

## 4. MST and the Ontario Provincial Government

Devising successful alternatives to custody was a key component of the commitment by the Ministry of Community and Social Services to promote prevention strategies, community-based programs, and cost-effective placements for youth in Ontario. In 1997, the Ministry defined five goals for young offender programming: maintenance of community safety; cost-efficiency; responsiveness to individual needs; reduction of future recidivism; and, provision of a spectrum of services that addresses all young people according to their levels of risk and need. MST promised to fit comfortably within all these goals and the ministry funded this project for four years. They funded the MST project for four years and are looking to the results presented here to make decisions about the future of MST in Ontario. This chapter discusses the features of the provincial ecology that shaped the implementation of MST and the interpretation of the results.

These topics are reviewed...

The Province of Ontario

    Youth Justice in Ontario

        Split Jurisdiction for Youth Corrections

    The Climate of the Political Ecology in Ontario

        “Strict Discipline”

Ministry of Community and Social Services

    Young Offender Services

        Privatization

    Risk/Need Assessment

        Risk/Need Assessments of MST Referrals

        RNA Score and Recidivism

Ministry of Correctional Services

    MST and Phase II Youth

Adolescent Women

    Males and Females at Referral

    Treatment Effect of MST with Males and Females

    Justice Processing of Males and Females After Discharge

Summary and Conclusions

Endnotes



In conjunction with colleagues at the Family Services Research Centre and the Family Assessment Lab in Missouri, Scott Henggeler is the developer of the MST approach. In 1993, Dr. Henggeler was an invited speaker at a court-based clinical services conference organized by the London Family Court Clinic. His presentation about MST generated sufficient interest for a group of practitioners and policy makers in Ontario's Ministry of Community and Social Services to begin a four-year effort to find both the funding and the community will to develop MST teams in Ontario. This group of people shared certain assumptions:

- Ontario's rate of youth custody (40% of convictions in 1999/00) is unacceptably high
- paying for the expensive custody option diverts funds from community-based programs
- existing custody programs do little to ameliorate the underlying causes of criminal behaviour among youths whose offending is linked to family and emotional problems
- programs delivered in the community are more likely to be effective than institutional programs
- MST appeared as a promising intervention that could be added to the available spectrum of services to assist the "high-end" cases
- prevention of youth crime is the responsibility of the entire community, not just the criminal justice system

With concern expressed about the generalizability of American findings to Canada, it was resolved that MST in Ontario would be delivered within the context of a randomized trial for four years.

Key concerns shared by those who initiated the MST project were the absence of evidence for the effectiveness of custody-based programs and the research that showed how any improvements in incarcerated youth quickly dissipate upon return to their home communities.

For the first three years of the project, four local area offices of the Ministry of Community and Social Services (MCSS) funded the provision of MST to qualifying youths and young offenders under the age of 16. For the last year, beginning in April of 2000, referrals of the older Phase II young offenders were also welcomed from probation/parole officers of the Ministry of Correctional Services (MCS). This latter group joined for the remaining year of the study.

This chapter details the role of the provincial government, in both its political and bureaucratic manifestations, how that role changed over the four years of project development, and how these forces affected MST implementation and ultimately the results reported here. During the four year developmental phase preceding the project and the four years it has been active, the background climate of the provincial

ecology in Ontario included a change in government, deep cuts in funding to the social service system, the provincial government's "tough-on-crime" agenda, and the spectre of privatization of correctional services historically offered by government employees. These factors could well have affected referral levels, team morale, and therapist attrition. Usual services, their availability and quality, may also have been affected. Also important for how these results will be used in Ontario is the fact that responsibility for all young offenders will soon be vested solely with Ministry of Correctional Services (now renamed the Ministry of Public Safety and Security), as announced in November of 2001.

In November of 2001, the provincial government announced that the Phase I and II young offender systems will merge, under the authority of the Ministry of Correctional Services, now renamed the Ministry of Public Safety and Security.

## The Province of Ontario

Ontario is Canada's most populous province. With almost 12 million residents, over one third of Canadians live in Ontario. The province is large (1.1 million square kilometres), with most residents clustered around the rim of the Great Lakes in the south. Most people (80%) live in urban areas. The service sector (banking, insurance, investment, education, tourism, health care, etc.) accounts for 70 percent of jobs but also important are manufacturing (especially automobiles), agriculture, construction and the resource extraction industries of forestry, mining and water. Ontario is the ultimate destination of many new immigrants and 26 percent of the population were born outside Canada, a higher rate than any other province.

### Youth Justice in Ontario

Ontario has 37% of the nation's 2.45 million youth and had 38% of the cases heard in Canadian youth courts in 1999/00.<sup>1</sup> The 39,096 cases heard in Ontario youth courts that year represented a decline over previous years, mirroring similar declines at the national level. As with Canada in general, most of the 1990s were characterized by a reduction in the number of youths appearing before the youth courts, a reduction in the rate at which youth are charged with criminal offences, and a reduction in the rate of reported crime generally. Some of the decline in youth court activity can be attributed to a growing use in Ontario of diversion programs, but the falling crime rate must also be a factor. There was a 27% drop in the rate of court cases per Ontario youth between 1992/93 and 1999/00, to a current rate of 428 cases per 10,000 youth.

Generally, the Ontario youth courts function in a similar way to those across Canada in the aggregate (see Table 4.1), in great measure because Ontario figures heavily weight the national ones. Caution should be exercised in making direct comparisons across jurisdictions in Canada because of the variable use of diversion programs many of which come into play before a charge is laid. The province of Ontario did not vigorously support the use of diversion programs in the past and many of those that exist are of the post-charge variety, explaining the high rate of pre-adjudication termination of cases (40%). Once a case ends in a conviction, Ontario judges order custody at a greater rate than judges in seven provinces and one territory. The rate at which youth are remanded to detention is 50% higher than the national average.

Custody sentences are a mandated service. Correctional authorities must provide custody beds when judges hand down custody sentences, and Ontario judges order detention and custody at a high rate.

Table 4.1

**Crime Rate and Youth Court Features, Ontario and Canada Compared**

	<b>Ontario</b>	<b>Canada</b>
Crime rate per 100,000 pop. (1999)	6,508	7,733
Cases heard in youth court (99/00)	39,096	102,061
Youth court cases per 10,000 youth	428	417
Median elapsed time to case resolution	73 days	63 days
Cases ending in conviction	60%	67%
Conviction rate per 10,000 youth	269	294
Convictions resulting in probation as MSD†	48%	48%
Convictions resulting in custody as MSD†	40%	34%
Rate of remand admissions per 10,000 youth	150	98
Rate of secure youth custody admissions per 10,000 youth	39	32
Rate of open custody admissions per 10,000 youth	42	34

† most significant disposition

Sources: Adapted from data in M. Sudworth and deSouza (2001). Youth Court Statistics, 1999/00, *Juristat: Canadian Centre for Justice Statistics*, 21(3); T. Sanders (2000). Sentencing of Young Offenders in Canada, 1998/99, *Juristat: Canadian Centre for Justice Statistics*, 20(7); and, M.B. Moldon and D. Kukec (2000). Youth Custody and Community Services in Canada, 1998/99. *Juristat: Canadian Centre for Justice Statistics*, 20(8).

**Split Jurisdiction for Youth Corrections**

While the legal aspects of the youth justice system is governed by federal legislation, each provincial government is constitutionally empowered to administer the justice system. It is in the area of correctional programs where inter-provincial variation is greatest. During the MST study period, jurisdiction for Ontario youth corrections was split between two ministries, the demarcation being the youth's age at the time of offending. Generally, the orientation of the Phase I young offender system (for youth aged 12 to 16) was toward a more social service response to youthful offending. This was consistent with other areas of MCSS responsibility, which include child welfare and children's mental health. The Phase II system (having responsibility for 16 and 17 year olds) was closer to that which exists for adult offenders.

Almost since this split began in the mid 1980s, there have been discussions between the two ministries about a merger. In recent years, the presumption has been that authority for the younger offenders would be transferred to the jurisdiction of correctional services. This move was finally announced in November of 2001. All during the MST project, rumours circulated that MCSS's role with Phase I young offenders was coming to an end. This created a sense of uncertainty among both employees of the MCSS and the transfer payment agencies that deliver much of the correctional services in Phase I.

### **The Climate of the Political Ecology in Ontario**

In a 1995 provincial election, the social democratic government of the New Democratic Party (NDP) lost office. The victorious Progressive Conservative Party had advanced a platform called the *Common Sense Revolution* and quickly went to work implementing their proposals. The new government generally held the view that government services were wasteful, taxes were too high, there was too much bureaucratic “red tape,” and service providers were not accountable for how money was spent or if goals were met.

The years that followed were characterized by deep budget cuts for most social service agencies in an attempt to balance the provincial budget while lowering taxes. Everything was on the chopping block for potential cuts or elimination and millions of dollars were taken from the budgets of schools, hospitals, universities, and social services. At the same time, some costs previously borne by the provincial government were downloaded to municipalities. Privatization has also been a common theme, although the pace of changes in that direction has been slower.

Key in the platform of the Progressive Conservative Party were promises to get tough on crime by getting tough on criminals. At the same time the MST project was starting, the newly elected government was voicing a desire to re-orient the correctional system to a “law-and-order” approach. Initiatives undertaken included the hiring of many new police officers, the dismantling of the world-renowned police complaints commission, the closing of half-way houses, and the creation of a crime victim bill of rights. The Crime Control Commission was created in 1997 to undergo background research on justice issues, made up of three members of the provincial legislature. Other initiatives advanced by the government, which was re-elected in 1999, were parental liability for some criminal actions of children, a provincial registry for sex offenders, public notification in some cases of release from prison, the construction of two so-called super-jails with over 1,000 beds, random alcohol and drug tests for offenders on conditional release, reducing the grant rate for conditional release, and the creation of local monitoring boards for each correctional institution. In other words, this government has spent a great deal of time on justice issues.



[www.OntarioPC.on.ca/](http://www.OntarioPC.on.ca/) (Progressive Conservative Party of Ontario)

[www.gov.on.ca](http://www.gov.on.ca) (Government of Ontario)

[www.fightcrime.net/](http://www.fightcrime.net/) (Crime Control Commission)

[www.safejails.ca](http://www.safejails.ca) (E-tour of Ontario prisons)

The MST project was implemented in a climate of “law-and-order” reforms, but the cost-efficiency arguments were appealing for some members of the government.

### **“Strict Discipline”**

One particularly high-profile strategy started with an investigation of the feasibility of a “boot camp” in Ontario for Phase II young offenders.<sup>2</sup> A secure custody facility for sentenced Phase II young offenders, “Project Turnaround” was opened near Barrie in July of 1997 with a private operator from the United States. Largely because of the poor results of randomized studies of American boot camps, the philosophy that underpinned the facility was called “strict discipline,” meaning “an orientation that uses a structured and consistent learning environment to teach high-risk, repeat young offenders the advantages of socially acceptable behaviour.”<sup>3</sup> Plans for a randomized trial fell through and attempts to craft a comparison group

met with mixed success in a three-year outcome evaluation. However, in 1997 it was a high profile example of the government's intent to increase public safety by cracking down on young offenders. It was also one of many justice initiatives started at the Cabinet level with little input from ministry bureaucrats. This origin was in contrast to that of the MST project, which started at the community and policy level and then had to find favour within the new provincial caucus.



[www.encyourageyouth.com](http://www.encyourageyouth.com) (Private Operators of Project Turnaround)

Soon after the MST project got under way, the provincial government announced plans to create a boot camp for Phase II young offenders.

## Ministry of Community and Social Services

For four years, MST funding came from four local area offices of the Ministry of Community and Social Services, mostly with resource re-allocation, an amount equivalent to over \$5 million. In each area, a unique funding arrangement was negotiated. In consequence, the four areas defined a unique referral process and target client group, as discussed in the sixth chapter. The four area offices committed to the project for four years. The costs of MST training and consultation, discussed in the next section of this report, were paid by the corporate office of the MCSS for three years.

Children's services is one of MCSS's mandates. These services protect children from abuse or neglect; provide temporary or permanent guardianship for children separated from their families; place children for adoption; provide counselling and treatment for children and families to improve outcomes for children with emotional or behavioural problems and mental disorders; and, provide other supports for children and youth at high risk. The main focus of MCSS during the period of the MST project has been on welfare reform and the child protection system. The part of the Ministry dedicated to young offenders is very small in relation and, as noted above, will soon be transferred to the Ministry of Public Safety and Security.

The transfer of jurisdiction for Phase I young offenders to the Ministry of Public Safety and Security has implications for the future use of MST in youth justice in Ontario.

## Young Offender Services

During the period of study, MCSS had responsibility for offenders under the age of 16 when they committed a federal or provincial offence. The range of services then included alternative measures, community programs, probation, open detention/custody, and secure detention/custody. In 1998/99, there were 9,509 admissions to probation, 2,769 admissions to open custody and 1,880 admissions to secure custody.<sup>4</sup> There were also 8,783 remand admissions for those who were ordered by a judge to await resolution of their cases in detention. Under Ministry policy, remanded youth are admitted to open detention facilities but may be transferred to a secure setting for a variety of reasons including safety.

Devising successful alternatives to custody had been a key part of MCSS's commitment to promote prevention strategies, community-based programs, and cost-effective placements for youth in Ontario.<sup>5</sup> In 1997, the Ministry defined five goals for young offender programming: maintenance of community safety;

cost-efficiency; responsiveness to individual needs; reduction of future recidivism; and, provision of a spectrum of services that addresses all young people according to their levels of risk and need. MST fit comfortably within all these goals.



[www.gov.on.ca/CSS/](http://www.gov.on.ca/CSS/) (Ministry of Community and Social Services)

Devising successful alternatives to custody was a key part of MCSS's commitment to promote prevention strategies, community-based programs, and cost-effective placements for youth in Ontario.

### **Privatization**

In February of 1998, the government began a process called “divestment,” to privatize the seven state-operated, secure-custody centres for youth. This was accomplished by 2000. Now, all 104 residential facilities and secure treatment programs are operated by non-government service providers. Except for probation, virtually all Phase I young offender services were delivered by non-profit social service agencies like those which delivered MST during this project.

### **Risk/Need Assessment**

In the mid 1990s, the MCSS youth justice system adopted a case-management system based on the assumption that the criminal behaviour of an individual can be predicted from an understanding of the behaviour of groups of people who have offended in the past. Another assumption is the belief that correctional interventions should be directed solely at so-called criminogenic factors, the variables currently known to be correlated with recidivism among offenders. Preference is given to measuring “dynamic” factors such as attitudes which can change rather than “static” factors such as age, sex and prior criminal history that cannot be modified through correctional intervention. In this approach, the quantification of “risk” determines intensity of the correctional intervention, an appealing feature in an era of limited resources. Key to this system is the assumption that all variables with explanatory power have been identified before a specific instrument is adopted by a correctional agency and that only individual-level variables are needed.

Use of the RNA with youth probationers is based on the assumption that the behaviour of an individual can be predicted based the behaviour of groups of offenders. This approach also assumes that all variables with explanatory power have been identified.

To actualize this system, MCSS adopted the Risk/Need Assessment instrument developed by Drs. Don Andrews, Robert Hoge and Alan Leschied. Probation officers assign each youth a score in eight areas: prior and current offending; family circumstances and parenting; education/employment; peer relations; substance abuse; leisure/recreation; personality and behaviour; and attitudes and orientation (see Table 4.2). The summed sub-scales score places the youth into one of four risk categories: low, moderate, high or very high. The assessor can override that score and assign another category, either higher or lower, if he or she believes the score does not accurately reflect the risk. The intervention is devised to reflect the scores.

### **Risk/Need Assessments of MST Referrals**

The RNA instrument was designed to be a case management tool, so its utility for research is limited. It was rejected as a pre-post measure for a variety of logistical and methodological reasons that centred on concerns about inter-rater reliability. Indeed, wide variation was observed in how the items on

these forms were completed. In addition, assessors are required to assign a score for each item, even when no information is available. A score of zero could mean that the factor is not an issue or it could mean that information on the factor was not available at that time. Accordingly, the accumulation of information about a youth results in an artificial elevation of “risk” over time. Despite these problems, the use of the RNA across MCSS suggested it would be a standardized way of determining suitability for the MST intervention at intake.

Table 4.2

### Average Risk/Need Scores of MST Referrals on Eight RNA Sub-scales by Sex of Youth

	Boys	Girls
Prior/Current Offences or Dispositions (range 0 to 5)	1.17	0.93
Family Circumstances (range 0 to 6)	4.03	4.19
Education/Employment (range 0 to 7)	4.57	4.19
Peer Relations (range 0 to 4)	2.73	2.69
Substance Abuse (range 0 to 5)	1.28	1.67
Leisure Recreation (range 0 to 3)	1.97	2.32
Personality/Behaviour (range 0 to 7)	4.78	4.58
Attitudes/Orientation (range 0 to 5)	2.76	2.69
<b>TOTAL (range 0 to 42)</b>	<b>23.51</b>	<b>23.49</b>

Reliability issues observed in the scoring of the RNA included variable interpretation of many items, addition errors, and the need to provide a response for each item, even when insufficient information is available.

During the study, it was important that MST be used with the same type of youth with which the technique was developed and tested. These groups are described in Chapter Five. Specifically, the 84 youths in the Simpsonville study had chronic histories of offending or had been convicted of violent crimes. They had spent an average of 9.5 weeks in correctional facilities before the referral. More than one half were African American and they came from impoverished families and neighbourhoods. In the Missouri study, there was a higher proportion of non-minority youth (70%) and 63% had spent some time in a correction facility. The youths referred in the Ontario study were similar to the American samples in terms of average age and sex breakdown, but not all were referred with prior convictions and they evidenced lower rates of prior custody stays. A factor that contributed to this situation was that in one site – Ottawa – referrals were accepted for youths under 12 years of age, meaning that they were too young to be charged and convicted for their criminal behaviour. As noted in the first chapter, however, MST was not more or less successful with youths with a prior record.

In two sites, referrals came only through probation officers, so all youths were formally involved with the justice system. Referral agents in all four communities were asked to identify the youths in their

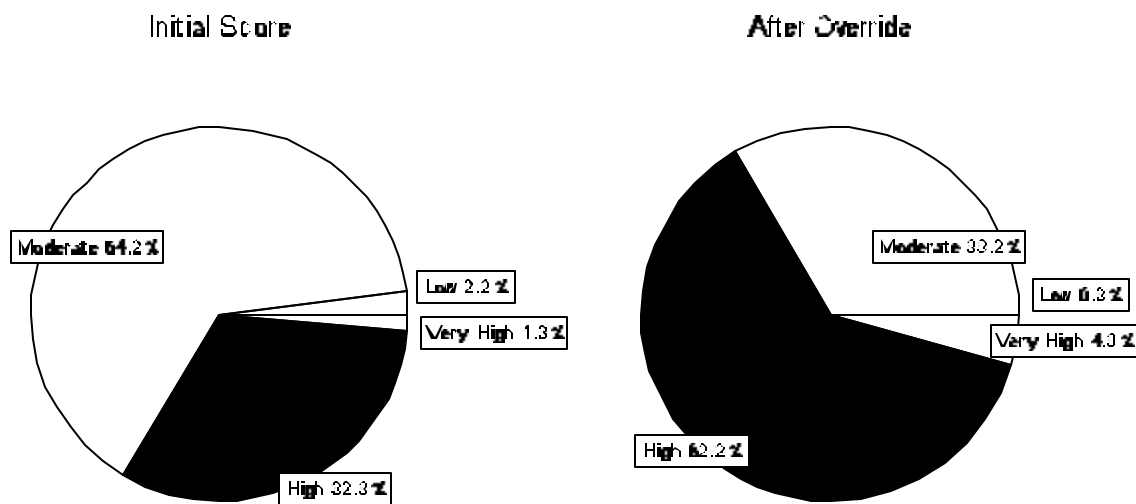
jurisdictions who presented the greatest problem to existing services. In the Ontario study, the nature or chronicity of past criminal offending was not explicitly considered in the referral decision, but there had to be evidence of at least one criminal act whether or not it had resulted in arrest or conviction. This was the “go/no go” factor and no youth would be considered for MST in the absence of a criminal history.

The next eligibility factor was probability of offending in the future. The RNA was completed by the referring probation officer or, for other types of referrals, by intake workers at the agencies delivering MST. More information on this part of the referral process is found in Appendix A. Basically, to qualify for consideration for the MST program in most sites, youths had to fall into the high-moderate, high or very high-risk categories on the RNA. In 38% of the cases, the assessor used the override. Risk categories before and after the override are illustrated in Figure 4.1. The override was used equally often for males and females, although there was quite a variation across the sites as discussed in the sixth chapter. Mean RNA scores for the MST referrals are in Table 4.2.

MST referrals had to match the type of youth with whom MST had been developed and tested. The Ontario sample may have had less experience with the criminal justice system on average than was true for youth in the American studies.

Figure 4.1

**Risk Categories of MST Referrals, Initial Score and After Override was Applied**



It is important to consider RNA data broken down by sex (see Appendix C). The boys in this group were most likely to be rated as having problems with education (78% in high-risk category), leisure/recreation (77%) and personality/behaviour (65%). Compared with the boys, the girls as a group were more likely to have problems with leisure/recreation (87% in the high-risk category), family (47%), and substance abuse (30%). About 70% of girls were rated as being high risk in terms of education, almost as much as the figure for the boys. Girls as a group had lower scores on prior record, and attitudes and were similar in terms of peers. Average scores, however, obscure difference among individuals and may obscure useful patterns. Moreover, they may give the impression of homogeneity, so care should be exercised in

making conclusions.

There were no differences on any of the sub-scale means between those who self-identified as Aboriginal and the others.

### RNA Score and Recidivism

The total RNA score and the eight sub-scale scores were correlated with the criminal conviction coded at the interval or ratio level of measurement,<sup>6</sup> specifically number of days to first conviction, days to first admission to custody, total sentenced custody days, total open custody days, total secure custody days, total sentenced days in adult prison (a small portion of the sample do far), total of all offences of convictions, total convictions for failure to comply with a disposition, total convictions for other administration of justice offences, total non-administration of justice convictions, number of closed or secure custody days for administration of justice offences only, number of days to conviction for excluding administration of justice offences, and total number of prosecutions.

In the sample as a whole, the total RNA scores was weakly correlated with only one measure of criminal conviction.<sup>7</sup> There were some very small differences for boys<sup>8</sup> and girls.<sup>9</sup> There were no other correlations between any of the RNA scores and any of the various measures of recidivism suggesting that these associations are spurious and should be viewed with caution. In addition, correlations alone can give a misleading picture. Looked at another way, about half of the youth categorized as high or very high risk have not offended (Figure 4.2). Was MST more or less effective for members of any specific risk category? No patterns were evident as can be seen in Tables 4.3 and 4.4. With this restricted range, eliminating the low risk cases, the RNA could not discriminate the recidivists from the non-recidivists.

The RNA scores were not predictive of criminal behaviour, nor were there different rates of conviction for youths who fell into different risk groups.

Figure 4.2

#### Rate of Conviction for RNA Risk Groups

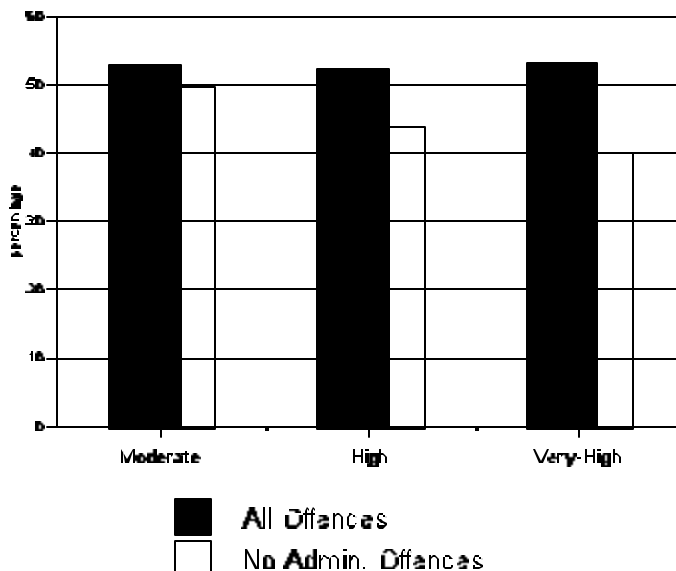


Table 4.3

**Rate of Conviction for Two Groups in Follow-up and NNT by Risk Category After Override**

	MST	Usual Services	NNT
Very-high risk (n=15)	50.0%	57.1%	14
High risk (n=214)	57.5%	47.2%	negative
Moderate risk (n=115)	50.0%	56.1%	16

Table 4.4

**Rate of Custody Sentences for Two Groups in Follow-up and NNT by Risk Category After Override**

	MST	Usual Services	NNT
Very-high risk (n=15)	37.5%	28.6%	negative
High risk (n=214)	38.7%	33.3%	negative
Moderate risk (n=115)	41.4%	47.4%	17

**Ministry of Correctional Services**

The Ministry of Correctional Services (MCS) joined the MST study in its final year, beginning April 1, 2000. This agreement between MCSS and MCS brought an older group of youths into the last year of the study. By the time intake of new cases had terminated in January of 2001, 11 Phase II young offenders had been inducted into the sample. The involvement of MCS covered the costs associated with a System Supervisor, a move undertaken to reduce the financial commitment to MST Services Inc. and to increase the capacity within Ontario to assume consultation functions.

Youth corrections is a small piece of this large Ministry's activities. MCS has jurisdiction over adult offenders 18 years and over, sentenced to terms of imprisonment of less than two years and/or terms of probation of up to three years; those under parole supervision as granted by the Ontario Board of Earned Remission and Parole; and, those on remand, awaiting trial or sentencing. Across the province, there are 42 correctional or detention facilities; five youth-custody centres; 127 probation and parole offices; 50 open-custody residences for youths (contracted); and "Project Turnaround" as described above. The Ministry has a staff of 7,600 and there are 73,000 adult and young offenders under supervision on any given day, 87% of whom are serving their sentences in the community. In 1998/99, there were 6,614 probation admissions involving young offenders, 1,070 sentenced open custody admissions and 1,684 secure custody admissions. In addition, there were 4,843 remand admissions for those ordered to await resolution of a criminal charge in custody.



[www.corrections.mcs.gov.on.ca/](http://www.corrections.mcs.gov.on.ca/) (Ministry of Public Safety and Security)

During the period of this study, the Ministry was in the throes of intense changes as new detention and correctional centres were coming on stream and old ones were being closed, a process called “infrastructure renewal.” Part of this transition was to move to dedicated young offender facilities so youths are no longer housed in special units of adult facilities, now the case in ten facilities. Privatization of operations was also a salient theme in this period. Private operators were being sought for a 1,184 bed “super jail” eventually opened in November of 2001 in Penetanguishene, as well as two new “strict discipline” facilities for young offenders and one for adult inmates. The Ministry also announced a move to results-based performance standards. The intention is to use performance standards to compare the operation of one private and one publicly operated prison.

### **MST and Phase II Youth**

Over the final year of the study, 11 Phase II youth were referred to the project. Through the vagaries of chance, eight were assigned to MST and three to usual services. With such a small number, it will not be possible to make conclusions specifically about the success of MST with this older group. Also, the Phase II youth have not been tracked for very long. Ten have completed six months post-discharge and one of them has been convicted. However, there was no correlation among the MST group between age at discharge and any measure of recidivism except one. There was a negative correlation between age and number of days to first custody admission ( $r = -.23, p < .05$ ). The older the youth, the more quickly he or she was sentenced to custody after discharge. Overall, these figures suggest that MST was no more or less effective depending upon the age of the youth.

Age was not correlated with conviction among MST recipients, suggesting that MST was neither more nor less successful with older youth.

### **Adolescent Women**

Youth crime continues to be dominated by young men but concerns have recently been expressed about increases in criminal convictions among young women. While there is insufficient research data to make firm conclusions about what this means, it does seem clear that adolescent women are a uniquely needful group in the justice system who have not historically had access to gender-appropriate programming. In recent years, girls have generally been subject to assessment and treatment strategies designed for men or boys. However, girls may well find themselves involved with crime for distinctly different reasons than do boys. Empirical work examining criminal etiology among women almost invariably focuses on family of origin issues, victimization, and abusive or exploitative relationships in early life. More specifically, criminal behaviour in young women is typically seen as part of an overall coping strategy that frequently has its roots in childhood abuse or neglect, followed by leaving home young, school failure, and substance abuse as a coping mechanism.

As in many areas of inquiry, the research on girls and women lags behind that available for men and boys. With growing recognition that “girls are different,” however, calls are being heard for gender-specific programs delivered using female-centred approaches.<sup>10</sup> Many controversies remain but, at the very least, all interventions should be assessed from the point of view of how they may be more or less effective for females. Accordingly, correctional researchers should at the very least consider the differential impact of programs on females. As with all analyses presented here, the interim nature of the data suggest that caution should be exercised in making conclusions.

Because “girls are different,” correctional researchers should consider the differential impact of programs on males and females.

### Males and Females at Referral

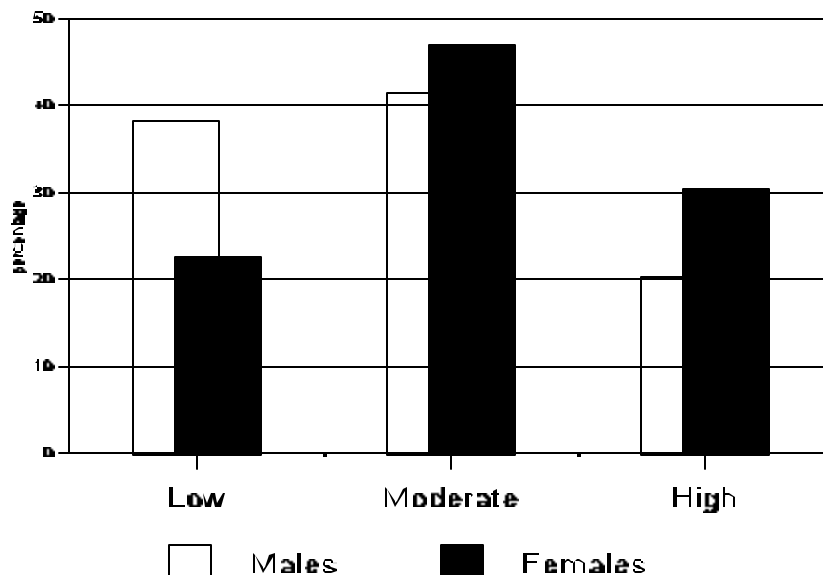
One quarter of the sample (26%) are females. Only one of the 23 under 12 referrals was a girl. Almost a third of the sample were on medication (for behaviour, hyperactivity, depression, etc.), true of 28% of the females and 35% of the males. Girls and boys had different views of their families. The girls saw their families as less adaptable ( $t = -2.2$ ,  $df = 391$ ,  $p < .001$ ) and less cohesive ( $t = -3.8$ ,  $df = 391$ ,  $p < .001$ ). The parents of girls rated their children as having, on average, more externalizing problems ( $t = 3.3$ ,  $df = 392$ ,  $p < .001$ ) and the girls themselves self-reported a higher degree of externalizing symptoms ( $t = 5.2$ ,  $df = 392$ ,  $p < .001$ ).

At referral, 72% of the adolescent women had at least one prior conviction, compared with 64% of the males. More of the girls had previously spent time in custody (51%) compared with the boys (45%). The girls had spent an average of 72 days in sentenced custody compared with 120 days for the boys ( $t = -2.7$ ,  $df = 117$ ,  $p < .009$ ). They were about the same average age at first conviction and had about the same number of prior convictions. In terms of types of offences in the prior record (among those over 12 years of age), there were the same in terms of prior offences of violence (39%), property offences (45%), and offences against the administration of justice (25%). As already discussed above, the adolescent women differed from the males in terms of family problems and substance abuse. For examples, the females were more likely to be rated as being high risk in terms of substance abuse (Figure 4.3). At discharge, when the follow-up began, the girls were significantly older, with an average age of 15.4 compared with the 14.9 among the boys ( $t = 3.0$ ,  $df = 254$ ,  $p < .003$ ).

At referral, the females were more likely to have a prior record and were more likely to have spent some time in sentenced custody although they had the same average age at first conviction, rate of prior conviction, offence profile, and risk score.

Figure 4.3

### Risk Category at Referral for Substance Abuse, Males and Females



### Treatment Effect of MST with Males and Females

What has happened since referral? So far, the conviction rate for females is slightly higher (52.9%) than that for males (50.0%) but essentially the same when considering convictions for all types of offences. Excluding those convicted solely for offences against the administration of justice, males have a slightly higher rate of conviction (45.3% vs 42.2%). Females in the MST group had a higher rate of conviction compared with females in the usual services group (see Table 4.5). Interestingly, the females in the usual services group were more likely to be sentenced to custody (see Table 4.6). Even with a higher rate of conviction, the MST intervention seemed to be more effective in keeping the females out of custody, perhaps because the offences were less serious, perhaps because they had better advocates during the sentencing hearing, or perhaps because they had managed to organize safe environments in which the girls could live. In our experience anecdotally, detention and custody sentences are often used as a safe residential placement for girls independent of the severity of the offence. However, females in the MST group sentenced to custody had their first admission sooner, after an average of 142 days compared with 256 for males ( $t = -2.0$ ,  $df = 70$ ,  $p < .05$ ). The same figures in the usual services group were similar to each other (232 and 251).

In the MST group, compared with females in the usual services group, females had higher rates of conviction but slightly lower rates of custody sentences.

In any event, reference to Figures 4.4 to 4.7 suggests that any treatment effect for MST is evident only among males, although the differences are small and not even significant. In other words, eliminating the females from the survival analysis, the MST shows a small and non-significant difference from the usual services group that is not evident in the sample as a whole. These trends must be monitored further before any conclusions can be made.

Table 4.5

#### Conviction Rates for Two Groups in Follow-up and NNT by Sex

	MST	Usual Services	NNT
EXCLUDING ADMINISTRATIVE OFFENCES			
Males	45.2%	45.5%	333
Females	45.1%	39.2%	negative
ALL OFFENCES			
Males	50.0%	50.0%	infinity
Females	54.9%	51.0%	negative

Table 4.6

#### Proportion of Two Groups Sentenced to Custody in Follow-up and NNT by Sex

	MST	Usual Services	NNT
Males	39.7%	38.6%	negative
Females	27.5%	31.4%	26

Figure 4.4  
**Six Month Survival Data for Females Only, MST and Usual Services, No Administrative Offences**

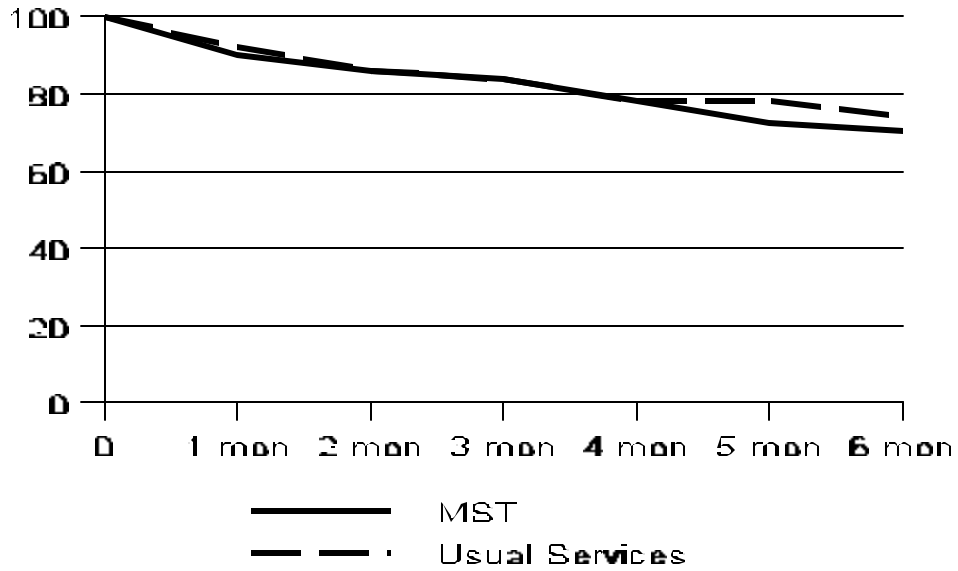


Figure 4.5  
**Six Month Survival Data for Females Only, MST and Usual Services, All Offences**

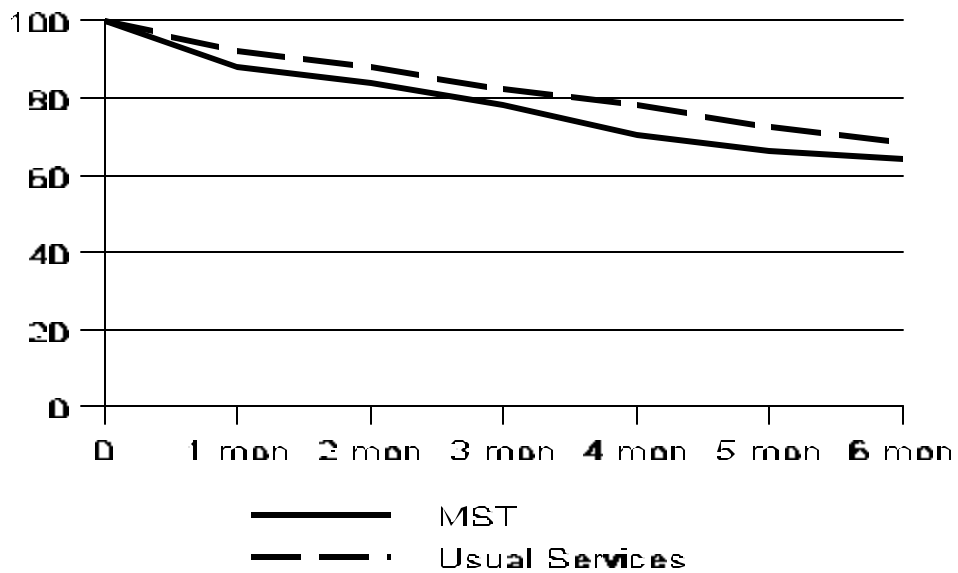


Figure 4.6  
**Six Month Survival Data for Males Only, MST and Usual Services, No Administrative Offences**

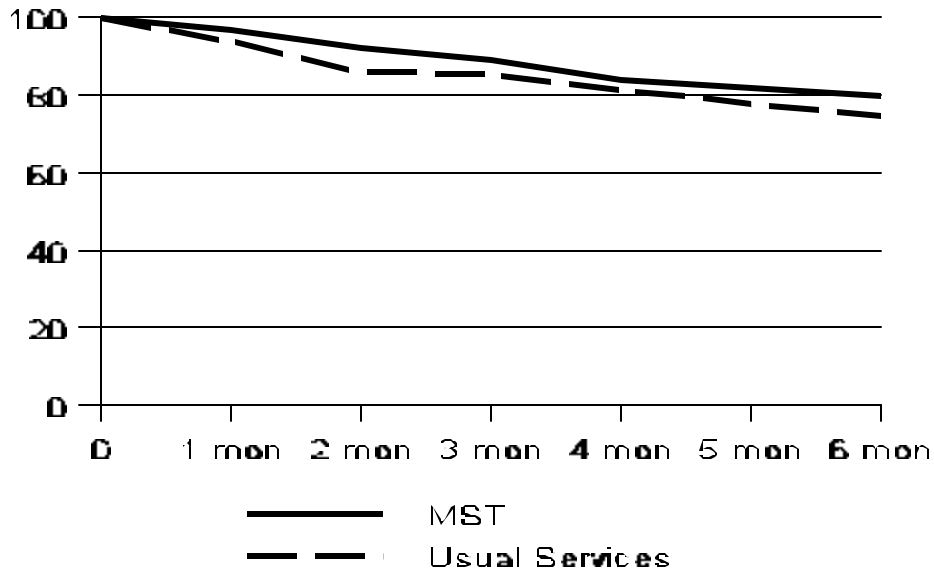
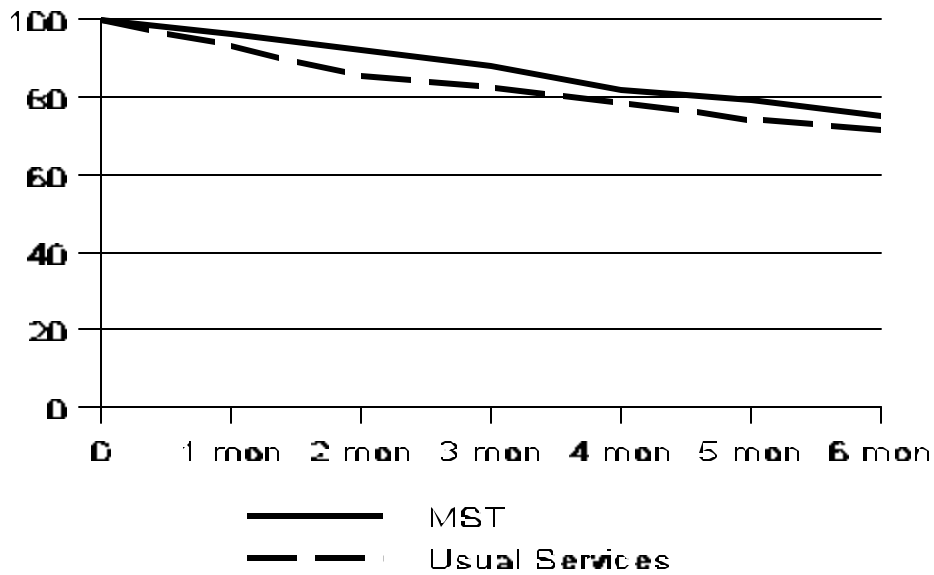


Figure 4.7  
**Six Month Survival Data for Males Only, MST and Usual Services, All Offences**



### Justice Processing of Males and Females After Discharge

There were clear differences between the processing of males and females where administrative offences were concerned. Eleven percent of the females have so far been convicted only of an administrative offence, compared with 4.7% of the males (see Figure 4.8). Both sexes were equally likely to be sentenced to custody solely for an administrative offence, true of 13% of girls and 12% of boys (Table 4.7). However, girls received longer sentences on average, for both open (96 vs 70 days) and secure custody (78 vs 41 days) for a total of 96 versus 63 days. In other words, females spent on average 50% longer in custody for administrative offences than males. This supports anecdotal observation that girls tend to be in custody for technical violations rather than for criminal offences.

One in ten of the females have been convicted only of an administrative offence in the follow-up. While they were sentenced to custody for administrative offences at an equal rate, the women spent 50% longer in sentenced custody compared with the males solely for administrative offences

Other differences are presented in Table 4.7. Except where indicated, none was significant. Even though they had lower number of convictions overall, girls had higher mean convictions for administrative offences. They also tended to be convicted earlier and sentenced to custody earlier.

**Recommendation 10:** The provincial government should audit the use of custody placements for adolescent women to ensure that custody is not being used in place of more appropriate residential placements.

Figure 4.8

### Conviction Rates for Males and Females Post-Discharge (n = 380)

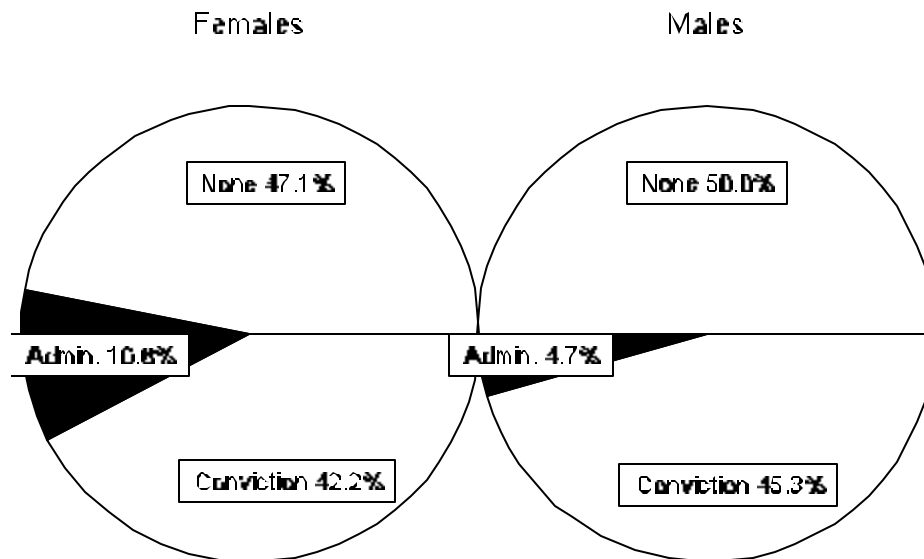


Table 4.7  
**Outcome Indicators by Sex of Youth**

	Females (n = 102)	Males (n = 278)
Days to Conviction (all offences)	194 days	229 days
Days to Conviction (no admin.)	204 days	240 days
<b>OFFENCES</b>		
Mean Offences (all types)	1.5	1.7
Mean Offences (no admin.) †	.66	1.16
At Least One Interpersonal Off.	22.5%	28.5%
Only offence is administrative	10.8%	4.7%
<b>CUSTODY SENTENCES</b>		
Days to First Custody Sentence	191 days	254 days
Open Custody Sentences	18 days	31 days
Secure Custody Sentences	14 days	27 days
Total Custody Sentence †	32 days	59 days
<b>ADMINISTRATIVE OFFENCES ONLY</b>		
Custody only for administrative offence	12.7%	11.9%
Mean Convictions, Breach of Disposition	.47	.30
Mean Other Administrative	.28	.23
Open Custody for admin. only	96 days	70 days
Secure Custody for admin. only	78 days	41 days
Total custody for admin. only	96 days	63 days

† Significant difference.

## Summary and Conclusions

In this chapter, the factors of the provincial ecology that affected the implementation of MST were presented. Because the results from Simpsonville and Missouri were not replicated here, attention turns to two questions: did MST not work in Canada? or, was the implementation of MST in Ontario less than perfect in some way? Some of the factors from the provincial ecology that may have had a bearing on the implementation of MST have been reviewed.

## Endnotes

1. Figures from 1999/00 were taken from M. Sudworth and P. deSouza (2001). Youth Court Statistics 1999/00. *Juristat: Canadian Centre for Justice Statistics*, 21(3).
2. Task Force on Strict Discipline for Young Offenders (1996). *Recommendations from the Task Force on Strict Discipline for Young Offenders*. Toronto: Ministry of Solicitor General and Correctional Services.
3. For a program description, see S. Wormith, J. Wright, I. Sauve and P. Fleury (1999). Ontario's Strict Discipline Facility is not Just Another "Boot Camp." *Forum on Corrections Research*, 11(2): 34-38.
4. M.B. Moldon and D. Kukec (2000). Youth Custody and Community Services in Canada, 1998/99. *Juristat: Canadian Centre for Justice Statistics*, 20(8).
5. Ministry of Community and Social Services (1997). *Young Offenders Framework 1997-2000*. Toronto: Ministry of Community and Social Services.
6. Youths under 12 were excluded from this analysis as were Phase II referrals, because there were no RNA scores available for these groups.
7. There was a significant correlation with one measure of recidivism, specifically the number of prosecutions during the follow-up (all types of offences). However, the correlation of .116 ( $p < .03$ ) is extremely weak and explains much less than two percent of the variance. Moreover, none of the sub-scales nor the total score entered into a step-wise discriminant analysis for convictions (yes/no) and none explained more than a few percentage points of variance.
8. There were weak but significant correlations between prior offence score and total number of days in secure custody for males ( $r = .158$ ,  $p < .012$ ), probably a reflection of the fact that extent of prior record was correlated with total days in secure custody for boys ( $r = .37$ ,  $p < .001$ ) as well as for girls ( $r = .30$ ,  $p < .002$ ). There was also a weak correlation between score on substance abuse and number of open custody days ( $r = .138$ ,  $p < .028$ ).
9. For the adolescent women, the only RNA score correlated with recidivism was the family problem sub-scale, true of total number of prosecution since discharge ( $r = .29$ ,  $p < .005$ ), and whether or not the young women had been convicted of any type of offence ( $t = 2.3$ ,  $df = 94$ ,  $p < .022$ ). Specifically, those who were subsequently convicted of any offence had a higher score on family problems (4.5 vs 3.9).
10. In Ontario, for example, A. Cunningham, L. Baker, N. Mazaheri, L. Ashbourne, M. VanBrunschoot and M. Currie (2000). *Best Practice Programming for Phase I Young Offenders: A Literature Review*. London: Centre for Children and Families in the Justice System.