difficulty with simply seeing girls' violence as male behaviour, as Miller (2002) points out, is the static and deterministic understanding of gender and primacy given to normative aspects of gendered action. "The emphasis on norms limits our ability to grapple fully with power and inequality, that is, how gendered actions are a response to structural or situational exclusion from other modes of action rather than necessarily based on adherence to norms about masculinity and femininity" (Miller 2002: 438).

Theorizing risk as a gender-neutral concept ignores how gender structures opportunities for young women. The girls in this study also see themselves as being as violent as boys but they understand their participation in some violent acts as a means to assert a form of equality with their male counterpart. As Kristine explains, "more girls now get into more shit. Like before it was just guys...I think we're just sticking up for ourselves more." They also see violence as a means to have the same sort of excitement "as the boys are allowed," as Denielle states. Denielle further indicates "what I used to do for fun was steal cars and muscle girls for their clothes...You threaten them, you tell them to take off their stuff and you just go and pick fights for fun." The girls discuss other rewards, connected to status and reputation, for participating in violence. What the authorities fail to account for in their understanding of "gender crossing" between male and female crime, is the reward and incentives for girls to 'cross' into culturally recognized masculine terrain (Miller 2002; Batchelor 2005). As Symons (2002) found in her research on gangs in Quebec, male members of gangs and law enforcement personnel tend to assign girl gang members a status based on feminine characteristics. The tough or risky girl identity allows young women to resist this lesser status. As Miller (2002: 445-446) explains in reference to her study on female gang members:
Given this, it makes sense that young women would strive to adopt a gang identity as 'one of the guys', particularly given the status and respect available with the highly valued cultural construction of gang masculinities. In doing so, they attempt to resist others' attribution to them of devalued feminine characteristics. Young women's heavy policing of one another's sexuality within these gangs makes sense in this context as well — not as a means of constructing a gang-specific femininity, but as a way to minimize or downplay gender-marking and heterosexual meanings. These functioned to perpetuate girls' devaluation and subordination....

As cultural criminologists (Ferrell and Sanders 1995; Presedee 2000; Ferrell, Hayward, Morrison and Presdee 2004) reveal, there is an emotional drive by some girls to transgress and acquire status or excitement which is not considered rational in the calculative world of risk thinking.

A related effect of assessing risk as a gender-neutral concept is the failure to recognize that girls' risk of victimization is deeply gendered (Stanko 1997). Although the young participants comment on females having more "power" than they used to, they indicate that it does not change girls' subordinate status. As Cathy indicates:

I think women are making money and the guys just sit around. Like my brother, his girlfriend makes the money and he sits around and drinks it all away...I know a lot of people that are like that, that expect the woman to make the living but they don't get the money.

So the girls do not view working outside the home as an act of championed equality between the sexes. Rather, several describe it as a source of control by male partners. The paradoxical position of being a risk and at risk is one the young female offender occupies.

Much of the violence perpetrated against girls is gender-based stemming from the firm boundaries of patriarchal power. Andrea describes a fight with her boyfriend when she attempted to assert her independence.

I took off for awhile and when I got back he was like 'where the fuck were you?' and he just hit me in front of a whole bunch of people. Like, I didn't
want to look like a little bitch [in reference to backing down] but I knew he could beat me up. I was like 'so you think I'm going to let you hit me' and he did it again. I asked him why he was hitting me and he was like 'it's just called tough love' and all his bros were laughing. They were like 'yah, it's about time that bitch got put in her place. She's always thinking she can run shit.'

Several of the other girls in this study describe severe beatings by boyfriends, one of which landed Katie in the hospital.

He was kicking me in the stomach, my ears were bruised, I had two black eyes, my lip was split, I had bruises down my arms, my ribs were bruised inside, bruises on my face, my legs, everything... I had to go the hospital to see if there was a concussion.

In the hospital Katie discovered that she had been pregnant and miscarried during the incident. Thus, the perception that girls are as violent and therefore as powerful as boys presupposes that structural elements are in place to support a non-gendered risky role. However, the girls' experiences clearly represent a gendered understanding of power.

Risk management strategies also have a gender-specific impact on young women in the detention centre. In addition to risk management tactics implemented through institutional routine and rules, group programs and the Level System, there are more innovative options in programming which the girls indicate would be helpful in addressing their risk/need areas. As discussed in Chapter Three, unfortunately risk thinking interacts with sexist and discriminatory rationales for why they cannot participate. It is perhaps partially for this reason that several girls indicate that having a baby not only fulfils their gender role but is also a mechanism to reduce their risk to reoffend. As Kalei states, "I was thinking about having a baby now because they're so cute and they'll hold you down and you'll have to stay at home babysitting." Michelle thought it may be a way to give up drugs. "I think if I do ever get pregnant and I'm slamming, that will help me quit for nine months." During one of the Prosocial classes I observed from a distance, Judy was chastised by another girl for being incarcerated when she is a parent and pregnant. Tracey asked her "why are you in here? You should dummy up, you're a mom now." Judy explained to me in our interview that
'dummy up' means "like straighten up your life, you shouldn't be in here if you're a mom...like that really hurt my feelings." However, the reality for the young women whom I interviewed is that having children did not reduce their risk to reoffend.

Three of the young women who participated in this study are mothers to one child each. At the time of the interview, one young woman was four months pregnant with her second child. Once incarcerated, the girls have little contact with their children. In two of the situations the girls' mother had custody of the children and in one, the father of the child, with help from the girl's family, is raising the baby. The young woman who is pregnant explained that because of her actions well before she was incarcerated, she had to sign over custody of her first baby to her mother or the baby would have been apprehended by Protection Services. At the time, the mother refused to have the young woman live at the same house so she was placed in care. Once this same young woman is released and gives birth to her second child, she was told she must live with her mother or the baby will be apprehended. Thus, in contrast to the expressed goals of risk assessment, there is a paradoxical logic in youth justice that those girls in need of services are also the ones too risky to qualify for those services. This contributes to their thinking that strategies over which they have more control, such as getting pregnant, may reduce their risk to reoffend. This is not the case, demonstrated by the girls who are mothers.

Understanding risk from a gendered perspective reveals that it is not experienced uniformly between girls and boys. As Chan and Rigakos (2002: 756) explain, "gender is one important constitutive determinant of how risk is negotiated and understood...both in the sense of empirical potential harm and the recognition and definition of that harm." Much of the violence perpetrated against girls is gender-based and sexist and the risk strategies provided by the institution further embed forms of systemic discrimination for girls.
There is also an interaction between risk and popular images of young women's sexuality with exclusionary effects for girls in the detention centre. Marketing and media agents have capitalized on the excitement over girl aggression and have made sexual aggressiveness in young girls a profitable commodity. This trend includes popular culture's fascination with the risky "faux gay" girl. Witness the public excitement and media attention over Madonna passionately kissing young pop star Britney Spears at the MTV Music Awards in August 2003. Similarly, pop singing duo t.A.T.U. climbed the music charts as Russian female lovers but they now report that the lesbian image was contrived through their former manager, who knew the image would help sell their songs. The girls also comment on the appeal of the faux gay girl. As Michelle states:

I think now it's alright for girls to be together, like a lot of people don't have a problem with girls doing it, but I think they're still really prejudiced against guys doing it. They don't think guys should be doing that but some guys say they get turned on when girls do that.

Michelle, who has a boyfriend, explains further that bi-sexuality is a greater commodity than one's 'real' sexuality. She says that the only time she engages in sexual acts with girls is in the sex trade. "I've kissed a girl before but that was to get paid from a trick. He asked us to kiss each other and touch each other but that was to get paid."

However, the mainstream commercialization of the gay girl image was cited by some facility staff as contributing to an increase in sexual contact between the girls in the detention centre. This contact, they explain, is perceived as a new security risk.

Several authorities comment that being lesbian or "bi-curious," a term reportedly used by the girls, is said to be a topic which the girls are more comfortable talking about than are the authorities. As one states,

We are seeing girls more in relationships but I don't think it's something new. It's just something we're more aware of; it's talked about more, so we're having to deal with it.
As another acknowledges: “we’re more nervous” about the issue because “things were more closed before.” The girls may sense this discomfort reflected in the fact that, as one of the Director indicates, some girls make sexual comments about other girls just to provoke staff. As Jackson and Scott (1999:87) point out, “just as children are constructed as a ‘special’ category of being, so sexuality is constructed as a ‘special’ aspect of social life, as uniquely pleasurable but also potentially dangerous, and is itself the focus of a great deal of risk anxiety."

The effect of risk thinking combined with heterosexism is that some aggressive girls are managed in the youth detention centre as sexual deviants. There is a sense by staff that the contact between the girls is “unwelcomed” and is making some girls feel uncomfortable. One of the staff indicated that there are informal discussions on the Unit that, if the behaviour persists, the staff will have to separate the furniture to prevent inappropriate touching, which, she explains is the arrangement in the sex offender unit. Since the early criminological theories of Lombroso (1920), Freud (1933) and Pollak (1950), female sexuality has been equated with pathology and deviance. As Boritch (1997: 57) claims: “[t]his provides the rationale of the inclusion of sexual deviance and immorality in the same category as female criminality, which in turn provides the justification for the criminal justice system’s application of a double standard in its treatment of female offenders....” Some of the rules to control girls’ behaviour do not exist on the boys’ unit. As Kristine states, to prevent girls from having a relationship “we have a no-touching rule...And that’s why we can’t share rooms unless it’s a full dorm and then they’ll put sisters together first.” One of the teachers states in frustration at this rule: "if one of the girls is gay then you need to deal with that...not as abnormal but as part of life. That doesn’t mean you create a policy where they can never be in the same room together." Stemming from risk logics, the ‘risk’ of same sex experimentation developing is managed by taking away the opportunity for any type of physical contact between girls.

Risk strategies for girls in the institution preclude sexual experimentation. Although one staff comments that some girls sexually “prey” on others, none of the girls
report being sexually coerced or experiencing unwanted touching by other girls. Kristine explains: "It is mostly the older girls hooking up. The younger ones aren't involved...but the younger girls will probably start doing it too when they get older." It seems, therefore, that sexual contact coincides with maturity and development rather than as a predatory relationship. The girls are at an age of sexual exploration and curiosity but they are trapped in an environment that does not allow developmental engagement. As one of the teachers explains:

The girls don't get their own clothes, they're not allowed to touch each other or do each other's hair unless they ask permission, they're not allowed to wear make-up... They're not allowed to talk to the boys, they're not even supposed to look at them. So how normal is that?

In fact, there are consequences for the girls if they attempt to even look at the boys. For example, in Lorna's file it states that she "received a zero for watching the boys pass by the windows outside." One girl also explained that when staff discover a sexual interest between two girls, "they go to the girls' room and ask if they want to talk about it. It's embarrassing so I don't say anything." Although the staff likely see this intervention as a well-intentioned opportunity to discuss sexual development, if the "need to talk" is only presented to the girls after staff discover their interest in other girls, as opposed to an interest in boys, the implication is that their desire requires attention. Thus, in a context of risk, institutional rules inadvertently give girls the message that sexual experimentation, particularly same sex desire, is deviant.

Ironically, several girls made reference to the fact that the institutional environment fostering a sexual interest. Kalei comments on one of the girls who had been incarcerated repeatedly since the time she was twelve. She talked about her touching and being affectionate with some of the girls. She laughed when she stated: "she's been in here too long; she's turning." One of the teachers also states that when she tried to get girls included in the sports days at Dojack, the response was "no, we don't want the girls there. They're too much trouble when they get around the boys." Considering that girls and boys are constantly separated, her response was:
No kidding. Personally, if I ran the education program in here, I would have the boys and girls together. That's normal. In a normal school you don't separate [them].

Thus, it is ironic that the institution creates the girls' sexuality as a risk but through the staff's effort to control and suppress it, they in fact foster more interest from the girls.

The girls' understanding of their sexuality is different than the image created by a risk adverse youth justice system. Some of the girls explain their sexual preference as the result of sexual abuse. After describing being sexually abused by her male cousin from the time she was four years old, Leanne explains:

Now, it's sort of hard for me because, like, I'm scared of guys, like, I hide myself. It's really scary because I think all guys are the same. Like my little cousin [who was also abused], she turned out wanting to be a guy. I can understand her though. She likes girls because of what happened. She's scared of guys just like I am...I won't let them touch me because I'm scared the same thing would happen.

Leanne in fact recommended to Andrea that she try dating girls because, as she claims, "being a dyke is better than being beaten up." As one of the Supervisors also acknowledged: "I think a lot [of the same sex interest] has to do with sexual abuse...it's safer to have physical contact with another female than it is with a male so whether they're bisexual or not, that I don't know, but...people need physical contact." As Faith (1993: 214) reports in regards to adult female inmates, regardless of women's personal sexual preferences on the outside, women in prison may share intimate relationships with one another but "it is a misnomer to generalize women who love women in prison as 'lesbians.'"

For some girls their sexual preference is a matter of context. I asked Kristine how the girls define their attraction to one another and whether any of the girls use the term "lesbian" or "bi-sexual" or, if their interest in girls was only while they were incarcerated.
Well some people, like with [Leanne], she just likes girls but we don't call it anything. She doesn't like guys and she never went out with guys. But like with [Michelle] she doesn't go with girls on the outs or anything, just when she comes in here.

Kristine's explanation of how the girls view their sexuality reflects Parashar's (1993) concept of "strategic essentialism." This concept provides an understanding of "identity as a function of context and allows us to stress one or several aspects of our identities according to the axis of oppression at issue in the particular situation, without necessarily tying individuals to a specific identity for all time and all purposes" (cited in Jhappan 1996: 52). The girls' ability to distinguish how their sexuality is a function of context in some cases challenges the rationale of the risk strategies meant to manage their sexual behaviour.

In sum, the interaction between risk, images of girls' sexuality and consumerism has exclusionary consequences for young female offenders. The effect of these images appears to have more significance for the staff and the youth institution but it is the girls who suffer the consequences of institutional rules which construct them as sexual misfits. The fact that the girls use sexual comments to provoke and tease staff points to the girls' agency in mocking risk logics. Moreover, their contextualization of same sex desire stemming from abuse or natural development speaks to the flaws and irony of the institutional response to their sexuality.

8.1.3. Racialization

Risk also interacts with images stemming from the over-representation of Aboriginal people in the criminal justice system with negative effects on girls' subjectivity. As one of the Directors reports, statistics have consistently indicated that 70-80% of the girls incarcerated in the province are Aboriginal. "Placed in an historical context, the prison has become for many young native people the contemporary equivalent of what the Indian residential school represented for their parents" (Jackson 1988: 216). Although race, like gender, is not a risk factor on the LSI-SK, actuarial risk assessment
fosters a perception of groups and aggregate risks in a way that increases the likelihood that individual characteristics, such as race, will be associated with the aggregate high-risk classification (Silver and Miller 2002: 155). “Furthermore, by characterizing risk of harm in terms of group characteristics, actuarial risk assessment techniques may inadvertently contribute to the generalization of stigma from the targeted (negative) behavior to the characteristics of the groups designated as high risk, thereby placing a scientific stamp on the public’s prejudice and fear” (ibid).

The media offer a powerful avenue to reinforce the connection between race and risk of crime with devastating consequences to the girls’ sense of self. For example, Denielle, who is Aboriginal, thought the media represent Aboriginal girls, as she says, “just the way they are, you know, drunks, slammers and thieves.” Lorna, also Aboriginal, stated that media images reflect how “mostly Indians like to get in trouble.” Risk discourse renders invisible the impact of these racist social relations. These images in fact dictate what clothing the girls are ‘allowed’ to wear. Angela, who is in open custody at Orcadia and who attends school in the community before returning to the facility, explains:

Every Friday there’s dress up day at the Catholic school. There was these white girls walking around with their little skirts, and their high boots and for them it’s fashion, it’s normal. But if I were to wear stuff like that then people would call me a “hooker.” The white girls can walk around their block like that, it’s just like ‘oh that’s nice’ but if I were to walk around the hood like that, even if I was trying to wear that style for fashion, tricks would probably stop beside me and try to pick me up. It’s just a picture we have; the look that Native people have.

Similarly, Nicole explains that she likes to dress “girly” and preppy which, according to her, includes wearing high heels and nylons. She says that she can only dress like that around good friends who know her. But, as she states, “like other girls, if they see me in nylons, they’re like ‘she looks like a hooker.’” Conversely one of the white girls, Katie, stated that the Aboriginal girls in the facility accused her of “acting brown” because she was slamming and getting into trouble. Leanne initiated a fight because a “Native girl was trying to be a white person dying her hair blond and acting preppy.” Thus, the
subordination experienced by Aboriginal girls is internalized and, in a sense, monitored, as part of their racial identity.

The negative identity is reinforced through the derogatory names the girls use to refer to each other. Denielle explained that her Aboriginal friends call each other "Nichee" which she says:

It's like a raunchy Indian. That's just what everybody calls each other, like 'what's up Nichee.' Only Aboriginal people say that to each other but once a Black or white [person] says that, then it's like a cut.

She explains that they refer to each other by a negative name because it reflects the way they grew up; "ugly and violent and unsafe homes." Jordi has been called "rubby" which she says "is someone who drinks all the time and is like a bum." While most of the girls said it was "no big deal" when people used these derogatory names, others, such as Lily, said she got into a fight with a guy "who said something about Native girls being sluts and skanks." Part of the girls' acceptance of these labels stems from the fact that they have been used by authority figures.

Apart from peers, teachers and facility staff reinforce the girls' subordinate status. Kim reported that when she stayed home from school to watch her sister and cousin, the teacher made reference to not attending "because it was welfare day." Similarly, several of the girls reported being called "squaws" and "savages" by staff in the facility. When I asked one of the staff about race relations in the facility she explains, "I don't think there's racism. We correct them, we're figures of authority, but [it's not] racist." The details of what I heard (but cannot report) through informal conversations casts doubt on this sentiment. Similarly, in Angela's file under "Cognitive, Academic and Personality Test Results" it states:

Her particular verbal weaknesses included a poor fund of general information and poor word knowledge and verbal comprehension. This finding could be related to [Angela's] educational and cultural experiences.
Recognizing fault in Angela’s ‘cultural experiences’ rather than in systemic racism, speaks to how race translates into a risk factor for girls. Although it is not referred to as such, the authority writing the report reinforces the historical marginalization of Aboriginal culture in correctional facilities.

The resistance to acknowledge how risk is race-specific also denies how needs are race-specific. According to one government official:

The factors that are measured [on the LSI] have demonstrated to be valid with Aboriginal youth. If a kid isn’t going to school, he has no stable family, he’s into heavy use of drugs, he’s involved with friends that are involved in crime and thinks it’s okay, I mean what’s the likelihood of the kid reoffending? Very high, regardless of some of the cultural differences that may exist.

Although including race as a risk factor can compound the effects of racism (Beaumont 1999:71), the current approach denies the impact of the girls’ racialized status as a source of risk. The concern is not simply over “cultural difference” as a risk factor; rather, it is the oppression and marginalized status that results from institutional racism which puts girls at risk. As Hannah-Moffat and Maurutto (2003:18) explain:

The failure to understand and integrate racial and ethno-cultural differences into the assessment of youth’s need and level of perceived risk and into training might have discriminatory effects. Since the systemic issues by virtue produce social marginalization, high needs or dynamic risk[s] are magnified for some ethno-cultural youth and Aboriginal youth.

Aboriginal girls will score as higher risk in the risk/need calculation because of their greater needs. The result is to “institutionalize the disadvantages” (Hannah-Moffat and Maurutto 2003: 17) or incarcerate girls not only for their crimes but also for their marginalized status.

Risk management strategies also reflect how risk is racialized. All of the facilities include some form of Aboriginal cultural programming which, as stated in one manual, includes teaching on topics such as the history of Aboriginal peoples in Canada and the United States, Aboriginal languages of North America, Aboriginal spirituality and the
diversity of Saskatchewan's Aboriginals' culture, and teaching traditional arts and crafts. Although the staff acknowledge the benefit of cultural teachings and activities for the young women, especially in terms of the calming influence and ability to reduce risky institutional behaviour, the girls complain about the lack of cultural sensitivity given to these strategies. For example, although the traditional practice of smudging is stated as a regular part of the schedule, one girl states,

You have to ask to smudge. And you don't want to smudge because of the way they keep the sweet grass and sage. It's supposed to be kept in a special place because it's sacred.

The authorities explained to me that the diversity among Aboriginal peoples in Saskatchewan creates difficulties in adequate programming for the girls. As several authorities pointed out, there is an incorrect assumption that all youth are interested in cultural programming. However, the girls' stories indicate that connections to Aboriginal culture are important to resisting the risky girl identity.

An awareness of Aboriginal history and culture, even if learning it for the first time, provides the young women an identity separate from the racialized, risky 'other.' Although a few girls were actively involved in Aboriginal ceremonies in the community, several of the girls in this study report that jail is the only place they experience Aboriginal culture, or it is where they are reconnected with culture after years of not being exposed. Tracey liked any type of culture programs because, as she explains:

I feel like a nobody. I don't even know about my mom or being Ojibway. I don't know what band I'm from or nothing. My dad doesn't tell me nothing so every time I come here, I just learn it in here.

Similarly, Angela stated that learning to dance Pow Wow teaches the girls to have more respect and appreciation for who they are. "Like we don't even have a grandma that could teach us about our culture and our language...so it's kind of hard." Nicole had danced as a young girl and said that cultural activity "makes me feel good. It makes me feel proud of my heritage." However, a significant aspect of the girls' heritage also
includes the oppression stemming from racist government policy, which the authorities are less inclined to discuss.

Risk is managed in the youth facility by presenting to the girls a sanitized version of history, which is another example of how risk is racialized. Some of the authorities indicate that explaining past injustices to the girls fuels racial hostility in the facility. For example, although Elders are viewed as playing an important role in the girls' healing, some of the authorities disapprove of the Elders teaching historical material on the suffering imposed by European settlers. As one staff explains in reference to a recent session with an Elder, "he went on about the residential schools ... [which] is not good for this generation." She states that she could see the girls getting upset, which, in her view "then creates barriers with the staff and reinforces an us against them mentality." At a different facility the comment was made that the staff feel that some of the Elders focus too much "on blaming the white man for things." Limiting the cultural education of the girls as an approach to managing risk in the facility presumes that relations between dominant and subordinate groups can be addressed without recognizing histories of oppression.

Ignoring historical oppression as an informal risk strategy has exclusionary consequences for young women. There is an assumption that when aspects of Aboriginal culture are taught to the girls, relations can then proceed from a position of equality (Razack 1998). The result is that the girls are seen as different rather than oppressed. However, as Razack argues, encounters between dominant and subordinate groups cannot be controlled or "managed" as instances requiring cultural, racial, or gender sensitivity: "Without an understanding of how responses to subordinate groups are socially organized to sustain existing power arrangements, we cannot hope either to communicate across social hierarchies or to work to eliminate them" (Razack 1998: 8). The effect is that the girls associate criminality with race. Most of the girls had heard of residential schools and a few commented on how they contribute to high incarceration rates for Aboriginals. But for some girls there was little connection made between the impact of past events and their current status. Mobilizing neo-liberal
discourse about individuality and choice, some of the Aboriginal girls have absorbed white, middle-class standards of responsibility. When I asked Jenni why the majority of females in custody are Aboriginal she explained, "because they're bad, they're more criminal...white people, they're rich and I think why they're rich is because they're not lazy to get up in the morning like Indians are." As the day program worker from one of the First Nations in Saskatchewan explains, the ignorance of history and the fact that "nobody explains to the youth what has happened, especially in relation to parenting skills" are precisely why this generation of youth is experiencing an endless cycle of abuse, violence and incarceration.

The overall effect of the girls' racialized status is that they live in, what Wacquant (2001) and earlier theorists describe as a 'carceral continuum.' He uses the term to discuss the carceral mesh between the prison and the ghetto for lower-class Blacks in the United States which, although historically different, has utility in understanding the identity of girls in this study. The continuum between the youth facility and life in the 'the hood', as some of the girls refer to their neighbourhood, partially explains the girls' attraction to and desire to emulate Black ghetto culture. When I asked the girls how they define their style, some indicated that they like to dress in all white outfits with a bandana because it symbolizes their gang affiliation. Several of the girls said their style was connected with gangsta rap music. Similarly, their role models include 2POC and Notorious BIG because, as Kristine explains, "they live in the ghetto and they just show people that it doesn't matter where you live, you just do whatever you want to do." The commercialization of connecting ghetto life to freedom denies the fact that the ghetto or 'the hood' is in fact knotted tightly with the carceral system. As Wacquant (2001) explains, the fusion of ghetto and prison culture, as expressed through rap singers, hip hop and graffiti artists and tattooing, is disseminated to the urban core without recognition that the language, dress and interaction patterns were created in the confines of jail. There is, as Wacquant (2001: 116) explains,

a melding of street and carceral symbolism, with the resulting mix being re-exported to the ghetto and diffused throughout society via the commercial circuits catering to the teenage consumer market.... Witness
the widespread adolescent fashion of baggy work pants with the crotch
down to mid-thigh and the resurgent popularity of body art featuring
prison themes and icons – more often than not unbeknownst to those
who wear them.

Although mainstream teenagers may not connect their trendy gangsta style with a
criminal identity, the association is more 'real' for the girls in this study. As discussed,
their racialized status prevents them from dressing and expressing themselves in a style
that is reserved for white society. Drawing on Kristine's comment above, the girls find
comfort in images that falsely portray a sense of freedom to be and do 'whatever you
want to do.' This is perhaps their own form of resistance to the constraints placed on
their style and identity.

Wacquant's (2001) argument also includes an understanding of how the
predatory culture of the street is part of the 'carceral continuum' experienced by the
young women. As he explains, "with its ardent imperative of individual 'respect' secured
through the militant display and actualization of readiness to mete out physical violence"
life on the street has transfigured cultural life in the facility (Wacquant 2001: 111). The
respect commanded through toughness and mercilessness is said to be part of the girls'
value system. The actions of one young woman represent an extreme example of how
the girls use violence to gain respect. This is the same young woman whom I did not
gain permission to interview but whose violent actions were commented on by several of
the other girls. Judy explained to me that this particular girl is well known in the gang as
being capable of doing anything.

Like she hasn't done nothing to me but things that I would see her do.
Like I remember this one time we were in a kitchen and she was on the
run. There was a guy there, he's part of Native Syndicate and he had a
tattoo right there [she points to her fore arm]. I guess he did something
disrespectful and got told that he can't be in Native Syndicate no more.
[The girl] went up to him, hit him with a board and then grabbed his arm.
She got a knife and peeled [the tattoo] right off. He was just screaming
and the gang members were just holding him down... She made him
open his mouth and she stuck his skin in his mouth and made him eat it.
Although an extreme case, this example provides an idea of the degree of violence perpetrated, witnessed and experienced by some Aboriginal girls. The value placed on this 'toughness' translates into a pecking order in the youth detention centre. It was apparent that the girls who are 'high up' in the gang and who have committed violent acts, are also the ones who informally dictate the mood and behaviour of the Girl's Unit. Although violent behaviour is quickly subdued in the facility, the girls indicate that initiation into the gang, which includes being beaten, often occurs in custody. However, unlike the adult system, life in custody for these girls is often less violent and an improvement over life outside – an issue which is analyzed further in the final chapter of the dissertation. Nonetheless, as Wacquant (2001: 95) concludes, "[t]he resulting symbiosis between ghetto and prison...plays a pivotal role in the remaking of 'race' and redefinition of the citizenry via the production of a racialized public culture of vilification of criminals...." The young women's sense of self becomes trapped in this continuum of racialized violence on the street, in their style and in the detention centre.

In sum, systems of representation such as gender, sexuality and race interact with risk logics to produce exclusionary effects, in the form of sexism and institutional racism, for young female offenders. Although it is clear in this study that girls often begin their experience with the 'revolving door' of the youth facility from the time they are twelve until they are eighteen, an understanding of how gender and age interact with risk logics requires additional consideration and research. Charges of 'essentialism' (Fuss 1989; Jhappan 1996; Daly 1997; Razack 1998) in feminist theory by women of colour, lesbian and 'disabled' women have resulted in the development of feminist studies which bring new understanding to the experiences of such marginalized women. However, little attempt has been made to develop feminist theory which uncovers or respects the perspective of girls. It seems reasonable to assume that young women's experience with patriarchy, white supremacy, capitalism and law is different than adult women's, on the basis of age alone.

These systems of representation are influenced not only by risk logics but also by a new technologized power. With the help of media and other discourses characterizing
young women, the images created in the age of risk provide identities which are projected onto young female offenders: the nasty girl, the faux gay girl, the criminal Aboriginal girl and the gangsta girl. However, the response by the girls to those identities highlights how the construction of their subjectivity is complex. The ways in which girls both resist and reproduce risk discourse are considered in the next section.

8.2. Refashioning Risk Discourse

Apart from providing more targeted resources for high risk youth, few authorities in the youth justice system would agree that there is a discernible impact of risk logics on the violent girl. After all, risk assessment is a new technology in Saskatchewan, the girls' use of risk language is limited, and resisting this control strategy is difficult. The girls view risk assessment as a procedure that determines their fate regarding incarceration and, when I asked, not one girl resisted the idea that she was 'a risk to reoffend.' As Silver and Miller (2002) point out, it is difficult to resist and defy risk assessment tools because they are deployed without the knowledge of the people to whom they are applied. Because risk assessment involves sorting the girls into groups based on aggregate characteristics rather than applying obvious coercion, power and authority are difficult to identify.

That these models are being developed and tested on criminals and the mentally ill is also worthy of note because of the low level of political resources these groups have to resist actuarial categorizations. As scholars of public policy have noted, the social construction of subpopulations affects the distribution of benefits and burdens in government policy making (Schneider and Ingram 1993). It is easier to implement actuarial risk assessment tools in the areas of mental health and criminal justice because the targets of these assessments are viewed negatively and lack the political resources to resist becoming objects of actuarial classification. (Miller and Silver 2002: 150)

However, the girls do demonstrate resistance, through which they unconsciously construct an alternative discourse to understand the impact of risk governance. Their self-governance stems not so much from managing their risk factors as the authorities
hope, but from a mistrust of workers and staff and from knowing the consequences of demonstrating risky behaviour. Although expert discourse is focused on studying the factors that put girls at risk to reoffend, the girls relate that the exclusion they experience while incarcerated in fact places them at greatest risk. This section considers how the girls’ experience of risk and their negotiation with the risk assessment process demonstrate the role of agency in both reproducing and resisting risk discourse.

Although the girls did not often use the language of risk, they were aware that the authorities had the perception of them as being dangerous. Their use of risk language was more often a reflection of my interview questions than something they used on their own. For example, when I asked Vivian if she had experienced a risk assessment her response was: “what’s that? oh, you mean like when you go to court and they’re like ‘she’s a high risk, she’s very aggressive?’” I then asked if she recalled any of her risk factors.

Just in the facility here...like, I’m a high risk for security. Like no one trusts me with other staff [and] especially with other girls...they don’t trust me because they think I’ll do something.

Donna’s response to the same question is; “they say I’m high risk for getting into trouble again...they say I still think the same as before when I came in.” As risk discourse becomes more familiar to both the girls and the authorities, it may be argued that the girls will contribute to their construction as a ‘risky’ subject in professional discourse. However, this perspective fails to account for girls’ resistance strategies.

In keeping with contemporary and historical research on adult inmates, the girls negotiate institutional discourse in ways that render strategies, in this case risk strategies, incomplete. I have documented throughout the dissertation instances of girls' lying during the case conference in an attempt to lower their score. One girl said that she always lies about her drug use for good reason.

They say I'm in denial, that I don't want to admit how much drugs I use. I'm not in denial. I just know that if I put down all of the drugs I use, they'll say I’m at higher risk and then I’ll get more time here.
Similarly, another said that in her responses for the LSI, “I was just trying to answer right, like make it different than it is so that I could get out and drink.” For the young women, community youth workers have become their ‘gatekeeper.’ When describing her Deferred Custody sentence, Judy states “I was on my last line with being in open [custody]...and it was all up to my youth worker to let me out.” She further explains that when she returned to Dale’s House her community youth worker added a condition to her probation order which stated that Judy could not leave the property without written permission from the youth worker. It was also apparent in the file data that girls abide by ‘risk reduction’ strategies not because they see it as helpful but because it is put in place by those who determine their fate in custody and in the community. As the therapist writes in Angela’s file:

[She] did not appear particularly motivated to seek services for herself... She is willing to come to regular appointments at Child and Youth Services, however, she indicated that she would do whatever her youth worker wanted her to do....

Therefore, the girls’ agency challenges the risk theorists’ tendency to over-generalize the impact of risk governance on official discourse. There is little attention to the subjectivity of those labelled ‘a risk’ which reflects an assumption by the theorists that the girls might simply embody, accept or incarnate official discourse. However, the girls’ self-governance does not stem from adhering to expert discourse, but from how they can manipulate the process to their advantage. This demonstrates that while they cannot escape the power of risk discourse, they can influence it through their resistance.

This process is also determined by the girls’ level of trust in the workers. Rather than talking about and embodying their risk factors, or ‘problems’ which is the term more often used by the girls, several state that they prefer to keep these to themselves because they do not trust how the information will be used. I asked Denielle if this is difficult to do and she states: “It is kind of hard but you have no one to trust. Some of these people break your trust all the time so you just keep things to yourself.” Jen had a complaint but, as she indicated, “I don’t want to tell them because of what happened to [the other girl].” In fact, I witnessed the situation with the girl, where her complaint about
a staff member not only made it back to the staff, but also became a source of punishment. She was consequenced for not addressing her issue with the staff member in the first place. As the girl said in response to the incident: “They all say ‘oh you guys can trust us, you can talk to us’ but no we can’t. They ring their lips right away.” Even the girls who were close to the staff members state that they have to be careful what they say. As Michelle indicates, “we all have our favourite staff here that we go talk to [but] you can’t tell them everything.” Thus, a lack of trust is a potent example of risk governance at work. Mistrust translates into both a resistance strategy and a means of reproducing risk discourse. On the one hand, if the girls were more willing to dialogue with the staff about their problems, it is likely, based on the responsibilities of the staff and workers to foster cognitive skills thinking, that these issues would be translated through risk discourse. Risk logics would play a larger role in how the girls view their problems and sense of self. On the other hand, the girls reproduce the discourse by demonstrating that they take individual responsibility to avoid disclosure and therefore avoid future harm.

Whereas the authorities see the girls' resistance to trust as a result of how they were raised, an analysis of the girls' perspective points to a more complex rendering of the impact of risk governance on the institutional policy. One of the Directors explains that part of the life-skills classes in the facility is designed to foster “communication skills and communicating with people in authority...and how to open up and start trusting and why that's important.” However, there is little acknowledgment of how ‘people in authority’, particularly government agents, have betrayed the girls' trust in the past. For example, although Sue reports to me in our interview there is not enough food at home, she also states “but I'm scared to tell my worker because I might tell her too much, like she'll take me away from my family.” Sue had already experienced being placed in a foster placement for longer than what her worker had initially promised. Even when girls are provided the opportunity to meet with counsellors or psychologists, they are cautious in what they disclose. One girl said that she is careful what she says during treatment sessions with a family counsellor because her roommate warned that the information could be used against her. As the girl explains:
At first I was opening up to her and telling her all my problems and I was
telling my roommate that and she told me 'why are you telling her stuff,
you could get your daughter taken away...they'll call social services on
you'... I was just real worried for a real long time so I never opened up to
her again because I didn't trust her.

This example illustrates that the violent girl governs herself in a way that she can
manoeuvre in the age of risk. She has learned to change her behaviour, to modify what
she can say to professionals in light of the interpretive scheme of the professionals with
whom she has contact. Specifically, the girls identify 'risk' as stemming from telling the
authorities about problems in their life, particularly if they relate to their family situation.
The girls know that the authorities' intolerance of risky families, as outlined in Chapter
Seven, can result in them being separated from loved ones.

A final element of the girls' resistance which is not acknowledged by the
authorities is that the girls equate risk with exclusion. Risk rationality includes what
Bauman (2000b) identifies as a 'post-panoptical' understanding of power. Discipline is
no longer obtained through the imagined co-presence of authority; rather, discipline is
achieved through 'avoidance' (Bauman 2000b: 11). For the girls, this does not simply
mean learning to avoid risky situations, it also means that they are disciplined through
avoidance by staff and professionals in the system. It is this sense of abandonment
expressed by some girls which contributes to their risky status. For example, both inside
and outside the youth facility, Raquel has attempted suicide a total of five times. The
psychologist at Dojack saw her for a while but the position is now vacant. As a response
to her self-harm she has been on anti-depressants for the past two years. As Raquel
explains:

I've been waiting for a while, like three months now for someone to come
out to see me and nobody has yet... Now it seems like they don't really
care about us, like the staff don't give us enough attention. We need
people to talk to.

With the changing role of 'rehabilitation', the displacement of counsellors in the facilities,
and institutional rules such as Coaching and Correcting which ensure that the girls police
each other, there is less contact between professionals and young people in the youth justice system.

The girls also indicate that the staff pay little attention to them in a way that the girls would find beneficial. Several of the girls want the staff to initiate contact. Jenni said:

I'm always crying but staff don't bother to help. Three days ago it was because I wanted to be with my baby. They saw me crying and they didn't do nothing. I was coming out for school and I sat at the table and my eyes were watering and I just bursted out crying and then got up and went to my room. No one came so I just deal with it myself.

Similarly, another young woman says she has a hard time initiating conversation: "I don't like to go to people...I need someone to help me with my problems but I'm scared that if I talk to them, tell them what goes in my head and stuff...they'll just keep me here longer." The high risk girl is not a unique, distinct person to be known and responded to by her peculiarities (Garland 1997: 182). As Bauman (2000a: 208) argues, "typification takes then the place of personal familiarity, and legal categories meant to reduce the variance and to allow to disregard it render the uniqueness of persons and cases irrelevant." However, the lack of attention to issues other than their risk category contributes to the girls' exclusion in a way that goes beyond theoretical explanation. The girls feel a deep sense of abandonment stemming from risk logics. Their perceptions of how they are treated highlight the complex process through which risk discourse is resisted and refashioned.

The girls' experiences suggest that they are in desperate need of people to talk to who are not connected to 'the system.' There is no denying the care and concern for the girls shown by some staff members. In fact, it was apparent that some staff pride themselves on the relationship they have with the girls. However, the girls said it is easier to let the staff think that they are doing a good job because challenging them can have negative consequences for the girls. As one explains:
The staff will just sit behind the desk and they'll just talk to themselves or they'll just play games with themselves... They think they're doing a good job but they don't know how to do it. They knew me since I was twelve so they think they know me, but they don't. Some of the things I've told you, like I never talk with anybody about that... Like, it's so there... I just keep it in for so long because....

The girl does not complete her sentence as she begins crying. She has not reported anything to me which requires disclosure to the authorities but it is apparent how risk governance has increased the barriers between the girls and anyone who has the authority to document their thoughts and feelings in their Corrections file. The girls explained that they were sharing with me simply because, as Kim states, “you won't write it in my file.” Whereas the staff view file data as objective facts, the girls are aware of how information about their ‘problems’ is used to construct them as risky. As Andrea said, “It means a lot having someone just listen.”

The lack of honest dialogue also results in some girls resenting any comments by staff which suggest that they ‘know’ how the girls feel. As Katie states:

We all have stories...like all of us girls in custody. We all know where each other has been...I just don’t like when Orcadia staff say ‘we know how you feel’ because they don’t. You’ve never been there, and even if you have, it probably hasn’t been as bad.

Katie reported an incident during her case conference stemming from the fact that her youth worker repeatedly stated that she knew how Katie was feeling. She says she became upset and responded:

You don’t know nothing about my problems. You say you have problems and your daughter has problems, like go tell your daughter to put some tight clothes on, stand on the corner, and sell her ass for sixty dollars. Tell her to stick a needle in her arm... Or you go be my mom and say your daughter is a prostitute and a junkie... and then you can say you have problems.

Thus, the girls’ resentment stems not only from their apprehension in revealing their problems, but also from their impression that when they do discuss a personal issue,
there is a false understanding of how it impacts their life. It is not surprising, therefore, that the girls’ main source of comfort is found in each other.

The emphasis in risk governance on isolating risk, seen in the institutional rules outlined in Chapter Three which limit the contact between the girls, results in further exclusion for the young women. The girls who were in Orcadia and Kilburn, where they are still allowed to have roommates, indicate that this relationship is important to them. As Tracey explains:

Our roommates have been practically through the same thing so we can relate to each other. We try to help each other with our past experiences. It makes our time easier.

However, the girls in Paul Dojack comment that the time spent alone in their rooms is difficult. As Lily states: “I get real lonely and depressed. You shouldn’t be in your room alone for that many hours a day.” Michelle states, “instead of shafting us to our rooms when we do something wrong, like they should make us do something that’s helping us… Being in our rooms makes us more madder.” The girls made several comments about the difficulty of dealing with painful issues on their own. Donna witnessed both her mother and brother attempt suicide. “He went crazy. He slashed his wrists and cut his throat… right in front of me.” The girls’ experience with past sexual abuse is particularly hard to deal with. As Vivian, who was sexually abused from the age of four until thirteen, explains “like when you’re locked up, you can’t escape your feelings.”

The authorities recognize this problem, but again they view the issue as stemming from the girls’ inability to communicate rather than as a result of the structural impact of risk thinking. As one of the community youth workers explains regarding sexual abuse:

One of the biggest problems we see is that these girls are not dealing with it, they are suppressing it, they’re told not to talk about it. When they do talk about it they don’t feel anybody is listening to them so they turn that outward into rage and aggression or they turn that inward and there’s self abuse. I mean most of the young women you’ll see have scars all over their arms and all over their hands.
The girls showed me their scars which are perhaps the most powerful illustration of their pain and exclusion. The isolation experienced by the highest risk girls is represented as slash marks along the inside of their fore arm. Although self-harm is definitely an issue for the young women, it was not identified as a frequent problem in the detention centre. When incidents do occur, the institutional response to self-harm takes the form of both risk management techniques, such as ensuring that the girls do not have any objects which may be used as a means of injury as discussed in Chapter Five, and drug therapy as Raquel’s experience illustrates above. While women inmates in adult institutions are placed in isolation as a response to their self-harm, I could not confirm if this also occurs in the youth facility. The only other context of self-harm I encountered was the case of a young woman who attempted suicide while she was already in an isolation unit. The only details I uncovered was that she was transferred to another facility shortly after the incident. Thus, although self-harm by female inmates is not new, in risk governance it appears to be interpreted as a symptom of young women not taking responsibility for dealing with their problems.

To summarize, the girls’ use of risk language, such as saying they are high risk or identifying specific risk factors without my questioning, is limited but their opinions on how they are dealt with by the youth justice system provide a complex view of the impact of risk governance. The girls understand that revealing any type of risky behaviour or thoughts to the authorities contributes to an identity for which they are consequenced. Their resistance to this process, through personal attempts to prevent future harm, both undermines and reproduces risk logics. The girls’ resistance protects them from several unpleasant experiences such as longer time in their rooms, in the institution and being separated from family when they are released, but it also means that they are isolated and forced to deal with horrific memories on their own. The girls’ stories of slashing, attempting suicide and witnessing others kill themselves should be used to question the response by risk governance. As Brown (2005: 23-24) points out, “[w]hat is notable about processes of exclusion is that they typically involve marginalizing the excluded groups: that is, denying their right to be self-determining, to have direct access to the general forms of power and lives.”
In conclusion, this chapter presents a portrait of the violent young female offender that differs from the rationality that currently creates her. The dissertation has been greatly influenced by the risk theorists. However, most critical analyses focus on official discourse with little empirical work examining the impact of risk thinking on the governing of identities and the transformation of the self. This work complements risk theory by providing a more complex understanding of how risk rationality affects those labelled 'risky.' As demonstrated throughout this chapter, risk governance encountered by these young women is more nuanced than that described by both the theorists and youth justice experts. Neo-liberal discourse is not only individualizing and coercive, it is also gendered and racialized. As Bonnycastle also (2004: 139) found in her research on risk assessment tools used with sex offenders, the “treatment program provides the men not only with discursive and practical tools for linking themselves to neo-liberal citizenship, but reiterating in new forms dominant constructions of masculinity.” Thus, while the experts argue that risk occurs uniformly across whole populations, this research reveals how risk rationality interacts with other discourses to produce subjective effects.

Although the authorities claim that risk assessment techniques will provide targeted resources to meet the needs of high risk youth, the notion of 'helping' youths is incongruent with current approaches to crime control. The girls “are presumed architects of their own environment, but without the tools for politicizing and understanding to what extent our freedom, ‘formative events,’ and individual choices...are always co-produced and constrained by our location within a world of structured power relations that affect the quality of our daily lives” (Bonnycastle 2004: 180). As Foucault (1979: 93) recognized, in any society there are multiple relations of power which constitute the social body, and these relations cannot be implemented without the production and circulation of a discourse. The discursive shift in the age of risk means that practices of 'treatment' are not concerned with listening to, trusting or addressing the underlying issues of high risk girls. This approach renders care, beyond meeting basic human needs, irrelevant.
CHAPTER 9.

A PARADIGM OF EXCLUSION

I conclude the dissertation by arguing that the treatment of young, violent female offenders in the age of risk results, in Bauman's (2000a) words, in a 'paradigm of exclusion.' Although Bauman relates this phrase to Pelican Bay, the 'super-max' prison in California, the notion that prisons have come to operate as a technique of immobilization for those who have experienced the rejecting logic of globalization and capitalism in late modernity is applicable to this study. However, Bauman's argument is qualified and made more complex by the data in this study. For the young female participants the parameters of exclusion go well beyond the youth justice system's response to their violent offence. In fact, one of the most distressing findings demonstrated in this chapter is that the youth custody centre has become a place of safety and well-being for girls, particularly for those in the sex trade. In other words, exclusion for the girls is not only because the prison is used as a technique of immobilization but, more significantly, exclusion stems from the fact that the girls' situation is so bleak on the outside that this place of immobilization also functions as a place of safety. I again draw on Wacquant (2001) to suggest that youth prison is more than a default system for marginalized kids; it is part of a carceral continuum that traps the highest risk youths. Whereas Chapter Eight revealed how this continuum impacts the girls' identities, here I invoke the concept to analyze how the youth detention centre has become a "home" for the risky girl. As Silver and Miller (2002: 155) point out, "[m]arginalized populations, such as those living in poverty (particularly racial minorities), the uneducated, illiterate, and mentally ill, are most likely to be burdened by actuarial risk assessment because they live in circumstances that correlate highly with acts of crime and violence...." There is no denying that the girls in this study are a risk to reoffend but it is not simply because of their addictions, their family, their friends or their lack of
recreational activity. Rather, they are at risk because of the systemic carceral continuum in which they live. It is for this reason that, in the final analysis, I argue that abolishing prisons for young people is a first step in effectively reducing the risk of the violent girl.

9.1. Youth Jail: From Default System to Carceral Continuum

The authorities acknowledge that youth custody facilities in Saskatchewan function as a 'default system' for Aboriginal youth. As one government authority states: "The justice system is a default system for some of the social ills in society... and is probably the worst place to deliver those services to kids." As police officers, lawyers, youth workers and judges also point out, because child protection or mental health resources are not available, young people in need end up in custody (Green and Healy 2003: 54). Although the YCJA (section 29(1) and section 38) stipulates that custody can no longer be used "as a substitute" system for social problems, this abstract legal principle will do little to change the situation for high risk girls. This section builds on the discussion in Chapter Eight to highlight how youth prison is more than a default system for the risky girl; it is part of a carceral continuum in which home and jail are ultimately inseparable.

9.1.1. Home as Jail

High levels of crime, surveillance and violent spaces render home life a 'walking prison' (Fabelo 1996) for most high risk girls. Poverty, the lack of "collective efficacy" (Sampson and Raudenbush 2001), or cohesion among neighbourhood residents combined with often violent forms of informal social control of public space, is significant in explaining how life outside of prison is part of a carceral continuum, especially for young women in the sex trade. The experiences of the girls in this study illustrate the shift from a social to penal treatment of poverty in risk governance. As Wacquant (2001: 97) explains:
[The] emerging government of poverty wedding the 'invisible hand' of the deregulated labor market to the 'iron fist' of an intrusive and omnipresent punitive apparatus is anchored, not by a 'prison industrial complex'...but by a carceral-assistential complex which carries out its mission to survey, train and neutralize the populations recalcitrant or superfluous to the new economic and racial regime.

This is reflected in the findings from the 1992 Lin Commission which, in The Report of the Indian Justice Review Committee, revealed that Aboriginal youth in Saskatchewan statistically have a better chance of going to jail than completing high school (1992: 13).

The sex trade therefore becomes a viable 'option' for risky youths. Survival sex is an obvious alternative for young women, considering that many street youth are now unable to claim social assistance. As Martin (2002) explains, up until the implementation of harsh reforms notably in Alberta and Ontario in the mid-1990s, youth fourteen and older who left their homes were eligible for "student welfare" as long as they remained in school. Ignoring the complex reasons why some youths cannot live with their families, this option was eliminated due to the social conservative argument that it inappropriately encouraged youth to leave home. There have also been cuts to children's aid budgets for those youth who enter care after the age of fourteen (Martin 2002: 93). The result is that "most of the youth who leave home today have very few options available for the basics of survival.... Not surprisingly a significant number turn to – or are captured by – street prostitution" (ibid).

The sex trade is also part of a continuum of abuse for some girls. There is a well-documented link between childhood abuse and involvement in prostitution (Lowman 1986; Chesney-Lind and Shelden 1992; Boritch 1997; Schissel and Fedec 1999). Several girls explain that they initially got involved as a means of taking care of younger siblings or themselves. Sue says that she started working in the sex trade when her mother moved to Calgary without her.

She left me and my sister behind and we didn't know what to do so we hung out with gang members and we saw how they survived...My sister said she would always take care of me but when she got picked up, I had to take care of myself.
For other girls prostitution is connected to gang membership or it is a means of making money to support addictions. As Michelle states, “drugs is mostly part of everything I do, why I'm out there [prostituting]. My friend said it was easy money.” But the girls' stories reveal that the money does not come 'easy.'

The risky girl experiences a dangerous and violent world in the sex trade, which contributes to life outside being like a prison. Michelle indicated: "I got my hand broken, right there [where she shows a large scar] by a trick. I never got it fixed when it was broken so when I came in here I had to get it opened and re-fixed." The threat of violence means the girls often carry some sort of weapon. Raquel, who began prostituting when she was twelve, stated "yah, I've been raped a couple times and I've been scared a lot but then I started carrying a big knife." The most effective weapon, according to the girls, is a dirty needle because it is well known that diseases are also part of the girls' reality. Katie lives in Prince Albert, which she says "has the highest Hep C rate and AIDS rate in all of Saskatchewan.” Based on this, Katie states that "I just don't like the fact that tricks try to ask you not to use a condom...They don't like using one...They're like, 'I'll pay you extra'". Schissel and Fedec (1999: 38) draw on other studies to report that "UNprotected sex is a valuable commodity in the sex trade and the highest profits are obtained from the prostitution of young girls who are willing to engage in unprotected sex (Chesney-Lind and Shelden 1992; Sachs 1994; Nyland 1995)."

Several of the girls I interviewed indicated that they were infected with Sexually Transmitted Diseases and Hepatitis C. Sue began crying when she revealed:

When I went to the doctor I found out that I had all these STDs and I don't know what to think about myself after that. I have this STD that the doctor said could affect me in the future, that I could get cancer from it if I don't take care of myself.

The professional discourse on youth prostitution does not often recognize how involvement in the sex trade has a devastating impact on the girls' physical, emotional and social well-being (Schissel and Fedec 1999). This impact often leads to further drug abuse and other mental and physical health problems.
The toll from the sex trade has meant that several girls find perpetrating violence a better survival option. Andrea said that rather than performing sexual acts for tricks, she prefers to rob them. "One time I got busted up real bad by this trick so then I was just robbing rather than working." Michelle is currently serving time for robbery with violence for a similar situation. She and her friend robbed a taxi driver for money because, as she explains:

It was really freezing out and I didn't want to go on the stroll [but] I was craving for a slam. The taxi driver was a john but we owed him for cab fare... He picked us up at the YWCA because we were both living there...I told him to up his stuff and I held a knife to his neck and she held a dirty syringe...All we got was thirteen dollars, a cell phone and half a pack of smokes.

Because the taxi driver was a former john he knew Michelle's friend who, as she indicates, "ratted me out in statements." The judge sentenced Michelle to one year in custody. These examples illustrate the carceral continuum in the lives of high risk girls. Several of the girls say there is a need for alternative options, other than prison, to get out of the sex trade.

Schissel and Fedec (1999: 34) point out that there is not a well-developed youth sex trade culture in Saskatoon and Regina, which means there are few conventions of protection which could break the carceral continuum. However, with increasing focus on high risk girls in the community, interventions from both state and non-state agencies are becoming more apparent. While some of the less experienced girls did not know of any agencies in the community, the girls who were veterans in the sex trade described services available to them. Michelle indicates that SWAP (Street Workers' Advocacy Project) is an organization based in Regina.

They have a van and they just stop you on the stroll and they give you hot chocolate and they give you condoms. They give you a bad date sheet and it tells about the description of the car and the guy and what he did and that helps too, like to stay away from the bad tricks.
Some of the girls had also been involved in SEYSO (Sexually Exploited Youth Speak Out), an organization in Saskatoon started by a young woman who had been sexually abused by johns and pimps at an early age (Green and Healy 2003: 237). Although the girls did not mention Operation Help, Green and Healy (2003: 221-223) describe this criminal justice intervention in Saskatoon as stemming from the authorities' frustration that custody is relied on as the only answer for girls involved in the sex trade. Modeled on Aboriginal healing circles, the program involves the young sex trade worker in a circle at the time she is apprehended by police. The circle includes three police officers, a lawyer, a social worker, a street outreach worker, an Elder, a survivor of the sex trade, an Aboriginal court worker, and a worker to do 'follow-up' (Green and Healy 2003: 222). The program is innovative in comparison to the community efforts because it attempts to deal with underlying social and economic difficulties faced by young women.

The Operation Help team has chosen not to charge those youth apprehended from the street with breaches of probation or with communicating for the purposes of prostitution. As a result, there have been no charges under section 213 against sex-trade workers (either youth or women) for two years in Saskatoon court (Green and Healy 2003: 223).

Unfortunately, this type of intervention is not the norm in Canada. Rather than attempting to move beyond a reliance on custody for the management of the risky girls, legislation in other provinces reinforces its misuse.

In keeping with the carceral continuum, recent legislation supports the forced confinement of young sex trade workers. In addition to risk assessment tools, actuarial methods such as preventive detention are acquiring legitimacy in the attempts to control the risky girl. Following the lead of Alberta's Protection of Children Involved in Prostitution Act (PCHIP), the Secure Care Act has come into force in British Columbia and similar bills have been introduced in other Canadian provinces. These laws reflect how neo-conservative (a law-and-order retributive policy to deal with disorder) and neo-liberal (which emphasizes autonomous individual responsibility) approaches to control are not inconsistent if the legislation is recognized as being essential to the
reinforcement of existing power relations (Martin 2002: 98). As Bittle (2005: 196) points out, secure care reflects a neo-liberal response in the way it "supports market conditions, activates community partnerships, befriends the family [in its emphasis on the inclusion of family in removing girls from the sex trade], throws responsibility for the youth sex trade onto the individual prostitute, and focuses on risk situations." These individualizing techniques are supported through coercive regulation. Martin (2002) analyses these types of legislation, including Ontario's *Safe Street Act*, as political commodities rather than attempts to address real problems. These laws represent populist policy-making which connects the public to the issue at an emotional level and diminishes any room for critique. As Martin (2002: 99) asks: "Who would refuse to protect children?" Moreover, considering that child welfare laws and child welfare workers were already in place with the purpose of protecting children, these statutes are clearly aimed at empowering enforcement agencies to detain and punish risky young women (Martin 2002: 101).

Although similar legislation has not yet gone past the discussion stage in Saskatchewan, this conceptualization of youth prostitution is evident in the strategies employed by the youth detention center. Concern over the safety of the young prostitute dissolves into concern for community members when she becomes enmeshed in the carceral continuum. When incarcerated for other offences, the young woman also becomes responsible for addressing her 'problem' of prostitution. For example, as documented in Denielle's Developmental Case Plan, one of her 'Problem Areas' is street life. Her 'Goal' is to "address issues in regards to street life and recognize that these behaviours are not acceptable." The 'Strategy' for accomplishing this includes a recommendation to "attend counselling... at Mental Health Services to address issues regarding prostitution, procuring, and gang affiliation." Thus, Denielle is encouraged to seek mental health counselling to reduce her risk partially associated with prostitution. As Bittle (2005: 206) points out, as part of the neo-liberal strategy, assistance is offered in the form of self-help. The girls' risk to reoffend precludes any attention to the economic, political and social inequities that lead girls to the street. The resulting question, as Green and Healy (2003: 77-78) ask is: "To what extent has our society's broad application of the criminal justice system worked against Aboriginal youth, by
substituting the threat or reality of criminal sanctions for the provision of needed services and resources?"

In addition to the sex trade, home is also a prison for some girls living in remote, isolated areas. Geoffery York (1990: 141-142) reports in *The Dispossessed: Life and Death in Native Canada*:

For a bored teenager, a remote northern reserve like Gods Lake Narrows in northeastern Manitoba is a prison... There are no jobs and few recreation programs. Tantalizing images of middle-class urban life, beamed into native homes by satellite television contrast with a day-to-day life of poverty and isolation.

York further reports that according to an alcohol and drug counsellor on the reserve, an estimated 30 percent of the youth are willing to commit a criminal offence to escape the reserve (ibid). Jackie’s story, which entails a bleak portrait of life in the northern Saskatchewan community of La Loche, reflects the fact that little has changed for Aboriginal youth more than a decade after York’s book. Jackie’s first charge was mischief for, as she states, “playing the bells at the cop station.” As she explains:

I did that because my friends told me they got charged for assault. We were drinking and I was like ‘I want to go to jail too.’ At first I told my friends to make an excuse that I fought her for me to get charged... I thought it would be cool to go.

After a few more charges, including assault, Jackie was incarcerated. I asked Jackie what she liked and did not like about being in Orcadia.

What I like about this facility is there is outings and you get to spend your money on your needs, not alcohol. [She laughs]. You work here, you have your schedule, it keeps you busy, you play sports lots and it’s a good facility. The thing that I don’t like about here is, um, I don’t know.

There was a long pause as Jackie tried to come up with what she didn’t like about Orcadia. She laughed and said, “oh, let the secure girls wear make-up” as her only complaint. Jackie was approaching her release date when I interviewed her and she had reservations about returning to her community. She was struggling with the
decision as to whether she should return to the remote town because she missed her family or stay in the Yorkton area, where she had more recreational resources, to complete the community portion of her sentence. Thus, for some girls, youth custody is reinforced as a 'retreat' from their everyday lives.

9.1.2. Jail as Home

As part of the carceral continuum, how does custody becomes more like a "home" for the girls? As several young women report, they feel more secure while incarcerated. Kim says, "I know nobody can invade my privacy here." Similarly, Sue states, "...you can stay in school and you can stay out of trouble because you don't know anybody and then they won't bug you for anything." This section relays the girls' various reasons for why custody is like home to them. On the surface, their stories challenge several of the criticisms of the system in this dissertation. Is the experts' emphasis on managing individual risk perhaps not a bad solution if we cannot hope to change larger structural inequalities? It is easy to see how this short term remedy is attractive to both the authorities and the young women. Nonetheless, we cannot ignore that something is badly wrong in the lives of high risk girls and with our current use of youth jail, for them to view custody as being a comforting place.

Youth custody offers girls a break from gang life and from addictions, both of which, they say, are otherwise difficult to bring to an end. Vivian says that she often feels safer in custody because people in the gang “think you're a little bitch if you want to get out” of the gang. Similarly, when Andrea was being taught the lessons of "tough love" by her boyfriend, she recalls thinking at the time "oh man, I wish I were in. It's sometimes better than being on the outs when you're in a gang." Andrea states that she has heard other girls comment that they'll stab someone just to get back in. Several of the girls also took comfort in the fact that they cannot drink or do drugs while incarcerated. As Tracey explains,

There’s no worries in here. You’re not drunk so you know what you’re doing, you’re healthy... You can work on your problems, and you can’t
really hurt yourself, well you can, but there's not as many situations or things you could do to yourself.

Several of the girls comment that they gain a lot of weight while they are incarcerated, partially from the inactivity and amount of 'junk food' but mainly because they are not able to drink or do drugs. "When you're slamming, you can't eat. You feel rank if you do." Staff indicated that Donna, who has a slight frame, was on the run for two months and came back thirty pounds lighter from a lack of food and drugs.

The girls, therefore, have several basic needs met while they are incarcerated. One of the supervisors said that for most white girls home is a better environment than the custody facility but the same is not true for Aboriginal youth in the system. As Nicole points out, "like for some Aboriginal girls, it's the only home they know, it's real safe here, they feel secure [and] they get fed." Several of the girls and authorities commented that simply having food and safe shelter makes custody attractive for these girls. A community youth worker comments:

This has become their home. This is where their friends are, I mean, they do well in here. They get meals, no one is hurting them, touching them. They know they have clothes to wear and that may seem real strange to the average person but for them, and where they grew up, that's not always a sure thing.

Vivian confirmed that a 'sure thing' is lacking in the girls' lives. She said some of the girls come back to custody because they do not have anywhere else to go. Some live on the streets for a while but, as she states, "nobody likes being dirty."

The result of jail being like home for the girls is that there is a lot of anxiety around their release date. Leaving the facility is difficult and the staff say they often see 'acting out behaviour' from the girls as an expression of this anxiety. The girls worry about not having enough to eat, about being around friends and drugs, and about integrating back to their community. Andrea was struggling with how to deal with her boyfriend's gang-affiliated threats to return to him once she was released. Her worker wanted Andrea to charge her boyfriend but, as she explains, "he doesn't get it. I'm not
going to be a rat and get beaten up more." As noted in Chapter Three, Andrea’s dilemma is complicated by the fact that she is now eighteen with violent charges, which precludes her from all housing options, as well as by the fact that she will face adult prison if she reoffends. By the end of the research process, Andrea had been released and, shortly after, I was told she was arrested by the police.

Deterrence for these girls is a questionable principle of sentencing when jail is better than their street or home life. I witnessed one of the young women on her release date crying as she got ready to leave. As Nicole states, "some girls when they’re getting out the next day, they’re not happy because they have nothing to get out there for. It’s sad." Some girls are so used to custody that being released seems to be their punishment. As Katie says "I was crying when I left Kilburn...I just grew up in custody, that’s where I spent all my teenage years.” Similarly, Angela celebrated every birthday from the age of thirteen to sixteen in prison. As one of the authorities points out, “the basic principles of the justice system are contrary to the needs of youth. We can’t use deterrence as part of case planning so we therefore need to plan on a needs-basis.”

The lack of resources to address needs, as outlined in Chapter Four, and the girls’ dependency on custody also render the justice system's use of 'breaches' or system offences questionable. As Michelle points out:

I think they should just screw the breaches and probation because that’s what paying these people to do their jobs, like that’s what is keeping this institution alive is because mostly everybody is coming in and out of here for breaches...It’s just setting us up for failure.

In fact, because the girls recognize that they will likely breach the conditions in their supervision orders, several indicate that they would prefer to stay incarcerated for the community portion of their sentence. As Katie explains:

You’re not doing drugs, your worker is right there, you’re always clean, you always have support, you always have companionship...That’s why I want to try and work the court and see if they’ll let me take [my probation] in closed custody.
The use of breaches contradicts the emphasis on 'reintegration' in youth justice legislation. When the community youth worker does have a resource in place in the community for the young woman, what often happens, as Kalei states, is that “I never get a chance to do it because I get picked up for breaches.” Similarly, the girls often have a residency requirement as part of their community supervision order but they are breached for not maintaining this requirement when they get “kicked out” of their house. Some parents in fact report the breach to the police. Kristine says her mom does it “because she'd rather see me in here than out there.” Breaches are therefore an integral part of the carceral continuum for high risk girls.

Without changing the life circumstances of risky girls, breach charges, analogous to status offence charges under the JDA, will continue to trap the same youth. In 1992, the Indian Justice Review Committee urged the authorities in Saskatchewan to reduce the frequency of Aboriginal youth being incarcerated for system offences or what the report referred to as “lifestyle” offences (1992: 13 cited in Green and Healy 2003: 77-78). However, as Green and Healy (2003) point out, ten years after the Lin Commission report, the problem remains. “Out of 2,801 charges before Saskatoon’s youth docket court in the month of October [2002], 1,244 were the same charges the Indian Justice Review Committee was concerned about: 44 percent had no victims” (2003: 78). Although some judges are resisting the LSI-SK and recognize that the over-representation of Aboriginal youth is largely the result of systems offences, they do not have the power to order the authorities to meet the needs of girls once they are released. “Taken in this light, many of these conditions ask too much from the youth, and too little from the community... [A]pplying a jail-style response to breach charges will lead only to more marginalized youth, and to more victims"(Green and Healy 2003: 46 & 45). As one of the teachers points out “it's the same kids over and over so obviously there’s a problem here. We’re just housing them.” There may be little incentive for change when faced with the reality that life in youth detention for some high risk girls is better than life at home.
The result is that the carceral continuum continues for the risky girl past the youth justice system. Several of the young women report that Pine Grove, the female adult Correctional facility in Saskatchewan, will be their next stop in life. As Tracey states:

I'm going to be in Pine Grove, I know it. If I go back to the way my life has been, it's going to be the same old thing. I need something different.

Several of the staff also comment on knowing that certain girls will be back. As Sue's release date approached, one of the supervisors told me that because of Sue's abusive home life and the fact that she was disqualified from admission to a community home, "she will definitely fail." Failure for some girls may be that they are returned to custody for breaches or other minor offences, but for Angela who has been incarcerated for years there were comments by the staff that they would not be surprised if she kills someone.

In sum, it is well-established in the literature that custody does not 'work' in its rehabilitative efforts. The findings of a 2002 report funded by the Solicitor General of Canada indicate that incarceration increases rather than decreases recidivism for all populations by 6% (Smith, Goggin and Gendreau 2002). Prisons for both adult and youth offenders are well documented as violent, degrading and dehumanizing places which are increasingly used to simply segregate the highest risk populations. Sadly, even with these problems the custody facilities in Saskatchewan are an improvement over the life some young women experience at home or on the streets. This is especially the case for those girls who work in the sex trade and who find that their basic needs such as having food and shelter are met only when they are incarcerated. However, the carceral continuum between jail and home is difficult to break because acknowledging this fact results in either public outrage that custody is not 'tough' enough to deter crime, or apathy on the part of the authorities who rightly claim that addressing inequalities in society is not part of their job description. Exclusion becomes the only viable response for the most risky, most politically and socially marginalized young females in Canada.
9.2. Effectively Reducing 'Risk'

This section concludes the dissertation with some final thoughts on the research process, the impact of risk governance and recommendations that I think may effect meaningful change for young female offenders.

Some of my most enjoyable moments during the research process include the times I spent with the young women playing dodge-ball, board games and eating meals together. It was fun and it was here that I saw them laugh and play like light-hearted teenage girls. In some sense, these moments were also mental relief from the interviews where I repeatedly heard about the horrors and desperation these girls experience. These contrasting scenarios were difficult to resolve and made me question a lot of what I had thought and written on young offender facilities (Barron 2000). After learning about the girls lives outside of custody I wondered if this temporary haven was not such a bad idea. Had the risk experts got it right? Perhaps we should separate the highest risk girls into an institution and not be concerned with discipline or rehabilitation but with keeping them safe, fed and healthy. We can clearly rely on the carceral continuum to bring them back into the system at the point when they are again a high risk and in greatest need. As one of the community youth workers points out, "the only person we have the ability to change is the youth."

Arguing that we need to address wider structural issues and inequalities is tiresome. It is disheartening as a researcher to be this intimately connected to the knowledge of what the risky girl experiences and know that the problems I am highlighting in the final work will change little. As I acknowledge in all my writing, the difficulty is not in finding caring people in the youth justice system who genuinely want to help these girls. Once again, the workers and authorities I interviewed demonstrate their enthusiasm to try anything that may positively impact on the young women. The difficulty lies instead in making suggestions that go beyond what any one institution or government department is capable of implementing. When I asked the staff how they
thought the justice system could better address the needs of these young women, one member comments:

You can't. That's reality. That's how society is. You can't change society. There will always be poverty, there will always be discrimination.

This defeatist attitude is understandable, but it also stands as a reminder of why this study is significant.

As historians of penal policy have demonstrated, no technique of control or technique for maximizing the life of populations is free from negative possibilities (Cohen 1985; Foucault 1979; Garland 2001). These writers have demonstrated how the systemic results of good intentions can in fact be harmful. This is especially the case for young women. As Sangster (2001: 1-2) argues:

While history does not offer pat solutions to present dilemmas, it may stimulate some sobering second thoughts on current debates – by dissecting the changing definitions of criminality and the process by which law constituted gender, race, and class relations; by mounting a critique of past reform efforts; and, importantly, by suggesting how the law affected the lives of girls and women who came into conflict with it.

Silver and Miller (2002) engage with the negative potentials of actuarial risk assessment. As they explain:

As a social science practice, actuarial risk assessment assists in legitimatizing the involuntary detention of groups of individuals not for something they have done wrong but for something it is estimated they might do based on the previous behaviour of the group with which they are statistically associated. This could amount, in the extreme, to punishment on the basis of group membership or guilt by association. Pushing this analysis further, we can raise the question of whether, in the future, it would be possible to submit any type of population difference to an actuarial risk assessment analysis (Silver and Miller 2002: 156).

As the authors also point out, through an increased emphasis on the rewards for prudentialism (Rose 2000), it is possible that these tools could be used by anxious private citizens. This would foster the demonization of groups, such as violent girls, who
are most feared in the age of risk. Thus, the dissertation provides a much needed reflection on how actuarial practices interact with past and present characterizations of young female offenders in ways that require critical evaluation.

Grounding risk logics in empirical research has pointed to several assumptions made by both experts and risk theorists. In particular, the process has uncovered that the impact of risk rationality is far more complex and contradictory than that presented in theory. The dissertation reveals several portraits of young women, the youth institution, the professionals, the staff and the relationships between the actors in ways that differ from the rationality which defines them. Established theory does not account for the girls' agency in reproducing or resisting these identities. Managing the high risk girl relies on the responsibilization strategies as the theorists suggest, but it also includes relations of trust, institutional routine and programs that normalize non-risky behaviour.

While a focus on the young women's strengths holds the possibility for a more inclusionary response to young offenders, other 'risks' generated by the system – such as the amount of time girls spend isolated, and their dependency on the system – limit any real chance for 'rehabilitation.' Analyzing the management, punishment and treatment of high risk girls reveals how evaluations are based on cultural, political, racist and classist assumptions of behaviour. Challenging the assumptions in risk discourse is imperative. As I argue in Chapter Seven, although the governmentality theorists are convincing in their analysis of how the criminal justice state is becoming less centralized, this research also uncovers the power of the government in rendering risk discourse hegemonic.

The overall finding that young women experience exclusion in the age of risk hinges on a reliance on youth detention centres. I have clearly documented how the institution can act as a haven for some young women but accepting this reality promotes complacency that meeting basic needs is all this population should hope for. We cannot implement meaningful change and thereby reduce the 'risk' for young Aboriginal female offenders until we abolish youth jails altogether. Despite a 'new' risk discourse, Chapter
Five demonstrates that youth continue to be dealt with in a punitive, retributive framework such that the 'old' problems of past regimes are compounded in the age of risk. As Green and Healy (2003: 233) question, if our mission statement in youth justice is to actually reduce harm, "then the hard business question is why do we spend eighty to ninety cents out of every available dollar on incarceration?" If we closed all of the youth facilities, even for the highest risk young people, the youth system would have a plethora of money, resources and compassionate people who would be forced to come up with alternatives that break the carceral continuum. These alternatives would also need to accommodate a new perspective on the 'responsibilization strategy.' Rather than place the obligation on young people to address areas of risk, risk assessment could be used to identify where the authorities and community members must assume responsibility to protect our young people. As I concluded in Chapter Four, what types of interventions would be in place if the LSI-SK included poverty as a risk factor? We need to think of mechanisms that hold citizenry accountable in these equally risky areas.

Unfortunately my final thoughts do not include an innovative, ground-breaking recommendation for how we should respond to young women who commit violent acts. The discourse on abolition has waxed and waned in popularity for decades. While risk-adverse, populist policy-makers continue to deny any real possibility of abolishing youth detention centres, my hope is that at the very least the findings in this dissertation spark debate and therefore resistance to complacency. As a graduate student I was worried about challenging established expert knowledge and the ramifications of advocating abolitionism for accessing future research projects. However, this research has made it painfully clear that we can no longer simply make changes to the institutional processing of young people. The injustice of what I heard and observed for seven months gave me the confidence to report findings that I know will not be well received by the authorities.

Non-carceral resources would, of course, need to be guaranteed if the institutions were closed so as not to replicate the same fate of 'mental patients' who had to fend for themselves when the state deinstitutionalized strictly as a cost-cutting measure.
who trusted me with this project. But ultimately I owe this critique to the young women who participated in this study.
REFERENCES


Community Homes Program. no date given. *Admission Criteria.*


Gossner, D. 2003. *Validation of the Youth Level of Service/Case Management Inventory with Saskatchewan Young Offenders*. M.A. Thesis. Department of Educational Psychology and Special Education. Saskatoon: University of Saskatchewan.


Orcadia Youth Residence (OYR) Program Description. Institutional document.


Appendix A.

Information Sheet/Parental Consent Form

SIMON FRASER UNIVERSITY

FACULTY OF ARTS
SCHOOL OF CRIMINOLOGY

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www.sfu.ca/criminology

PARENT/GUARDIAN CONSENT

Title of Project: THE POLICY IMPLICATIONS OF THE DISTORTED IMAGERY OF YOUNG FEMALE OFFENDERS

Principal Researcher: Christie Barron
Contact Names: Dr. Dany Lacombe, Dr. Robert Gordon

Telephone Number(s): 306-525-6423 (Regina)
306-374-7968 (Saskatoon)
403-245-8744 (Calgary)
Telephone Number: 604-291-3213 (SFU)

I am a doctoral student in the School of Criminology at Simon Fraser University and am interested in female youth crime in Canada. The subject has received a lot of attention after high profile crimes like the murder of Reena Virk in British Columbia in 1997. Cases of young female violence have created public panic based on the belief that something has gone wrong with teenage girls. This is reflected in a CBC documentary entitled "Nasty Girls" which attempts to confirm an increase in girl violence. However, official crime statistics indicate that the violent crime rate has dropped for female youths. I am interested in looking at why girls are now deemed problematic and how youth justice policy may or may not reflect this belief.

In order to collect the necessary data, I am asking for your permission to a tape-recorded interview with ___ (youth's name) provided that she wishes to participate. I will ask her questions about the crime activities for which she was caught, the programs, if any, that she is encouraged to partake in and if she has is aware of her risk factors. I will also ask her to define comment on her 'style', her relationships with friends, her goals and her sense of girls' and women's roles in society. While talking about her past may be difficult, the benefit of participating is that she will provide some valuable information on the topic. Very few studies involve asking young women themselves what is going on and I think your daughter's perspective and knowledge will contribute to a better understanding. Taping the interview allows for better discussion and more accurate testimony, but the tapes will be destroyed once the study is complete. In addition, a contract is in place between myself and the Saskatchewan Department of Corrections and Public Safety which will ensure that the rights of your child will be protected. The terms of agreement include:

- all information will be kept confidential
- personal identifiers will be removed from the data (e.g. pseudonyms will be used)
- the parents will be informed of the interview and will be asked to give written consent to the youth's participation
- all information pertaining to young offenders will only be disclosed in accordance with the Youth Criminal Justice Act, which ensures that the privacy rights of your child will be protected
Your child's participation is entirely voluntary and no harm will come to them as a consequence of refusing to participate in the study. She will also be informed of the right to withdraw participation at any time during the interview. I am only interested in those activities for which the youths have already been caught, and will not allow any discussion of information that could further incriminate them. At the top of this form are the contact numbers for my supervisors or myself if you have any complaints, additional questions, or inquiries about the research results.

Thank you for your co-operation.

Signature of Parent Guardian: ___________________________ Date: ___________________________

Printed Name: ________________________________________ Signature of Researcher: __________
Appendix B.

Areas/Samples of Interview Questions

1. Areas/Samples of Interview Questions (Girls)

 AREAS/SAMPLES OF INTERVIEW QUESTIONS

Age:
Grade:
Parents' or their country of origin:
Family construction/Type of family/Economic situation:

Type of school (prior to incarceration or if on probation):
Do/did you feel comfortable in the school system?
Do you feel safe at school? Do you feel more or less safe at home?
Was there a difference between elementary versus high school for you?
Do you have a social group at school in terms of friends?
Are they mostly from your own sex/gender and culture/racial group and/or are they diverse?
How do different cultural/racial groups interact with each other in school/in youth detention?

How do you define violence/aggression?
Have you or your friends experienced violence? If so, by whom (peers, parents, siblings, boyfriend...)?
If so, where/to whom did you turn? If not, where/to whom would you turn if you or a friend were experiencing violence?

How would you define "bullying"?
Have you or a friend ever encountered or been a victim of bullying? What happened? How was it dealt with?
Are there bullies in your school/detention centre? Describe them.
Do you recall any programs at school that teach students about bullying, violence, racism?
Are these programs useful?

Why are you incarcerated/on probation?
Who is to blame?
Who is responsible to help you now?
How did your parent/guardian respond?
While incarcerated/on probation what is in place to help you change your behaviour? What programs are you encouraged to take? By whom? Why do they think this will help you?
Has anyone ever mentioned or talked to you about "risk factors"? If so, what were you told about your "risk factors"?
Do you think that you have "risk factors"? If so, what are they? If not, why? Have your risk factors ever changed? If so, how?
Is there a plan in place to work on these issues?

Do you think knowledge of/working on your risk factors helps prevent you from committing any other criminal acts?

Do you regularly access any media (e.g. radio, TV, movies, newspapers, magazines, music, etc.)? How do the media represent young women?
Is there a difference in how the media represent young women from different ethnic backgrounds — for example white girls versus black girls?
How do the media represent or show your culture?

What do you like to do for fun/recreation?
How would you define your style? What is this based on (e.g., taste in clothes, music etc.) Do you have a role model(s)?

Do you/did you work? What kind of work?
What are your plans for the future? Job, school, family
Is this similar/different from what your parent/guardian does?
How would you define women's role in society? Is it different from men's?
2. Areas/Samples of Interview Questions (Authorities)

AREAS/SAMPLES OF INTERVIEW QUESTIONS
(Staff/Authorities)

What does your job/position entail?
How long have you been working in this capacity?
Has the nature of your work changed since you began?
How much contact do you have with the young women who are incarcerated/on probation?
Has the nature of the young people you deal with changed (ex. more/less aggressive/change in age, sex, race, gender, class etc.)?
Has the rate of girl violence increased?
What are the factors contributing to the increase/decrease/no change?
Does pop culture/media contribute?

How would you define "bullying"?
Do you think aggression/bullying has become a problem in the school system? If so, why?
In your opinion, is the education system effectively dealing with incidents of violence at school?
Would you like to see any changes?

How do you define "violence/aggression"?
Has this definition changed? If so, how?
Is there a difference between girl and boy aggression?
How do you explain most cases of girl aggression? What are the precipitating factors? What is in place in the youth justice system (community sanctions and detention centre) to deal with aggression in girls?
What are the rationales for these programs?
What is the goal of incarceration? Has it changed?

Do you have any involvement in assessing the young women? If so, in what capacity?
Do any or all of these girls have risk factors? If so, what are some examples?
What is your opinion of risk assessment? Does it help manage young offenders?
Are risks accurately predicted?

Are you aware of the Youth Criminal Justice Act which has replaced the Young Offenders Act?
Do you anticipate any changes in your job with its implementation (in April 2003)?
Will it affect the "type" of young offender you deal with?
Will it affect the programs offered to curb female violence/aggression?

What changes, if any, would you like to see in programs for youth?
Are these different for boys and girls?
Appendix C.

Consent Form (Girls)

SIMON FRASER UNIVERSITY

Title of Project: THE POLICY IMPLICATIONS OF THE DISTORTED IMAGERY OF YOUNG FEMALE OFFENDERS

Principal Researcher: Christie Barron
Contact Names: Dr. Dany Lacombe Dr. Robert Gordon

Telephone Number: (403) 245-8744
Telephone Number: (604) 291-3213

Do you understand that you have been asked to be in a research study? Yes ☐ No ☐
Have you read (or has it been read to you) and received a copy of the Information Sheet? 
Do you understand the benefits and risks involved in taking part in this research study? 
Have you had an opportunity to ask questions and discuss this study? 
Do you understand that you are free to withdraw from the study at any time, without having to give a reason and without affecting your future care? 
Has the issue of confidentiality been explained to you, and do you understand who will have access to your records? 
Who explained this study to you? ____________________________
I agree to take part in this study: Yes ☐ No ☐
Signature of Research Participant: ____________________________
Printed Name: ____________________________
Date: ____________________________
Signature of Researcher: ____________________________
THE INFORMATION SHEET WILL BE ATTACHED TO THIS CONSENT FORM AND A COPY GIVEN TO THE RESEARCH PARTICIPANT.
Appendix D.

Information Sheet (Girls)

I am a doctoral student in the School of Criminology at Simon Fraser University and am interested in female youth violence in Canada. The subject has received a lot of attention after high profile crimes like the murder of Reena Virk in British Columbia in 1997. Cases of young female violence have created public panic based on the belief that something has gone wrong with teenage girls. This is reflected in a CBC documentary entitled "Nasty Girls" which attempts to confirm an increase in girl violence. However, official crime statistics indicate that the violent crime rate has dropped for female youths. I am interested in looking at why girls are now deemed problematic and how youth justice policy may or may not reflect this belief.

I would very much appreciate your participation in an one hour interview during which I will ask you questions about the crime activities for which you were caught, the programs, if any, that you are encouraged to partake in and if you are aware of your risk factors. I will also ask you to define comment on your 'style', your relationships with friends, what you would like to accomplish and your sense of girls' and women's roles in society. While talking about your past may be difficult, the benefit of participating is that you can provide some valuable...
information on the topic. Very few studies involve asking young women themselves what is going on and I think your perspectives and knowledge will contribute to a better understanding.

Before agreeing to the interview you need to be aware of additional information and your rights as a participant:

- You are participating in the interview because you want to and you understand that you will not gain increased privileges or receive preferred treatment as a result of participating in the study. No harm will come to you as a consequence of refusing to participate. You may ask questions or ask for more information at any time prior to, throughout or after the interview process.

- You are free to decline answering certain questions and or to withdraw from the interview at any time, without having to give a reason and without affecting your future care.

- The interview will be recorded on tape but I am the only person who will have access to the tape, which will be erased once the study is completed. I am also the only person who will have access to your records. I will not use your real name or any personal identifiers in the study. All information will be kept confidential.

- I will only ask you questions about the activities for which you have already been caught punished. It is important that you do not talk about illegal activities for which you or your friends have not been caught. At the top of this form is the name and contact numbers of my supervisors and myself if you or your parents guardians have any complaints, additional questions, or inquiries about the research results.

Signature of Research Participant: ___________________________ Date: ___________________________

Printed Name: ___________________________ Signature of Researcher: ___________________________
Appendix E.

Information Sheet/Consent Form (Authorities)

SIMON FRASER UNIVERSITY

8888 UNIVERSITY DRIVE
BURNABY, BRITISH COLUMBIA
CANADA V5A 1S6
Telephone: 604-291-3213
Fax: 604-291-4140
www.sfu.ca/criminology

INFORMATION SHEET/CONSENT FORM

Title of Project: THE POLICY IMPLICATIONS OF THE DISTORTED IMAGERY OF YOUNG FEMALE OFFENDERS

Principal Researcher: Christie Barron
Contact Names: Dr. Dany Lacombe, Dr. Robert Gordon

Telephone Number(s): 306-525-6423 (Regina)
306-374-7968 (Saskatoon)
403-245-8744 (Calgary)

Telephone Number: 604-291-3213 (SFU)

I am a doctoral student in the School of Criminology at Simon Fraser University and am interested in female youth violence in Canada. The subject has received a lot of attention after high profile crimes like the murder of Reena Virk in British Columbia in 1997. Cases of young female violence have created public panic based on the belief that something has gone wrong with teenage girls. This is reflected in a CBC documentary entitled "Nasty Girls" which attempts to confirm an increase in girl violence. However, official crime statistics indicate that the violent crime rate dropped (-6.5%) for female youths (Stats Canada, July 2000). I am interested in looking at why girls are now deemed problematic and how youth justice policy may or may not reflect this belief. Increasingly community- and correctional-based programs use actuarial technologies to construct risk profiles on each young offender. My dissertation research will investigate the impact of competing logics of restorative justice and a managerialist agenda on the youth justice system and, in particular, on aggressive violent young women.

I would very much appreciate your participation in an one hour interview during which I will ask you open-ended questions about your experience with working in the youth justice system. These will include questions about your understanding of girls involved in aggressive acts, what is in place to rehabilitate treat young women and what, if any changes you would like to see in place. I will also ask you about your involvement with and perceptions on risk assessment and what, if any, changes you anticipate with the enactment of the Youth Criminal Justice Act.

While I do not anticipate any harm to you as a result of your participating in the study, sharing your expertise and experience in the area will be invaluable to the project. Before agreeing to the interview you need to be aware of additional information and your rights as a participant:

• Participating in the interview is voluntary. No harm will come to you as a consequence of refusing to participate. You may ask questions or ask for more information at any time prior to, throughout or after the interview process.
• You are free to decline answering certain questions and/or to withdraw from the interview at any time, without having to give a reason.
• The interview will be recorded on tape but I am the only person who will have access to the tape, which
will be erased once the study is completed.

- I will not use your real name or any personal identifiers in the study. All information will be kept confidential.
- At the top of this form is the name and contact numbers of my supervisors and myself if you have any complaints, additional questions, or inquiries about the research results.

PRIOR TO INTERVIEWING, I MUST OBTAIN YOUR WRITTEN INFORMED CONSENT:

Signature of Research Participant: ___________________________ Date: ___________________________

Printed Name: ___________________________ Signature of Researcher: ___________________________