

Running Head: USING ARTS-BASED METHODS

“The System is Broken”: Using Arts-Based Methods to Explore Youth Voices and Experiences  
of Youth Justice Involvement

by

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**Abstract**

Despite the high numbers of youth in judicial custody in Manitoba and the staggering overrepresentation of Indigenous youth with criminal justice involvement, there remains a distinct gap in research and policy development around the centering of youth voices and experiences. In fact, youth who experience marginalization at multiple intersections of identity are more likely to be or become justice involved and less likely to have their experiences and perspectives heard. Existing research indicates that Indigenous youth in Manitoba have a long history of experiencing targeted/racialized policing, police violence, carceral/institutional violence and discrimination at every juncture of the judicial process. This historic and ongoing violence is rooted in colonization, systemic racism and structural oppression. Grounded in intersectionality, anti-oppressive practice theory, and Indigenous research methodologies, this project aimed to respond to the above reality using talking circles and arts-based methods, namely the creation of a collaborative, youth-led zine, centering youth voices and experiences. The zine includes personal stories, art, poetry and photos, and was distributed in print and as a free online document to youth-serving organizations across Winnipeg and Manitoba, becoming a community-driven resource for potential transformation and empowerment. Overall, this project highlighted the need for community-based, community-driven research, particularly within systems and institutions that exercise tremendous control over the lives of marginalized youth. Based on youth perspectives and experiences shared in the talking circle and zine, several recommendations relating to youth justice-involvement are proposed, and a few key implications for social work practice are discussed.

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## Chapter 1: Introduction

### Overview and Introduction

The present project utilizes arts-based research methods to explore the experiences of youth who have been involved in the criminal justice system and serves as the final project for my thesis in the Master of Social Work Program. Youth voices are central to understanding the lived experiences of youth. My research will utilize arts-based methods, specifically the creation of a collective zine<sup>1</sup>, to explore the experiences and perspectives of youth who have been involved in the criminal justice system. In Canada, Indigenous youth are starkly overrepresented in the criminal justice system (Statistics Canada, 2016/2017). When we zoom our lens in on Manitoba, we see that the province boasts one of the highest rates of youth incarceration in Canada (Brownell et al., 2018). As such, the present work centers the voices of Indigenous youth involved in the justice system. Using collaborative and participatory methods, the present study highlights youth experiences through the zine-making process.

In order to create the collective zine, I originally planned to host an in-person zine-making workshop at Art City, a community organization that provides arts-based programming to inner-city youth in Winnipeg, Manitoba, Canada. Given physical distancing restrictions put in place in response to the COVID-19 pandemic, I hosted the zine-making workshop utilizing Zoom video conferencing technology. The zine-making workshop was co-facilitated by a local artist, who joined the art-making process to support the youth as they created pieces for the

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<sup>1</sup> A zine is self-published publication that provides the creators with full control and ownership over what is created, arranged and published. More on page 35.

collective zine. As a researcher and settler on Turtle Island, collaborating with community artists allowed me to offer my time, resources, and labour, as well as honour and build upon established relationships and community strengths.

### **Positionality**

Research within Indigenous communities has a long history of Western state-sanctioned, exploitative and abusive practices born out of institutional racism and colonization (Wilson, Flicker, & Restoule, 2015). Contemporary examples of unethical research conducted without the acquirement of free, prior and informed consent include both the sterilization of Indigenous women in Canada (Browne & Fiske, 2001) and the blood samples taken from over 800 Nuu-chah-nulth people in British Columbia that were used for a secondary purpose, which the community had not consented to (Arbour & Cook, 2006). These cases highlight a disturbing pattern of abusive and unethical research in Indigenous communities within Canada that continues today. Considering the extensive history of coercive and violent research that has produced direct harm to Indigenous and other marginalized peoples, it is unsurprising that many Indigenous groups hold a justified mistrust of white, Western researchers and academic institutions. In Indigenous communities specifically, academic research has functioned as an extension of colonial practice by utilizing methods and instruments that highlight community deficits, positioning Indigenous communities below their white counterparts (Sasakamoose, 2018). Further, many non-Indigenous researchers who do not share Indigenous experiences or realities co-opt the stories and experiences of Indigenous people, benefitting both monetarily and academically. Because of the important concerns documented above, it is critical that I begin this paper by addressing and analyzing my own positionality as a researcher.



My position as a non-Indigenous, white, European settler in Canada necessitates ongoing reflection and analysis of power distribution within my research with Indigenous youth in Winnipeg. My initial inspiration for the present work came from youth I have supported over several years working at youth-serving non-profit organizations. Further, the present study has been informed by my research and experience as a social work student, as well as personal experiences in my own youth. Over the years, I have heard youth describe how their experiences within justice and the child welfare systems have minimized their identities to that of “bad kids,” who had done something deserving of punitive action. However, this characterization stands in stark contrast to the current rhetoric and research surrounding Canada’s colonial history and its intergenerational impacts on Indigenous communities. Throughout my time supporting justice-involved youth, I have heard authority figures, including social workers, foster parents, police, corrections and probation officers describe youth as manipulative, disrespectful of authority, rebellious and dangerous. These labels work to construct a detrimental societal view of youth delinquency and criminality that I will discuss further in my literature review. My passion for representing youth voices also comes from my own experiences of homelessness, family violence and poverty as a teen. While I was not involved in child welfare or justice systems, I always wondered why adults did not seem to care that myself and many of my friends were living in desperate situations. Today, I want to use my power and privilege to challenge colonial narratives that continue to perpetuate systemic oppression of young Indigenous people. I want to highlight the voices of the most vulnerable youth who are regularly ignored by those in positions of power.

As a settler, I am an outsider to Indigenous communities. As such, my entry into Indigenous community and Indigenous spaces for research purposes served as an opportunity to establish relationships based on consistent, respectful and ongoing navigation of roles and balancing of power (Hacker, 2017). Throughout the present project, centering youth-identified needs and building strong relationships within my research partnership with youth participants was imperative. I spent time acknowledging, analyzing and navigating my own privilege and assumptions throughout the project, and have continued to do so throughout the writing process. In particular, as an academic and an outsider who stands to benefit academically from engaging in research with Indigenous youth, I make every attempt to amplify the voices of Indigenous theorists and scholars within the literature cited. The primary priority of the present work is to offset the silencing of youth voices in research and policy decisions that directly impact youth lives. The research questions for the present project were collaboratively discussed with participants prior to data collection, giving youth participants an opportunity to shape the questions and clarify priorities of the project. Throughout this work, I have made every effort to consider, reflect on and analyze the ways issues are presented and articulated in order to avoid perpetuating discriminatory assumptions about Indigenous communities and specifically youth. The methodologies and ideological frameworks guiding this work reflect the belief that youth are experts and knowledge holders in their own lives, rejecting the idea of the researcher as expert. In an effort to respond to the inherent power imbalances between white researchers and Indigenous youth, this project utilizes the theoretical application of anti-colonial theories, anti-oppressive practice and intersectionality in practice.

### **Purpose, Objectives & Rationale**

Despite the vast overrepresentation of Indigenous youth in Manitoba's criminal justice system (Brownell et al., 2018), there is a very limited body of literature focusing specifically on the voices of Indigenous youth and their experiences. The present study sought to respond to this gap in the literature, while acknowledging the need for institutional change and political action based on the recommendations of the Truth and Reconciliation Commission of Canada (TRC) (2015). The present study aims to inform and influence policy makers, researchers, and those who work with justice-involved youth, highlighting the transformative potential of youth voices and youth-led initiatives in criminal justice research and action.

While sifting through the literature, I was unable to find a coherent body of research that utilized youth voices to inform social work and criminal justice policy or practice, despite the known importance of including youth perspectives in this work (Bird-Naytowhow et al., 2017). Current mainstream systems, policies and research institutions often ignore the voices of Indigenous youth in the important decisions that directly impact their lives, creating an imbalance of perspectives. My understanding of the medicine wheel as, "an ancient symbol of the universe," (Hart, 2002, p. 39) includes the significance of balance and holism (Morissette, 2006). With the present work I hope to help restore balance to social work research, knowledge and practice by re-integrating youth voices into the circle, where they belong. As a settler and beneficiary of colonization, I hope to offer my time and energy in an effort to decolonize social work research and encourage other non-Indigenous researchers to do the same. Ultimately, the youth I have met and built relationships with over the years have shown me incredible strength, courage and awareness of the challenges they face. Youth voices are desperately needed to

provide hope and representation in research and social work practice, for their own benefit and that of their peers. Furthermore, the power held by academia is not so fragile that we need to shut out the voices of younger generations in order to maintain a stronghold.

Despite the overall decrease in numbers of incarcerated youth in Canada in the past decade, Manitoba has the highest rates of youth in custody in Canada, with an average of 22 per 10,000 (Statistics Canada, 2016/2017). Saskatchewan has the second highest rate with 19 per 10,000 youth, while British Columbia has just 2 per 10,000 youth in custody. Manitoba also has the highest rates of youth involved with community corrections services (probation), with a total of 1278 youth in community corrections, a rate of 130 per 10,000 youth. Further investigation reveals that 82 per cent of girls and 81 per cent of boys incarcerated as minors in Manitoba are Indigenous (Statistics Canada, 2016/2017). The overrepresentation of Indigenous people in systems including child welfare and the criminal justice system has been well documented (Chan & Chunn, 2014; Palmater, 2015; Schissel, 2010). In order to understand the issue of overrepresentation of Indigenous youth in prisons, we must understand the unique reasons that Indigenous youth become involved in the justice system at rates over and above those of non-Indigenous youth.

Throughout Canada's history, Indigenous people have suffered centuries of human rights violations at the hands of Canadian governmental systems (Wildcat, 2015). The historic and ongoing impacts of colonization have devastated Indigenous communities. One of the most destructive legacies of colonization is the operation of the residential school system (TRC, 2015). The acts of systematically removing Indigenous children from their homes, denying them their identities, forcefully preventing them from speaking their languages, seeing their families,

and engaging in cultural and spiritual traditions have had an immeasurably destructive impact on Indigenous families and communities in Canada. The threat of losing generations of knowledge, the legacy of physical and sexual abuse, and the dismantling of families has ultimately impacted rates of addiction, mental health trauma, poverty and incarceration (Bombay, Matheson, & Anisman, 2014; Ives, Denov & Sussman, 2015). This destruction of identity is increasingly considered cultural genocide in the popular narrative (Kingston, 2015). The impacts of these historic and ongoing processes of oppression are captured in the TRC's final report and the 94 Calls to Action to the Government of Canada, intended to improve the lives of Indigenous people in Canada today (TRC, 2015). Furthermore, The United Nations Declaration of the Rights of Indigenous Peoples asserts that Indigenous people should not be subject to any act of violence including, "forcibly removing children of the group to another group" (United Nations, 2011, p. 8).

The TRC (2015) made several specific recommendations to the Government of Canada around Indigenous incarceration. The TRC Calls to Action explicitly call upon, "federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so" (TRC, 2015, p. 3). The TRC also calls on governments to fund and implement alternatives to incarceration for Indigenous offenders and, "respond to the underlying causes of offending" (TRC, 2015, p. 3). The present research creates space for youth voices to directly impact research and policy in response to the TRC Calls to Action.

While there have been many federal and provincial reports, studies and inquiries including the *Manitoba Justice Inquiry*, the *Royal Commission on Aboriginal Peoples* and many reports from the Office of the Correctional Investigator that clearly indicate there is discrimination against Indigenous people in the justice system, politicians and policy makers continue to ignore and deny this blatant issue (Office of the Correctional Investigator, 2013; Palmater, 2015; Schissel, 2010). In 2011, federal Justice Minister Vic Toews stated on APTN news that he did not believe in any glaring issues within Canada's justice system and that the justice system is not discriminatory (Palmater, 2015). This kind of harmful dissonance is found at all levels of government and manifests in powerful social discourses that continue to oppress Indigenous people and allow for the criminalization, imprisonment and ongoing mistreatment of the most vulnerable youth.

Finally, I want to acknowledge the implications of the language and labels used when discussing youth who are involved in the justice system. Due to the stigma associated with criminal justice involvement, I do not refer to youth involved in the present work as "criminals" or "offenders." Instead, I identify youth by their experiences, referring to "youth involved in justice," or "incarcerated youth." However, due to the variety of sources and perspectives referenced, I occasionally utilize terms used by other authors to make specific points or maintain the authenticity of their voices.

### **Research Questions**

Given the emphasis of youth voices in my research, allowing youth to participate in shaping the final research questions was a top priority. After consultation and discussion with youth participants, the research questions took shape. The primary research question that

emerged was: What can an arts-based project such as zine-making teach us about youth experiences and perspectives of the justice system? In developing this question, I wanted to understand and share how youth lives are impacted by involvement in the criminal justice system, from the perspective of youth themselves. Furthermore, I wanted to explore how a zine can capture youth voices, perspectives and experiences of criminal justice and other interconnected systems. In order to answer this overarching question, I asked the youth several sub-questions in Talking Circles, using these questions as guides for the youth to respond to as they created art for the collective zine. Sub-questions included: 1) What kind of experiences have you had with the justice system? This could be police, the court system, or institutions like the Manitoba Youth Centre, Agassiz Youth Centre, etc. 2) What are your perspectives of the justice-system? 3) What needs to change for justice-involved youth to have better outcomes? and 4) Based on the negative public perception of youth criminality (Schissel, 2010), what would you like the community to know about who you are as people, rather than “criminals”?

### **Summary**

The present project utilizes arts-based research methods to explore the experiences of youth who have been involved in the criminal justice system utilizing arts-based methods. This chapter explored the objectives and rationale of the project, my positionality as the researcher and the guiding research questions. The next chapter provides a literature review conducted to examine existing research regarding youth experiences within the justice system, the history of youth justice in Canada and intersecting systems of oppression.

## **Chapter 2: Literature Review**

### **Overview and Introduction**

This chapter examines literature surrounding youth experiences within the criminal justice system in Canada. Ultimately, evidence reveals that youth face violence and oppression at every turn, from policing (Fitzgerald & Carrington, 2011; Marinos & Innocente, 2008; Ricciardelli, Crichton & Swiss et al., 2017), to the courts (Gray, 2016), to incarceration (Barkwell, 1993; Buddle, 2014; Chan & Chunn, 2014; Gray, 2016; Schissel, 2010). The subsections in this chapter include, 1. An overview of youth in the justice system, 2. Police violence and racialized policing, 3. Youth victimization and trauma, 4. Differently abled youth and the ethics of youth incarceration, 5. Youth justice and the child welfare system, and 6. Steps forward.

### **Youth in the Justice System**

In Canada, there are many examples of systems failing to support and protect youth, particularly racialized and Indigenous youth (Chan & Chunn, 2014). Racialized youth experience higher rates of poverty, trauma, violence and victimization (Chan & Chunn, 2014; Schissel, 2010) which is rarely considered in our youth criminal justice framework. The crisis of overrepresentation of racialized and Indigenous youth in the justice system can be linked directly to dominant Western economic and political ideologies. Buddle (2014) advances the argument that neoliberal political agendas upheld by capitalist economic systems require the maintenance of an unskilled labour source, reinforcing poverty and oppression as necessary for the market. Wacquant (2009) agrees that the imposition of the neoliberal state in advanced societies has resulted in an obsessive focus on crime serving to “hide from view the new politics and policy of



poverty that is a core component in the forging of the neoliberal state” (p. 287). He asserts that welfare has been “revamped as workfare” in the return to the historical mission of capitalism (Wacquant, 2009, p. 287). In a society where economics marginalize a large number of citizens, the carceral apparatus works to “invisibilize problem populations – by forcing them off the public aid rolls, on the one side, and holding them under lock, on the other” (Wacquant, 2009, p. 288). From a political and economic position, then, “[...] those in control have to ensure that young people do not realize the extent to which they are crucial to the survival of the system, and that they do not band together and rebel against the system” (Schissel, 2010, p. 173). Further, Buddle (2014) argues that current practices of “calculating, managing and storing the disordered (i.e., youth who disrupt the orderly functioning of the market) have created some of the needs for and many of the limits on, critical protective factors that mitigate against gang involvement - namely, Aboriginal community-realizing initiatives” (Buddle, 2014, p. 304). Close examination of criminal justice policy and legislation is imperative to understanding the limits they set on meaningful prevention and healing for Indigenous youth.

Youth criminality as a concept has been defined, redefined and legislated throughout the history of colonial Canada. The Juvenile Delinquents Act was the first criminal legislation specific to youth, which governed youth crime in Canada from 1908-1984. In 1984 the *Juvenile Delinquents Act* was replaced by the *Young Offenders Act*, which remained in place until 2003 when the *Youth Criminal Justice Act* was implemented, which continues to govern youth crime today. In order to understand the *Youth Criminal Justice Act* (YCJA), a brief understanding of the context preceding its implementation is necessary. For 76 years, youth deemed to have committed an offence were judged under the *Juvenile Delinquents Act* (JDA). The JDA focused

on the alleged “protection” of children as its foundation. Youth crime was linked to children’s familial environment, so the dominant perspective was that “a child ‘removed’ from such an undesirable environment and ‘introduced’ to Canadian protestant middle-class moral values would become a law-abiding citizen and a useful member of society” (Piñero & Beaulne, 2005, p. 198). These practices parallel the historical atrocities of removing children from their homes for forced enrolment in residential schools. The *Young Offenders Act* (YOA) was introduced in 1984 and reflected shifting societal views and the political climate of the era. Concerns shifted from the protection of children to the protection of society, deterrence of crime and promotion of youth accountability (Alvi, 2012; Piñero & Beaulne, 2005). The YOA also reflected some progressive ideas including the rights of youth under the *Canadian Charter of Rights and Freedoms* and the *Canadian Bill of Rights*, incorporating basic standards of due process which had not existed under the JDA. The alleged leniency in sentencing in the YOA was a major critique leveraged against the Act by “tough on crime” conservatives that eventually led to the creation of the YCJA.

The YCJA was introduced with the promise of reducing the numbers of youth in custody in response to the YOA and Canada’s high rates of incarcerated youth (Marinos & Innocente, 2008). Criticism has been levelled at the YCJA’s ability to create meaningful change (Chan & Chunn, 2014). Schissel (2010) asserts that the Act is contradictory, on one hand providing alternatives to incarceration and advocating for rehabilitation, while also maintaining a “tough on crime” agenda that makes it easier for youth to be sentenced as adults (Chan & Chunn, 2014; Schissel, 2010). While these opposing practices are supposed to reflect a balance of punishment and rehabilitation, the justice system’s real practices “tend toward retributive approaches like

locked facilities, ankle bracelets, solitary confinement, transient staff, and scared straight tactics,” (Rapp, 2016, p. 493). Despite the YCJA’s emphasis on diversion, that is, using extra-judicial approaches when working with youth who have been charged with a crime, conservative governments have advocated for austerity over funding holistic and culturally appropriate healing and diversion programs for youth offenders (Schissel, 2010).

In 2018, the province of Manitoba released a *Criminal Justice System Modernization Strategy*. The strategy acknowledges the disproportionate rates of justice involvement and recidivism in Manitoba in comparison to other Canadian provinces, and outlines strategies to reduce these rates, including a coordinated community response, addictions and mental health supports, policing strategies and better use of diversion and restorative justice. As of the drafting of the present work, the provincial government has failed to explain how it plans to provide social supports to justice-involved individuals while implementing austerity measures that slash health funding, EIA rates, and funding for social services (Wilt, 2019). In fact, prior to the release of the modernization strategy, Manitoba’s conservative government privatized phone calls in Manitoba prisons, effectively making it prohibitively expensive for those incarcerated to maintain connections with family and friends on the outside (Wilt, 2019). Further, Wilt (2019) highlights that in 2017, the province began cutting restorative justice focused programming and eliminating skill-building programming offered within carceral institutions, creating further barriers for folks returning to life outside of carceral institutions.

Additionally, the *Criminal Justice System Modernization Strategy* was not created in consultation with justice-involved individuals. Many theorists and researchers who focus on human rights, well-being and empowerment highlight that those impacted by policy should be

involved in the process of policy development. Across many fields, researchers are recognizing the critical importance of including community voices within research. Gorman-Smith et al. (2021) reference the popular adage “Nothing about us without us” as they outline the importance of meaningful, reciprocal academic partnerships between researchers and youth.

In order to move past victim-blaming pathology for youth involved in criminal justice, many sources recommend a coordinated and meaningful response to poverty, barriers to education, homelessness, unemployment, mental health concerns and systemic and institutional racism and discrimination (Oudshoorn, 2015). While this multifaceted approach makes sense, much of the scholarship behind these recommendations lacks meaningful inclusion of youth voices. This project contributes to the growing body of literature advocating for a holistic response to youth justice involvement and ultimately, systemic change from the perspectives of youth themselves. In spite of the few progressive recommendations within the YCJA, including diversion, research demonstrates that police do not adequately or consistently utilize these extrajudicial measures.

Youth enter the justice system through contact with the police. Ricciardelli et al. (2017) refer to police as the “gatekeepers” of the justice system in their research on police use of extrajudicial measures, or diversion, with youth. When police come into contact with youth, they are, “expected to exhaust all available extrajudicial measures, before considering laying a criminal charge” (Ricciardelli et al., 2017, p. 601; Wilson & Hoge, 2013). The YCJA itself calls extrajudicial measures “appropriate, effective and timely,” even in cases where youth have previous charges or have experienced diversion before (Marinos & Innocente, 2008, p. 471). Ricciardelli et al. (2017) highlight that while the proportion of youth facing charges declined as a

whole across Canada after implementation of the YCJA, police power and discretion varies greatly based on the community and population they are responding to. Further, meaningful and informative data surrounding the selective process used by police when implementing diversion is lacking. Marinos and Innocente (2008) agree that the response of police to youth has been inconsistent. Their study involving interviews conducted with police in Canada revealed that two of the most important factors influencing police decisions to use diversion are: 1) whether the youth had prior contact with police, and 2) the officers' subjective assessment of the youth's attitude (Marinos & Innocente, 2008). Furthermore, they found that police identified prior contact being, "as important as seriousness of the offence" (Marinos & Innocente, 2008, p. 473). This is a sort of self-fulfilling colonial prophecy, where over-policed, racialized and Indigenous youth are more likely to have had prior contact with justice systems and are more likely to be seen as having an uncooperative attitude if they question any part of the "police process" or even assert their own rights.

### **Police Violence and Racialized Policing**

Tension between police and Black, Indigenous, and other racialized communities is not a new concept in colonial North America. Dating back hundreds of years, police have acted as agents of the colonial state, regulating and policing the lives of Black and Indigenous communities. In their Thesis entitled, *Rupturing the Myth of the Peaceful Western Canadian Frontier: A Socio-Historical Study of Colonization, Violence, and the North West Mounted Police, 1873–1905*, Ennab (2010) writes that one of "the most treasured parts of the Canadian imagination revolves around the myth of a peaceful frontier settled by honourable officials of the North West Mounted Police" (p. 1). In contrast, Comack (2012) explains that the primary role of

the North West Mounted Police, known today as the Royal Canadian Mounted Police (RCMP), was to control the Indigenous population and ensure their submission to colonial powers. In order to control the Indigenous population, Comack (2012) explains that North West Mounted Police officers would accompany Indian agents to enforce government policies, including acting as truancy officers, capturing and returning children who ran away from residential schools and apprehending those who left their reserves without a pass from the Indian agent.

Perhaps never before have racial tensions between community and police come to the forefront of popular discourse more clearly than in the spring of 2020, when the world watched as a white Minneapolis police officer murdered 46-year-old father, brother and son, George Floyd (Hill et al., 2020). Because Floyd's murder was captured on camera and viewed online by millions, it shone a glaring spotlight on police violence against Black communities in the United States. Black Lives Matter (BLM), an organization and social movement that was formed in 2013 after the murderer of Black 17-year-old Trayvon Martin was acquitted without consequence, was thrust into conversations, both personal and professional. In fact, traffic to BLM's website increased by 5000% following the murder of George Floyd (Black Lives Matter, 2020). Calls to defund the police grew louder as Black and Indigenous communities shared their experiences and knowledge with the public, highlighting that "the police have systematically inflicted violence against Black & Indigenous peoples across this continent" (Black Lives Matter Canada, 2021). As more families spoke out about losing family members to police violence, the issue caught widespread global media attention.

In Canada, a similar discourse was taking shape. On May 27, 2020, just two days after George Floyd's murder, 29-year-old Regis Korchinski-Paquet was killed in Toronto, Ontario

when a group police officers responded to a mental health crisis call made by her family members (The Fifth Estate, 2020). While officers maintain that Korchinski-Paquet “fell tragically to her death from the balcony of a 24th floor apartment in Toronto” (Special Investigations Unit, 2020), her family explains that police pushed her from the balcony (The Fifth Estate, 2020). Influenced by the murders of both Floyd and Korchinski-Paquet, conversations about defunding the police and alternatives to policing continued to gain traction within popular Canadian media.

As these national conversations grew louder, community members in Winnipeg, Manitoba were still reeling following the death of 16-year-old Eishia Hudson, an Indigenous youth who was murdered by Winnipeg police in April 2020 (Martens & Hobson, 2021). In response to her murder, community leaders and activists who had long been naming the atrocities of police violence in Manitoba were brought into mainstream discourse. Research conducted by local community organization Winnipeg Police Cause Harm (n.d.) reveals that over the past several years, police officers in Winnipeg have killed an abhorrent number of people, including Jason Collins, Stewart Andrews, Machuar Madut, Chad Williams, Sean Thompson, Randy Cochrane and Eishia Hudson, among many others of whose names we do not know. Together, the high-profile cases of Eishia Hudson, George Floyd and Regis Korchinski-Paquet bring police violence, racist policing and police accountability into the forefront of public

consciousness. The way forward is clear. We need substantial and tangible change within Canada's criminal justice systems.<sup>2</sup>

It is important to remember that this conversation did not start in 2020. Prior to the popular media's adoption of conversations surrounding defunding and abolition, police violence against Indigenous communities came to a head with the 1988 police killing of J. J. Harper and the following *Aboriginal Justice Inquiry (AJI)*. The inquiry documents Canada's history of colonial and racial violence within the justice system (Cheema, 2009). As Friedland (2009) explains, "No one seriously questions the assertion that the justice system has failed Aboriginal people on a massive scale," and the *Aboriginal Justice Inquiry* acknowledges this failure in its opening statement (p. 106). The AJI presented 296 recommendations outlining a blueprint for a path forward. Yet, more than three decades later few of the recommendations have been implemented and "Indigenous men and women continue to be targeted and assaulted, overrepresented in jails and underrepresented in the judiciary process" (Carreiro, 2021).

Fitzgerald and Carrington (2011) conducted a national study with Canadian youth aged 12-17 and found that Indigenous youth were approximately, "three times more likely than other youth to report having had contact with the police in the past year" (p. 472). They believe this is a conservative estimate, citing research that police are seven times more likely to identify an Indigenous person as an offender than "a non-Aboriginal person in a central Canadian city" (p. 472). Ultimately, these authors suggest that this is the result of racialized policing. When

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<sup>2</sup> For a complete list of names of those murdered by police in North America, see Black Lives Matter Canada's list, [In Memoriam](#) (2021).



Indigenous people continue to be killed by police, a disturbing but pervasive justification emerges within popular, mainstream narratives, where “the conventional contours and devices of the legal narrative [...] turns Aboriginal death into a story of a dysfunctional or of a ‘troublesome’ population meeting a predictable end” (Razack, 2014, p. 54). The racialized over-policing of Indigenous people can also be understood through the theoretical concept of the colonial gaze. The colonial gaze refers to the manifestation of control and power over colonial subjects within the Western hegemonic occupation and domination of Indigenous lands (Lorenzini & Tazzioli, 2018; Parsons & Harding, 2011). In addition to being over-policed and targeted as criminals, Indigenous youth experience greater rates of violence and victimization themselves.

### **Youth Victimization and Trauma**

Chan and Chunn (2014) assert that victimization is a major factor in the lives of justice involved youth, however the full extent of youth victimization is unknown due to underreporting. The authors argue that academics have largely overlooked and ignored this issue, failing to adequately account for youth trauma and victimization when discussing youth criminality and delinquency (Chan & Chunn, 2014). Indigenous and racialized youth with intersecting identities are at a disproportionate risk of violent victimization, suicide and sexual assault (Chan & Chunn, 2014; Schissel, 2010). Research demonstrates that trauma results in physiological changes to the brain, and that working with youth who have experienced trauma necessitates ongoing, wraparound and tailored support (Oudshoorn, 2015). Experts highlight the importance of addressing trauma when working with youth who have experienced structural violence, including colonization. Colonial trauma refers to the unique trauma experienced by populations impacted

by colonial policies and practices that have violated their human rights. In Canada, state systems including child welfare, health, and justice systems have been responsible for past and ongoing colonial trauma that uniquely harms Indigenous families, communities, and youth. As such, Indigenous youth are often placed in situations where their trauma is ignored by the systems in which they are placed. Further, youth are at additional risk if they are girls/gender-nonconforming, homeless, or living in poverty. Once vulnerable youth are placed in custody, research shows that their histories of trauma and victimization are rarely addressed or treated, frequently resulting in self-harm and in the most tragic cases, death.

Indigenous youth with mental health concerns and trauma histories are at a higher risk of justice involvement and incarceration (Oudshoorn, 2015). Incarcerated youth are provided with few resources to address their trauma. Coupled with the isolating and inherently traumatic experience of incarceration, youth commonly turn to self-harm and in the worst cases, suicide. Gray (2016) studied the inquest into the deaths of two Indigenous girls, C.J. and C.B., who died by suicide at the Manitoba Youth Center (MYC) in 2010. The study provides insight into the conditions faced by youth in custody and their potentially fatal outcomes, as well as the ideology behind institutional treatment of youth. Gray (2016) criticizes the inquest itself as a process relying on the expertise of various outside professionals, predominantly from law, psychiatry, psychology and social work. She argues that even after a tragedy as horrific as the suicide of an incarcerated youth, the process meant to make meaning and provide recommendations to prevent similar future tragedies is still, “a legal tool used to legitimize settler-colonialism and racism” (Gray, 2016, p. 81). Gray (2016) challenges the inquest’s recommendations by utilizing the idea of psychocentrism, the pathologizing of human and social struggles as inherently individual in

nature, thus placing responsibility on individuals for their own mental health problems. First, Gray (2016) explains that the inquest into the deaths of C.J. and C.B. and the following recommendations lacked a structural analysis inclusive of the impacts of colonization, and second, that the recommendations reinforced and perpetuated, “stigma, myths, and stereotypes of Indigenous bodies through the deterministic and fatalistic psychocentric language of ‘mental illness’” (p. 81). Youth experiences of illness, violence and trauma are rarely adequately considered in the courts or in the treatment of incarcerated youth. Schissel (2010) agrees, asserting that youth ill-health and criminalization are inextricably linked. He describes the state of youth incarceration as, “an epidemic of ill health among at-risk youth,” and argues that “ill health, not criminality, is the defining characteristic of the young” (p. 157). Gray (2016) reveals that despite C.J.’s experiences of separation and isolation from her family and her significant trauma, including multiple recent family deaths, these factors were, “not seen as contributing to the circumstances leading to [C.J.’s] death. Rather, the inquest recommendations focus on C.J.’s history of self-harm and suicidal ideation, as though her pain was purely self-induced” (p. 84). She concludes that this perspective of suicidal ideation and self-harm ignores structural and social factors, reproduces settler-colonial relationships, and perpetuates psychocentrism. Both C.J. and C.B. were effectively punished for having suicidal thoughts: C.J. was put in shackles and searched following her disclosure of having suicidal thoughts and items were removed from her room, stripping her of, “agency and dignity in order to ensure that she was physically incapable of suicide” (p. 84). C.B. asked for greater supervision after her disclosure of suicidal feelings and was denied. She instead received a “time-out” and was also searched prior to her hanging.

Razack (2014) argues that in order to understand and put an end to carceral violence, we must interrogate the logic behind it. Increased militarization against the racialized “other” through the global “war on terror” has also influenced carceral practices, according to Razack (2014). She describes the circumstances surrounding the teenage carceral experiences of Kinew James and Ashley Smith, each of whom, “endured torture and a systematized indifference and brutality” (p. 2). Ashley Smith, a youth who died by suicide in 2007 at the Grand Valley Institution for Women was being held in solitary confinement, conditions defined as torture by the United Nations (Razack, 2014). Smith’s treatment while incarcerated included video documentation of her being duck taped to the seat of a plane during an institutional transfer, and upon arrival “wearing a mesh spit mask over her face, leg irons and a lead chain, and a ‘body belt,’” while 16 individuals in protective combat gear tie Smith down and, “forcibly inject her five times with anti-psychotic medication” (p. 2). Afterward, Smith was left to lay in her own urine, strapped to a stretcher for nine hours. Kinew James died at age 35, after spending half of her life behind bars and experiencing carceral violence as a youth (Razack, 2014). James died of a heart attack, after her cries for help were ignored for an hour (Razack, 2014). The violent treatment of Smith and James reflect the militarized approach to carceral punishment that has been authorized and defended as permissible by governments and institutions alike. Razack argues that even when death is the result of torture,

[o]fficial reports and inquests focus on the idea of self-harm, emphasizing that prisoners who are driven to commit suicide require the special measures of isolation and segregation. We are left, then, with a widespread and systemic brutality that is defended as necessary, a brutality that I propose amounts to racial

terror because it evicts from the circle of law and humanity those persons deemed unable to progress into civilization (p. 4).

These stories provide insight into the dehumanization, maltreatment and powerlessness faced by youth behind bars. In addition to being isolated, they are stripped of agency and frequently treated like animals, their calls for help and stories ignored. While C.J., C.B. and Ashley Smith did not survive their experiences of incarceration, many youth face similar feelings of despair and are left to manage their trauma on their own, both while behind bars and once released. Given that inquests are not criminal proceedings, institutions and individuals in power are ultimately not held accountable for the lives or deaths of youth in custody.

While the public is made to believe that imprisonment is somehow both rehabilitating and corrective for youth, the bleak conditions for youth on the inside do not translate to healthy adjustments back into the community. Barkwell (1993) focused her master's thesis on the experiences of youth who had been released from secure custody at the Manitoba Youth Center. Data from her research provides important background for understanding historical experiences of youth incarceration and the lack of systemic change over the past two and a half decades. Barkwell (1993) used youth self-perception and information from interviews with twenty-eight youth to look at experiences of reintegration into community as well as youth program experiences at the Manitoba Youth Centre. At the time of her research in 1993, Metis youth made up the majority (36%) of her sample, with Caucasian youth as the second largest group (32%) and Indigenous youth the smallest group (21.5%) (p. 39). The disturbing statistic that Indigenous youth now make up the overwhelming majority of incarcerated youth speaks to the inability of incarceration to improve the lives of Indigenous youth and the perpetuation of

institutionalized racism. Barkwell (1993) found that 82% of the youth became reinvolved with the law after their release. While some of the youth in the study had attended school prior to incarceration, all dropped out after their release (with a few returning later on), and the majority did not have success with employment. Ultimately, the youth in her study did not adjust well when returning to the community. For differently abled youth, experiences of incarceration can be even more challenging and oppressive (Blagg, Tulich & Bush, 2017; Longstaffe, Chudley & Harvie, 2018).

### **FASD & The Ethics of Youth Incarceration**

Individuals who are cognitively disabled receive even less understanding, support or consideration within the justice system. Longstaffe, Chudley and Harvie (2018) studied the Manitoba Youth Justice Program (YJP) at the Manitoba Youth Centre and found youth with Fetal Alcohol Spectrum Disorder (FASD) are more likely to be involved in the justice system and experience higher rates of incarceration than other youth. Canadian statistics around FASD are limited. Longstaffe, Chudley and Harvie (2018) cite a systematic review of the prevalence of FASD in correctional studies that estimated, “the number of youth offenders with FASD in the Canadian justice system on any given day in 2008–2009 ranged from 207 to 423 cases” (p. 261). Current research illustrates there is a high rate of youth offenders diagnosed with FASD and “an even larger proportion that were not diagnosed” (Longstaffe, Chudley & Harvie, 2018, p. 261). FASD can be understood as an “invisible disability” because many of its symptoms are not physical or noticeable in nature. Furthermore, the steps involved in assessing the presence of FASD make it extremely difficult to obtain a diagnosis, which is often necessary to connect youth with support services. Youth with FASD struggle to varying degrees in many areas of

functioning, including memory, lack of understanding of “cause and effect” especially in relation to committing offences, executive functioning and impulsivity (Longstaffe, Chudley & Harvie, 2018). Since the YJP was introduced in 2006, 1048 youth have been referred to the program, 332 have completed assessments and 234 of those were formally diagnosed with FASD (Longstaffe, Chudley & Harvie, 2018). The authors also highlight challenges with diagnoses, particularly the requirement of getting mothers to admit to their use of alcohol during pregnancy. They found that 205 youth did not proceed with their assessments due to this requirement. The YJP assessments and diagnoses include specific recommendations for each youth and recommendations to the court for appropriate sentencing, building community supports and reintegration plans. While the programs and supports of the YJP have been effective in reducing FASD youth recidivism, the question remains whether incarcerating youth with FASD is appropriate at all. Youth living with FASD struggle to understand complex probation orders, remember conditions, and make decisions in the moment that have long-term consequences, which they are often unable to process. Blagg, Tulich and Bush (2017) assert that “Indigenous youth with FASD are being managed within a legal and carceral mesh of controls that perpetuate colonial era patterns of institutionalization” (p. 334). They use a decolonizing framework to analyze the incarceration of youth with FASD in the colonial state of Australia through the examination of policy, literature, statistics and qualitative research, including interviews and focus groups. They propose meaningful reform that includes, “diversion at the point of first contact with the justice system through to court innovations such as Aboriginal courts and Neighbourhood Justice Centres” (Blagg, Tulich & Bush, 2017, p. 355). They believe that Indigenous control, practices and knowledge are central to the treatment and care of youth with

FASD (Blagg, Tulich & Bush, 2017). While the YJP offers important and effective diagnostics and planning for incarcerated youth, from a critical perspective, the jailing of youth with FASD “cannot be uncoupled from the history of colonial settlement and the multiple traumas resulting from dispossession” (Blagg, Tulich & Bush, 2017, p. 355). Children and youth should not be punished by a colonial system for being victims of colonial violence. The experiences of oppression are compounded for youth with involvement in multiple systems.

### **Youth Justice & the Child Welfare System**

Youth involved in justice are also disproportionately involved in child welfare (Brownell et al., 2018). Understanding the link between the child welfare and youth justice systems in Manitoba is integral to understanding youth experiences at the intersections of these systems. Quantitative research by Brownell et al. (2018) used data from Child and Family Services (CFS), Manitoba Justice and the Population Health Registry to examine the overlap of youth having CFS involvement between ages 0-17 and youth charged with a crime between the ages 12-17. Unsurprisingly, the data revealed that there is an overrepresentation of Indigenous youth in both systems and a significant overlap between justice and CFS involved youth. Their data shows that almost half, “(46.6%) of youth who had CFS out-of-home care had criminal charges,” compared to “19.4% of youth who had CFS in-home services, and 5.3% of youth with no CFS [involvement]” (Brownell et al., 2018, p. 1). Similarly, Rutman et al. (2007) found that youth in care reported higher incidence of arrest. In their longitudinal study of youth leaving care in British Columbia, of 14 youth interviewed who “had 7+ placements in care, 12 (85%) reported having been arrested and/or charged with a crime, in contrast with 6 of the 12 participants (50%) who had had 1-3 placements in care” (Rutman et al., 2007, p. 30). While studies like this provide



important statistical data and allow us to paint a more detailed picture of the crisis faced by youth in care and in justice systems, there has not been adequate participatory research at this intersection of oppression, especially within the context of Manitoba where Indigenous youth are overrepresented but not meaningfully included in planning solutions.

The National Youth in Care Network's (hereafter NYICN) National Report Card includes a section on family, emphasizing the damaging impacts of separation from family for youth in care. This is further complicated by the separation of youth facing incarceration. The report looks to the *United Nations Convention on the Rights of the Child* (UNCRC) which Canada ratified in 1991. A number of the conventions help to frame my own research in the context of youth incarceration:

- *Article 9* (Separation from parents) You should not be separated from your parents unless it is for your own good (for example, if a parent is mistreating or neglecting you). If your parents have separated, you have the right to stay in contact with both parents unless this might harm you (p. 3).
- *Article 19* (Protection from all forms of violence) Governments should ensure that children are properly cared for and protect them from violence, abuse, and neglect by their parents or anyone else who looks after them (p. 5).
- *Article 20* (Children deprived of family environment) If you cannot be looked after by your own family, you must be looked after properly by people who respect your religion, culture, and language (p. 6).
- *Article 39* (Rehabilitation of child victims) If you have been neglected or abused, you should receive special help to restore your self-respect (p. 11).

Articles nine and twenty challenge us to ask whether it is truly for a child's own good to be separated from their family and support system by being put in jail. The literature demonstrates that in fact, this separation and social isolation is extremely detrimental for youth. If detention centers are sanctioned by the government to protect and reform incarcerated youth, are the suicide rates, violence and self-harm that are common in youth corrections truly protecting youth from harm and violence? If we know that incarcerated youth in Manitoba are predominantly Indigenous youth impacted by intergeneration trauma, colonization and have experienced disproportionate rates of personal trauma and violence themselves, is incarceration the "special help to restore [...] self-respect" that Article 39 calls for? Ultimately, youth leaving care and justice-involved youth face many of the same challenges. When these identities overlap, challenges are compounded. Given the complex experiences and identities of youth in the justice system, the youth who participated in this project hold many of the intersecting identities in the above literature. Ultimately, those important voices are represented and amplified through my research.

### **Steps Forward**

When exploring solutions to these complex issues, some institutions have identified important steps forward. For example, Manitoba's *Criminal Justice System Modernization Strategy*, while seemingly impossible to adhere to following the conservative government's culling of social supports and resources, called for important improvements. These include the adoption of mental health courts, community supervision for youth, and increased diversion and restorative justice practice. Increasingly, scholars are calling for "an alternative model of youth

justice, grounded in principles of rights and social justice” (Smith, 2021, p.28). In this alternative model, Smith (2021) explains that rather than criminalizing and labelling youth as “offenders,” transformative approaches to youth justice leverage criticisms against the oppressive systems that shape youth experiences rather than viewing youth themselves as the problem.

Transformative approaches to youth justice often involve preventative community programming, in which individuals from the children’s home communities provide supervision, case management, recreation, educational services, personal accountability systems, and personal empowerment opportunities. Moving forward, the literature demonstrates that approaches to supporting justice involved youth should be led by and with knowledge of youth with lived experience.

### **Summary**

The literature review reveals the extensive historic and ongoing harm caused to youth at every juncture of the criminal justice system. While the literature identifies patterns of harm connected to longstanding systems of colonial oppression and violence, there remains a gap in regard to the inclusion of youth voices within research. The next chapter will outline the theoretical and conceptual frameworks, the methodological approach and research methods utilized within my research with justice-involved youth. It will also identify the research design for the study, including data collection, data storage, data analysis, limitations, and ethical considerations.

## Chapter 3: Research Design

### Overview and Introduction

This chapter is set out in three parts. Part I reviews the theoretical and conceptual frameworks. Part II focuses primarily on the methodological approach and the methods utilized in carrying out this research. Part III discusses the ethical considerations that were utilized in doing this research in a way that respected the youth participants.

The present project utilized a combination arts-based research and Indigenous research methodologies. Arts-based research has been successfully used in research with youth, as it fosters relationship building, reciprocity, and greater safety and freedom of expression for marginalized youth (Northington, 2018; Mohr, 2014; Flicker, Danforth, Wilson et al., 2014). Indigenous methodologies are imperative to conducting respectful research and prevent the perpetuation of exploitation and colonial violence in research with Indigenous people (Sinclair, 2003; Kovach, 2009; Wilson, 2008).

A research paradigm has been defined as, “a set of underlying beliefs that guide our actions...as researchers” (Wilson, 2008, p. 13.). This set of beliefs include methodology, axiology (values), ontology (our understanding of reality), and epistemology (our understanding of knowledge). Arts-based methodologies utilize art to make meaning in research, and Indigenous methodologies provide direction in working respectfully with Indigenous communities with emphasis on relationships, ceremony and protocol. Both of these approaches not only work to advance the understanding of knowledge but also aim to make a practical difference in the world, rooted in social justice and social change.

*Axiology* refers to the values that guide the researcher, and specifically what knowledge is considered valuable and what knowledge is not. I very intentionally chose arts-based and Indigenous methodologies because they reflect many of the values I share: Authenticity and supportive relationships, trust, partnership, community ownership/self-determination, community-based knowledge, capacity building, empowerment, learning as an ongoing process, respect, and an acknowledgment of social location, power and privilege (Sinclair, 2003; Wilson, 2008; Rasmus, 2014).

*Ontology* refers to reality, and whose reality is reflected in research. Arts-based research and Indigenous methodologies both resist the rigidity attributed to positivism and take the ontological view that there are multiple truths and multiple realities which can be explored (Wilson, 2008; Caine & Mill, 2016). My research challenges the ideas that systems and institutions know what is best for marginalized and justice-involved youth and seeks to explore the multiple truths and realities of the youth themselves.

Finally, *epistemology* can be understood as the theory of knowledge. Indigenous epistemologies understand knowledge as relational and interconnected; All living things share and carry knowledge and each local community has its own unique knowledge systems (Wilson, 2008; Kovach, 2009). Arts-based research follows the constructivist position that knowledge is socially constructed and created. My research recognizes the particular knowledge held by youth as experts of their own lives and experiences. I would ultimately like to acknowledge that without the knowledge of youth, this project would not be possible. I am merely a facilitator in the process of exploring the wealth of knowledge they already possess.

## **Part 1 – Theoretical & Conceptual Frameworks**

### **Intersectionality**

The over-incarceration of Indigenous youth can be understood by looking at the impacts of colonization, systemic racism, capitalism and neoliberalism on Indigenous communities. Indigenous youth frequently encounter multiple oppressions, and it is critical to examine these complex interactions in understanding how so many Indigenous youth have come to be associated with criminality. Crenshaw (1991) referenced and expanded upon the now familiar theory of intersectionality in her work exploring multiple oppressions faced by Black women. Intersectionality is the idea that multiple, compounded oppressions are experienced at the intersection of various marginalized identities. Mehrotra (2010) argues that we must go beyond Euro-centric theorizing around intersectionality focused solely on race, class and gender. Indigenous youth experience increased oppression at the intersections of gender, race, class, colonization, sexuality and ability among “other diverse processes and systems of oppression and identity” (Mehrotra, 2010, p. 417). It is imperative that we consider the unique intersections and identities of justice-involved youth when “considering how the social world is constructed” (Crenshaw, 1991, p. 1245). The literature reveals that in addition to being disproportionately Indigenous, justice-involved youth experience higher rates of poverty, violence, homelessness and addiction, ultimately linked to historical and ongoing processes of colonization. Mehrotra (2010) asserts that intersectional theory has been concerned with both “understanding individuals’ multiple identities; interlocking systemic inequalities at the level of social structure” and the “multiplicity of social, historical, and cultural discourses” (p. 420). My research seeks to

explore the nuances at the intersections of identity and processes of oppression experienced by justice-involved youth.

### **Anti-Oppressive Practice**

The present work is also grounded in the theoretical framework of anti-oppressive practice (AOP). Anti-oppressive practice is a collection of theories and approaches grounded in social justice and the belief that power relations and multiple forms of oppression are “perpetuated daily through language, discourse, societal institutions, and cultural dominance” (Rutman et al., 2018, p. 156). Anti-oppressive practice is an active theoretical approach that seeks societal transformation through challenging micro and macro power imbalances and discourses. Baines (2017) describes transformation as “working to change the larger forces [that] generate inequality, unfairness and social injustice. These forces include racism, sexism, colonialism, capitalism, ablism [sic], ageism and other hierarchical, authoritarian relations” (p. 4). Youth are frequently made to feel powerless; living in the space between childhood and adulthood, the teenage years are developmentally characterized by seeking independence, individuality and rebellion from sources of control in their lives (McEwan-Morris, 2012). Anti-oppressive theory asks us to consider how systems construct identities of criminality through language, racism and cultural dominance (Baines, 2017; Gray, 2016). Gray (2016) points to racialized hegemonic discourses that work to pathologize Indigenous youth and perpetuate systemic violence. The ongoing criminalization of youth ultimately perpetuates colonial violence on both micro and macro levels. The over-representation of Indigenous youth in the carceral system is a function of racialized state violence and control. Criminalized youth are ultimately scapegoats, forced to accept the blame for complex systems and histories of oppression. The

control of youth through the carceral state constructs identities of criminality for youth and strips young people of self-worth and agency over the course of their lives. Why then are we surprised at high rates of youth recidivism? Why are we surprised when justice-involved youth choose self-harm and suicide? Why are we surprised when criminalized youth age out of care and become homeless? The present research embraces these difficult questions and interrogates the systems of oppression that necessitate them.

Anti-oppressive practice can empower youth to realize the agency that they have in the cycle of criminalization. Anti-oppressive practice responds to the historical exclusion of marginalized voices in research by recognizing and analyzing the positionality, social location and power of the researcher and “seeks to develop methodologies that are respectful, ethical, sympathetic, authentic, and anti-discriminatory” (Rutman et al., 2018, p. 156). Additionally, Baines (2017) aptly argues, “anti-colonial struggles for social justice are rarely tackled with enthusiasm or full commitment in either in Canada or in the many other places in the world where land and wealth has been stolen from people” (p. 32). The use of anti-oppressive practice is imperative for my research because of the inherent power imbalance that comes with being an adult researcher partnering with youth, as well as being a non-Indigenous settler and researcher partnering with predominantly Indigenous youth. Finally, anti-oppressive practice utilizes a decolonizing approach to research and practice. Kovach (2009) argues that decolonizing methodologies demand “a critical reflexive lens” in relation to representation of Indigenous people in research. As a settler, I attempt to interrogate my own beliefs, power, and position in an effort to act critically and reflexively throughout this research. The present work is guided by principles of anti-oppressive practice and strives to address power imbalances through 1)



ongoing reflexivity of my own power and privilege, which is explored in my statement of positionality, 2) the use of participatory arts-based and Indigenous research methodologies to address historical and ongoing harm in research with Indigenous people and 3) an ongoing critique of system and institutionalized power and oppression throughout my research.

### **Indigenous Knowledges**

The recognition of Indigenous Knowledges in research is crucial for researchers working with justice-involved youth, who are predominantly Indigenous. As a non-Indigenous settler, I acknowledge that I cannot completely or appropriately work from an Indigenous paradigm. Further, appropriation of Indigenous Knowledge has long been a problem in research. However, in order to avoid perpetuating further colonial violence in research with Indigenous people, the recognition and inclusion of Indigenous Knowledges is essential (Kovach, 2009). I prioritize research and perspectives of Indigenous scholars to guide my work. According to Morrissette (2006), from an Indigenous view of human nature, human existence is, “characterized as essentially good” (p. 173). This stands in opposition to current western narratives that characterize “criminals” as inherently bad and deserving of punishment. Morrissette (2006) writes that this inherent goodness should inform the creation of policy that does not “reflect justice as a penalizing system but would be dispensed upon restoring harmony and balance and the responsibility for the community to participate in the re-integration and re-balancing of social relations” (p. 174). From this perspective, the incarceration of Indigenous youth mirrors the history of residential schools and the sixties scoop, which saw Indigenous youth removed from their families, homes, and communities. Therefore, policy makers, social workers, researchers and all non-Indigenous Canadians should be extremely critical of the youth criminal justice

system. Steadfast belief in criminalization also disregards the possibility of restoring balance through holistic processes of justice that center Indigenous ideas of interconnectedness, community, and self-determination (Baskin, 2002). Indigenous Knowledges and methodologies are an essential aspect of exploring youth experiences of the justice system and making recommendations moving forward.

### **Arts-Based Research**

Arts-based research methodologies include a dynamic spectrum of creative modes of inquiry that challenge conventional and Western research processes (Finley, 2008; Flicker, Danforth, Wilson et al., 2014; McNiff, 2008). Finley (2008) describes the heart of arts-based research as radical and politically grounded. In challenging scientific ways of knowing, arts-based methodologies bring “both arts and social inquiry out of the elitist institutions of academe [...] and relocate inquiry within the realm of local, personal, everyday places and events” (Finley, 2008, p. 72). While some arts-based methods, such as photovoice, have gained more recognition and popularity in research trends, arts-based research has transformative potential and is underutilized in social work research with youth. Arts-based research has been identified as particularly appropriate when working with vulnerable populations, such as youth who have experienced trauma (Flicker, Danforth, Wilson et al., 2014; Mohr, 2014; Northington, 2018). Art can also be used as a form of resistance and liberation for youth whose voices have been historically silenced (Finley, 2008; Flicker, Danforth, Wilson et al., 2014). When crafting the current study, I deliberately selected the medium of a zine because of their inherently political and empowering nature. Zines are frequently collaborative, relational, and an accessible art-form. I will discuss the use of zines as vehicles for liberation further throughout this work.

Bagnoli (2009) outlines the importance of art in research and reminds us that not all knowledge can be reduced to language. This stands in contrast to the epistemological foundations of traditional academic research which rely almost entirely on the use of written language. Arts-based research emphasizes, “non-linguistic dimensions in research, which rely on other expressive possibilities, [and] may allow us to access and represent different levels of experience” (Bagnoli, 2009, p. 547). The present work pushes the boundaries of traditional research, exploring different ways of knowing that more appropriately reflect the lived experience of the participants involved. For example, Bagnoli (2009) describes the use of images as evocative, with the ability to “enhance empathic understanding, capture the ineffable, and help us pay attention to reality in different ways, making the ordinary become extraordinary” (p. 548). Additionally, the use of different mediums offers a more accessible and inclusive environment when engaging in research with marginalized or vulnerable populations who have had harmful or exploitive experiences with academic research.

Art has been utilized as a decolonizing methodology. Flicker, Danforth, Wilson et al. (2014) emphasize the importance of art as a medium to decolonize research and connect with identity and culture for Indigenous people. These authors explored the experiences of youth who had participated in their arts-based study centered around educational art-making sessions examining the connections between colonization, intergenerational trauma and HIV (Flicker, Danforth, Wilson et al., 2014). They assert that arts-based research aims to mitigate power imbalances and help equalize the relationship between the researcher and participant, moving forward the principles of ownership, control, access, and possession (OCAP). Further, they write that arts-based research “reveals multiplicities, strengthens intersectional identities, creates

accessibility, and tells the stories of those who have often been unheard or whose stories have been erased,” particularly for Indigenous youth who continue to experience racism and cultural erasure (Flicker, Danforth, Wilson et al., 2014, p. 29). When asked about the process of arts-based research, one of the youth in their study stated, “[...] it’s fun, and it teaches you stuff, and that’s what kids like doing, like, to get active, and art kind of stuff” (Flicker, Danforth, Wilson et al., 2014, p. 22). Another participant commented, “I thought I was just going to go and sit there and listen to people talk about it for the whole time, but we did art, and it was fun, and it made it a whole bunch easier” (Flicker, Danforth, Wilson et al., 2014, p. 22). Ultimately, focusing on the strengths of participants through a multidisciplinary arts-based methodology promotes inherent talent, ability and leadership skills and builds self-esteem for youth.

Northington (2018) emphasizes the importance of building trust and rapport when working with vulnerable youth. Their research examined the use of art with LGBTQIA\* youth to foster positive social change and resiliency through a program called ArtThrust. ArtThrust largely responded to violence against LGBTQIA\* youth by providing them with a safe space to express themselves and their experiences. Most of the youth in the program had experienced trauma, family rejection and bullying. While ArtThrust was largely a therapeutic model, the lessons can readily be applied to this project. Arts-based methods can foster reciprocity in research as they provide youth with skills and the support to produce something “which can bolster confidence and lead to reaching even greater goals” (Northington, 2018, p.141). Furthermore, using art with groups of youth promotes collaboration and relationship building: “while they are having fun learning new art techniques, they are also engaging in positive group dynamics that can lead to self-discovery and a growing sense of resiliency” (Northington, 2018,

p.142). Art is almost limitless in its possibilities for expression, and youth who have experienced oppression can utilize art to push boundaries and express ideas that, “bring attention to societal conditions experienced by marginalized groups” (Northington, 2018, p.144). ArtThrust used principles of social practice art, which is described as, “living art that seeks to create outcomes that change the world by emphasizing participation, challenging power, and spanning disciplines” (Northington, 2018, p.144). Social practice art is rooted largely in social justice, art therapy, urban planning and community organizing. Similarly, the use of art in the present project allowed youth participants to challenge the oppression they have experienced and engage in their own processes of self-discovery.

Arts-based research is evidenced to be a safe mode of inquiry and important for meaning-making and communicating difficult experiences for survivors of trauma. Research by Mohr (2014) explored the post-traumatic growth of Peruvian youth through art, three years after a powerful earthquake impacted many communities in coastal Peru. This study emphasized the importance of using art with survivors of trauma as a safe method of inquiry. Youth who have trauma histories might struggle to put their experiences into words and art allows for “expression of the nonverbal aspects of the traumatic imprint in order to safely access the memory” (Mohr, 2014, p. 156). Mohr (2014) used photo elicitation, followed by art making and community sharing, to help youth explore and imagine possibilities for both positive social and environmental change. Mohr (2014) indicated that art “surfaced repeatedly throughout the participants’ interviews and creations as a primary source of exploration and healing” (p. 160).

Given that justice-involved youth experience higher rates of trauma and violence, an arts-based approach can provide greater safety and freedom of expression in recounting their

experiences. Further, arts-based methods draw on the unique strengths of youth. Where many traditional research methods highlight “debilitating social issues [as] the focus of inquiry” (Sinclair, 2003, p. 118), arts-based methods allow for the gifts of youth to take center stage as art acts as a vehicle for their experiences.

### **Indigenous Research Methodologies**

Historically, research with Indigenous communities has been conducted by non-Indigenous people, using Western approaches and ignoring Indigenous worldviews, methodologies and ways of knowing (Sinclair, 2003). Western outsider research on Indigenous communities has created and perpetuated damaging and inaccurate perceptions of Indigenous people. Much of this research has benefited researchers and institutions with little or no accountability for how the research was used or the impacts on communities (Sinclair, 2003). Unsurprisingly, this history of colonial research has fuelled tension between Western researchers and Indigenous people. As a non-Indigenous researcher, I am aware of this challenging dynamic and will outline aspects of Indigenous methodologies that I have utilized in order to avoid further exploitation and damage to Indigenous communities.

Indigenous methodologies provide a decolonizing approach to research, a critical consideration for me as a non-Indigenous researcher. While not all youth who have experiences in the justice system are Indigenous, Indigenous youth are vastly overrepresented within this system and all efforts should be made to ensure harms within Western research are not reproduced. (Schissel, 2010; Statistics Canada, 2016/2017). Recognizing that I cannot operationalize an Indigenous worldview as a non-Indigenous person, I cannot solely rely on Western methodologies in my work with Indigenous youth, as this may result in further harm.

This section will outline the importance of ceremony, relationships and protocol in Indigenous methodologies and how these elements improved cultural safety, respect and a decolonizing approach in the present research.

Indigenous methodologies are grounded in the principles of kindness, gentleness, sustainability, and relationality (Kovach, 2009). Furthermore, Wilson (2008) describes research itself *as* ceremony. Indigenous methodologies challenge the perceived objectivity in Western research methods, asserting that researchers are intrinsically connected to and a part of their research (Kovach, 2009; Sinclair, 2003; Wilson, 2008). Wilson (2008) asserts that Indigenous people must make the decisions about what is researched rather than have studies imposed on them. The youth who participated in this project had full control over what was created and published and how their art was arranged and shared. Sinclair (2003) writes that there is no standardized protocol in Indigenous research, and the use of ceremony can be a personal decision. Doing research in a good way can be understood as, “respecting, honouring and attending to the spiritual and cultural practices and protocols” (Sinclair, 2003, p. 121). My research was foremost guided by my advisor, Dr. Marlyn Bennett, the former director of the Master of Social Work in Indigenous Knowledges Program. Additionally, I sought guidance on use of ceremony from the MSW-IK Elder, Sherry Copenace and Metis Elder Charlotte Nolin. I used ceremony throughout my research as a way to honour and respect my participants and the wisdom and knowledge they provided.

First, I offered tobacco to each of my youth partners at the beginning of the research process. The importance of offering tobacco as a cultural protocol in research with Indigenous communities in Canada is well-documented (Bird-Naytowhow et al., 2017; Sinclair, 2003).

Tobacco is a traditional medicine that is regularly offered in exchange for knowledge, guidance and support. While offering tobacco to elders in exchange for knowledge in research is common, I offered tobacco to my youth partners as a way to show them respect and gratitude for their contributions. I also offered tobacco to each of the helpers that contributed their time and knowledge.

Data collection began and ended with Talking Circles. Talking Circles foster relationships and honour the voices and stories of Indigenous youth, which is in line with Indigenous oral traditions (Bird-Naytowhow et al., 2017). Talking Circles are a useful method in actively recognizing, “youth as collaborators in the research project and contributors to community knowledge” (Bird-Naytowhow et al., 2017, p. 6). Bird-Naytowhow et al. (2017) also believe that Talking Circles are capable of decolonizing research by breaking down the, “power hierarchy between researcher and ‘participant’ and enable both parties to engage in examining their storied experiences in the context of life, culture, society, and institutions in ways that challenge dominant perspectives” (Bird-Naytowhow et al. 2017, p. 6). I have had the privilege of attending regular sharing circles with the youth I support, as well as within the community, and the safety and openness I have experienced in those circles is truly transformative. Talking Circles ultimately have the power to create stronger bonds of trust and relationships for Indigenous youth than Western methods and were invaluable in building trust and connections in my research.

Finally, I ensured that youth and helpers had access to medicines to smudge at the beginning of my data collection workshop. Smudging is a ceremony that is generally understood as, “an act of prayer and of purifying the mind, body, spirit, and physical surroundings” (Bird-



Naytowhow et al., 2017, p. 8). Bird-Naytowhow et al. (2017) describe smudging in the Plains Cree communities as a way to prepare individuals and groups to, “enter into sacred communication, to receive spiritual knowledge, and when entering processes of collaborative learning” (p. 8). They write that in these communities, all activities are started with a smudge to cleanse and ready the participants for engagement. Smudging nurtured the relational bonds between youth partners, the research itself and the spirit realm as they explored difficult and important experiences and communicated them through art. Smudging is integral to starting my data collection in a good way. Smudging also acts to purify and cleanse the space and participants; an important process especially when dealing with emotionally heavy topics.

Finally, I plan to smudge with my youth and helpers at the beginning of my data collection workshop. Smudging is a ceremony involving the burning of sacred medicines such as sage, cedar and sweetgrass, and has been described as an act of purifying the body, mind, spirit and surroundings (Bird-Naytowhow et al., 2017). Bird-Naytowhow et al. (2017) describe smudging in the Plains Cree communities as a way to prepare individuals and groups to, “enter into sacred communication, to receive spiritual knowledge, and when entering processes of collaborative learning” (p. 8). They write that in these communities, all activities are started with a smudge to cleanse and ready the participants for engagement. Within my work as a student and researcher and throughout my years of community work, I have been welcomed into meetings, events, ceremonies and celebrations with smudging. The Elders and Knowledge Keepers I have been so honoured to learn from have taught me that smudging helps to begin a gathering in a good way. One of those Elders is Charlotte Nolin, who so graciously participated in this project, providing teachings and support to the youth participants. It was also important to me to provide

sage for smudging to participants because of the potentially heavy conversations and stories emerging from this project.

Ultimately, I hope to employ a decolonizing approach in my research. Kovach (2009) utilizes a “decolonizing” rather than “postcolonial” lens popularized by critical theory. Postcolonial theory suggests that the period of colonization has ended, and we are living in the *after*. The evidence laid out in my research illustrates many of the ways Indigenous people and specifically youth continue to face multiple forms of oppression, exclusion and colonial violence. A decolonizing lens recognizes the colonial history and its impacts in ongoing tension and violence in the Indigenous-settler relationship. Decolonizing approaches in research emphasize the importance of accountability and responsibility. Power-relationships are highlighted and deconstructed, and Indigenous ways of knowing are prioritized. A decolonizing lens ultimately, “provides hope for transformation,” and celebrates victories both big and small. Kovach (2009) aptly writes, “there is a role for both structural change and personal agency in resistance” (p. 80). I have made every effort to amplify the voices of youth and Indigenous authors throughout my research and to maintain transparency around my own identity, involvement in the research, and limitations as a European settler-descendant. In the next section, I address the use of art-making and zines as methods of resistance and liberation for youth.

### **Research Methods**

The present study employed Talking Circles and the creation of a zine to explore how experiences of incarceration and justice involvement impact the lives and identities of youth. This section will describe zines, Talking Circles and observation as research methods, and explain the who, what, where, when and how of the present study.

### *a) Zines*

As I began my search for the political and historical roots of zine culture within academic research, I found very little literature. It quickly became clear that the essence of zine culture is inherently antithetical to academic and institutional literature. What I did find pointed to the nature of zines as tools for self-expression, resistance, empowerment and diversity (Lovata, 2008; Piepmeier, 2008). Zines are at their essence, self-published collections of work that provide their creators with full control and ownership over what is created, arranged, and published. Zines can be any size or format and can include any number of mediums including painting, drawing, photography, personal writing, political writing, and poetry. Piepmeier (2008) describes zines as, “quirky, individualized booklets filled with diatribes, reworkings of pop culture iconography, and all variety of personal and political narratives” (p. 214). Zines have a wide-ranging and rich history in providing accessible platforms for art and justice-oriented literature to be disseminated, bypassing the gatekeepers of profit-driven media companies and publishers (Lovata, 2008). In a world where youth voices are frequently left out or silenced, the medium of a zine embodies the essence of my research – returning power to youth and amplifying youth voices.

Despite the limited literature citing the use of zines as a research method, zines have been successfully utilized in qualitative research (Lovata, 2008). In her research on zines as a tool of resistance for girls, Schilt (2003) asserts that zines are an excellent resource for “analyzing the differences between how adults construct the problems of adolescence and how girls actually experience their lives” (p. 73). She argues that zines act as a form of resistance for youth (or, girls specifically in her research) to express and explore their unfiltered thoughts, feelings, anger,

frustration and confusion, “publicly to like-minded peers but still remain covert and anonymous to authority figures” (p. 81). Additionally, Creasap (2014) writes that zine-making utilizes three principles of feminist pedagogy: “participatory learning, validation of personal experience, and the development of critical thinking skills” (p. 156). In the present work, youth participants were asked to think critically about their own experiences, learn through the process of art-making, and engage with their peers. Furthermore, the youth had full control over what was added to the final zine and what was not. Youth were also given the choice to use either their real name or a pseudonym. Schilt (2003) asserts that for researchers, zines can also be an important and helpful tool in exploring how youth, “speak about their lives outside of the gaze of researchers” (p. 83). While the youth involved in my research were unavoidably under my “gaze,” I was careful to acknowledge this dynamic throughout the process and take steps to mitigate the potential influence of my presence on their work. These steps included allowing youth to produce work at home/outside of the sessions, the ability to submit work anonymously, and simply asking them what barriers exist for their ability to participate in a meaningful way and create authentic work. Ultimately, the knowledge and skills the youth acquired in the process of my research have enabled them to make their own zines free of adult/researcher supervision.

In the present work, youth participants had control over which of their pieces were included in the zine or in my research at all. Wright et al. (2016) provide insight into the usefulness of photovoice for research with Indigenous people, and many of their points translate to other forms of art as well. They write that photovoice, like other art forms, can be empowering, “as it enables participants to document what is important to them, thus influencing social change and facilitating research that is community-based” (p. 2235). Creative arts and

expression are also important in many Indigenous cultures and so the use of photography and art have become important tools in research with Indigenous people. When Indigenous youth use art to express their culture, experiences and beliefs, there is potential for healing and transformation. Arts-based methods ultimately meet the criteria of the Tri-Council Policy Statement 2 (Research Involving the First Nations, Inuit, and Metis Peoples of Canada) as culturally appropriate (Wright et al., 2016).

### ***b) Talking Circles***

The second method of data collection I utilized in the present work is Talking Circles. The use of Western methodologies with Indigenous people has been well documented as harmful, inappropriate, and lacking in cultural awareness and respect (Baskin, 2005; Wilson, 2008; Wright et al., 2016). As a non-Indigenous researcher, it is imperative that I acknowledge the historical and ongoing harm in research with Indigenous people, and actively work to use Indigenous protocol and move through research processes in a respectful and accountable way. The Tri-Council Policy Statement 2 (Research Involving the First Nations, Inuit and Metis Peoples of Canada, hereafter TCPS 2) outlines a number of ways that data collection and analysis should be done appropriately with Indigenous people. *Article 9.8* of the TCPS 2 states, “researchers have an obligation to become informed about, and to respect, the relevant customs and codes of research practice that apply in the particular community or communities affected by their research.” In the present project, I chose to use the method of Talking Circles. Talking Circles are based in Indigenous oral tradition and create safe spaces where participants are able to share as much or as little as they want without interruption (Wright et al., 2016). Participants in a Talking Circle sit in a circle and are asked to reflect on a question or topic while

everyone else in the circle listens respectfully. Each person in the circle has an opportunity to speak and respond to the same question. Often an item such as a rock, feather or talking stick is passed from person to person, identifying which person is the speaker. This method of inquiry has been used as an Indigenous alternative to Western methods such as focus groups, where similar information is gathered from participants (Khayyat Kholghi et al., 2018; Wright et al., 2016). However, Talking Circles differ from focus groups in their longstanding use, “as a healing method in which all participants’ stories are respectfully shared in a comfortable environment that emphasizes safety and confidentiality” (Khayyat et al., 2018, p. 82). Talking Circles emphasize respect and equal opportunity for participation. Khayyat et al. (2018) explain that Talking Circles are “based on respect for everyone present, active listening, learning and stating personal beliefs without arguing, debate or denigrating other opinions” (p. 82). Wright et al. (2016) add that circles may be, “mutually beneficial for participants, as they learn from hearing the views of others, challenging their own thoughts and ideas” (p. 2236). I began the present research with a Talking Circle as a culturally safe and appropriate method of inquiry with youth. I attempted to ensure that youth felt safe and free to share and engage in the circle so that they were able to get to know one another. Wright et al. (2016) write that when used appropriately, Talking Circles incorporate “a period of socializing and sharing of food, as well as traditions such as smudging, prayer, sacred objects, or exchanging gifts” (p. 2236). I provided each youth with sage and tobacco and offered youth the opportunity to smudge independently as we opened the Talking Circle over Zoom videoconferencing technology (Gibbs, Kornbluh, Marinkovic, et al, 2020). Following this smudge and opening, I re-introduced the topic and purpose of the research being gathered and reminded the participants of their voluntary

participation. My own experiences in sharing and Talking Circles have taught me to speak from my heart. Western ways of thinking, being, doing and research often push us further into our heads, analyzing and overthinking details. Throughout the project I challenged myself to connect to my heart, where truth flows more freely and authentic connections with others are made. The first Talking Circle allowed us the opportunity to build relationships, trust one another, and speak from our hearts. I discussed the research questions with the youth upon each initial meeting and gathering of consent and asked for their feedback on the questions during that time. During the first Talking Circle I re-introduced the research questions with the changes I made from participant feedback. Then, I gave youth an opportunity to share their experiences with the research topic and questions. Talking Circles were audio and video recorded using Zoom video conferencing technology and the data and was transcribed.

### ***c) Observation***

Throughout the zine making process I was careful to take notes about the process and have used these notes in combination with the art produced as sources of data in my research. According to the Tri-Council Policy Statement on research with humans, participant observation involves the researchers “engagement in, and observation of, the setting to describe its social environments, processes and relationships” (10.2). Observation is often thought of in terms of anthropological or ethnographic research, where an outside researcher engages in a kind of observational voyeurism, inevitably reporting “knowledge” gained on some exoticized community. My thesis is not in itself an observational study (such as those mentioned above, where researchers immerse themselves in specific locales or communities). I am simply referring the methods I used to document the process of my zine-making workshop. Guest, Namey and

Mitchell (2013) write that observation in research requires a greater systemization of our natural process in order to produce useful data. This systemization might include note-taking, audio-recording and asking questions designed to, “uncover the meaning behind the behaviors” (Guest, Namey & Mitchell, 2013, p. 2). Ultimately, participant observation has the potential to, “generate data that can meaningfully add to our collective understanding of human experience” (Guest, Namey & Mitchell, 2013, p. 2). Throughout the zine-making process, I observed comments and conversations between youth through notetaking. This follows the adage that the process is as important as the product. While the art produced by the youth provided refined, thoughtful information curated and developed over time by the youth, their journey of learning, developing and discovering through art and interaction with one another provides invaluable data as well.

Ultimately, I believe that the inclusion of a zine (multiple options for art-making and creativity), Indigenous methods (Talking Circles), and observation constitute an integrated strategy that is appropriate for research with justice-involved youth. Within the present work, art allowed for cultural safety and safety for youth who have experienced trauma and was an accessible form of expression and communication. The use of a Talking Circle honoured the oral traditions of Indigenous people and created a safe space for youth to share, honoring each of their experiences as they were given as much time as they wished to share. Talking Circles also helped the youth develop friendships and relationships that contributed to their collective creation of a safe space.



### **Participant Sampling**

In total, seven youth who have historic or current experiences in the criminal justice system participated in the present project [N=7]. Due to the nature of this project and fears related to police violence, specific identifying information of the youth identities will not be shared. I can however share some general information about the participants that does not compromise their anonymity but also helps to contextualize their stories and contributions. Although the project was not initially focused on exclusively Indigenous youth, all seven youth in the project self-identified as Indigenous. The youth ranged in age from 17-22 years old. The project required youth to commit to participating in one two-hour online workshop and to contribute some kind of art or writing to a collective zine. To recruit participants, I employed several strategies. First, I utilized snowball sampling, a design that is beneficial when there is no list of the potential participants (youth who have had justice involvement) or when participants may be difficult to locate (Andres, 2012). I leveraged my pre-existing relationships with youth to ask if any friends of the youth I know might fit the criteria and be interested in participating in the study. I provided youth with electronic copies of my recruitment poster, which I encouraged them to distribute to youth who may show interest. Throughout the recruitment process, I took care to make it explicitly clear to all potential participants that their decision to/not to participate in the study would in no way impact their relationship with the researcher or service organizations within the community.

Research has demonstrated the unfortunate reality that youth with justice involvement experience many barriers, including lack of access to safe housing, employment, and basic needs (Chan & Chunn, 2014; Schissel, 2010). Therefore, I concluded that youth shelters would likely

provide services to youth who have lived experiences of justice involvement and fit the criteria for the present work. I distributed recruitment posters electronically to local youth resource centres and organizations related to youth justice, including the West End 24 Hour Safe Space (an overnight safe space operated by the Spence Neighbourhood Association), the Ndinawe Youth Resource Center (which provides shelter and safety to youth in Winnipeg's North End), and Onashowewin (an organization offering court diversion options for Indigenous offenders). In addition to these organizations, I utilized my long-standing relationships with staff and participants at many youth-serving organizations across Winnipeg, distributing my recruitment poster by email to those in my network.

In order to communicate effectively with youth, I utilized different kinds of technology, as youth lacking resources often do not have consistent access to a reliable form of communication. When interested youth contacted me about involvement in the study, I was flexible in communicating with them either over the phone, via text message or utilizing online messenger applications. Upon connecting with participants, I explained in plain, accessible language the topic of the present project, and what their involvement would entail. After this initial contact, I arranged one-on-one meetings via phone or video call with youth to review the consent form and details of involvement in the project.

## **Part II – Data Collection**

On the day of the workshop, I ensured all youth participants had reliable access to Zoom video conferencing technology and began with smudging and a Talking Circle. During the online workshop, youth were supported by a community artist, Kelly Campbell [they/them] who has

experience with zine-making, photography, comic drawing, painting, and poetry. Youth were also supported by Metis Elder, Charlotte Nolin [she/her] who joined us for the online workshop. The workshop took place on September 12, 2021, 12:00-2:00PM and was audio-recorded. The data collected from participants came from this audio recording as well as a collective zine that was created based on the research questions.

### **Workshop Details**

The workshop began with all youth and helpers logging into the Zoom online video-conferencing application. Youth were able to join the workshop from their phones, computers, or tablets. When all participants had logged in, we began by lighting a smudge followed by a prayer and introduction by Elder Charlotte Nolin. I then thanked youth for participating and reminded them of the topic and purpose of the present research project, as well as a reminder to respect the privacy of what is shared in the circle. We then began the Talking Circle. The questions that I asked in the Talking Circle are as follows: 1) What kind of experiences have you had with the justice system? This could be police, the court system, or in institutions like the Manitoba Youth Centre, Agassiz Youth Centre, etc. 2) What do you think needs to change about youth justice for youth to have better outcomes? and 3) Based on the negative public perception of youth in the justice system, what would you like the community to know about who you are as people, rather than “criminals”?

The initial Talking Circle was followed by a short introduction to zine-making by me and local multidisciplinary artist, Kelly Campbell. Kelly remained in the workshop for the remainder of the time in order to answer questions and help youth think through the art they were working on. In addition to posing the research questions verbally, I included research questions in the

“Chat” function of the Zoom application, for youth to reference throughout. Youth were encouraged to respond to any of the three questions in the art and/or written work they created for the zine. In addition to the introduction on zine-making as an art form, Kelly and I provided examples of zines for youth to look at for reference and inspiration.

In addition to contributing one or more pieces of art or writing, youth were asked to provide a short accompanying written statement about what they created and its significance. The write-ups were not published in the zine but were used for data analysis and to provide meaning and context for the art created. We concluded the workshop by inviting the youth to share any final thoughts on their experiences or perspectives of the justice system or what needs to change.

Following the workshop, I organized and thematically analyzed data in order to prepare for one-on-one check-in meetings with youth participants in which I asked them to respond to initial findings. I scheduled these conversations with youth participants to ensure they occurred at convenient times. During these conversations, I reviewed main themes that emerged throughout the workshop and ensured that analyses were representative of the experiences outlined by youth participants.

The present project required a number of resources, including partnerships with a community artist and Indigenous elder, art supplies, medicines, and compensation. Specifically, the project required funds for honorariums for youth and community partners, tobacco for offering each participant and helper, medicine for ceremony and art supplies for youth. I provided each participant an honorarium of \$40 in addition to art supplies and an offering of

tobacco. Additionally, I utilized audio recording equipment borrowed from a fellow student to record the workshop.

Finally, following the completion of the online workshop I let youth participants know we could work together to plan a “Zine Launch” when physical distancing restrictions related to COVID-19 allow for gathering. Youth will be invited to bring family and friends and have an opportunity to present or perform their work and share food, perhaps in the form of a feast, to celebrate their achievement. Printed copies of the zines will be made available for distribution at the launch.

### **Research Instruments**

The present work utilized several instruments: A recruitment poster, a recruitment script explaining my research, consent forms for participants and self-consent forms for youth who are between 16-24 and are still in care of Child & Family Services. I also utilized confidentiality forms for the helper and elder involved in the project. These instruments can be found in the Appendices section.

### **Data Analysis, Interpretation and Validation**

Findings from the present project were analyzed and interpreted using a few methods. Following the Zoom workshop, I transcribed the audio data provided by the youth, ensuring to capture the communication presented as accurately as possible. Accurate transcription is imperative to a truthful and ethically grounded analysis (Jenks, 2011). Next, I coded data from the Talking Circle to identify emergent themes. Braun and Clarke (2006) describe thematic analysis as, “a method for identifying, analyzing and reporting patterns (themes) within data” (p. 79). They outline six stages as a part of the coding and analysis process, beginning with

becoming familiarized with the data through reading and re-reading all compiled data. Through the process of transcribing the Zoom audio recordings, I read and re-read the data many times before moving into the coding process. Coding has been described as a systematic process where a word or short phrase is assigned to elements of data in order to identify themes (Braun and Clarke, 2006; Lochmiller, 2021). To maintain the Indigenous principal of relationality within the coding process, I used quotations from participants to illustrate and connect emerging themes in the data (Kovach, 2009). I observed and analyzed information throughout the data collection process alongside youth co-researchers to make sense and give meaning to the data (Morse, 1994; Thorne, 2000). Note-taking was used to observe and record comments and conversations with youth during the art-making workshop. The creation of a collaborative zine was used as a source of data. The zine provided the added benefit having physical pieces of art and writing to corroborate the audio transcriptions. Participants were asked to provide brief write-ups describing and explaining what kind of art they created and what it represents. These write-ups were included in the thematic analysis of data. Together with the participants, I synthesized a narrative of youth experiences based on linkages found within the Talking Circle, observation during the workshop, and art produced for the zine, theorizing about how and why the various relations discovered. emerged as they did. After naming the themes and sub-themes, I began writing the findings section. The findings section connects the themes to the literature review and additional existing literature. Once the data was organized, coded and analyzed, I brought findings back to youth to validate and compare our findings with pre-existing research and knowledge. I made every effort to maintain the authenticity of the data and honour all youth

contributions, aligning with Potts and Brown (2005) who describe data as, “a gift that participants bestow and we work to respect those gifts and treat them ethically” (p. 269).

Findings from the present project will be distributed to youth-serving organizations for potential future program development and may be used to inform the creation of future academic articles. Involving the participants throughout the process, including data analysis and interpretation, is ultimately an important method for decolonizing research. I utilized methods to involve participants in validating interpretations of the findings and themes that emerged from the information collected. One method of knowledge validation that I adopted involves active listening and reflecting ideas back to youth for validation in the moment.

The Tri-Council Policy Statement on research with humans dictates that researchers should, “afford community representatives engaged in collaborative research an opportunity to participate in the interpretation of the data and the review of research findings before the completion of the final report, and before finalizing all relevant publications resulting from the research” (TCPS 2, 9.17). After their knowledge was coded and organized into themes, youth were invited to connect with me for a one-on-one follow-up meeting to validate and contribute to the analysis of the findings. Through the process of art-making, data collection, and relationship building during the workshop, our collective group was able to develop trust with one another and youth indicated that they felt safe to share feedback and ideas. Further, I was sure to remind participants that I want to represent their ideas and experiences accurately, and that this data belongs to them.

The TCPS 2 emphasizes the importance of ongoing and continuing communication with research participants both throughout and following the data collection. I provided youth

participants with multiple avenues to get in touch with me, including my phone number, email address and the use of online messaging apps that are popular and accessible for youth. The TCPS 2 also states that community approval of research is, “essential to validate findings, correct any cultural inaccuracies, and maintain respect for community knowledge (which may entail limitations on its disclosure)” (9.17). When youth provided feedback, both during data collection and afterward, I worked to integrate that feedback into the final work. The TCPS 2 directs researchers how to address disagreements with community about data interpretation: “If disagreement about interpretation arises between researchers and the community and it cannot be resolved, researchers should either (a) provide the community with an opportunity to make its views known, or (b) accurately report any disagreement about the interpretation of the data in their reports or publications. This should not be construed as giving the community the right to block the publication of findings. Rather, it gives the community the opportunity to contextualize the findings” (9.17). Ultimately, participants indicated that findings reflected their own experiences and voices. Throughout the research process, I made every effort to be as transparent as possible and give voice to participants wherever possible.

Within the present project I relied on guiding documents such as the Tri-Council Policy Statement on research with humans to guide my data collection and interpretation in an ethically and culturally responsible way. I have included multiple methods of data collection including Indigenous methods (Talking Circles), the creation of a zine (multiple options for art-making and creativity) and observation throughout the process. This integrated approach provided a range of data that I was able to organize and interpret with the support and inclusion of youth participants.



### **Part III – Ethical Considerations**

The present project necessitated careful ethical consideration related to several areas. First, my research involved the recruitment of youth who may be marginalized or vulnerable, necessitating a plan to address these circumstances. Further, the present project involved working directly with justice-involved youth that evidence has shown are disproportionately Indigenous, requiring further discussion of ethical research as a non-Indigenous researcher. Here, I will address issues of confidentiality, consent and mutual engagement.

#### **Research with Indigenous Youth**

As cited previously in this proposal, research with Indigenous people has largely historically been done by non-Indigenous researchers, with little regard for Indigenous worldviews or respectful collaboration. As a non-Indigenous researcher, I was careful to consider the ethics of my involvement in this project. I had the opportunity to work with an experienced, widely respected, and knowledgeable Indigenous professor, Dr. Marlyn Bennett, as my advisor, to guide my research. Theoretical frameworks applied in the present work are also founded in anti-oppressive practice and intersectionality. I employed both arts-based and Indigenous methodologies as culturally appropriate and safe methods of inquiry for Indigenous youth. Finally, as previously discussed, I included Indigenous protocol throughout the research process, including the passing of tobacco, smudging, the utilization of Talking Circles and the involvement and guidance of respected community Elder, Charlotte Nolin.

#### **Research Risks**

Participants in the present study occupy various marginalized identities and may be vulnerable due to circumstances related to having involvement in the justice system. Prior

research indicates that youth involved in the criminal justice system experience higher rates of poverty, trauma, violence and victimization (Reid & Dudding, 2006; Schissel, 2010). I took several steps to ensure participants felt no pressure or obligation to participate. First, in my initial conversations with potential participants, I assessed whether the project seemed to be something that they have an interest in, in terms of wanting to share their experiences and participate in art-making. Participants were asked to sign consent forms in order to participate in the research (see Appendix F). Consent forms clearly explained that youth had the ability to withdraw from the study at any time, without prejudice or consequence. Participants were made aware that if they felt nervous or uncomfortable approaching me with any concerns, they were welcome to contact my advisor, Dr. Marlyn Bennett to express their wishes.

Due to the sensitive nature of the topics covered in the present research, including the discussion of personal experiences of incarceration and justice-involvement, there was the potential for participants to experience emotional and/or psychological distress. Prior to the zine making workshop, I compiled a list of resources that participants were welcome to access if they experienced re-traumatization or any emotional distress during or after the research process. In my first meeting with participants to sign consent forms and discuss participation, I discussed the risks involved in participation (which were also clearly outlined in the consent form) and explained the resources available to them. As a past volunteer counsellor at Klinik Community Health, I informed my participants that Klinik is equipped with excellent mental health and crisis services, 24 hours a day and 7 days a week. I was also careful to include culturally appropriate resources, as working with Indigenous youth necessitates culturally appropriate and responsible access to services.

### **Confidentiality**

The present project involved participants sharing information about themselves within the workshop context and Talking Circles, as well as in the art for the collaborative zine. Additionally, observational data was collected by me throughout the workshop. The participant consent form clearly outlined how their participation was to be recorded and documented. The consent form clearly explained that participants were able to withdraw from the study at any time prior to data analysis, and that all of their information would be removed from analysis if they chose to do so. Participants were also told that if they chose to withdraw from the study after data analysis was completed, their data would remain in the study, but would be completely anonymized. Any identifying personal information will not be disclosed to community members without their explicit consent. Throughout the present work, participants are referred to anonymously (e.g., “one youth participant”). Within the zine, youth were able to choose to submit work anonymously or use their name or a pseudonym. Data from the present study does include some indirectly identifying information that might reasonably identify a participant through several identifiers such as age, place of residence, schools attended, etc. Participants were given the option to include, code or remove various indirect identifiers.

Participant identities were protected throughout and following the data collection process using a password protected computer and phone, where data was recorded and stored. The workshop, including Talking Circles, was digitally recorded and assigned an alpha-numeric label. Only I have access to the files for purposes of transcription and analysis. Recorded files are stored in a password protected computer that only I have access to. They will be stored securely until September 2023 at which time they will be destroyed. Participant identities were

necessarily shared with other participants due to the nature of the project and the creation of a collective zine. However, several precautions were taken to protect privacy and confidentiality of participants. The participant consent form included a section indicating that participants agree to respect the privacy of other participants and refrain from sharing personal information outside the workshop. Additionally, I actively discussed the importance of respecting every participant's privacy throughout the research process.

Finally, the community artist and elder who joined the zine making workshop both signed confidentiality agreements, specifying that all information from the workshop be kept confidential, before participating in the project. Roles of helpers were also be outlined in the youth consent forms, and youth indicated their understanding and consented to their involvement.

### **Informed Consent**

When meeting with participants, I reviewed the consent forms, reading the information out loud and assessing youth comprehension. I was careful to receive both verbal affirmation as well as participant signatures. I was sure to reiterate the message that youth were able to withdraw their involvement at any time and that they should not feel any pressure to participate. Finally, I passed tobacco as a sign of gratitude and agreement, an important cultural protocol in research with Indigenous communities in Canada (Bird-Naytowhow et al., 2017; Sinclair, 2003).

### **Mutual Engagement & Benefits**

As per Article 9.13 of the TCPS 2, the present research is relevant to community needs and practices in that it gives voice to the demographic of youth most vulnerable to justice involvement. In Canada, the youth criminal justice system is supposed to provide youth with

essential services and effective supervision. However, youth living within these systems have little influence on the decisions that are made about their lives (Rutman et al., 2005). Prior research has demonstrated the importance of youth perspectives in research, especially regarding Indigenous youth (Bird-Naytowhow, Hatala et al., 2017). Furthermore, the Tri-Council Policy Statement on Research Involving the First Nations, Inuit and Metis Peoples of Canada indicates the importance of reciprocity in research: “the obligation to give something back in return for gifts received – which they advance as the necessary basis for relationships that can benefit both Aboriginal and research communities” (9.9). The present project provides mutual benefit to the community in several ways: 1) Youth who participated in the research had the opportunity to develop skills around zine making, including various kinds of art-making, layout and editing, 2) Findings from the project will make a significant contribution to academic literature and will inform programming for community partners as well as other youth-focused organizations, 3) Knowledge will be mobilized in the community through a zine-launch event, where participants have the opportunity to attend and share their art and writing with their friends and family members, 4) Copies of the finished zine will be made available to attendees and can be distributed to other youth in the community, and 5) The project has the potential to foster future engagement between the youth participants and community artists.

### **Participant Feedback and Dissemination**

Following initial data analysis, I scheduled one-on-one check-in meetings with youth participants where I presented a brief, non-technical summary of my research findings. At this time, I received feedback from participants who shared that the analyses were representative of their own experiences. At this time, I asked if and how each participant would like to receive the

project results, and collected this information (phone number, email, messenger username, etc.).

I provided participants with an approximate timeline for when they could expect to receive the information. In addition to these youth accessible methods, findings will be disseminated through the completion of my thesis. Results may also be shared at a collaborative “zine launch,” where participants may present their zine contributions to family, friends and partnering organizations. Further, findings will inform future manuscripts and conference presentations, as well as community program development.

### **Summary**

In conclusion, the present project breaks new ground in exploring the transformative potential of arts-based collaborative and youth-focused research methods as tools for empowerment, exploration, and resistance. Very limited research exists that centres the voices of justice-involved youth and their experiences. Furthermore, Manitoba continues to have one of the highest rates of justice-involved youth in Canada, with 82 per cent of incarcerated youth being Indigenous (Statistics Canada, 2016/2017). These disturbing statistics indicate that the present work is both timely and important. In particular, the present work represents a necessary response to ongoing calls for institutional and political action based on the recommendations of the Truth and Reconciliation Commission’s 94 Calls to Action (2015).

The present project utilizes arts-based methods, specifically the creation of a collaborative zine, to explore how experiences of incarceration and justice involvement impact the lives and identities of youth. Through collaboration with a community artist and Indigenous elder, I facilitated an online zine-making workshop that involved the use of Talking Circles and medicines in order to create a safe space for youth to explore and share their perspectives,

experience and knowledge. When COVID-19 related physical distancing restrictions allow, this knowledge will be mobilized and shared in the community through a zine-launch event, where participants will have the opportunity share their art and writing with those closest to them.

Copies of the collective zine will be made available to attendees and will be distributed to other youth in the community. Ultimately, the present work has the potential to influence policy makers, researchers and all those who work with justice-involved youth to consider and prioritize youth voices in developing policies, services, and more appropriate supports for youth.

The research design, role of the researcher, the data collection processes, including the ethical considerations provide a foundation on which to present the emergent themes and interpretation. The next chapter will reveal findings from the Talking Circle and zine submissions from the youth participants. The structural and textural descriptions will provide context to the experiences and the art for the zines collectively develops the essence of their experiences.

## **Chapter 4: Findings**

### **Overview and Introduction**

In this chapter I identify and discuss the following elements of my findings in two parts: 1) Participants, and, 2) Themes that resulted from the online Talking Circle and zine submissions from the research participants. Three themes emerged from the data collected for this study. These themes are: 1) Police cause harm to youth; 2) Intersecting systems of oppression, and 3) Perspectives on change. Within these themes, several sub-themes were identified. Within theme 1, Police cause harm to youth, three sub-themes emerged: a) Violent first encounters with police, b) The police don't help when you call, and c) Police are not accountable. Within theme 3, Perspectives on change, three sub-themes emerged: a) Inadequate police training and supervision, b) Moving away from a broken system, and c) The importance of youth voices in connection to systems that have power over their lives. In reviewing these themes and sub-themes, I have included some of the images and art-work created by the participants for the zine. I conclude with a summary of the findings as part of this chapter.

### **Participants**

The onset of COVID-19 in 2020 quickly shifted the project from being conceptualized as an in-person workshop to an online project. The recruitment of participants also shifted to being entirely online. These changes resulted in a few youth who had initially planned to participate being unable to join the online version. Of the youth who did participate, I had prior work-related connections to six of the seven youth, and therefore knew most of them on varying levels. Due to the nature of this project and fears related to police violence, specific identifying information of the youth identities will not be shared. I can however share some general information about the



participants that does not compromise their anonymity but also helps to contextualize their stories and contributions. All seven youth in the project self-identified as Indigenous. All seven of the youth became connected to this project through prior work-related and community programs and connections. The programs and organizations the youth were connected to include New Directions, Action Therapy and Macdonald Youth Services. The youth ranged in age from 17-22 years old. While all the participants currently live in Winnipeg, several of them identified previously living on reserve before moving to Winnipeg. The participants did not identify the specific communities they were from, but self-identified as Metis, Cree, Oji-Cree and two youth shared they were proud to be Native.

With respect to identifying the youth in the following findings section, I will not be including gender as a specific identifier. The rationale behind this decision is primarily to make every effort to protect each participant's identity and maintain anonymity. In the findings section below, every participant will be referred to using the gender-neutral pronouns "they" and "them" wherever possible. There are a few instances where gender is specifically included in a story or zine submission provided by a youth participant and in these cases, gender will be included to maintain the integrity of the content shared. I have also chosen to code the youth participant reflections in the findings section for anonymity. The coding structure is as follows: N stands for "Name," and each of the youth have been randomly assigned a number between 1 and 7 that they maintain throughout the entire findings section. Therefore, a youth participant might be given the code N4, which describes that they are one of the youth participants in the project and that they have been randomly assigned the number 4 for the entirety of the findings section. Furthermore, some sentence pause fillers such as "uh" and "like" have been removed in the quotes for

readability. Finally, I have chosen to use “block quotation” format for all youth quotations to honour each of the participant’s stories and experiences shared, regardless of the length.

## **Themes**

### **Theme 1: Police Cause Harm to Youth**

One of the questions I asked the youth during the Zoom Talking Circle was to share any experiences that they have had with the justice system if they wanted to and felt comfortable doing so. I clarified that “the justice system” could include experiences with police, the courts/legal system, or carceral institutions. The findings in this area were somewhat surprising. I anticipated a range of responses with experiences from all areas of the justice system, however a clear theme around policing quickly emerged. The youth shared stories and experiences of “wellness checks,” being stopped on the street, being physically assaulted and racially profiled. Within this theme, three sub-themes were identified: a) Violent first encounters with police, b) The police don’t help when you call, and c) No accountability.

#### ***a) Violent First Encounters with Police***

Four of the seven youth shared the stories of their first encounters with police. Before proceeding with this section, I want to again warn readers that the nature of these stories may be triggering or re-traumatizing. The content includes racism, physical violence, death threats and verbal abuse. All the four first encounters with police were negative. Shortly after moving to Winnipeg from their reserve, one of the youth was arrested at their apartment at the age of 17 while drinking with their sibling. The youth shared:

*All I remember coming out of my black out to having my hair pulled and being placed in the back of a cop car....I slid out of my handcuffs and when they opened the door I swung at this cop and I just remember getting tackled by his partner and him and um, they took me to the elevator and they held me up in the corner of the elevator, they held me up in the corner while hitting me with a baton on my legs.... the cop in front of me broke my glasses while I watched and like they threatened to have fun with my brother next. (NI)*

After having their fingerprints taken and being beaten by police in the elevator at the Police Headquarters, the same police officers proceeded to transport the youth to the Manitoba Youth Centre. The youth shared this disturbing interaction from that drive:

*I remember we were driving after like the whole fighting thing and I feel like when I say I wish I honestly didn't really have to say the stuff the cops said to me because I wish it wasn't true but I remember driving over this to this bridge when they were taking me to MYC, and they threatened to throw me in the river there. That's pretty fucked up because it's my first time getting arrested. I just remember driving over the bridge, I was scared. All I thought about was what if they actually like, you know, threw me in the river. I just moved to Winnipeg too at the time, so it was my very first time experiencing the police and I never really knew that cops were like this. I just came from the reserve back home and I'd never had experiences with cops, and after that, I've never wanted to call the cops for anything. (NI)*

Another youth shared their experience being picked up by police while walking home after a party with some friends:

*My first encounter with the police was when I was like 16 or 15 years old, me and my friends were like, having a little party, nothing big, nothing too wild and then when I was about to walk home I was a little tipsy but not that really, not like sloppy kind of drunk. And then the cops just came drove past me and asked me if I wanted to like go to the drunk tank cuz it's a safe place and like I lived far, and like I was told --- cuz I didn't wanna walk that far. I asked them for a ride home first obviously and they were like 'yeah I'll give you a ride home.' Once I got into the vehicle they basically just took me to the drunk tank. They didn't listen to me. They didn't wanna take me home. They just wanted to take me to the drunk tank. So idk I was just screaming whatever calling them this calling them that and then once we got to the DT or station or wherever that was they were like so mean, like so calling me this calling me that, and um and then they started getting physical, pushing me and tripping me, pushing my head, slapping my head and I wasn't even that drunk, I remember everything. And yeah they just let me spend the night in the detox all cold, I had no water, on this little stupid mat I had to sleep on. And yeah that was like my first encounter with the police. (N3)*

Another participant shared their first experience with the police at the age of 14:

*I had been assaulted and I called to make a report and I was told that because the type of clothes that I was wearing and the underwear that I was wearing that day,*

*that I asked this older man to do what he did. I never got any justice after that.*

(N5)

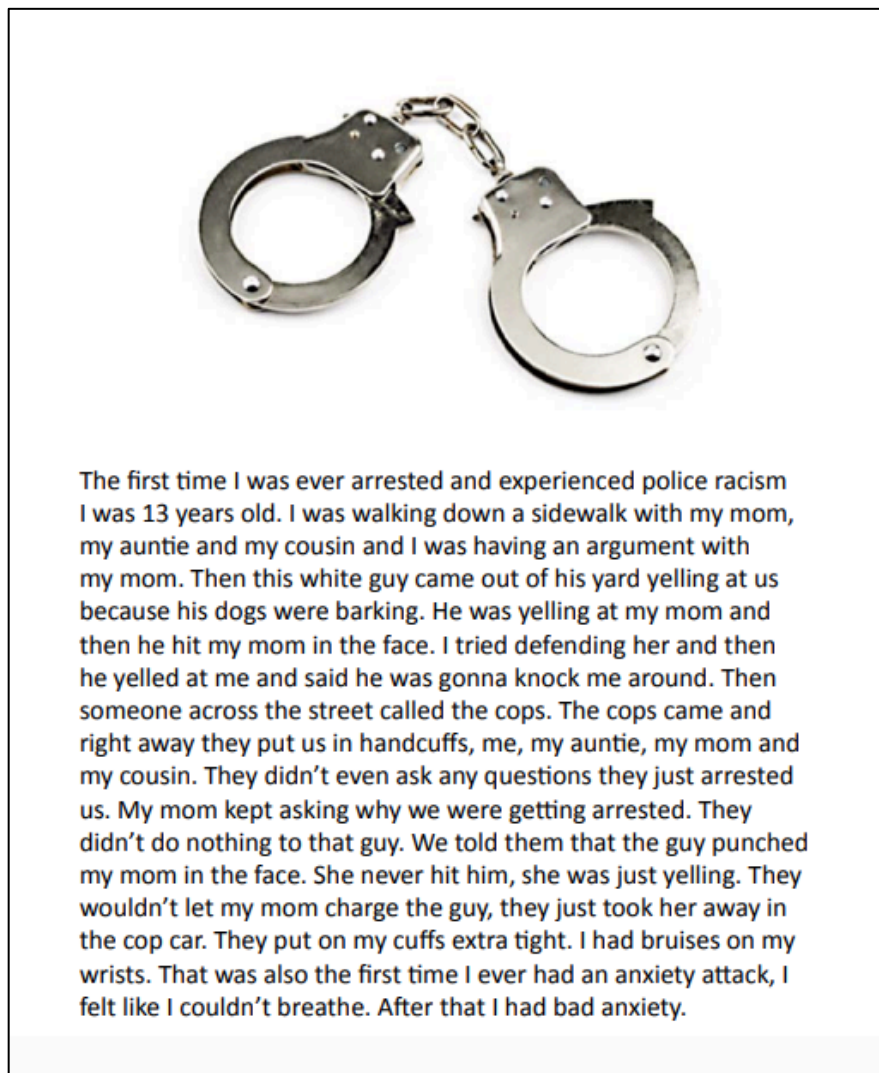


Image 1: Participant N6 zine submission

Image 1 (above) includes the story of a first encounter with police submitted by one of the youth participants to the zine. The youth, who at the time of this publication is 17 years old, tells this story from when they were 13 years old. The story describes civilian and police racism

as well as police violence. At 13 years old, participant N6 writes that they were so tightly handcuffed by police that their wrists “were bruised and they experienced their first ever anxiety attack.” An image of a pair of handcuffs is shown above the story.

***b) The Police Don’t Help When You Call***

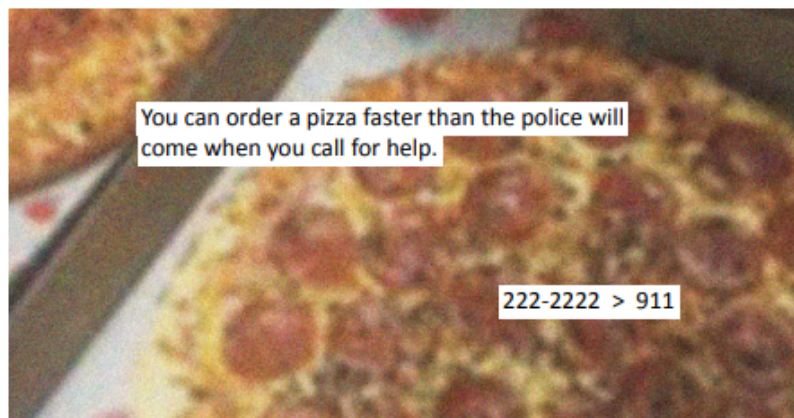


Image 2: Participant N4 zine submission

The second theme that emerged under the umbrella of policing is that the police do not actually help when they are called. Five of the seven youth in the project shared stories where either they called the police for help themselves, or had the police called on them when others were concerned for their safety. Image 2 (above) shows the text “You can order a pizza faster than the police will come when you call for help” (N4). This quote is afforded context in the story below, where the same youth shared their experience of when their abusive ex-partner, who they had a no-contact order with, showed up at their apartment and was trying to break in:

*There was this one time I needed help when he was tryna breach cuz he was tryna bust open my door. It took them basically 45 minutes to come and help me and,*

*you know like, you can get a pizza delivered faster than that you know. It was just really scary because I thought like, what if he breaks in...[Another] time my ex showed up at my apartment, I didn't know it was him, and I opened the door and you know when I called the cops about it they said you shouldn't have opened the door to him, they were blaming me for it and that was totally unfair. (N4)*

Another youth shared a story about being victim blamed by police after calling to report being assaulted by an older man when they were 14 years old:

*I called --- to make a report and I was told that because the type of clothes that I was wearing and the underwear that I was wearing that day, that I asked this older man to do what he did. And um I never got any justice after that for sure.... what stuck with me was asking for help and pretty much being told that I asked for what happened and that really made me reluctant to ever call the police again. (N5)*

The same youth later spoke about “wellness checks,” a practice where police are called to check on the well-being of a person who is in some kind of crisis or distress (Hume, 2021):

*I think um, when they do their “wellness checks” they get a call about somebody who is suicidal or hurting or anything like that. Their wellness checks are not really wellness checks. It's no wonder when you're feeling suicidal you don't wanna go to the hospital, you don't wanna go police, because you face more shame by asking for help than you do by shoving it in but then if you don't ask for help you're in the wrong too. It's a lose-lose situation. You're in the wrong for*

*asking for help and you're in the wrong for not asking for help.... Like more times than not if you're getting a call in distress, they are beaten and arrested and all they wanted to do is get some help. (N5)*

On October 22, during the period that youth were working on art for the zine for this project, one of the participants sent me the messages shown below and asked to have them included as a submission to the zine. The messages describe a disturbing incident involving police violence. The image of the participant with their incurred injuries has been blurred out and names in the messages have been censored:



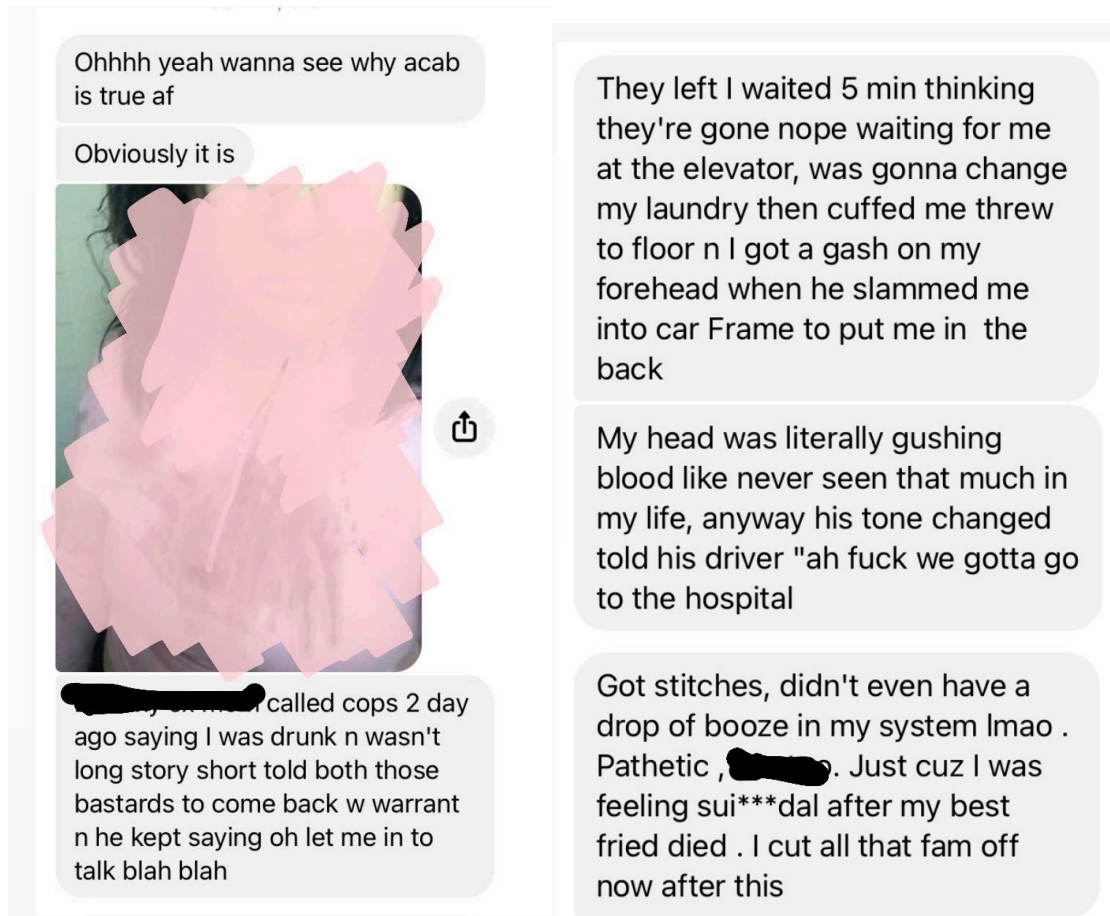


Image 3: Participant N2 zine submission

The same youth who shared their experience of being beaten by the police with a baton in the elevator of the police headquarters shared that,

*After that, I don't know, I've never wanted to call the cops for anything...*

*Nowadays I don't really like to deal with cops. It's hard, like you can find one good cop and it's still hard. I don't know. I feel like it's going to take forever for me to get to like even just call them for help. (N1)*



Image 4: Participant N7 zine submission

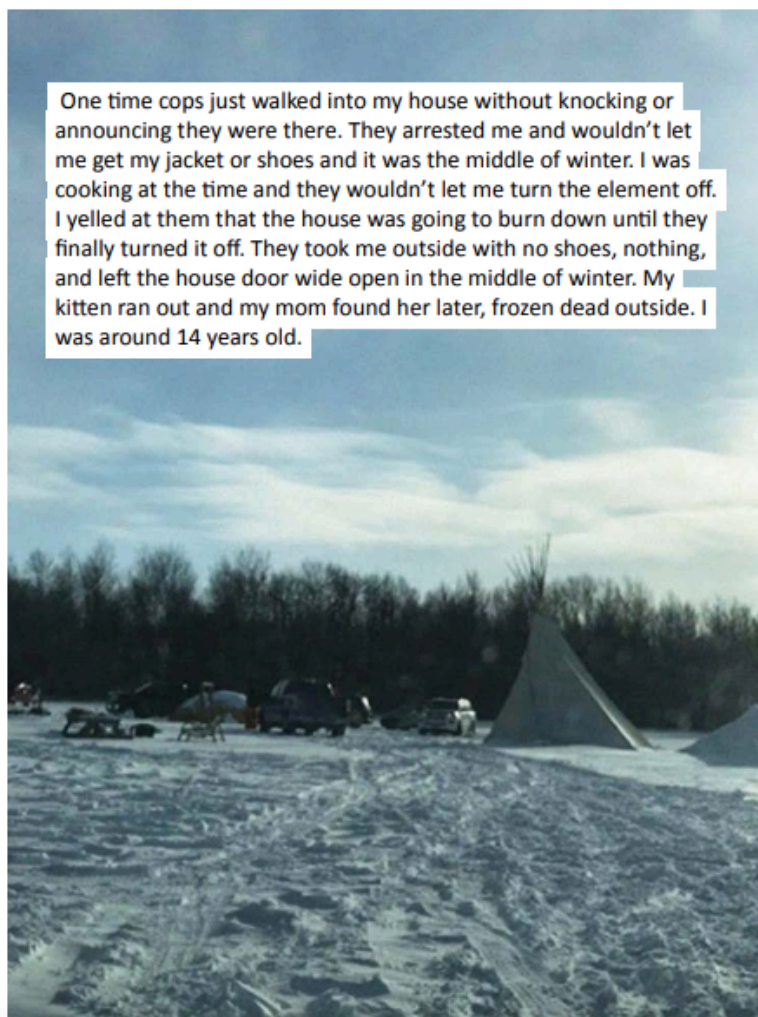


Image 5: Participant N6 zine submission

### ***c) Police are not Accountable***

Several of the youth shared that they often get asked why they do not file a complaint or report after being assaulted by police. The idea that police are not held accountable quickly emerged as a theme as youth shared stories of not being believed, being blamed, shamed, and having no trust in the system to address the harms it causes. After being beaten by police with a baton in an elevator of the police headquarters, youth (N1) recounted:

*I remember even asking for um, there was a lady behind the desk that took my finger prints and my mugshots and stuff and I remember trying to tell her to help me and all she did was smirk at me and say “good luck”...while they took me out of the room so that’s how I knew that like you can’t even trust women police cuz they don’t really care either. I thought that her being a woman she would like, actually care I guess, but I was wrong. (N1)*

The youth shared that they were then driven to the Manitoba Youth Centre by the same officers who assaulted them in the elevator where they had photos taken of their injuries:

*Anyway that morning I had somebody come take all of my photos, of pictures of my bruises and stuff, but I don’t really know what happened to them because we never ended up going to court or anything for that. I ended up getting charged for assaulting a police officer x2 when I did um I told my lawyer the truth about what happened and was honest I did hit that one cop, I didn’t hit that second one but I still got charged for assaulting x2. (N1)*



Being in jail messes with people's heads. It changes them. It changed me, just being alone. Once when I was arrested the cops were trying to get me to rat on my friends. They kept me in a holding cell a whole day, a whole night and another day. I asked for a sandwich and they said "you only get one a day." I was so hungry. They didn't let me call my mom. They wouldn't tell me anything, how long I would be there or if they were working on my stuff. I was 14.

Image 6: Participant N6 zine submission

One of the participants shared that they were asked if they wanted to press charges after being punched in the face by a police officer:

*I got punched in the face by a cop last time I got arrested, and in the PSB building they asked me, do you wanna press charges, and I was like no, because literally nothing would happen. Like rarely that ever happens. (N2)*

Further, they expressed that other people working within the police force do not speak up because of fear and also because they do not care:

*They should be held accountable and more people working with them should speak up, but everybody's scared to speak up and most people don't even care, that like, work for them I guess. (N2)*

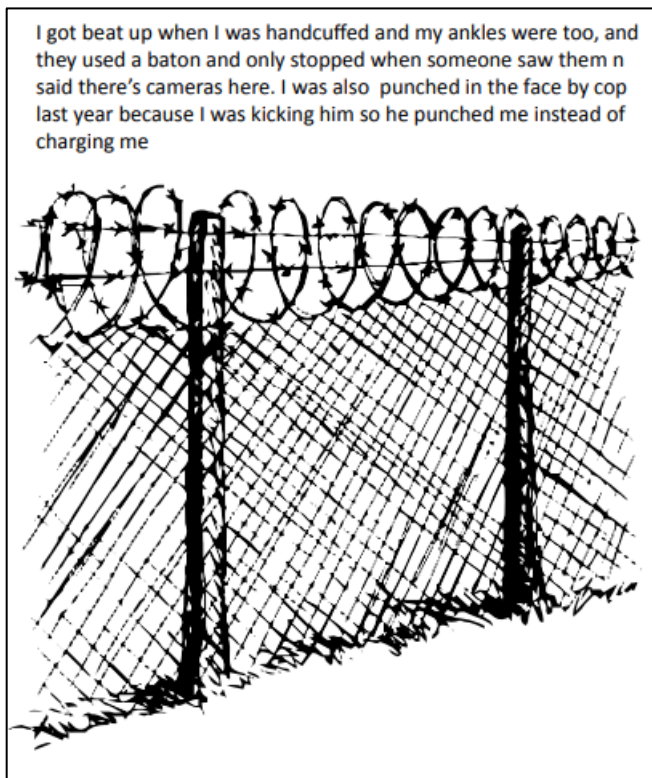


Image 7: Participant N2 zine submission

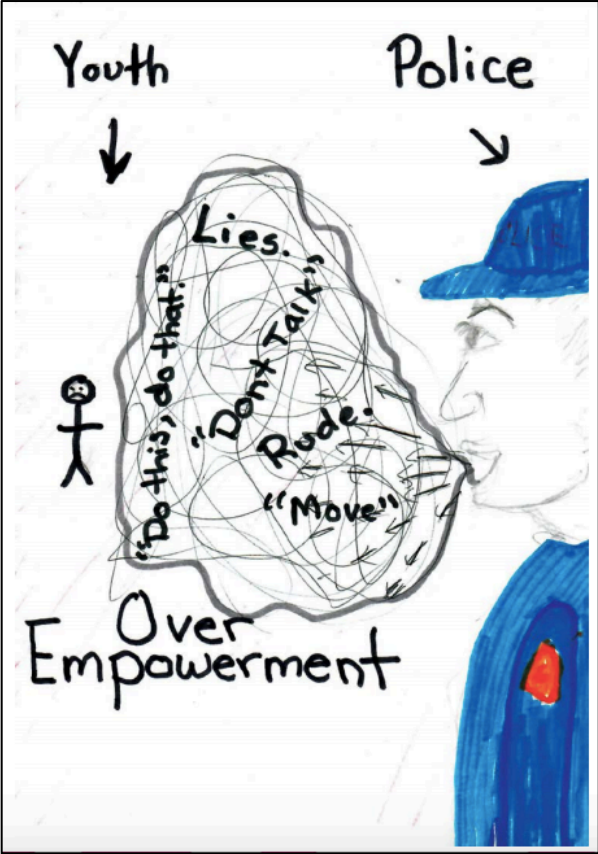


Image 8: Participant N3 zine submission

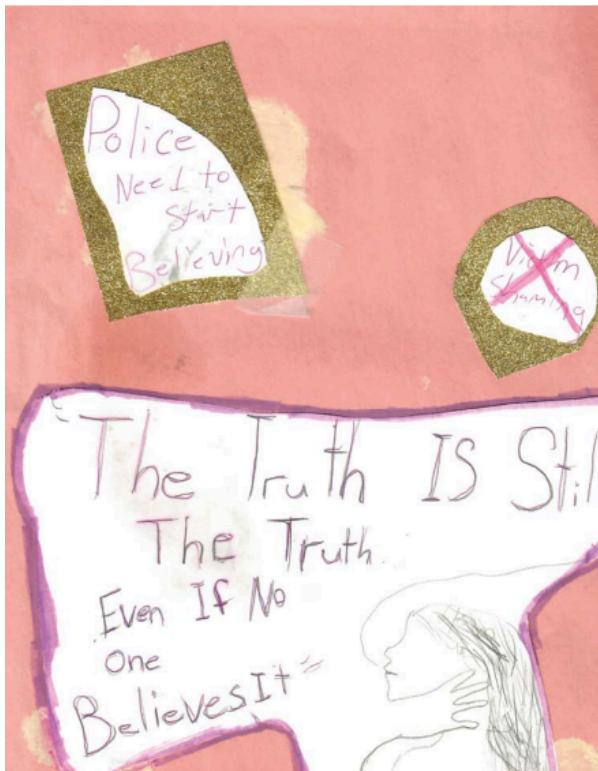


Image 9: Participant N4 zine submission

### **Theme 1: Summary**

The first theme and sub-themes explored violent first encounters with police, the police not being helpful when called, and a lack of police accountability. The youth shared stories and experiences of racial profiling, violent “wellness checks,” being stopped on the street, being physically assaulted, and not being believed by police after being victimized. The participants described police abusing their power and breaking rules and laws including physically assaulting minors experiencing mental health crises. These themes and the collective sub-themes evidence the experiences of the participant’s encounters with police as reflected in the visual artwork



created by the participants for the zine submissions shared above (or something like this – you fix the wording as you see fit).

### **Theme 2: Intersecting Systems of Oppression**

In both the Talking Circle and the zine submissions, many of the youth shared that their lived experiences within other systems impacted their involvement with the justice system. The participants specifically addressed and discussed race, poverty, mental health, addiction and involvement in the child welfare system as contributing factors to, as well as consequences of, their involvement within the justice system. One of the participants wrote a powerful poem discussing interlocking systems of oppression, intergenerational trauma, abuse, racism, addiction and poverty:

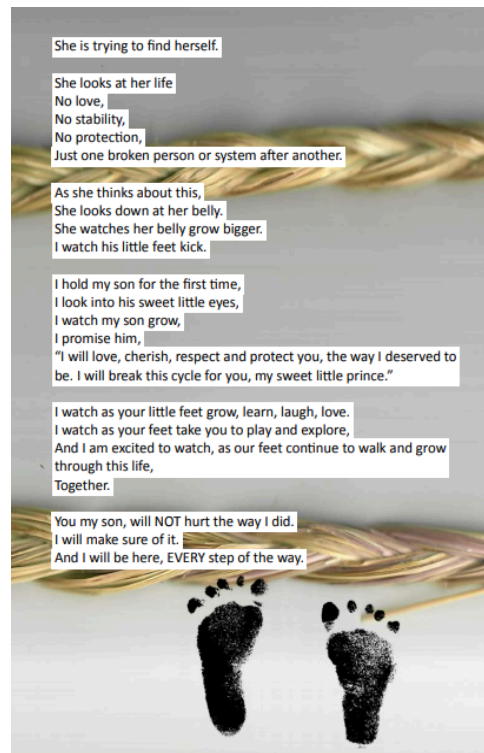
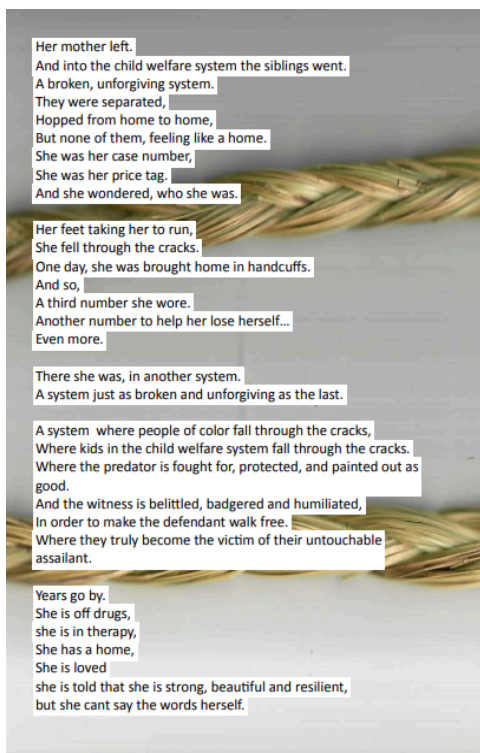
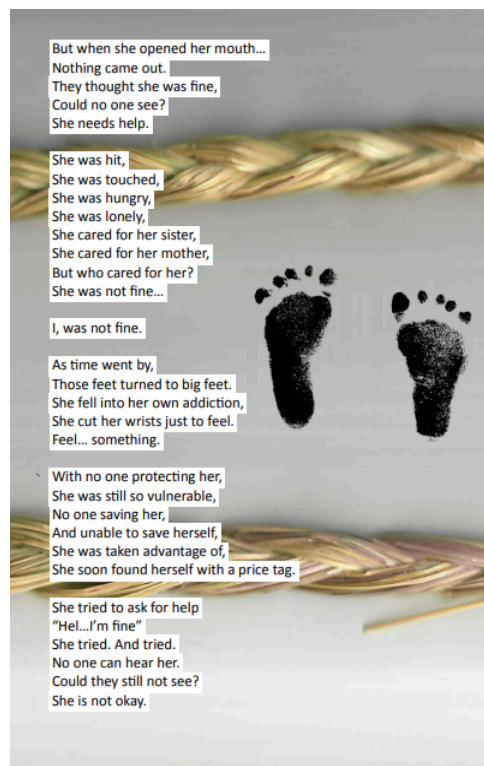
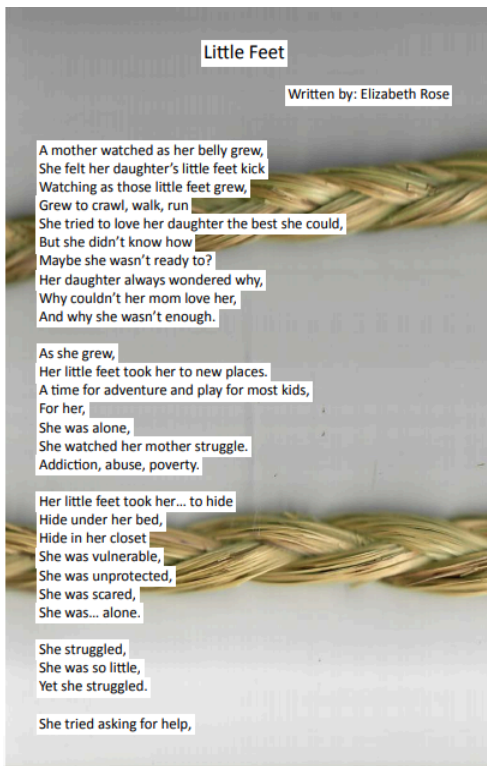


Image 10: Participant 5 zine submission

Several participants identified impacts of race on justice involvement. One of the zine submissions tells a story about “starlight tours,” a police practice of driving Indigenous people to the outskirts of a city during frigid winter temperatures and making them walk home (Comack, 2012):

*Police officers would rather use their fists than use their words. You know, they don't treat people like humans. And of course if you're of different ethnicity or visible minority you're at risk of getting more violence because of the racism and systemic racism in the system. (N5)*

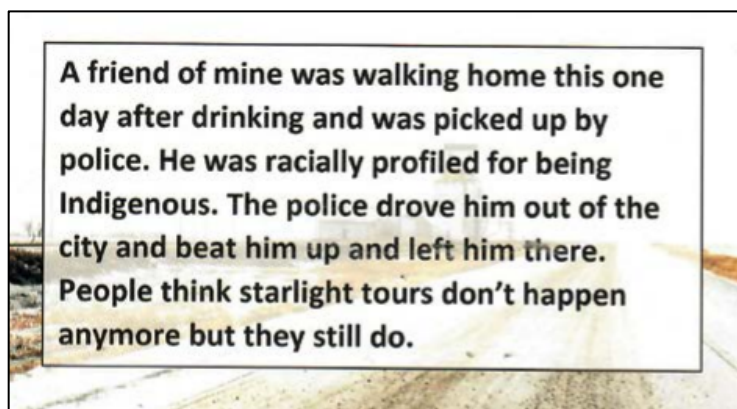


Image 11: Part of a collage by participant N7 zine submission

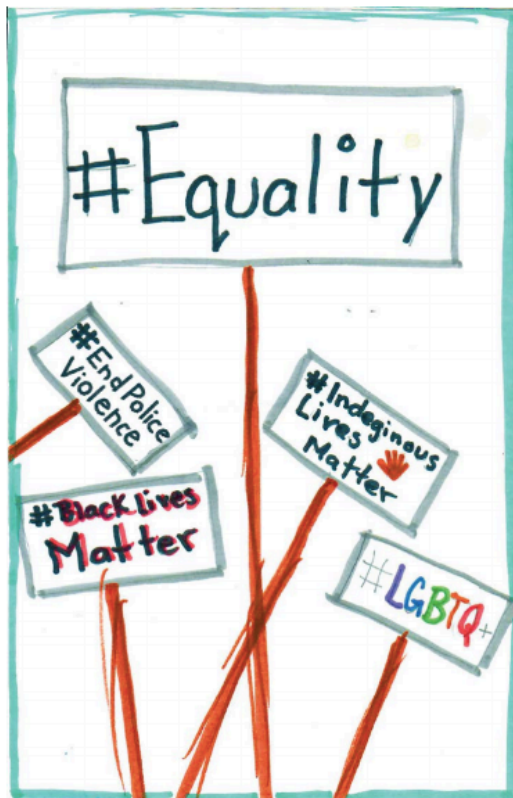


Image 12: Participant N3 zine submission

Image 8 (above) created by participant N3 displays five hand drawn and coloured protest signs. The signs say “#Equality,” “#End Police Violence,” “#Indigenous Lives Matter,” “#Black Lives Matter,” and “#LGBTQ+.” The image of protest signs illustrates the resistance and protests that continue to happen in the face of historical and ongoing police violence. The hash tagged phrases on the signs point to specific groups of people who are disproportionately targeted by police violence.

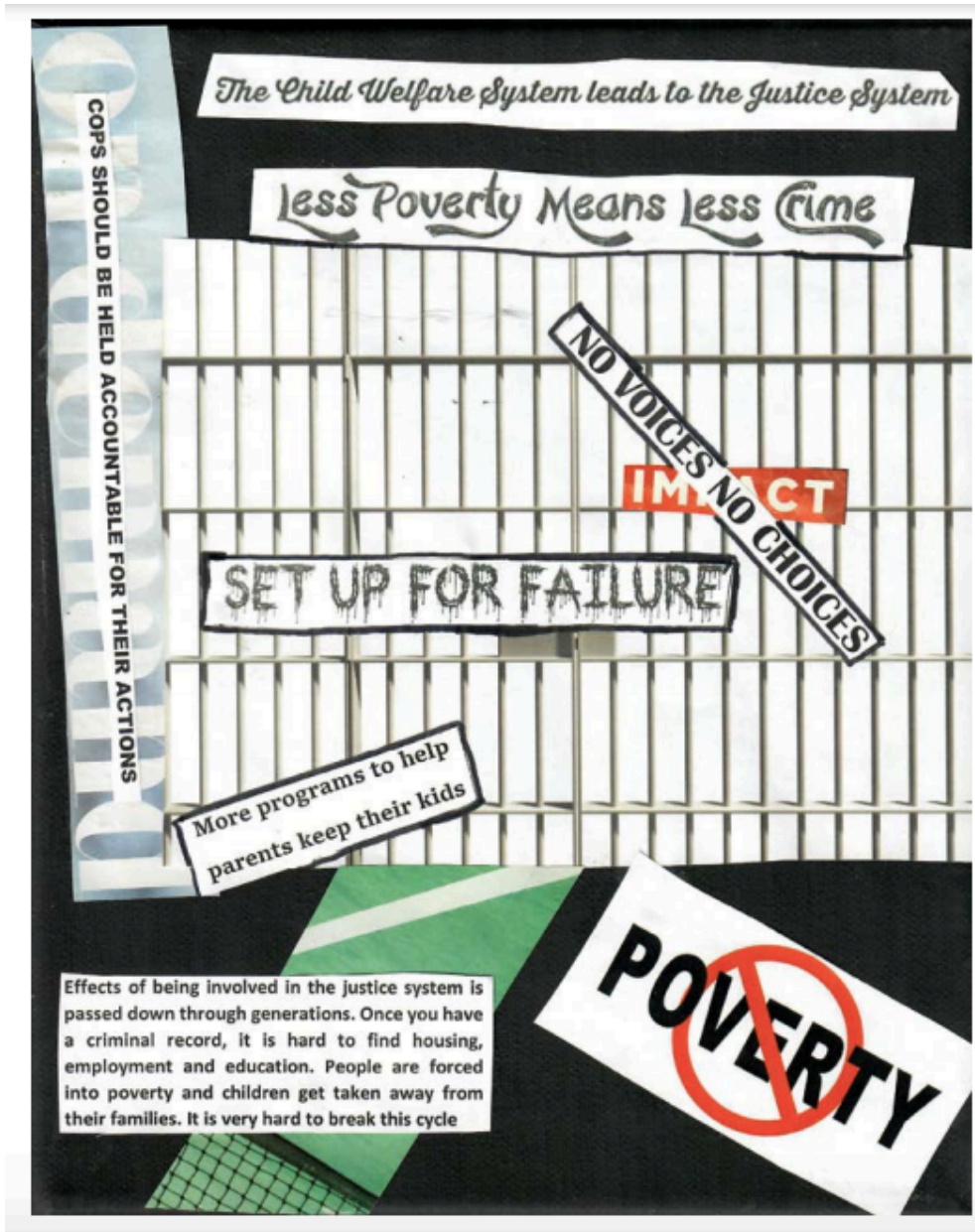


Image 13: Participant N7 zine submission

Image 9 (above) shows a collage submitted to the zine by participant N7 exploring the connection between the child welfare system, the justice system and the impacts of these systems on families. The collage includes clips of text that read, “The child welfare system leads to the

justice system,” “Less Poverty Means Less Crime,” “No Voices No Choices,” “Set up for failure,” “Cops should be held accountable for their actions,” “More programs to help parents keep their kids,” and the word “POVERTY” with a red circle with a line through the middle laid overtop of the word. The collage also includes a clipping of block text that states, “Effects of being involved in the justice system is passed down through generations. Once you have a criminal record, it is hard to find housing, employment and education. People are forced into poverty and get their children taken away from their families. It is very hard to break this cycle” (N7). Participant N6 similarly points to poverty as a factor impacting who has the ability to access bail and deal with their charges without being locked up: *People with money get let out on bail, and people who don't have money don't get out.* (N6)

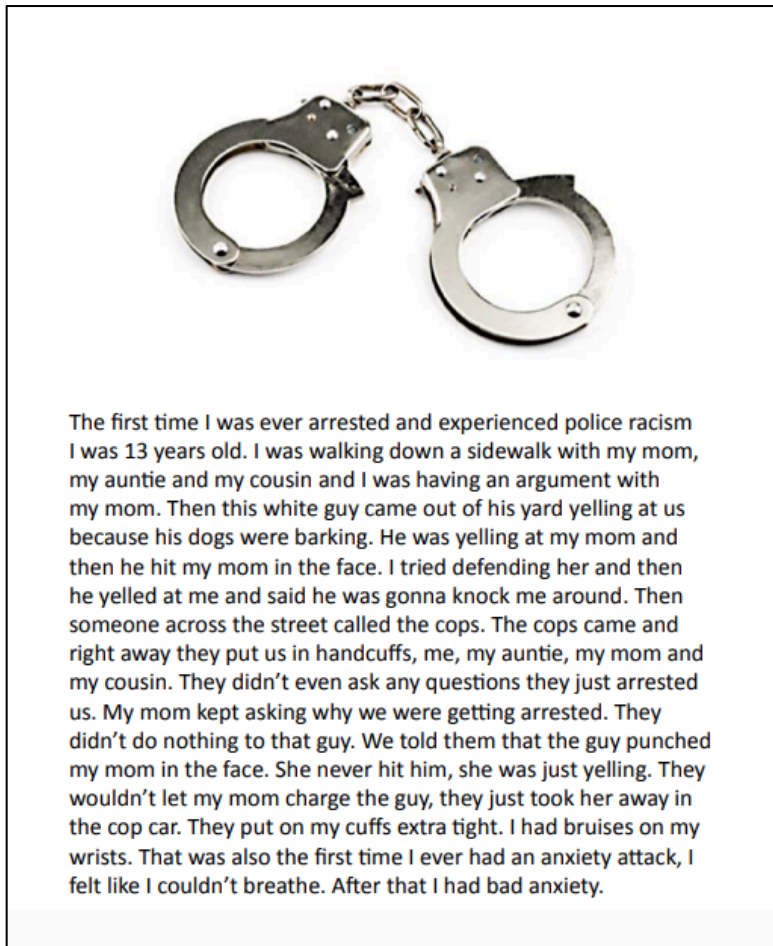


Image 14: Participant N6 zine submission

Image 10 (above) displays a pair of handcuffs with text below telling the story of participant N6's first encounter with police. The story describes an incident where a white man commits physical violence on the participant's mother, but when the police are called they arrest the participant (13 years old at the time) and their mother, auntie and cousin without any information about what occurred. The youth writes that they experienced bruising from being handcuffed so tightly and also suffered their first anxiety attack. The youth states that they began to experience "bad anxiety" after this incident, pointing to the documented trauma and mental

health challenges that survivors of police violence face (N6; CITE). Participant N1 shared that they are, “proud of being native,” and explaining they believe that is the only reason they were treated violently by the police: *I’m proud of being native because I feel like that is the only reason that I was treated that way by the cops.* (N1)

### **Theme 2: Summary**

The data and the images collected and shared above illustrates the implicit connections between justice involvement and lived experiences at the intersections of other systems of oppression. Within the Talking Circle and the zine submissions, the youth discussed race, poverty, mental health, addiction, and involvement in the child welfare system as contributing factors to as well as consequences of their involvement within the justice system. They told personal stories, created collages, wrote poetry, and included images to illustrate their experiences.

### **Theme 3: Perspectives on Change**

When asked about what changes need to happen to improve outcomes for justice-involved youth, the responses fell into three main areas: a) Inadequate police training and supervision, b) Moving away from a broken system, and c) The importance of youth voices in connection to systems that have power over their lives.

#### ***a) Inadequate Police Training & Supervision***

Almost all the participants identified some aspect of police training in response to this question. One of the youth described police being on a “*power trip*” and the lack of accountability enabling them to, “*use way too much excessive force.*” They assert that the amount of training police get is inadequate and, “*a lot of them need to be fired too.*” (N2):



*I don't know, they just need more training too. They're on a power trip mostly, these cops. I feel like the training is too little I can't remember how many hours it is but it's not long. I don't know, a lot of them need to be fired too. The dirty cops and shit. They should be held accountable and more people working with them should speak up but everybody's scared to speak up cuz most people don't even care that like for them I guess. Um, I guess firing the ones who use way too much excessive force and their partner sees it and isn't comfortable with it and says something. Cuz sometimes there's a few cops, I've only met like 2 okay cops, like they seemed decent that time, but only 2 in my whole life and I've been dealing with cops since I was like 12. Like whether its family stuff or whatever, so that says a lot. (N2)*

Another participant similarly discussed the inadequate length of training that officers receive, comparing the estimated eleven-month police training course with the programs that social workers, lawyers and doctors take lasting four or more years. They also assert that police candidates should be given in-depth psychological evaluations to find out if they are actually fit to do their job:

*There needs to be proper training, more training, and I think more in-depth psych evaluation to even see if these people are fit to be police officers. I swear half these officers should not be officers, they're not mentally fit to do that job, and it's just mind boggling how some of these people pass the initial training it just makes no sense to me like, I don't know, there definitely needs to be more training um, longer period of training. I don't think police officers should be able to get a*

*badge within what, what is it, like 11 months or something like that? Not even. So there should be a lot more training. A social worker has 4 years you know, lawyers have what 8 years, doctors have 12 years. But police officers have training on how to keep people safe in 11 months apparently. There needs to be in depth training, more psychiatry evaluations and a lot more non-violent crisis intervention training because there is not any. (N5)*

Participants also discussed training as being important for police to better understand domestic violence and to avoid victim blaming: *Cops really need to learn not to victim blame in situations when it comes to domestic violence... I feel like they need more training when it comes to domestic violent situations. (N4)*

Non-violent crisis intervention training was also identified as an important addition due to the violence police inflict:

*There needs to be um more proper training um, a lot more NVCi like non-violent crisis intervention training like I don't know why the police have this idea that batons and fists and their boots are the best way to get their idea across. (N5)*

Several youth discussed the benefits and limitations around the use of body cameras:

*I think that they should all have body cameras on even though that probably wouldn't help much but if something did happen like you can report it but then again I got punched in the face by a cop last time I got arrested, and in the PSB building they asked me do you wanna press charges and I was like no, because literally nothing would happen. Like rarely that ever happens. (N2)*

*I feel like they need more training, I feel they need some kind of organization that likes watch over them every step and like have the cops with cameras all the time like 24/7 cameras on them so they don't have to like lie to get their way. (N3)*

Coupled with the suggestions for more appropriate training, the participants expressed a lack of trust in the success of training as an effective solution. They suggest that the whole system is broken and bigger changes are required.

#### ***b) Moving Away from a Broken System***

Throughout the entire project, when asked their perspective of the current youth justice system, the responses were clear and consistent: The justice system is broken. Some of their responses included:

*I don't think like, there is really no justice system, it's just like bullshit pretty much. Pardon my French. (N2)*

*Honestly the whole system is so broken and so much needs to be changed. (N5)*

*Honestly I think the justice system is so broken. (N3)*

*The justice system is fucked. (N6)*

The participants suggest that larger changes are needed beyond strategies to reform. A few of the participant responses discussed firing police officers and defunding the police as changes that should be made:

*A lot of them need to be fired too. The dirty cops and shit. They should be held accountable and more people working with them should speak up but everybody's scared to speak up cuz most people don't even care, that like work for them I guess. I guess firing the ones who use way too much excessive force and their partner sees it and isn't comfortable with it and says something. Cuz sometimes there's a few cops, I've only met like 2 okay cops, like they seemed decent that time, but only 2 in my whole life and I've been dealing with cops since I was like 12. Like whether its family stuff or whatever, so that says a lot. (N2)*



Image 15: Part of a collage - Participant N7 zine submission



Image 16: A t-shirt designed by participant N2, used as the cover of the zine

Images 11 and 12 (above) tell us that enough is enough. Image 11, a clipping of a collage by participant N7 shows protestors in front of police holding a sign that reads, “ENOUGH.” Text to left of it reads, “End. Police. Brutality.” Image 12, the cover of the zine that the youth titled, “The System is Broken,” shows a t-shirt created by participant N2. The t-shirt has the words “Defund the Police,” painted on it with the letters dripping in painted blood. The sleeves say, “FTP,” which stands for “Fuck the police,” followed by the numbers “204,” the primary

telephone area code for Manitoba. The participants went on to share ideas for alternatives to police and strategies to prevent involvement with the justice system. One of the youth discussed positive role models being key to preventing becoming involved in the justice system. Another participant expressed that they would prefer having people like friends and supportive alternatives to the police respond when they are struggling or in crisis:

*I know for myself if I had a good role model, I would not have run down the road I went down. And um, from a lot of the people I've talked to they also said the same thing, it's really hard to break a cycle if you don't know anything different you know. (N5)*

*If I was in crisis I would never want the cops to come. I would want someone I could actually talk to. Someone that knows me, like a friend. Someone I could talk to and laugh with. (N6)*

Finally, several of the participants talked about being proud parents to young children, and the toll justice involvement has on families:

*I would do anything to stay out of jail and stay with my kids, I would do any daytime programs. Community service instead of jail. I've had community service before and I actually go. It would be way better than being separated from my kids. When I'm separated from kids, i get bad anxiety, it's so hard. (N6)*

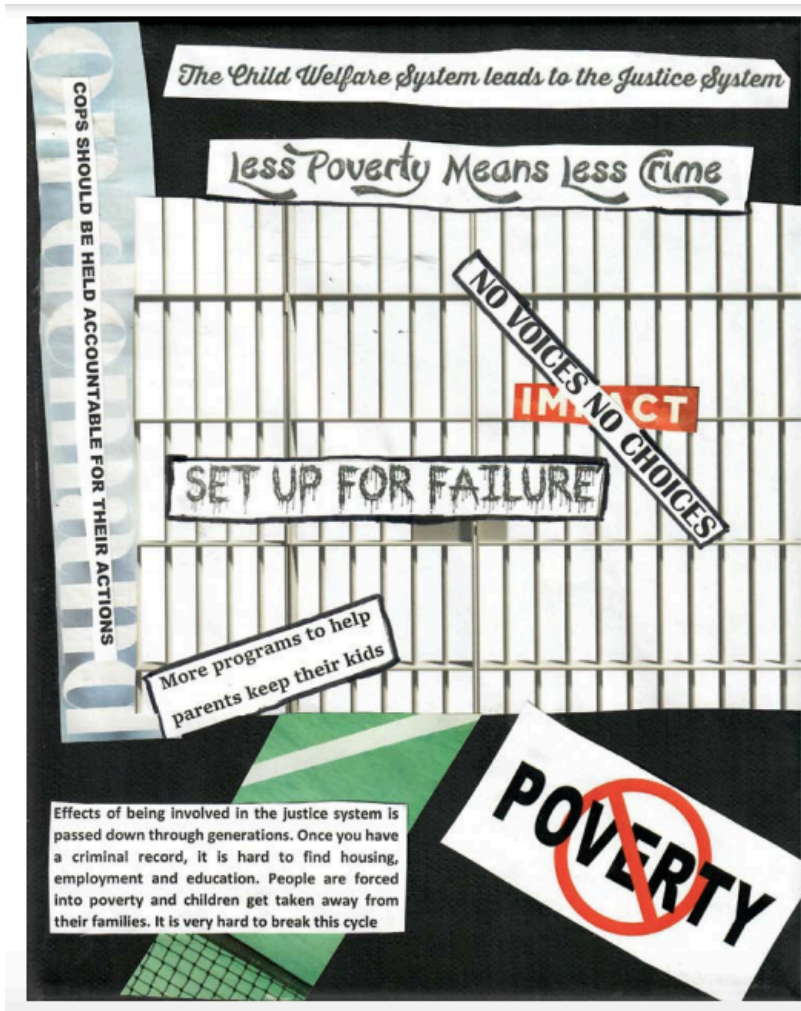


Image 17: Participant N7 zine submission

*Image 13 (above) shows a collage with a piece of text on the bottom left that reads, “Effects of being involved in the justice system is passed down through generations. Once you have a criminal record, it is hard to find housing, employment and education. People are forced into poverty and children get taken away from their families. It is very hard to break this cycle” (N7).*

**c) *The Importance of Youth Voices***

The final sub-theme which ties back to the original research question surrounding the importance of youth voices in connection to systems that hold power over their lives.

Participants shared hope for the future and the power of youth activism and resistance: *Our generation is the voice of tomorrow....the rallies for Indigenous lives and the rallies for every child matters, those are things that is getting our voice heard. (N5)*

Participants discussed how the impacts of justice involvement do not have to leave a permanent mark on your life, providing encouragement that it is possible to heal and overcome the impacts of justice involvement:

*Even if you go to jail or the drunk tank, you can still get a good job and have a normal life and don't always have to be stuck in this cycle. You can deal with whatever is causing you to be getting the cops called on you. (N2)*

Finally, several of the participants talked about being proud to be Indigenous, proud of their culture, and proud to break cycles of intergenerational trauma and addiction:

*I'd like to share that I'm proud of being Native and I'm almost 7 months sober.*

*Yeah honestly I'm proud of being native because I feel like that is the only reason that I was treated that way by the cops. (N1)*

*I entered this pageant at the 2S pow wow and I got the title for one year, and danced in many other pow wows. (N4)*



*I'd also like to say that I'm very proud to be a Metis Cree woman...very proud of my Indigenous culture. I'm proud to say I work every day to break the cycle that my mom birthed me into. That way I can be a better mother, daughter. And I'm completely sober, and that was something that was really hard for me to change my life for. I lived in denial about my addiction for a long time and I'm really proud of being able to make these changes for not only myself but for my son.*

(N5)

*I'm proud to be a mom and proud to be Oji-Cree. I'm proud of my culture. (N6)*

### **Theme 3: Summary**

Theme 3 explored strategies to move away from the current system of policing including changes within the system such as more appropriate training and body cameras as well as bigger picture changes including defunding the police and providing new resources. Some of the youth expressed that even if police are given better training and body cameras, their behaviour would still be unlikely to improve due to things like systemic racism. The youth expressed a need to address the intergenerational harms caused by involvement in the justice system including better supports for families, parents, and the needs to address issues such as poverty, addiction, mental health, and violence. Several youth shared pride in their Indigenous identity and talked about the strength they have to overcome barriers they have faced.

## **Chapter 5: Discussion & Critical Analysis**

### **Overview and Introduction**

All the stories, art, reflections, and zine submissions documented in the findings section are valuable and provide important insight into the experiences youth face within the justice system. These experiences include physical violence, discrimination, racism, and psychological harm. Furthermore, their Talking Circle reflections and zine submissions provide significant insight into what a better future might look like. Within these findings, several thematic findings emerged that warrant further discussion. While I anticipated a broad range of responses relating to different areas of the justice system including court proceedings and carceral institutions, the actual responses were overwhelmingly centered around experiences with police. The discussion section begins with an examination of how harms caused by police are intrinsically connected to intersecting systems of oppression and identity with a focus on race, poverty, child welfare involvement, victimization, mental health, addiction and access to land. Next, I explore how the findings relate to existing literature around moving away from current policing practices and imagining new opportunities. Taking a deeper look at these thematic areas is imperative as they both bolster findings in the wider bodies of literature related to arts-based research and youth justice involvement as well as add new insights and advance areas of exploration. One important note is that this chapter advances a predominantly structural critique as a result of police harms being directly linked to colonial violence and institutional racism. This approach is not meant to diminish the incredible resilience, strength and bravery inherent in youth experiences of confronting oppression and escaping violent systems.

### **Police harm and intersecting systems of oppression and identity**

Overwhelmingly, the stories and experiences shared in the Talking Circle and within the zine submissions centred around negative experience with the police. Most of these stories also included intersecting aspects of identity and oppressive systems that are documented in the literature including race, class, barriers created by colonization, barriers faced by people who use substances, and barriers faced by people with mental illness. Crenshaw (1991) developed the now familiar theory of intersectionality in her work exploring multiple oppressions faced by black women and can be described as the idea that multiple, compounded oppressions are experienced at the intersection of various marginalized identities. Here, intersectionality helps understand and explain how complex intersections of identity impact youth experiences with the police. Indigenous youth experience increased oppression at the intersections of gender, race and class, colonization, sexuality, and ability among, “other diverse processes and systems of oppression and identity” (Mehrotra, 2010, p. 417). Indigenous and racialized youth with intersecting identities are at a disproportionate risk of violent victimization, suicide, and sexual assault (Chan & Chunn, 2014; Schissel, 2010). All of the youth involved in this project self-identified as Indigenous, and all of the youth also identified with having past or present involvement in the child welfare system. Many of the encounters with police in the findings were initiated as “wellness checks,” and included police responding to situations where youth were experiencing victimization, mental health distress or were using substances.

The intersection of race and police violence is one that is well documented and has become a broader international conversation since the police killings of Trayvon Martin in 2013, George Floyd in 2020, and the rise of the Black Lives Matter movement (Black Lives Matter,

ND). In Canada, one of the most destructive legacies of colonization is the operation of the residential school system which is inherently linked to the development of policing in Canada (Comack, 2012). In Manitoba, the police killing of J. J. Harper in 1988 and the following Aboriginal Justice Inquiry illustrate the history of colonial and racial violence as a problem (Cheema, 2009; Comack, 2012). Fitzgerald and Carrington (2011) conducted a national study with Canadian youth aged 12-17 and found that Indigenous youth were approximately, “three times more likely than other youth to report having had contact with the police in the past year” (p. 472). They believe this is a conservative estimate, citing research that police are seven times more likely to identify an Indigenous person as an offender, “than the odds for a non-Aboriginal person in a central Canadian city” (p. 472), ultimately suggesting this is the result of racialized policing. Furthermore, Dobchuk-Land (2017) argues that Winnipeg boasting the highest number of police officers per capita in any Canadian city in 2014 while being home to the highest urban-Indigenous population in Canada is no coincidence. She says this correlation is “consistent with Canada’s overall racist distribution of policing resources” (Dobchuk-Land, 2017, p. 405).

In this project, all seven participants self-identified as Indigenous and several participants explicitly stated they believe race is the reason Indigenous and racialized youth experience greater police violence. During the Talking Circle, participant N3 spoke about being stopped by police while walking home alone from a friend’s house. Participant N3 said the police offered to give them a ride home, and being tired with sore feet, they agreed, but were taken to the drunk tank and verbally harassed by the officers. Participant N1 shared, *“I’m proud of being native because I feel like that is the only reason that I was treated that way by the cops.”* Another participant added, *“if you’re of different ethnicity or visible minority you’re at risk of getting*

*more violence because of the racism and systemic racism in the system”* (N5). Within the zine, one youth submitted a story about a friend being racially profiled by police and driven outside of the city where they beat him up and left him there to walk back. The youth wrote, *“People think starlight tours don’t happen anymore but they still do”* (N7). Participant N6 submitted a story about their first experience being arrested at the age of 13 after the police took the side of a white civilian who had punched the youth’s mother in the face. The experiences that the participants shared point to a problem beyond racial profiling. Comack (2012) urges us to move beyond thinking about racism in policing as an individualized problem and to instead understand systemic racism as the, “reproduction of order,” which in Indigenous-police relations includes the role the police have played in, “the colonial project of constructing a white settler society” (p. 24). One of the key components of the colonial project of constructing a white settler society was the residential school system, later replaced and largely replicated in the child welfare system.

The intersection of the child welfare system and the justice system is well documented in the literature. Quantitative research by Brownell et al. (2018) used data from Child and Family Services (CFS), Manitoba Justice and the Population Health Registry to examine the overlap of youth having CFS involvement between ages 0-17 and youth charged with a crime between the ages 12-17. The data unsurprisingly reveals that there is an overrepresentation of Indigenous youth in both systems, and a significant overlap between justice and CFS involved youth. Their data shows almost half, “(46.6%) of youth who had CFS out-of- home care had criminal charges,” compared to, “19.4% of youth who had CFS in-home services, and 5.3% of youth with no CFS” (Brownell et al., 2018, p. 1). Rutman et al. (2007) similarly found that youth in care reported higher incidence of arrest. While studies like this give us important statistical data to

paint a more detailed picture of the crisis faced with youth involved in both the child welfare and justice systems, there has not been adequate youth-centered research at this intersection of oppression, especially within the context of Manitoba where Indigenous youth are overrepresented but not meaningfully included in planning solutions.

In this project, all the youth identified as having child welfare involvement in addition to justice involvement, and several youth shared stories of their social workers directly calling the police on them. Participant N5 shared that they were arrested for the first time shortly after being apprehended at the age of 15. Participant N1 explained that being in CFS contributed to their addiction and mental health struggles which ultimately led to them having the police called on them and becoming involved in the justice system. This pathway from child welfare to the justice system was described as, “the child-welfare to prison pipeline” by the chief commissioner of the Ontario Human Rights Commission (Nation to Nation, 2020). Participant N6 spoke about the challenges of being separated from their children when they are incarcerated and the impacts of their involvement in the justice system on how the child welfare system views their ability to parent. Participant N7 submitted a collage to the zine that included a text block reading, “Effects of being involved in the justice system is passed down through generations. Once you have a criminal record, it is hard to find housing, employment, and education. People are forced into poverty and children get taken away from their families. It is very hard to break this cycle.” Research by Martin (2017) corresponds with the participants reflections and zine submissions around intergenerational impacts, writing that children whose parents, “are involved in the criminal justice system, in particular, face a host of challenges and difficulties: psychological strain, antisocial behavior, suspension or expulsion from school, economic hardship, and

criminal activity” (p. 1). Furthermore, children of incarcerated parents are more likely to become incarcerated themselves (Ka Ni Kanichihk Inc., 2015; Martin, 2017).

Chan and Chunn (2014) assert that victimization is a major factor in the lives of justice involved youth, however the full extent of youth victimization is unknown due to underreporting. Existing research does reveal that youth who are Black, Indigenous, racialized, disabled, substance users, sex workers, queer, trans, nonbinary, living in poverty and/or unhoused are at a disproportionate risk of violent victimization, suicide, and sexual assault (Chan & Chunn, 2014; Schissel, 2010). Several female-identified participants in the project shared stories of calling the police during or after situations involving domestic abuse, sexual assault, and exploitation to which the response was being blamed and shamed for the incidents. One participant shared that after being sexually assaulted and calling the police, *“I was told that because the type of clothes that I was wearing and the underwear that I was wearing that day, that I asked this older man to do what he did”* (N5). Another youth submitted a sketch to the zine with three pieces of text reading, *“1. Police need to start believing; 2. No victim shaming, and 3. The truth is still the truth even if no one believes it”* (N4). Patterns of police blaming, and shaming victims are bolstered by existing research as well as the disturbing and ongoing problem of missing and murdered Indigenous women and girls in Canada. One participant shared that the first time they were arrested they were beaten by police with a baton in an elevator at the police headquarters, and afterward were taken to the Manitoba Youth Centre. On the way there, they drove over a bridge and the officers threatened to throw them in the river:

I remember driving over this bridge when they were taking me to MYC, and they threatened to throw me in the river there. That’s pretty fucked up because it was my first time getting arrested. I just remember driving over the bridge, I was scared. All I thought about was what if they actually like, you know, threw me in the river. I

just moved to Winnipeg too at the time, so it was my very first time experiencing the police and I never really knew that cops were like this. I just came from the reserve back home and I'd never had experiences with cops, and after that, I've never wanted to call the cops for anything. (N1)

Interviews conducted with inner-city Indigenous community members by Comack (2012) reveal that police victim blaming is not new or uncommon in Winnipeg. One 38-year-old Indigenous woman named Janice told a story from when she was twelve years old and had been sexually molested in her foster home. She says police told her they did not believe her and accused her of making the story up. Like Janice, six of the seven participants in the project expressed their belief that the police do not help when you call. Some of the youth shared fear in calling the police if they needed help, and others shared they would not call the police for help at all because they did not believe the police would do anything. Often, however, it is not the person experiencing the crisis who calls the police, and youth in distress are subjected to a practice that has become known as “wellness checks.”

Gaind (2020) explains that in response to scrutiny over targeting Black, Indigenous and other racialized groups, police have made a strategic shift in rhetoric to attempt to mitigate distrust. The historical practices of street checks, a practice well documented as racially profiling and stopping individuals with no grounds for arrest have been reframed as “wellness” or “well-being” checks on reportedly vulnerable community members. Still, Black and Indigenous people continue to be stopped and inappropriately hassled at disproportionate rates. Gaind (2020) writes that police do not recognize these interactions as discriminatory using the reason of an individual requiring a wellness check, “to legitimize police interactions and circumvent allegations of racial profiling, even though the data continues to reveal racial discrepancies” (p. 5). In interview conducted with inner-city community members, Comack (2012) recorded that during



street checks, Indigenous individuals were regularly told they “fit the description” by police. Some of the interviewees shared they would be stopped 2-4 times per month by police. Furthermore, Indigenous interviewees cited many instances where police made assumptions that they were dealing drugs and gang involved (Comack, 2012). In addition to police-initiated wellness checks, these checks are also initiated when friends, family or professionals call emergency services for help when they are concerned about someone who may be in state of distress or crisis.

Several participants shared that they struggled with mental health and addiction issues during their encounters with police, and that those struggles were the very reason police were called. Despite overwhelming evidence that police are not equipped and should not be responding to mental health and crisis calls, they continue to be the primary contact during crisis situations (Hume, 2021; Centre for Addiction and Mental Health, 2020). The Centre for Addiction and Mental Health (CAMH), the largest organization specializing in mental health in Canada, published a statement saying, “Police should not be the first responders when people are in crisis in the community. Police are not trained in crisis care and should not be expected to lead this important work” (2020). Hume (2021) writes that citizen generated wellness checks are, “ostensibly meant to de-escalate crisis situations and prevent self-harm,” yet in practice, “wellness checks are less concerned with caring for the wellbeing of those in crisis, and often lead to further harm or even death.” Well-being or wellness checks have become an integral activity for police in many cities including Winnipeg. In 2019, wellness checks were ranked as the second highest reason for citizen generated dispatched events, according to the WPS Annual Statistical report for 2019 (Winnipeg Police Service, 2019). The way that emergency

response systems are set up in many cities, including Winnipeg, mean the police are the first responders to 911 calls dealing with crises or requesting a wellness check. Hume (2021) writes that these calls can quickly escalate to violence when officers who are not trained as mental health responders intervene with a very high level of discretion when it comes to use of force. Britneff (2020) adds that there is no documented protocol for wellness checks, meaning that a call for a wellness check has no formal procedural basis to ensure the safety of individuals involved.

Of the 35 people killed by police in Canada between January 1 to November 30, 2020, at least “five — all of whom were Black, Indigenous or racialized — were killed by police conducting wellness checks” (Hume, 2021; Lamoureux, 2020). One of these five people was Chantal Moore, a 26-year-old mother who was shot and killed by a New Brunswick police officer during a wellness check. Hume (2021) notes that an officer’s decision to use force is frequently informed by the stigma associated with people living with mental illnesses or in psychiatric distress being inherently unsafe and dangerous.

Ultimately, the impacts of justice involvement for youth confronting multiple systems of oppression prove difficult to redress. As one participant put it, “Effects of being involved in the justice system is passed down through generations” (N7). They went on to say, “Once you have a criminal record, it is hard to find housing, employment and education. People are forced into poverty and get their children taken away from their families. It is very hard to break this cycle” (N7). The results that emerged in this project along with the existing literature suggest that a move away from policing is the way forward.

### **Moving away from policing**

Throughout the Talking Circle and process of zine making, the responses that emerged in response to asking the youth what they thought about the youth justice system were clear and consistent: The justice system is broken. The participants said, “...*there is really no justice system, it’s just like bullshit pretty much*” (N2), “*Honestly the whole system is so broken and so much needs to be changed*” (N5), “*Honestly I think the justice system is so broken*” (N3), and “*The justice system is fucked*” (N6). When asked what needs to change, some of the responses were conflicting. Some youth said the police need better training and body cameras while others said the police should be defunded and many officers should be fired. This section explores possibilities advanced by the participants for the future of the justice system as well as where the participant responses align and diverge with existing literature.

Several of the participants posited that police have inadequate training, are not properly assessed to become officers in the first place, and should have improved training and oversight, including body cameras, to ensure they are not behaving in violent and abusive ways. Vitale (2020) writes that many cities have already made attempts at reform, including the notable and recent example of Minneapolis. The Minneapolis Police Department (MPD), “implemented trainings on implicit bias, mindfulness, de-escalation, and crisis intervention; diversified the department’s leadership; created tighter use-of-force standards; adopted body cameras; initiated a series of police-community dialogues; and enhanced early-warning systems to identify problem officers” (Vitale, 2020). Following that, the MPD trained officers in responding to calls involving mental health crises, de-escalating confrontations with the public (in response to ongoing protests), and being “mindful” in dangerous circumstances (Vitale, 2020). Ultimately,

he says, none of this worked – because “‘procedural justice’ has nothing to say about the mission or function of policing. It assumes that the police are neutrally enforcing a set of laws that are automatically beneficial to everyone” (Vitale, 2020). All seven participants in this project talked about racism as a problem within policing/justice, and four participants specifically cited stories of the police responding to situations involving substance use with violence. One of the illustrations within the zine displays five hand drawn and coloured protest signs. The signs say “#Equality; #End Police Violence; #Indigenous Lives Matter; #Black Lives Matter; and #LGBTQ+” – pointing to specific groups of people who experience higher rates of police violence and bolsters the idea advanced by Vitale (2020) that policing is inherently steeped in bias and white supremacy (N3). Another participant shared, “*Police officers would rather use their fists than use their words. You know, they don’t treat people like humans. And of course, if you’re of different ethnicity or visible minority you’re at risk of getting more violence because of the racism and systemic racism in the system*” (N5). Instead of questioning the validity of using police to wage an “inherently racist war on drugs, advocates of ‘procedural justice’ politely suggest that police get anti-bias training, which they will happily deliver for no small fee” (Vitale, 2020).

In Winnipeg, Police Chief Danny Smyth has proposed a bodycam pilot project with a \$10 million-dollar price tag in the 2022 police budget despite no clear or consistent evidence that body-worn cameras have any impact on reduced rates of police violence (Gerbrandt, 2021; Lum et. al., 2020). Lum et. al. (2020) reviewed data from 30 studies on the effects of body-worn cameras on officer and citizen behaviours and concluded that existing research does not provide any clear evidence that body cameras improve police accountability or police-citizen

interactions. Another study from 2019 evaluated the data in 70 other studies on the use of police body cameras, finding that the use of body cameras had statistically insignificant impacts on police and public behaviour (Lum et. al., 2019). Ultimately, one of reasons that body cameras and improved training may be so frequently referenced as possible solutions for police violence (Lum et. al., 2020), including by the participants in this study, could be that those are exactly the “solutions” police want the public to believe in. Body cameras are one of most costly technologies used by police today, absorbing money that continues to inflate already large municipal police budgets (Dubé and Hume, 2020), the exact opposite of grassroots calls to defund the police (Kaba, 2020).

Long-time abolitionist, organizer, and educator Miriam Kaba asserts that efforts to solve the problem of police violence through liberal reforms “have failed for nearly a century” (Kaba, 2020). She argues that the police simply cannot be reformed and, “The only way to diminish police violence is to reduce contact between the public and the police” (Kaba, 2020). Sandy Hudson, Co-founder of Black Lives Matter Toronto writes, “If we truly want to effect change that could stop police killings of Black people, we must have a conversation about defunding the police” (2020). The cover of the zine is a photo of a t-shirt designed and painted by one of the youth participants. The t-shirt has the words “Defund the Police,” painted on it with the letters dripping in painted blood. The sleeves say, “FTP,” which is a well-known acronym that stands for “Fuck the Police,” followed by the numbers “204,” the primary telephone area code for Manitoba. Several youth participants spoke about firing or defunding the police, and most of the participants talked about the need for more appropriate emergency response services as well as a reduction in poverty to combat crime. In December 2020, 53 delegates lined up to speak to the

Executive Policy Committee of Winnipeg City Council about the 2021 city budget. Many of these delegates spoke about freezing or lowering the police budget and investing in life sustaining community services and resources. While the mayor of Winnipeg later claimed the delegates did not provide an alternative to policing, attendees and reporters witnessed the delegates reference a list of thoroughly researched demands, including a step-by-step process to defund the police created by the group Justice 4 Black Lives Winnipeg in 2020 (Dubé and Hume, 2020; Justice 4 Black Lives Wpg, 2020).

While critics argue that defunding the police would result in increased crime rates, evidence suggests otherwise. Despite a dramatic drop in crime rates across Canada over the past 25 years, police budgets have continued to expand (Thorpe, 2021). The Toronto Star reported that between 2001 and 2014, police budgets in Canada increased at “twice the rate of the economy as a whole – just as violent crime was plunging” (Star Editorial Board, 2020). In Manitoba, between 2005-2015, unprecedented increases to police funding resulted “in an 80% increase in the Winnipeg Police Service budget” (Dobchuk-Land, 2017, p. 405). It is well documented that there is no correlation between crime rates and police budgets (Vitale, 2017). Winnipeg spends more money on the police than almost all other cities in Canada, devoting almost 30% of its total annual budget to the WPS (Thorpe, 2021; Dobchuk-Land, 2017). Justice for Black Lives Winnipeg makes the argument in their 2020 petition that crime is “simply an outcry for unmet needs,” going on to say that needs must be met in support of community, including food security, housing, transportation, healthcare, mental health support, harm reduction services, spiritual supports, addictions supports, non-carceral crisis response and a wide variety of community activities. In order to increase life sustaining essential services, they

argue that funds should be redirected to community from the ballooning police budget (Justice 4 Black Lives Winnipeg, 2020). The participants agree, and the findings demonstrate the need for greater investment in mental health crisis supports, food, housing, poverty reduction, harm reduction and substance use supports.

Furthermore, policing, carceral entrenchment and dispossession of Indigenous and racialized families is inherently connected to the theft of land, which has had a deeply destructive impact on Indigenous families and communities. The loss of generations of knowledge, the legacy of physical and sexual abuse, and the dismantling of families has ultimately impacted rates of addiction, mental health trauma, poverty and incarceration (Ives, Denov & Sussman, 2015; Bombay, Matheson, & Anisman, 2014). Gouldhawke (2020) asserts that although not as obvious as an outright police invasion, “settler state policy is just as harmful and even fatal” (n.d.), and returning land to Indigenous peoples is imperative to combating ongoing colonial and carceral violence (Wilt, 2020).

### **Discussion Summary**

The stories and experiences that emerged in the data overwhelmingly centred around negative experiences with the police. The stories that were shared included intersecting aspects of identity and oppressive systems that are documented in the literature including race, class, barriers created by colonization, barriers faced by people who use substances, and barriers faced by people with mental illness. All of the youth involved in this project self-identified as Indigenous and all of the youth also identified with having past or present involvement in the child welfare system. The majority of the encounters with police in the findings were initiated as “wellness checks,” and included police responding to situations where youth were experiencing

victimization, mental health distress or were using substances. The findings of this project correspond with existing literature in demonstrating that Indigenous and racialized youth with intersecting identities are at a disproportionate risk of racial profiling/targeting, violence, discrimination, and victim blaming at the hands of police. Ultimately, the lived experiences and findings advanced by the youth in this project should raise massive red flags across all youth-serving systems. To call the evidence of outright police violence, racism and lies disturbing, as one of the most powerful publicly funded institutions whose mandate it is to keep communities safe, is a serious understatement. The participants ultimately offer important insights when thinking about moving away from current policing practices. The findings point to a community-led and meaningful response to poverty, barriers to education, homelessness, unemployment, mental health, and systemic and institutional racism and discrimination. The next chapter will conclude this work and discuss the recommendations based on the findings and discussion above.



## **Chapter 6: Conclusion**

### **Introduction**

This final chapter is organized around the following areas: 1) Introduction; 2) recommendations; 3) limitations, 4) implications for social work practice and concludes with; and 5) closing remarks. This Thesis project emerged from the recognition that youth voices have not been adequately or meaningfully included in research, policy or planning within systems that have power over their lives. The research above breaks new ground in exploring the transformative potential of arts-based collaborative and youth-focused research methods as tools for empowerment, exploration, and resistance. Furthermore, Manitoba continues to have one of the highest rates of justice-involved youth in Canada, with 82 per cent of incarcerated youth being Indigenous (Statistics Canada, 2016/2017). This research is necessary and important in light of these disturbing statistics and the calls for institutional and political action based on the recommendations of the Truth and Reconciliation Commission. My hope is that this work, centering the voices of youth with lived experience, will provide a meaningful contribution to the growing body of literature surrounding youth justice as well as impact policy and planning around youth justice in Manitoba.

### **Recommendations**

The findings outlined in Chapter 4 of this thesis lead into the recommendations shared in this section. The recommendations attempt to, 1) Respond to the need for the inclusion of youth voices in research and policy development and, 2) Address the need for urgent action in response to the disturbing rates of violence youth experience at the hands of the justice system and the lasting and devastating impacts of justice involvement. The recommendations are informed by the

invaluable responses shared by the youth with lived experience who participated in this project along with relevant research and ideas advanced by local, grassroots justice movements. The first recommendation is to develop safe, culturally appropriate participatory projects within research and policy development at all levels to ensure youth stories and voices are heard and included. The second recommendation is for all social workers, policy makers and legislators to listen to the countless calls by Indigenous and racialized communities and youth impacted by carceral violence and immediately decrease the police budget with reallocation of funds into life sustaining community services and resources.

Despite the vast overrepresentation of Indigenous youth in Manitoba's criminal justice system (Brownell et al., 2018), there is a very limited body of literature focusing specifically on the voices of Indigenous youth and their experiences. Furthermore, current mainstream systems, policies and research institutions often ignore the voices of youth in the important decisions that directly impact their lives, creating an imbalance of perspectives. Within social work, youth voices have not been meaningfully centered in research and policy development in order to inform policy and practice despite the known importance of including youth perspectives in this work (Bird-Naytowhow et al., 2017). I recommend that all organizations and government bodies providing service to justice involved youth should develop diverse and inclusive committees of youth to review and contribute to all planning and policy development dealing with programs and systems that impact youth lives.

My second recommendation is in alignment with existing literature calling for a coordinated, intersectional, community-led and meaningful response to poverty, barriers to education, homelessness, unemployment, mental health, and systemic and institutional racism

and discrimination (Justice 4 Black Lives Winnipeg, 2020; Kaba, 2020; Vitale, 2020; Wilt, 2020). Resources should be reallocated from the police to services and resources that are community-driven and evidence-based that keep people safe, including food security, housing, transportation, healthcare, mental health support, harm reduction services, spiritual supports, addictions supports, non-carceral crisis response and a wide variety of community activities (Justice 4 Black Lives Winnipeg, 2020; Kaba, 2020; Vitale, 2020; Wilt, 2020). While a thorough exploration of alternatives to police is beyond the scope of this paper, I recommend further community-based participatory research in this area in order to understand and explore possible community led responses. Justice for Black Lives Winnipeg (2020) offers a comprehensive list of steps and resources toward defunding the police in Winnipeg and should be centered in justice-related research, planning and policy development across all levels of government and youth-serving organizations.

Furthermore, I recommend that social work within Manitoba recognize that policing, carceral entrenchment and dispossession of Indigenous and racialized families is inherently connected to the theft of land, which has had a deeply destructive impact on Indigenous families and communities. The loss of generations of knowledge, the legacy of physical and sexual abuse, and the dismantling of families has ultimately impacted rates of addiction, mental health trauma, poverty and incarceration (Ives, Denov & Sussman, 2015; Bombay, Matheson, & Anisman, 2014). Gouldhawke (2020) asserts that although not as obvious as an outright police invasion, “settler state policy is just as harmful and even fatal” (n.d.). They explain that “neglecting to provide basic services such as water, housing, and health care is also a form of violence, as is the absolute failure of the state to do anything about the epidemic of violence against Indigenous

women, girls, and non-binary and Two-Spirit people despite acknowledging it as genocide last year” (Gouldhawke, 2020, n.d.). Ultimately, they argue that each of these forms of violence work to undermine Indigenous traditional governance systems and grant settlers access to Indigenous lands (Gouldhawke, 2020). The Land Back movement reminds us that land is much more than an economic asset for Indigenous people; Land is connected to traditional knowledge, health, identity, culture, relationships, spirituality, and provides needed sustenance for the survival of all present and future generations (Richmond, 2018). Richmond (2018) argues that interconnectedness to land is widely underrepresented as a determinant of health for Indigenous people, a connection that social work needs to acknowledge and respond to in a meaningful and actionable manner.

### **Limitations**

While the use of arts-based and Indigenous methodologies allowed this project to transition with relative ease even as it shifted rapidly with the onset of the COVID-19 pandemic, there were also some limitations experienced with original project design. The first limitation was that finding participants who had access to technology in order to participate in the online workshops proved challenging. Recruiting participants took longer than expected, and while the initial workshop was attended by all registered participants, the closing Talking Circle was only attended by one participant. In order to ensure participants were able to debrief their experience and provide feedback, I organized one on one check-ins with each youth as an alternative to the follow up group meeting. While all the participants shared that the Talking Circle and zine creation was a positive experience for them, a formal group meeting would have offered benefits in understanding the potential impacts of using the relational method of the Talking Circle.

The second limitation is that the onset of the COVID-19 pandemic and the movement of the project from in-person to online restricted the possibilities for relationship building and forming relationships within community. Originally, I had planned to host the workshop in person at Art City allowing youth access and connection to a youth-centred community space and further resources. Unfortunately, the project shifted to an online platform where access to physical community space was not possible. Still, I had an artist who has extensive professional and volunteer experience at Art City and within the arts and zine-making communities attend the online Talking Circle and present and support the creation of the zine. Due to not having access to art supplies at Art City, I purchased and provided art supplies requested by each participant for them to work on their zine submissions at home. The online Talking Circle was also attended and supported by Metis Elder Charlotte Nolin who provided prayer, guidance, and support for the participants as they navigated the project online. In addition to delivering art supplies, each participant was provided with sage and tobacco so they could follow along with Charlotte as she opened the circle with a smudge over Zoom.

Lastly, the project had seven youth participate in contrast to my original goal of 8-15 participants. While I was initially concerned with a lower number of attendees, having a smaller group proved to be beneficial as the group was still large enough to collect adequate data while being small enough that the online workshop did not feel overwhelming, and participants were able to interact in a way that seemed to allow for relationship building and adequate sharing time. Still, the lower number of attendees meant that the findings and data collected was not as robust as it could have been. For example, it would have been helpful to gain a wider range of

experiences from across the justice system in order to gain a greater understanding of youth experiences with the courts and incarceration.

### **Implications for Social Work Practice**

Within professional practice, social workers are guided by an ethics of care (Giwa, 2020). The idea of an “ethics of care” can be described as the ideological and practical approach guiding the conscience of social work. However, Giwa (2020) reminds us that social workers do not operate in isolation and are active participants in complex systems that include state sanctioned child welfare and criminal justice. Historical and ongoing literature tells us that social workers have long been and continue to be complicit in acts of racialized state violence (Lannoe, Lambi-Raine & Baines, 2021). Lannoe, Lambi-Raine and Baines (2021) assert that in many communities, social workers function, “parallel to and participate in policing rather than working from a neutral and autonomous space grounded in the concerns of the community” (n.d.). Unsurprisingly, many of the issues youth and families face in the child welfare system today are a direct result of historical actions of social workers within the child welfare system. As residential schools slowly became discredited, “the child welfare system became the new agent of assimilation and colonization” (Alston-O’Connor, p. 55). Social Workers effectively took the place of police as agents of the Sixties Scoop, forcibly removing thousands of children from their homes, deeming Indigenous mothers unfit to parent and continued the devastating legacy of violently dismantling families and communities.

Many aspects of social work continue to parallel policing practices today. Social workers are often accompanied by police during the apprehension of babies and children from their parents (Lambert, 2019), which increases the likelihood of both the parent and child to become

involved in the justice system (Martin, 2017; Rutman et al., 2007; Brownell et al., 2018). Social workers often collect personal information that is later reported to authorities which can cause further harm to individuals and families, especially within the justice system (Sato, 2020). As some of the participants in this study noted, social workers have been the ones to call police on them when they are in crisis, leading to youth being harmed by police and furthering entrenching them in the justice system.

Since calls for defunding the police have risen to mainstream dialogue and state level decision making tables, there have been many proposals to have social workers work alongside police or even replace police as an alternative to crises response (Sato, 2020; Lannoe, Lambi-Raine & Baines, 2021). Such a transition should not happen without a critical discussion around the historical and ongoing harm within social work and the susceptibility of social work to replicate the harms of policing. Furthermore, the idea that social work should be the primary replacement for police stands in opposition to the very ideological basis of this project: to include and center the voices of people impacted by systems within the research, planning and coordinating of new systems and approaches. Going back to the maxim, “nothing about us without us,” social workers should be cautious of taking control and power over people that continue to be disenfranchised within these systems. One of the seven sacred grandfather teachings in Ojibwe traditional practice is humility. Represented by the wolf, humility reminds us that we are part of a sacred creation and we must be cautious of self-importance, continuing to seek wisdom and guidance from all living things (Dewar, 2019). Ultimately, in order for social work to be effective in roles as crisis response alternatives to policing, social workers “must confront the white supremacist, colonial violence that is historically and continually ingrained

into our pedagogy and practice” (Lannoe, Lambi-Raine & Baines, 2021). Further, Alston-O’Connor (2010) urges that social workers must reject assessment tools that “merely label, personalize and pathologize individual expression and relate these problems to the larger socio-political reality” (p 56).

### **Closing Remarks**

This project emerged from the lack of community-driven research centering the voices of youth involved in the criminal justice system. Engaging a theoretical foundation of intersectional, anti-oppressive and Indigenous worldviews, I sought to honour the youth participants as the knowledge holders of the project. Throughout the findings, discussion and conclusion, youth knowledge is shared in the form of direct quotations and selections of images from the zine. The creation of a collaborative zine provided a platform for youth with lived experience in the criminal justice system to have their experiences and perspectives heard. The participants provided a wealth of information and perspectives that informed the actionable recommendations for change in the chapters above. Ultimately, this project recognizes the possibilities for positive change when youth with lived experience are meaningfully involved and centered in research, policy and planning around systems that impact their lives. It is my hope that this project and the subsequent zine will make a meaningful contribution to the emerging body of community-driven, youth-centered, anti-oppressive research and encourage other youth who read the zine to see themselves represented and feel empowered in their own journeys.



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## Appendices



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**Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice Involvement**

**Appendix A: EMAIL/ONLINE MESSAGING RECRUITMENT SCRIPT**

Hello,

My name is Jody Martens and I am a Social Work Masters student at the University of Manitoba. I am engaging in a research project that is exploring the experiences of youth in the justice system (this could be with the police, the courts or correctional facilities) through art. I have attached the poster for the project. Please forward the following message to any youth you know who might be interested in being a part of this exciting research project – thank you!

Are you a youth (aged 16-24) who has ever had involvement in the justice system (this could be with the police, the courts or correctional facilities) and are interested in sharing your experiences in a creative project? Would you like to contribute to creating a zine (a mini magazine) that will help youth-serving organizations and researchers understand youth perspectives? If so, be a part of this exciting research project that will explore youth experiences in the justice system, through the creation of a zine. This project will include: 1) participating in one online Talking Circle led by a researcher, zine artist and Metis Elder, using the Zoom video platform, 2) submitting one or more pieces of art or writing to a collective zine (art supplies provided), and 3) participating in a follow-up zoom session to share the art made and your experience in the project. You will have the opportunity to learn zine-making skills, will be provided with art supplies, and will receive \$40 for your participation. For more information, contact researcher Jody Martens at: [marten53@myumanitoba.ca](mailto:marten53@myumanitoba.ca) or [REDACTED]

Sincerely,

Jody Martens



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### **Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice Involvement**

#### **Appendix B: RECRUITMENT SCRIPT/TALKING POINTS FOR ONE-ON-ONE MEETINGS AND PRESENTATIONS TO ORGANIZATIONS (VIA PHONE-CALL OR ZOOM)**

Hello, my name is Jody Martens and I am a Social Work Masters student at the University of Manitoba. I am engaging in a research project that is exploring the experiences of youth in the justice system.

I am looking for youth (aged 16-24) who have ever had involvement in the justice system (this could be with the police, the courts or correctional facilities) and are interested in sharing their experiences in a creative project. The project involves creating a collective zine (a mini magazine) that will help youth-serving organizations and researchers better understand youth perspectives and experiences. If this interests you, be a part of this exciting research project that will explore youth experiences in the justice system, through the creation of a zine. This project will include: 1) participating in one online Talking Circle led by a researcher, zine artist and Metis Elder, using the Zoom video platform, 2) submitting one or more pieces of art or writing to a collective zine (art supplies provided), and 3) participating in a follow-up zoom session to share the art made and your experience in the project. You will have the opportunity to learn zine-making skills, will be provided with art supplies, and will receive \$40 for your participation. For more information, contact researcher Jody Martens at: [marten53@myumanitoba.ca](mailto:marten53@myumanitoba.ca) or [REDACTED]

Participants will have the opportunity to:

- Participate in a Talking Circle with other youth and share experiences of the justice system and their perspectives on better outcomes for youth
- Form new connections to youth from different communities than them, alongside an Indigenous elder and a knowledge keeper
- Collaborate with other youth research participants to jointly create a zine that will explore their experiences and perspectives of the justice system. The zine will be printed and distributed digitally to research participants as well as community
- Skill build as they learn how to create and publish a zine
- Share the zine with youth-serving organizations to serve as a potential educational resource

If you are interested, we can arrange a time to meet and I will go over all the details of the project with you which are outlined in an informed-consent form that I will provide you with. Do you have any questions?

\*For all questions raised during presentations, I will refer to the information in the informed consent form



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### **Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice Involvement**

#### **Appendix C: TELEPHONE SCRIPT**

Hello,

My name is Jody Martens and I am a Social Work Masters student at the University of Manitoba. I am engaging in a research project that is exploring the experiences of youth in the justice system.

I am looking for youth (aged 16-24) who have ever had involvement in the justice system (this could be with the police, the courts or correctional facilities) and are interested in sharing their experiences in a creative project. The project involves creating a collective zine (a mini magazine) that will help youth-serving organizations and researchers better understand youth perspectives and experiences. If this interests you, be a part of this exciting research project that will explore youth experiences in the justice system, through the creation of a zine. This project will include: 1) participating in one online Talking Circle led by a researcher, zine artist and Metis Elder, using the Zoom video platform, 2) submitting one or more pieces of art or writing to a collective zine (art supplies provided), and 3) participating in a follow-up zoom session to share the art made and your experience in the project. You will have the opportunity to learn zine-making skills, will be provided with art supplies, and will receive \$40 for your participation. For more information, contact researcher Jody Martens at: [marten53@myumanitoba.ca](mailto:marten53@myumanitoba.ca) or [REDACTED]

## Appendix D: Recruitment Poster

**ARE YOU A YOUTH  
BETWEEN THE AGES  
OF 16-24?**

**HAVE YOU EVER HAD  
EXPERIENCE WITH THE  
CRIMINAL JUSTICE  
SYSTEM?**

**Are you interested in contributing art or  
writing to a zine (mini-magazine) based  
on your experiences?**

If so, you are invited to be a part of a research project exploring youth voices and experiences of the justice system. The zine will be shared with youth-serving organizations to serve as an educational resource. Participation will involve submitting your own art or writing to a collective zine, and attending two online zoom meetings (including talking circles and a zine-making workshop), totalling 3.5 hours. Participants will receive a \$40 Honorarium and art supplies.

If you are interested in participating, contact  
Principal Investigator Jody Martens at:  
[marten53@myumanitoba.ca](mailto:marten53@myumanitoba.ca) | [REDACTED]



This research study has been  
approved by the University of  
Manitoba Psychology/Sociology  
Research Ethics Board (PSREB)

Marlyn Bennett  
Faculty of Social Work  
University of Manitoba  
William Norrie Centre  
204-474-6862  
[marlyn.bennett@umanitoba.ca](mailto:marlyn.bennett@umanitoba.ca)



AFTER APPROVAL: This research study has been approved by the University of Manitoba Psychology/Sociology Research Ethics Board (PSREB). Researcher Supervisor: Dr. Marlyn Bennett - Faculty of Social Work - University of Manitoba William Norrie Centre - [REDACTED]

## **Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice Involvement**

### **Appendix E: Research Agenda**

#### **Location:** Zoom

\*During the week prior to the zoom meeting, the principal investigator will deliver art supplies and sage to each participant. On the morning of the zoom meeting, the principal investigator will e-transfer each participant their honorarium. If a participant does not have e-transfer, I will deliver their honorarium prior to the workshop at the same time as delivering the art supplies and sage.

#### **Zoom Workshop:**

12:00PM-12:15PM: Welcome, introductions and smudge and prayer led by Elder

12:15PM-1:15PM: Talking Circle (participants respond to the research questions)

1:15PM-1:45PM: Introduction to zine making by Principal Researcher and artist Kelly Campbell

1:45PM-2:00PM: Comments and questions

2:00PM-4:00PM: Zoom meeting ends. Participants may spend this time working on their pieces for the zine. The Principal Investigator and artist will remain available by phone and zoom to answer questions and provide guidance.

\*All zine submissions and accompanying write-ups will be asked to be submitted by two weeks following the zoom meeting. Submissions can be emailed, texted, or picked up by the Principal Investigator. The principal investigator will remain available for questions and support during the following two weeks by phone.

#### **Zoom follow-up meeting (scheduled for two weeks following the first zoom meeting):**

12:00PM-12:10PM: Welcome, introductions and smudge

12:10PM-1:15PM: Participants may share their art created for the zine and reflect on their experience with the research questions and their participation in the workshop

1:15PM-1:30PM: Final comments, thanks and ending zoom meeting.



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### Appendix F: Youth letter of information and self-consent form

Participant ID # \_\_\_\_\_ Date \_\_\_\_\_

**Title of Research Project**     **Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice Involvement**

**Principal Investigator**     Jody Martens (Principal Investigator)  
Faculty of Social Work  
University of Manitoba  
William Norrie Centre  
[Marten53@myumanitoba.ca](mailto:Marten53@myumanitoba.ca)

**Supervisor**     Dr. Marlyn Bennett  
Faculty of Social Work  
University of Manitoba  
William Norrie Centre  
[Marlin.bennett@umanitoba.ca](mailto:Marlin.bennett@umanitoba.ca)

The self-consent form, a copy of which will be left with you for your records and reference, is only part of the process of informed consent. It gives you the basic idea of what the research is about and what your participation will involve. **Participation is voluntary and you can withdraw at any time. Declining to participate will not have negative results.** If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully and to understand any accompanying information.

### Project information

The purpose of this project is to explore youth experiences in the justice system through the process of creating a zine, which is a self-published book of art and writing similar to a mini-magazine. Youth voices are key to understanding youth experiences of the justice system.

Manitoba has the highest rates of youth in judicial custody in Canada, with a shocking 81.5% of incarcerated minors being Indigenous. Youth living within this system have little influence on the decisions that are made about their lives, and research shows that ongoing inequality, racism and violence continue to exist in the justice system. Justice-involved youth also experience higher rates of poverty, trauma and violence. Youth are rarely asked to share their experiences of the justice system in order to understand the issues and root causes, and to improve outcomes for youth. This study will add knowledge to youth-serving organizations as well as the growing body of research on youth justice, with youth voices at the centre.

You are being invited to participate in this study because your perspective as a youth with experience in the justice system is very important and valuable for building knowledge about the youth justice system.

### **What will you be asked to do in this project?**

The total time commitment for all activities in this project is approximately 8 hours (One 2-hour zoom meeting, a final 1.5-hour zoom meeting, and approximately 4.5 hours of your own time to complete artwork). You will be in a group of approximately 8-15 participants for the zoom meetings. This project will include: 1) participating in one audio-recorded online Talking Circle led by a researcher, zine artist and Metis Elder, using the Zoom video platform, 2) submitting one or more pieces of art or writing to a collective zine (art supplies provided), 3) submitting a short written description of your artwork and 4) participating in a follow-up audio-recorded zoom session to share the art made and your experience in the project. You will have the opportunity to learn zine-making skills, will be provided with art supplies and sage prior to the workshop, and will receive \$40 for your participation which will be provided by e-transfer or delivered in cash, prior to the workshop.

### **Day 1- Location: Online, Zoom platform. September 12, 2021, Sunday 12pm-4pm.**

An Elder will lead a smudge and introductory Talking Circle where participants will respond to the guiding research questions: 1) What kind of experiences have you had with the justice system? This could be police, the court system, or in institutions like the Manitoba Youth Centre, Agassiz Youth Centre, etc. 2) What do you think about the youth justice system? 3) What do you think needs to change in order for justice-involved youth to have better outcomes? 4) Based on the negative public perception of youth in the justice system, what would you like the community to know about who youth are as people, rather than “criminals”? After the Talking Circle, you will be introduced to the art of zine-making by a local zine artist and myself, the principal researcher. You will have the opportunity to ask any questions you have during this time. After that, we will end the zoom meeting and you may spend the following 2 hours working on your zine submissions. Writer and the zine-artist will be available by zoom or phone during this time to provide support and answer any more questions you have. Of course, if you do not finish in that time, you will have two weeks (until the final zoom meeting) to finish and submit your artwork.

I will be audio-recording the zoom meetings, which I will later type up and use as data in my written thesis. This is to ensure that youth voices and perspectives are at the centre of my research. You will be given the opportunity to look over all of my research before the final draft is submitted.

**Day 2- Location: Online, Zoom platform. October September 26, 2021, Sunday 12pm-1:30pm.**

The final zoom meeting will open with introductions. Participants may then share their art created for the zine and reflect on their experience with the research questions and their participation in the workshop. Participants will also discuss how they would like the zine to display their submissions as well as its general layout. I will work with the zine-artist to put the zine together, and a draft will be sent to you by your preferred online method (email, message etc.) for feedback before it is finalized.

All participants in this project are asked to respect the privacy and confidentiality of other participants and what is shared during the sessions.

**Risks and Discomforts**

Many steps have been taken to ensure the safety of participants and minimal risk in this project. One potential risk is that despite our group agreement to respect each other's privacy, there is a chance someone in the workshops could share information about you outside the group. The group will be reminded repeatedly of the importance of respecting each other's privacy and confidentiality. You will also be given the choice of whether you want to publish your name with your artwork in the zine, or if you want to publish anonymously. You might want to include your name so that readers know to credit your artwork to you. However, if you choose to publish your work under your own name, members of the community may gain knowledge of your personal experiences. If these are potential issues for you, we encourage you to discuss your concerns with the principal investigator.

Lastly, sharing your experiences of the justice system might bring up difficult emotions. You do not need to answer any Talking Circle question you find makes you uncomfortable or is upsetting. You are also more than welcome to turn your camera off, mute yourself or leave the Talking Circle if you need to at any point, and I will follow up with you after the circle is over. The principal investigator is not able to provide counselling; however, if you find yourself in crisis or wish to harm yourself anytime during the Talking Circles, workshops, or any part of the research process please notify me and I will connect you with one of the resources in the accompanying list of support resources or help you arrange support to access counseling or attend the Crisis Response Centre. You should also know, if you are 16-17 years old and disclose thoughts of self-harm or suicide, the researcher is required to notify your legal guardian.

Due to the ongoing Covid-19 pandemic, the principal investigator has included safety protocols to protect participants from COVID-19 in regard to delivering art supplies. First, I will ensure that the art supplies that are dropped off have been sanitized and put in separate bags to be

distributed. After purchasing, I will sanitize each item while wearing a mask and gloves and put the items in separate bags for participants. I will be the only person handling the items after they are purchased. No art supplies will be shared, and participants will keep the art supplies they receive. I will then arrange for contact-less delivery with each participant. This means I will leave the bag at your door and walk away before I notify you by phone that the supplies have been dropped off. I will wait at a distance of 10+ metres to ensure the participant receives the supplies. I will wear a mask and gloves during deliveries.

### **Benefits**

It is the hope of this project that you feel empowered during and after the process of sharing your voice, experiences and stories as you contribute to the creation of a zine. During the workshop, you will learn how to make a zine from the mentorship of a local multi-media artist, with access to art supplies provided by the researcher. You will have the opportunity to meet and build relationships with other youth and a local artist. Being published in a zine can be used on your resume and portfolio to support future job and project opportunities.

The research may also indirectly benefit you by inspiring and encouraging other youth who have been involved in the justice system through distributing the zine to different organizations in Winnipeg. The publication of a zine, this thesis and any potential future academic articles also adds to the growing body of research in this area and has the potential to start meaningful discussions about youth justice and be part of a transformative push towards youth-led solutions to justice issues.

### **Your rights as a participant**

Your participation in this project is voluntary. You do not have to take part in activities you do not want to and you do not have to answer any questions or offer any information you do not want to. You are free to leave the project at any time without penalty or loss of compensation. If you choose to leave the workshop, I will follow-up with you and you may decide whether you want your data and information to be included or destroyed. Leaving will in no way affect your relationships with the individuals or institutions involved in the project. I may also withdraw you from this research project if circumstances arise which warrant doing so (i.e., violent behaviour or threats), in which case all data and materials collected in relation to you will be destroyed immediately.

### **Compensation**

You will be given a \$40 honorarium for your participation in the project. Bus tickets and a meal will be provided for each day. You will receive your honorarium by e-transfer or delivered in cash, prior to the workshop. If you decide to leave at any time, your honorarium will not be affected.

### **Confidentiality**

I will do everything I can to encourage the respect for confidentiality and privacy in the Talking Circles and workshops. Any personal information you disclose to myself, with the exception of that information you choose to disclose in the presence of other participants will NOT be shared with anyone beyond myself. The quotes of things you say in the Talking Circles or workshops may be used in my thesis or articles produced from this research. Any quotes of things you say in the Talking Circles or workshops will not include your name and will be presented anonymously or using a pseudonym. Within the zine, you may choose whether you would like to publish your art or writing with your name or be published anonymously. You should be aware that if you use your name in the zine, I may use scanned images of the zine in my thesis, and your name could then be linked to information in my thesis. If you wish to have all mentions of your name removed, please let me know and I will remove those images from my thesis. You will have full control over what is shared in both the zine and my thesis.

Following the workshops, I will arrange a member-checking session where participants can reflect and provide feedback on the results of the study. Participation in the member-checking session is completely voluntary.

Only I will have access to the audio recordings and data collected from participants. Security will be ensured through password protection on all electronic data, as well as secure storage of hardcopy materials in a cabinet in my locked home in Winnipeg MB. De-identified data, including the audio recordings from the Talking Circles will be stored for up to two years after the end date of the study (10/22), at which point I will destroy this information.

Some people or groups may need to check the study records to make sure all the information is correct. All of these people have a professional responsibility to protect your privacy.

These people and groups are:

- ☐ Psychology/Sociology Research Ethics Board of the University of Manitoba which is responsible for the protection of people in research and has reviewed this study for ethical acceptability.

The workshops will also include an elder (during the first Talking Circle), and one multidisciplinary artist who will introduce the zine making process and support your creation of various art and writing pieces during the workshops. Both of these individuals will sign oaths of confidentiality.

### **The Limits of Confidentiality**

Researchers, like all citizens of Manitoba, have an obligation under the law to report any disclosures suggesting that a child may be in need of protection to appropriate authorities. Additionally, for youth ages 16-17, any disclosures of abuse, thoughts of harm to self or others

must be reported to appropriate authorities.

### **Voluntary Participation/Withdrawal from the Study**

Your decision to take part in this study is voluntary. You may refuse to participate, or you may withdraw from the study at any time. **However, due to the publication of the zine and the data analysis process, last day to withdraw your information from the project will be two weeks from the date of the second workshop, October 10, 2021.**

*Your decision not to participate or to withdraw from the study will not affect the relationships with anyone involved in the research.*

### **How will this information be used?**

Data will be collected from the audio-recorded zoom Talking Circles, the zine itself, and the short write-ups describing your artwork (which will only be used for my thesis, not published in the zine). The research findings will be used in the Principal Investigator, Jody Martens' Master's thesis. Additionally, the research may be used to publish an academic journal article and the findings may be presented at future conferences/community-based events. The zine (in print and digital form) will be distributed to local youth-serving organizations as an educational resource. Copies of the zine will also be provided to participants. If participants are interested, I will also help to plan an online zine-launch event, where you would have an opportunity to present your zine contributions to family and friends.

**Appendix F: Youth self-consent form**

**Project Title:** Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice

**Principal Investigator:** Jody Martens, Master of Social Program

**Research Supervisor:** Dr. Marlyn Bennett, Faculty of Social Work, University of Manitoba

I am 16+ years of age (please initial): \_\_\_\_\_

I have read the informed consent form and have had the nature of the study explained to me. All questions have been answered to my satisfaction (please initial): \_\_\_\_\_

I consent that disclosures of harm to myself or others (or risk of harm to myself for others) will be reported to the appropriate authorities (please initial): \_\_\_\_\_

I agree to participate in the study (please initial): \_\_\_\_\_

I agree to have the talking-circles audio-recorded (please initial): \_\_\_\_\_

Participant's Name (please print): \_\_\_\_\_

Participant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Person Obtaining Informed Consent (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Principal Investigator (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_







**University  
of Manitoba**

Faculty of Social Work

521 Tier Building

Winnipeg, Manitoba

Canada R3T 2N2

**Appendix H: OATH OF CONFIDENTIALITY FOR ASSISTANTS  
SUPPORTING THE FOLLOWING RESEARCH PROJECT**

Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice  
Involvement

*(Check the following that apply)*

I understand that as a:

Indigenous Elder / Knowledge Keeper

Research aid

Other *(Please specify)* \_\_\_\_\_

for a study being conducted by \_\_\_\_\_ of the Department of

\_\_\_\_\_, University of Manitoba, confidential information will be made  
known to me.

I agree to keep all information collected during this study confidential and will not reveal by speaking, communicating or transmitting this information in written, photographic, sound, electronic (disks, tapes, transcripts, email) or in any other way to anyone outside the research team.

I will tell the researcher as soon as I discover that I know any participant either as a family member, friend, or acquaintance or in any other way; so that the researcher can take the appropriate steps to manage or minimize any conflicts of interest that might occur because of any dual roles I may have.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
*(Please Print)*

Date: \_\_\_\_\_

Witness Name: \_\_\_\_\_ Witness Signature: \_\_\_\_\_  
*(Please Print)*



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of Manitoba**

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### **Appendix I: TALKING CIRCLE QUESTIONS**

#### **Talking Circle Questions:**

- 1) What kind of experiences have you had with the justice system? This could be the police, the court system, or in institutions like the Manitoba Youth Centre, Agassiz Youth Centre, etc.**
- 2) What do you think about the current youth justice system?**
- 3) What do you think needs to change for justice-involved youth to have better outcomes?**
- 3) Based on the negative public perception of youth in the justice system, what would you like the community to know about who youth are as people, rather than “criminals”?**



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Canada R3T 2N2

### **Appendix J: List of Available Support Services**

Klinic Crisis Line (24/7)

Phone: (204) 786-8686

Toll free: 1-888-322-3019

(Can be used at any time of distress, not only in a crisis)

Sexual Assault Crisis Line (24/7)

Phone: (204) 786-8631

Toll free: 1-888-292-7565

Macdonald Youth Services

Youth 24-hour Crisis Line/Mobile Crisis Teams

204-949-4777 or 1-888-383-2776

Adult Mobile Crisis Service (24/7)

204-940-1781

Inuit & First Nations Hope for Wellness Line

1-855-242-3310 in Inuktitut, Cree, Ojibway, English, French

Manitoba Suicide Prevention & Support Line (24/7)

Toll free: 1-877-435-7170

[www.reasontolive.ca](http://www.reasontolive.ca)



521 Tier Building  
 Winnipeg, Manitoba  
 Canada R3T 2N2  
 Telephone (204) 474-7050  
 Fax (204) 474-7594

### Faculty of Social

#### Appendix K: Informed consent form for youth (over 18) who have had justice-involvement

Participant ID # \_\_\_\_\_ Date \_\_\_\_\_

**Title of Research Project**     **Using Arts-Based Methods to Explore Youth Voices and Experiences of Youth Justice Involvement**

**Principal Investigator**     Jody Martens (Principal Investigator)  
 Faculty of Social Work  
 University of Manitoba  
 William Norrie Centre  
[Marten53@myumanitoba.ca](mailto:Marten53@myumanitoba.ca)  
 [Redacted]

**Supervisor**     Dr. Marlyn Bennett  
 Faculty of Social Work  
 University of Manitoba  
 William Norrie Centre  
[Marlin.bennett@umanitoba.ca](mailto:Marlin.bennett@umanitoba.ca)  
 [Redacted]

The consent form, a copy of which will be left with you for your records and reference, is only part of the process of informed consent. It gives you the basic idea of what the research is about and what your participation will involve. **Participation is voluntary and you can withdraw at any time. Declining to participate will not have negative results.** If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully and to understand any accompanying information.

### **Project information**

The purpose of this project is to explore youth experiences in the justice system through the process of creating a zine, which is a self-published book of art and writing similar to a mini-magazine. Youth voices are key to understanding youth experiences of the justice system.

Manitoba has the highest rates of youth in judicial custody in Canada, with a shocking 81.5% of incarcerated minors being Indigenous. Youth living within this system have little influence on the decisions that are made about their lives, and research shows that ongoing inequality, racism and violence continue to exist in the justice system. Justice-involved youth also experience higher rates of poverty, trauma, violence and victimization. Youth are rarely asked to share their experiences of the justice system in order to understand the issues and root causes, and to improve outcomes. This study will contribute knowledge to youth-serving organizations as well as the growing body of research on youth justice, with youth voices at the centre.

You are being invited to participate in this study because your perspective as a youth with experience in the justice system is very important and valuable for building knowledge about the youth justice system.

### **What will you be asked to do in this project?**

The total time commitment for all activities in this project is approximately 8 hours (One 2-hour zoom meeting, a final 1.5-hour zoom meeting, and approximately 4.5 hours of your own time to complete artwork). You will be in a group of approximately 8-15 participants for the zoom meetings. This project will include: 1) participating in one audio-recorded online Talking Circle led by a researcher, zine artist and Metis Elder, using the Zoom video platform, 2) submitting one or more pieces of art or writing to a collective zine (art supplies provided), 3) submitting a short written description of your artwork and 4) participating in a follow-up audio-recorded zoom session to share the art made and your experience in the project. You will have the opportunity to learn zine-making skills, will be provided with art supplies and sage prior to the workshop, and will receive \$40 for your participation which will be provided by e-transfer or delivered in cash, prior to the workshop. You will also be invited to a voluntary member-checking session before the final submission of the principal researcher's thesis to review and validate the research findings.

### **Day 1- Location: Online, Zoom platform. September 12, 2021, Sunday 12pm-4pm.**

An Elder will lead a smudge and introductory Talking Circle where participants will respond to the guiding research questions: 1) What kind of experiences have you had with the justice system? This could be police, the court system, or in institutions like the Manitoba Youth Centre, Agassiz Youth Centre, etc. 2) What do you think about the youth justice system? 3) What do you think needs to change in order for justice-involved youth to have better outcomes? 4) Based on the negative public perception of youth in the justice system, what would you like the community to know about who youth are as people, rather than "criminals"? After the Talking Circle, you will be introduced to the art of zine-making by a local zine artist and myself, the

principal researcher. You will have the opportunity to ask any questions you have during this time. After that, we will end the zoom meeting and you may spend the following 2 hours working on your zine submissions. Writer and the zine-artist will be available by zoom or phone during this time to provide support and answer any more questions you have. Of course, if you do not finish in that time, you will have two weeks (until the final zoom meeting) to finish and submit your artwork.

I will be audio-recording the zoom meetings, which I will later type up and use as data in my written thesis. This is to ensure that youth voices and perspectives are at the centre of my research. You will be given the opportunity to look over all of my research before the final draft is submitted.

**Day 2- Location: Online, Zoom platform. September 26, 2021, Sunday 12pm-1:30pm.**

The final zoom meeting will open with introductions. Participants may then share their art created for the zine and reflect on their experience with the research questions and their participation in the workshop. Participants will also discuss how they would like the zine to display their submissions as well as its general layout. I will work with the zine-artist to put the zine together, and a draft will be sent to you by your preferred online method (email, message etc.) for feedback before it is finalized.

All participants in this project are asked to respect the privacy and confidentiality of other participants and what is shared during the sessions.

**Risks and Discomforts**

Many steps have been taken to ensure the safety of participants and minimal risk in this project. One potential risk is that despite our group agreement to respect each other's privacy, there is a chance someone in the workshops could share information about you outside the group. The group will be reminded repeatedly of the importance of respecting each other's privacy and confidentiality. You will also be given the choice of whether you want to publish your name with your artwork in the zine, or if you want to publish anonymously. You might want to include your name so that readers know to credit your artwork to you. However, if you choose to publish your work under your own name, members of the community may gain knowledge of your personal experiences. If these are potential issues for you, we encourage you to discuss your concerns with the principal investigator.

Lastly, sharing your experiences of the justice system might bring up difficult emotions. You do not need to answer any Talking Circle question you find makes you uncomfortable or is upsetting. You are also more than welcome to turn your camera off, mute yourself or leave the Talking Circle if you need to at any point, and I will follow up with you after the circle is over. The principal investigator is not able to provide counselling; however, if you find yourself in crisis or wish to harm yourself anytime during the Talking Circles, workshops, or any part of the

research process please notify me and I will connect you with one of the resources in the accompanying list of support resources or help you arrange support to access counseling or attend the Crisis Response Centre. You should also know, if you are 16-17 years old and disclose thoughts of self-harm or suicide, the researcher is required to notify your legal guardian.

Due to the ongoing Covid-19 pandemic, the principal investigator has included safety protocols to protect participants from COVID-19 in regard to delivering art supplies. First, I will ensure that the art supplies that are dropped off have been sanitized and put in separate bags to be distributed. After purchasing, I will sanitize each item while wearing a mask and gloves and put the items in separate bags for participants. I will be the only person handling the items after they are purchased. No art supplies will be shared, and participants will keep the art supplies they receive. I will then arrange for contact-less delivery with each participant. This means I will leave the bag at your door and walk away before I notify you by phone that the supplies have been dropped off. I will wait at a distance of 10+ metres to ensure the participant receives the supplies. I will wear a mask and gloves during deliveries.

### **Benefits**

It is the hope of this project that you feel empowered during and after the process of sharing your voice, experiences and stories as you contribute to the creation of a zine. During the workshop, you will learn how to make a zine from the mentorship of a local multi-media artist, with access to art supplies provided by the researcher. You will have the opportunity to meet and build relationships with other youth and a local artist. Being published in a zine can be used on your resume and portfolio to support future job and project opportunities.

The research may also indirectly benefit you by inspiring and encouraging other youth who have been involved in the justice system through distributing the zine to different organizations in Winnipeg. The publication of a zine, this thesis and any potential future academic articles also adds to the growing body of research in this area and has the potential to start meaningful discussions about youth justice and be part of a transformative push towards youth-led solutions to justice issues.

### **Your rights as a participant**

Your participation in this project is voluntary. You do not have to take part in activities you do not want to and you do not have to answer any questions or offer any information you do not want to. You are free to leave the project at any time without penalty or loss of compensation. If you choose to leave the workshop, I will follow-up with you and you may decide whether you want your data and information to be included or destroyed. Leaving will in no way affect your relationships with the individuals or institutions involved in the project. I may also withdraw you from this research project if circumstances arise which warrant doing so (i.e., violent behaviour or threats), in which case all data and materials collected in relation to you will be destroyed immediately.



### **Compensation**

You will be given a \$40 honorarium for your participation in the project. Bus tickets and a meal will be provided for each day. You will receive your honorarium by e-transfer or delivered in cash, prior to the workshop. If you decide to leave at any time, your honorarium will not be affected.

### **Confidentiality**

I will do everything I can to encourage the respect for confidentiality and privacy in the Talking Circles and workshops. Any personal information you disclose to myself, with the exception of that information you choose to disclose in the presence of other participants will NOT be shared with anyone beyond myself. The quotes of things you say in the Talking Circles or workshops may be used in my thesis or articles produced from this research. Any quotes of things you say in the Talking Circles or workshops will not include your name and will be presented anonymously or using a pseudonym. Within the zine, you may choose whether you would like to publish your art or writing with your name or be published anonymously. You should be aware that if you use your name in the zine, I may use scanned images of the zine in my thesis, and your name could then be linked to information in my thesis. If you wish to have all mentions of your name removed, please let me know and I will remove those images from my thesis. You will have full control over what is shared in both the zine and my thesis.

Following the workshops, I will arrange a member-checking session where participants can reflect and provide feedback on the results of the study. Participation in the member-checking session is completely voluntary.

Only I will have access to the audio recordings and data collected from participants. Security will be ensured through password protection on all electronic data, as well as secure storage of hardcopy materials in a cabinet in my locked home in Winnipeg MB. De-identified data, including the audio recordings from the Talking Circles will be stored for up to two years after the end date of the study (10/22), at which point I will destroy this information.

Some people or groups may need to check the study records to make sure all the information is correct. All of these people have a professional responsibility to protect your privacy.

These people and groups are:

- ❑ Psychology/Sociology Research Ethics Board of the University of Manitoba which is responsible for the protection of people in research and has reviewed this study for ethical acceptability.

The workshops will also include an elder (during the first Talking Circle), and one multidisciplinary artist who will introduce the zine making process and support your creation of various art and writing pieces during the workshops. Both of these individuals will sign oaths of confidentiality.

### **The Limits of Confidentiality**

Researchers, like all citizens of Manitoba, have an obligation under the law to report any disclosures suggesting that a child may be in need of protection to appropriate authorities. Additionally, for youth ages 16-17, any disclosures of abuse, thoughts of harm to self or others must be reported to appropriate authorities.

### **Voluntary Participation/Withdrawal from the Study**

Your decision to take part in this study is voluntary. You may refuse to participate, or you may withdraw from the study at any time. **However, due to the publication of the zine and the data analysis process, last day to withdraw your information from the project will be two weeks from the date of the second workshop, October 10, 2021.**

*Your decision not to participate or to withdraw from the study will not affect the relationships with anyone involved in the research.*

### **How will this information be used?**

Data will be collected from the audio-recorded zoom Talking Circles, the zine itself, and the short write-ups describing your artwork (which will only be used for my thesis, not published in the zine). The research findings will be used in the Principal Investigator, Jody Martens' Master's thesis. Additionally, the research may be used to publish an academic journal article and the findings may be presented at future conferences/community-based events. The zine (in print and digital form) will be distributed to local youth-serving organizations as an educational resource. Copies of the zine will also be provided to participants. If participants are interested, I will also help to plan an online zine-launch event, where you would have an opportunity to present your zine contributions to family and friends.

**Questions**

If any questions come up during or after the study contact the Principal Investigator: Jody Martens at marten53@myumanitoba.ca

For questions about your rights as a research participant, you may contact The University of Manitoba Human Research Ethics Board Office at (204) 474-8872

**Consent Signatures:**

1. I have read all 6 pages of the consent form.
2. I have had a chance to ask questions and have received satisfactory answers to all of my questions.
3. I understand that by signing this consent form I have not waived any of my legal rights as a participant in this study.
4. I understand that my records, which may include identifying information, may be reviewed by the research staff working with the Principal Investigators and the agencies and organizations listed in the Confidentiality section of this document.
5. I understand that I may withdraw from the study at any time and my data may be withdrawn prior to publication.
6. I understand I will be provided with a copy of the consent form for my records.
7. I agree to participate in the study.

**Participant signature** \_\_\_\_\_ **Date** \_\_\_\_\_  
(day/month/year)

**Participant printed name:** \_\_\_\_\_

**I, the undersigned, have fully explained the relevant details of this research study to the participant named above and believe that the participant has understood and has knowingly given their consent**

**Printed Name:** \_\_\_\_\_ **Date** \_\_\_\_\_  
(day/month/year)

**Signature:** \_\_\_\_\_

## Appendix L: COPY OF ZINE

**THE SYSTEM IS BROKEN**

Youth Voices and Experiences in the  
"Justice" System

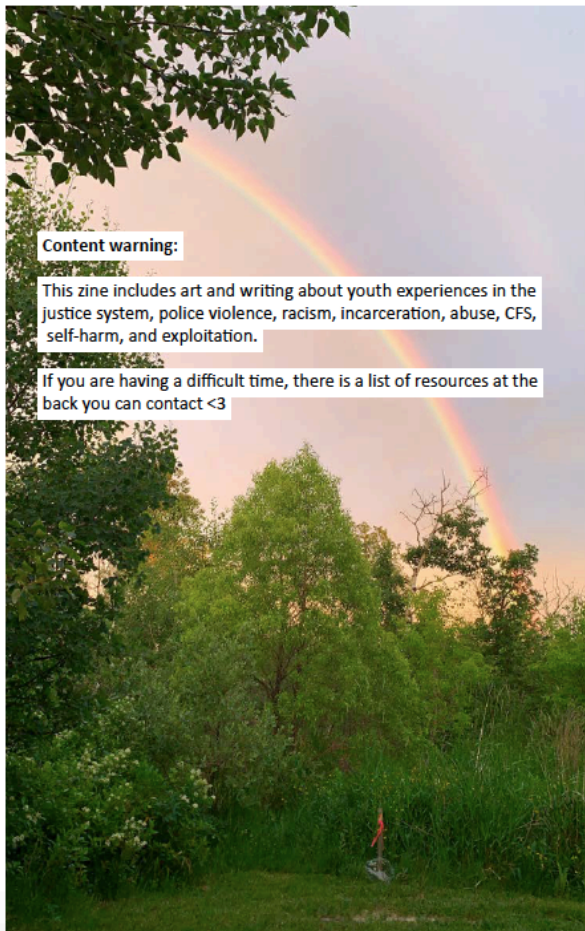
**"Our generation is the voice of tomorrow" – youth participant**

This zine was created as part of a thesis research project at the University of Manitoba exploring youth perspectives and experiences of the criminal justice system in Manitoba.

Manitoba has the highest rate of youth in judicial custody in Canada, with a shocking 81.5% of incarcerated minors being Indigenous. Youth living within this system have little influence on the decisions that are made about their lives. While research shows that ongoing racism and violence continue to exist across all levels of the justice system, youth themselves are rarely asked to share their experiences and perspectives in order to understand the issues, root causes and create change. This project aims to centre and amplify youth voices through the creation of a collaborative zine.

This zine was created by Indigenous youth on Treaty 1 territory, lands that belong to the Anishinaabe, Cree, Oji-Cree, Dakota and Dene peoples, and homeland of the Metis nation. We recognize that police violence and mass incarceration were introduced with colonization and are committed to a future where youth are supported and free from the violence of these systems.

\*Many of the youth involved in this project have chosen to remain anonymous or use pseudonyms due to the nature of the content and stories shared within these pages.



**Content warning:**

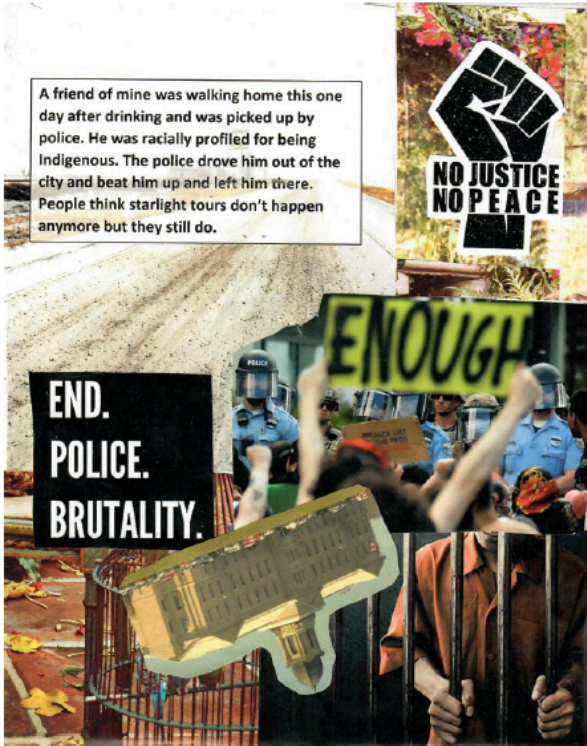
This zine includes art and writing about youth experiences in the justice system, police violence, racism, incarceration, abuse, CFS, self-harm, and exploitation.

If you are having a difficult time, there is a list of resources at the back you can contact <3



I found a photo I took of what cops did to my apartment one time on a wellness check because I was suicidal n when they showed up I ended up being intoxicated which led them to just not caring n dumping booze all over n spilling my pancake mix n cracking eggs on my head

- Yeah



Little Feet

Written by: Elizabeth Rose

A mother watched as her belly grew,  
 She felt her daughter's little feet kick  
 Watching as those little feet grew,  
 Grew to crawl, walk, run  
 She tried to love her daughter the best she could,  
 But she didn't know how  
 Maybe she wasn't ready to?  
 Her daughter always wondered why,  
 Why couldn't her mom love her,  
 And why she wasn't enough.

As she grew,  
 Her little feet took her to new places.  
 A time for adventure and play for most kids,  
 For her,  
 She was alone,  
 She watched her mother struggle.  
 Addiction, abuse, poverty.

Her little feet took her... to hide  
 Hide under her bed,  
 Hide in her closet  
 She was vulnerable,  
 She was unprotected,  
 She was scared,  
 She was... alone.

She struggled,  
 She was so little,  
 Yet she struggled.

She tried asking for help,

But when she opened her mouth...  
 Nothing came out. [redacted]  
 They thought she was fine,  
 Could no one see?  
 She needs help.


She was hit,  
 She was touched,  
 She was hungry,  
 She was lonely,  
 She cared for her sister,  
 She cared for her mother,  
 But who cared for her?  
 She was not fine...

I, was not fine.

As time went by,  
 Those feet turned to big feet.  
 She fell into her own addiction,  
 She cut her wrists just to feel.  
 Feel... something.

With no one protecting her,  
 She was still so vulnerable,  
 No one saving her,  
 And unable to save herself,  
 She was taken advantage of,  
 She soon found herself with a price tag.

She tried to ask for help  
 "Hel...I'm fine"  
 She tried. And tried.  
 No one can hear her.  
 Could they still not see?  
 She is not okay.



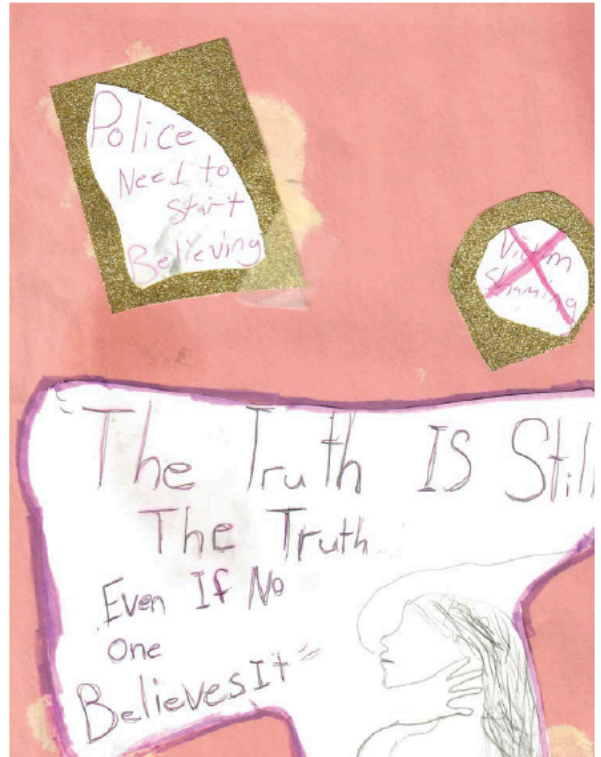
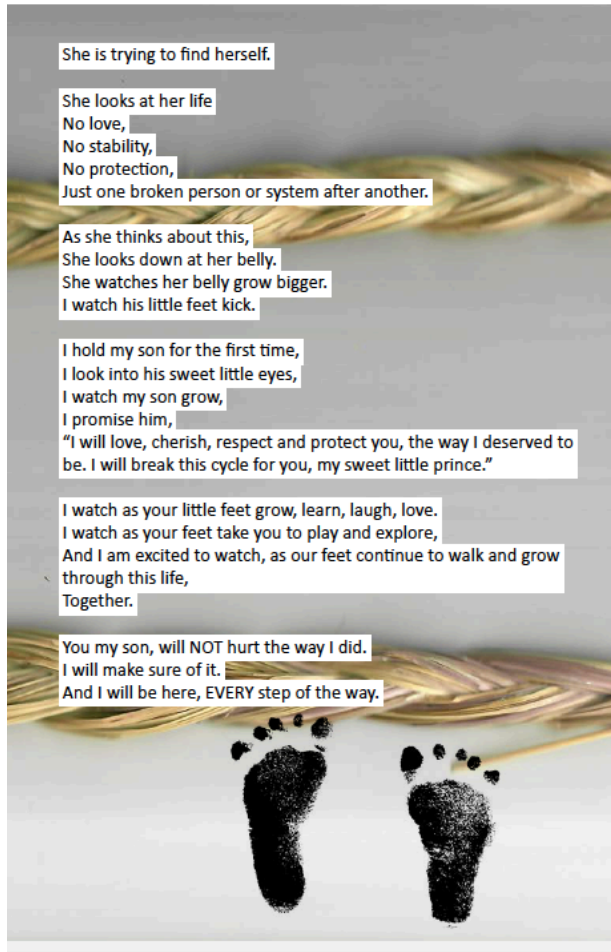
Her mother left.  
 And into the child welfare system the siblings went.  
 A broken, unforgiving system.  
 They were separated, [redacted]  
 Hopped from home to home,  
 But none of them, feeling like a home.  
 She was her case number,  
 She was her price tag. [redacted]  
 And she wondered, who she was.

Her feet taking her to run,  
 She fell through the cracks.  
 One day, she was brought home in handcuffs.  
 And so, [redacted]  
 A third number she wore.  
 Another number to help her lose herself...  
 Even more.

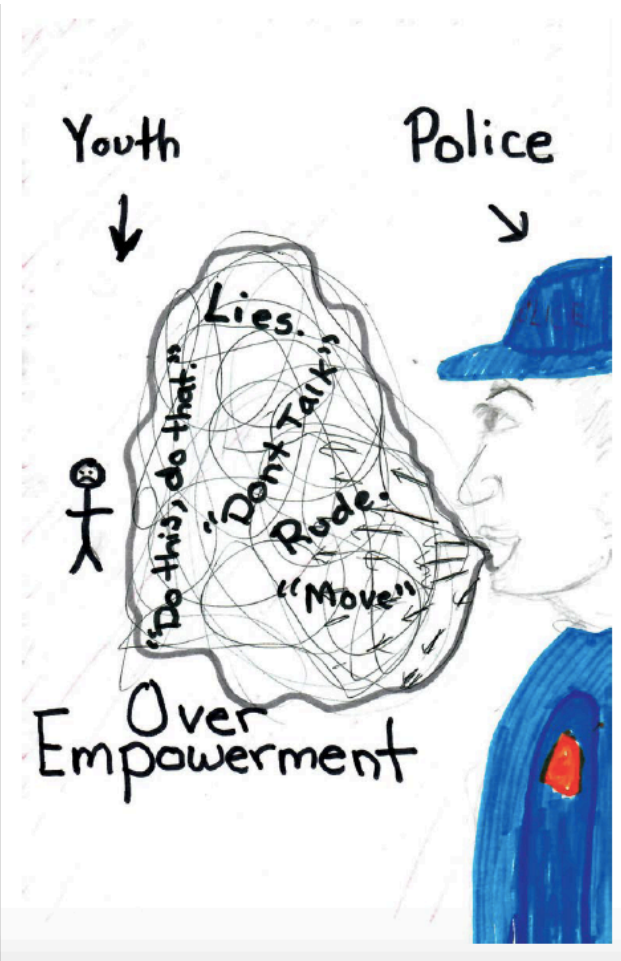
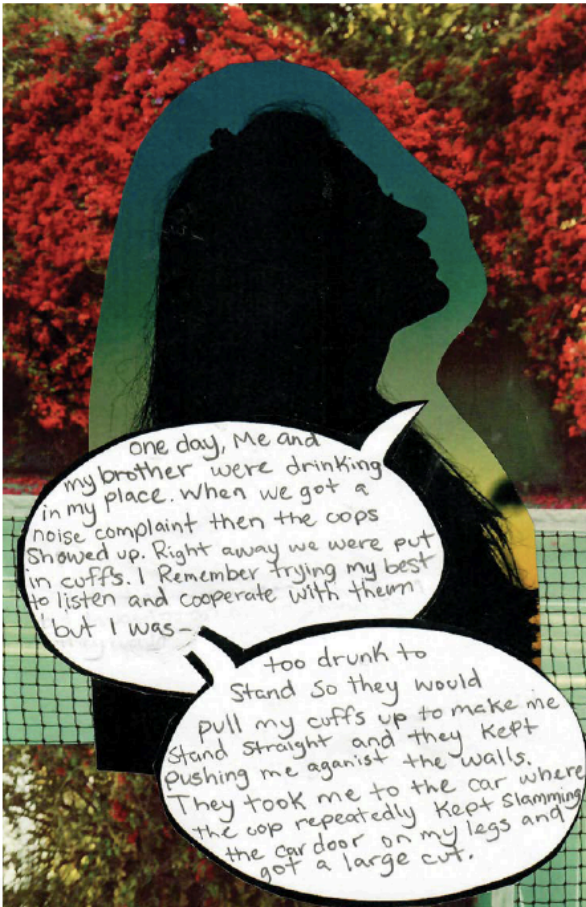
There she was, in another system.  
 A system just as broken and unforgiving as the last.

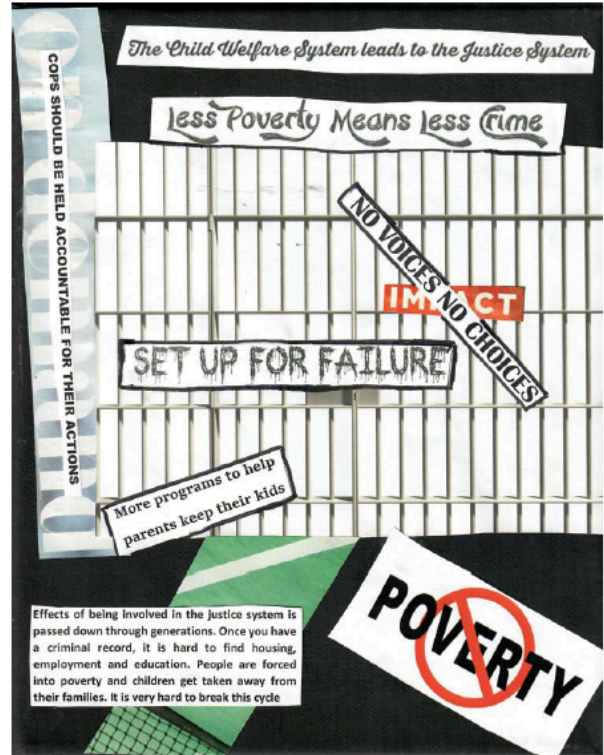
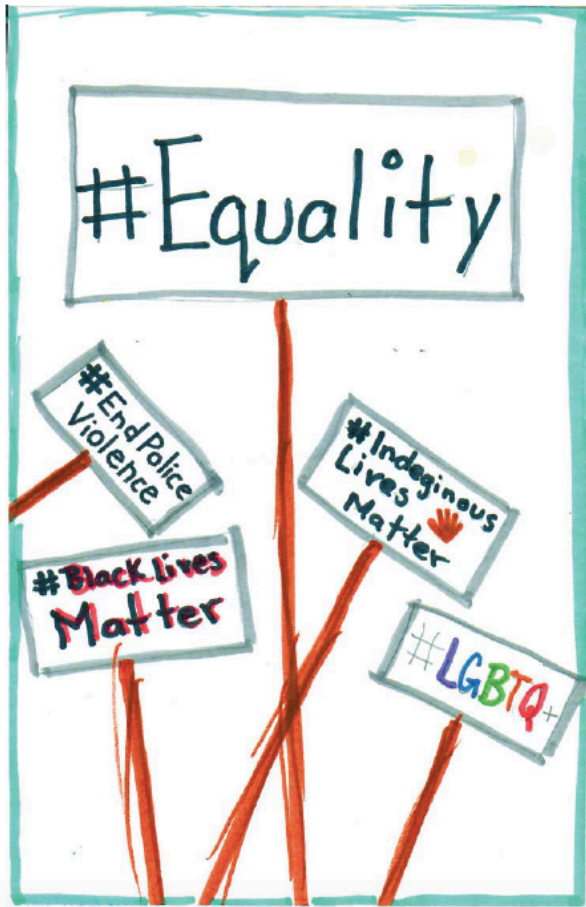
A system where people of color fall through the cracks,  
 Where kids in the child welfare system fall through the cracks.  
 Where the predator is fought for, protected, and painted out as good.  
 And the witness is belittled, badgered and humiliated,  
 In order to make the defendant walk free.  
 Where they truly become the victim of their untouchable assailant.

Years go by.  
 She is off drugs,  
 she is in therapy,  
 She has a home,  
 She is loved  
 she is told that she is strong, beautiful and resilient,  
 but she cant say the words herself.

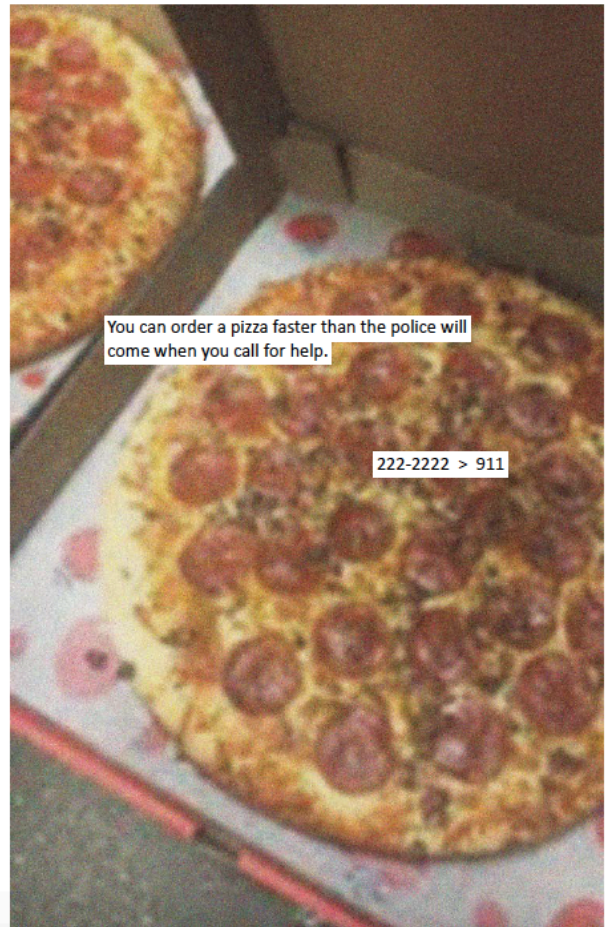
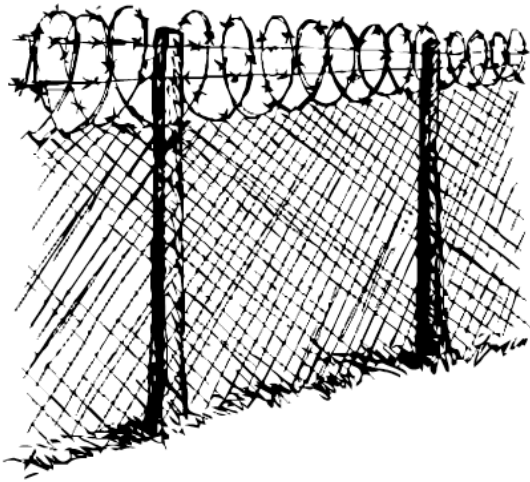






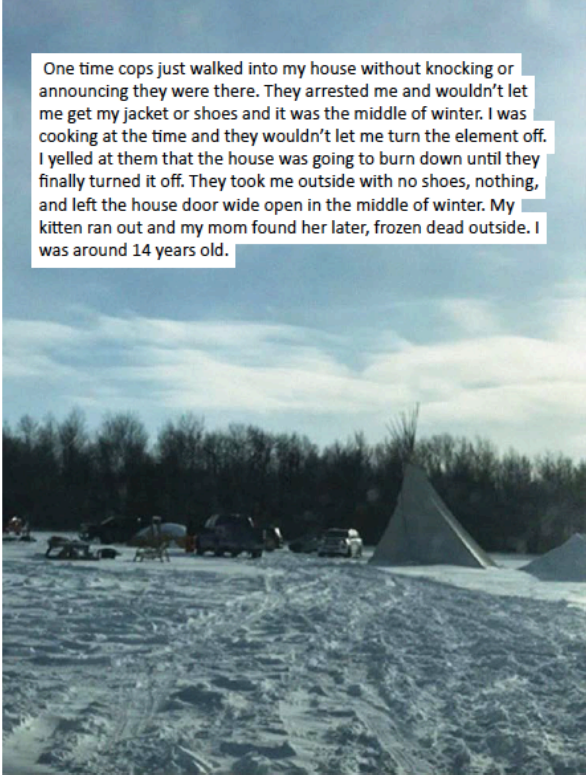


I got beat up when I was handcuffed and my ankles were too, and they used a baton and only stopped when someone saw them n said there's cameras here. I was also punched in the face by cop last year because I was kicking him so he punched me instead of charging me





The first time I was ever arrested and experienced police racism I was 13 years old. I was walking down a sidewalk with my mom, my auntie and my cousin and I was having an argument with my mom. Then this white guy came out of his yard yelling at us because his dogs were barking. He was yelling at my mom and then he hit my mom in the face. I tried defending her and then he yelled at me and said he was gonna knock me around. Then someone across the street called the cops. The cops came and right away they put us in handcuffs, me, my auntie, my mom and my cousin. They didn't even ask any questions they just arrested us. My mom kept asking why we were getting arrested. They didn't do nothing to that guy. We told them that the guy punched my mom in the face. She never hit him, she was just yelling. They wouldn't let my mom charge the guy, they just took her away in the cop car. They put on my cuffs extra tight. I had bruises on my wrists. That was also the first time I ever had an anxiety attack, I felt like I couldn't breathe. After that I had bad anxiety.

A photograph of a snowy outdoor scene. In the foreground, there is a large, flat, snow-covered area. In the middle ground, a white teepee stands prominently. To the left of the teepee, a dark-colored car is parked. The background shows a line of bare trees under a cloudy sky.

One time cops just walked into my house without knocking or announcing they were there. They arrested me and wouldn't let me get my jacket or shoes and it was the middle of winter. I was cooking at the time and they wouldn't let me turn the element off. I yelled at them that the house was going to burn down until they finally turned it off. They took me outside with no shoes, nothing, and left the house door wide open in the middle of winter. My kitten ran out and my mom found her later, frozen dead outside. I was around 14 years old.



Being in jail messes with people's heads. It changes them. It changed me, just being alone. Once when I was arrested the cops were trying to get me to rat on my friends. They kept me in a holding cell a whole day, a whole night and another day. I asked for a sandwich and they said "you only get one a day." I was so hungry. They didn't let me call my mom. They wouldn't tell me anything, how long I would be there or if they were working on my stuff. I was 14.

"Wellness Check" - October 22, 2021

Ohhhh yeah wanna see why acab is true af

Obviously it is



██████████ called cops 2 day ago saying I was drunk n wasn't long story short told both those bastards to come back w warrant n he kept saying oh let me in to talk blah blah

They left I waited 5 min thinking they're gone nope waiting for me at the elevator, was gonna change my laundry then cuffed me threw to floor n I got a gash on my forehead when he slammed me into car Frame to put me in the back

My head was literally gushing blood like never seen that much in my life, anyway his tone changed told his driver "ah fuck we gotta go to the hospital

Got stitches, didn't even have a drop of booze in my system lmao . Pathetic , [REDACTED]. Just cuz I was feeling sui\*\*\*dal after my best friend died . I cut all that fam off now after this

Image and names censored for privacy and graphic content.

# Police/RCMP

Cons	Pros
<ul style="list-style-type: none"> <li>• Abusive.</li> <li>• Rude.</li> <li>• Assumes The Worst in People.</li> <li>• Lies to get their way.</li> </ul>	<ul style="list-style-type: none"> <li>• Emergencies.</li> <li>• Helpful with Housefires, Car Accidents, Etc.</li> <li>• SOME Understanding</li> </ul>

