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Emerging Adults: A look at how the needs of young ("emerging") adults are being addressed in Canada's criminal justice system

A report prepared by McCreary Centre Society for the Youth and Indigenous Justice Division at the Department of Justice Canada

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Executive Summary

This project aimed to better understand the specific needs and challenges facing emerging adults (18–25 years) within the criminal justice system. To achieve this aim, 47 young people with experience of the criminal justice system were interviewed about their experiences and for any suggestions for how they could be better served.

The experiences and perspectives of young people who participated in this project appeared consistent with current knowledge about brain development, including their assertion that emerging adulthood is a distinct developmental period where young people need tailored supports. These supports should include opportunities to develop employment skills, life skills and social skills; as well as to engage in prosocial relationships and activities.

Also consistent with current knowledge of the developing brain, young people described the negative effects of past trauma as well as of stress, boredom and isolation. Young adults who had experienced stress, boredom and isolation while serving a custodial sentence (particularly during the pandemic) and while on remand were among those calling for more opportunities to participate in programming while in custody.

Overall, young adults were generally appreciative of the programming available to them in custody and through community programs. However, they had a number of suggestions to make programming more relevant to young adults, including a focus on building employment skills and experience; as well as opportunities to develop life skills, address the root causes of their offending behaviour and participate in age-appropriate recreational and social activities.

In addition to their suggestions for greater access to programming reflective of their developmental stage, young people identified a number of legislative changes that they felt were needed to better support 18–25-year-olds in the criminal justice system. These included decreasing court processing times, ensuring young adults can understand and are able to comply with legislative requirements imposed upon them, separating them from older inmates in custody, providing an advocate to support young adults through the system and back into the community, and applying the same standards for sealing or destroying a young adult's criminal record as are applied to a youth.

Young people from vulnerable and marginalized populations felt that increased community surveillance, training and accountability would reduce the number of 18–25-year-olds who entered the criminal justice system, as would increased supports and services for youth transitioning out of government care. They also felt that young adults who did enter the criminal justice system would be better served through the introduction of specialized, culturally appropriate services, and the provision of authentic opportunities for young adults to engage with their culture.

Despite the racism experienced by Indigenous young people in other parts of the criminal justice system (e.g., within the court system), those who had served a custodial sentence were generally appreciative of the cultural programming available to them within both the youth and adult custody centres. Non-Indigenous young people also noted being appreciative of the opportunity to learn more about Indigenous culture while incarcerated.

Introduction

McCreary Centre Society was commissioned by the Youth and Indigenous Justice Division at the Department of Justice Canada to conduct interviews with a diverse sample of young people who have experienced first-hand the Canadian criminal justice system. The purpose of the project was to better understand the specific needs and challenges facing emerging adults (18–25 years) within the criminal justice system.

Young people were asked to identify the main challenges emerging adults face when interacting with the Canadian justice system, and to provide their suggested solutions to overcome these challenges. The project also aimed to consider the specific needs of young adults who identified as female, Indigenous, racialized, suffering from health conditions or disabilities (including mental illness), from rural communities and who had a history of child welfare involvement.

The project took place in British Columbia and was approved by the BC Government Ministry of Children and Family Development ethics committee. Interviews were conducted over the phone, online or in-person. Each interview followed a semi-structured script (See Appendix), and was conducted in line with best practice in trauma-informed interviewing. Each interview lasted between 20 and 120 minutes. Before each interview, participants were informed of their rights as research participants and of the voluntary and anonymous nature of the project. Participants were asked if they had any questions before being asked whether they consented to participate. They were then reminded that they could skip questions they did not want to answer and could end the interview at any time.

Objectives

The key question the project sought to answer was: What are the main challenges that emerging adults face, and what are their specific needs, when interacting with the Canadian justice system?

This question was broken down further into these more specific sub-questions:

- What are the main programming needs/issues? What are possible solutions?
- What are the main legislative needs/issues? What are possible solutions?
- Are there considerations specific to the needs of young adults who are female, Indigenous, racialized, suffering from mental illness, were involved in the child welfare system, etc.?
- What considerations arise in the context of the latest research on the brain development of emerging adults?

Participants

A total of 47 young people participated in this project. Twenty-seven were between the ages of 18 and 25; seven were aged 16 or 17, and 13 were in their late 20's. Of the 47 participants in the study, 11 identified as female, 21 were Indigenous, 13 identified as another racialized group, 5 were a sexual minority (with most of these identifying as bisexual), and 20 had experience of government care (other than a youth custody centre).

Participants' experience with the justice system varied. For example, 30 had served a custodial sentence in an adult facility; 24 had served a custodial sentence in a youth custody facility; and 13 had served a custodial sentence in both a youth and an adult facility. Quotes from young people who participated in this project are included throughout the report.

In this report, the terms *young adults* and *emerging adults* are used to refer specifically to young people aged 18–25. The term *young people* is used to refer to all participants in the project who ranged in age from 16–29.

Limitations

Many participants in this project noted that the challenges facing young adults in the justice system are often broader than can be addressed by the criminal justice system alone. They articulated the need to improve supports to children and youth who may be at risk of entering the justice system. By taking an upstream approach which ensured 'at-risk' children and youth had access to meaningful activities, supportive adults, and healthy role models, the likelihood of young adults having contact with the justice system would be reduced. Similarly, early support for mental health and substance use challenges could assist young people to avoid later interactions with the justice system. The validity of these comments is fully acknowledged. However, this report is limited in focus to addressing what may be needed once a young person has contact with the criminal justice system.

A second limitation of the project was that interviews with young adults who were currently incarcerated had to be limited to the length of time they were permitted to use the institution's phone. Calls with incarcerated young adults were also sometimes abruptly ended or postponed due to the institution going into lockdown.

A third limitation was that despite five participants in this project identifying as a sexual minority, none chose to discuss challenges and possible solutions for sexual minority young adults within the criminal justice system. It is unknown if this was due to a concern about confidentiality (for example, if the participant was calling from a custody centre) or for other reasons.

The final limitation of note was that due to the timing of the project (Fall 2022), many young people may have been recalling experiences that occurred during the height of the COVID-19 pandemic, when public health restrictions were at their strictest. For example, this may have influenced their perception of available programing within the justice system.

Despite the limitations of the project, young people appeared to be genuinely interested in participating, openly discussed their experiences, and provided their insights and perspectives on changes that might be needed.

> *"Thank you for asking for our voices, our opinions. I just want to make [adult correctional centres] better for the next generation. I want to do my part to make it what I needed."*

Background

A review of current Canadian and international literature and practices about emerging adults, conducted for the Youth and Indigenous Justice Division at the Department of Justice Canada (Kimmitt, 2021), suggested the need to consider emerging adults (aged 18–25) as a distinct population within the criminal justice system. Young adults are at a unique stage of development where they can benefit from initiatives which support healthy brain development. They can also be adversely affected by punitive interventions that can compromise healthy development.

The 2021 review suggested that a number of potential approaches be considered for this population. These included the need to:

- Provide procedural protections during investigation and charge assessment procedures and recognition of potentially reduced understanding and culpability.
- Avoid the long-term negative implications of a criminal record.
- Consider the negative impacts of detention, both from within the custodial environment and on a young person's external support structures.
- Recognize the negative impact of social isolation on the developing brain.
- Emphasize education, life and job skills training, counselling, release planning and transitional support within programming.
- Provide guidance and support in accessing community-based treatment and services for those serving community sentences.

Most of the young people who were interviewed for the current project offered suggestions which echoed those above. Their feedback is described in detail in the following pages. The first section discusses programming needs, the second considers legislative changes, and the third discusses the needs of diverse young people who interact with the criminal justice system. Findings from these three sections are then discussed in terms of brain development, before the final section offers a summary of how young people think emerging adults could be better served in the criminal justice system.

Identifying and addressing programming needs

The questions addressed in this section are *What are the main programming needs/issues of emerging adults? What are possible solutions?*

Review of current programs

When asked about programming needs, most participants focused on programs in custody. Almost all of those who had accessed programming in custody had found it valuable, regardless of whether they had served time in a youth or adult facility.

> *"We work through programs and get certificates that we can show to help with parole and gain skills."*

Programs that were highly regarded by young adults who had been in adult correctional facilities included a program that helps inmates to get a copy of their birth certificate, as well as programs that offered mental health and substance use supports and counselling. Specific programs that were felt to be helpful included Living Without Violence, Respectful Relationships, Essential Skills to Succeed, Alcoholics Anonymous and Narcotics Anonymous.

> *"ESS [Essential Skills to Succeed] really helped me to understand stuff I didn't know like learning about renting a home as I used to be homeless before I came in here [adult correctional facility] and didn't know this stuff or where to go where when I get out of here."*

> *"Substance abuse and Respectful Relationships [courses] were good. With Respectful Relationships I found there were a lot of tools that were pretty helpful about how to deal with anger management, different communication types. With substance abuse it was about how to deal with it, how to control it, how to try to change it."*

Young people also appreciated programs facilitated by formerly justice-involved individuals. For example, one noted: *"Programs where you can listen to individuals who have experience in the justice system and are doing well now. They sort of emphasize that your experience in the system does not define you and does not always limit what you can achieve in the future."*

One course that was noted to be less helpful was budgeting, as participants felt the curriculum was not reflective of young people's actual income and expenditure. However, participants who were critical of this and other courses stated that they would still rather participate in the course than stay in their cell.

Young people who had experienced both youth and adult custody were divided as to whether their programming needs were better met in one setting or the other, with some preferring the less academic focus of programing in the adult system. However, they nearly all agreed that youth custody took a more therapeutic approach to programming. A few also said that the youth system provided more comprehensive mental health support.

> *"In the adult system we got more useful programming. There is violence prevention, H2S, forklift certificate, and first aid. That stuff wasn't offered in juvie. When I was there [youth custody], it felt like all that was available was school and on-unit work."*

> *"In juvie, they give you the opportunity to do those things like job and life skills, and they try to prepare you to get out and start your life again. But if you've been to juvie and you transition to adult, it's like they give up on you."*

A couple of emerging adults who had experienced both federal and provincial adult corrections felt the programming was more comprehensive, better quality and easier to access in a federal prison than a provincial one. For example, one noted that they had received needed substance use counselling weekly while in a federal facility but this was reduced to once every three weeks when they were in a provincial custody centre. Another stated: *"Provincial programming, it is out-dated and repetitive and they play the same videos from the 80's all the time. Federal programming is more advanced and they modify it depending on your needs and wants…In the provincial, they don't even inform you on the types of programs and supports that are available so it's difficult to know what can even be requested. It would have been nice to have known what programs and supports were available*."

Indigenous programing was praised by both Indigenous and non-Indigenous young people who had experienced it, and was felt to be a strength of both the youth and adult custody centres. Indigenous young adults who had served a custodial sentence in an adult facility were appreciative of the range of Indigenous specific programing on offer including the opportunity to connect with Elders, smudge, participate in talking circles, and engage in traditional arts and crafts. One explained:

> *"There's like 25 or 30 Indigenous modules, and I've done them all…I really enjoyed doing the Indigenous modules. Each module had a meditation and had knowledge based on the different directions – North, East, South, and West. I learned about totems, drumming, cleansing, and the Seven Sacred Teachings. It was amazing stuff... I didn't know anything about my heritage or culture before custody. I think that's the best thing I've gotten out of this - knowing more about my culture."*

The value of providing opportunities for non-Indigenous young people to learn more about Indigenous culture was also noted. For example, one stated:

> *"Before, I didn't really care about Indigenous people, but getting locked up there are so many more Indigenous people. They're overrepresented. But I learned a lot more about their culture and traditions, and I realized that I don't have any rights to this land. I think that's one of the few things that doesn't need to change in prison is being around many different kinds of people, and learning from them—it helps build empathy."*

Indigenous young adults who had served a community sentence were also grateful for the opportunities that had been provided for them to connect to their culture, and felt this was an important part of their healing.

Identifying programming needs

Despite generally appreciating the programming they had experienced in custody, young adults overwhelmingly felt that their time in custody had resulted in them returning to the community lacking the skills, employment experience and social references their same-age peers who were not justice

involved had gained. Those who had progressed from youth custody to the adult system were particularly concerned that they had missed out on many of the basic skills and employment experiences they needed to succeed in the community. For example, those who had not had a part-time job as a teenager felt they had not learned job-related skills such as time management, self discipline and team work. They felt this meant that they could not compete for employment opportunities with other young people who could list this type of work experience on their résumé.

> *"I never learned how to do things like put together a résumé or renting an apartment, so it felt like I was just set up to fail…Young adults would benefit from programs and helpful skills specifically aimed at them to get into life after they get out. Otherwise, it's like 'why are you 25 and haven't had a first job?'"*

For many young adults, time in custody was a time when they were sober, away from negative peer influences, planning for the future, and receptive to making positive change. However, they felt that opportunities to engage in productive employment and education programs were being lost while they were incarcerated. This had been exacerbated during the COVID-19 pandemic when their access to programs had been severely restricted and left them feeling bored, frustrated and that they were falling further behind their non-justice-involved peers.

> *"The first time I was here [in custody] everything was alright. There were programs and activities, and things to do. My second and third time were worse because they got rid of everything because of COVID."*

> *"They say they offer a 'ready to rent' program but I've never actually seen it offered… They just keep offering substance abuse courses. I've done the substance abuse course four times but housing is my big issue. If I don't have a place, I'll just end up staying with one of my friends and probably relapse and start doing stupid shit again."*

Addressing programming needs

Young people were asked if they had any suggestions as to how to better meet the programming needs of emerging adults.

<u>Ensure age and stage appropriate programming is available</u>

Young adults felt they would benefit from programming that was specifically targeted at their age range, and which reflected where they were in their individual developmental journey. Reflecting their comments earlier, young adults wanted access to programs that would help them develop the employment, education and life skills that their same-age peers outside the criminal justice system were accumulating, and which would assist them to be an independent, contributing and successful member of the community. Some also suggested that specific training—such as naloxone administration, First Aid, and cooking healthy meals on a budget—would provide young adults with practical skills which would be useful to them after leaving the criminal justice system.

> *"I was hoping for more activities and more educational programs just for when you're under 30 'cause there's not much programs for young adults… I still feel young and like I don't know a lot… you're scared to sound stupid or dumb around older people when you're young."*

> *"I really liked meditation and arts and crafts. All these old guys kept calling me 'fag' or 'queer.' Look, I love shit like meditation and I don't really give a shit what they think. I'm trying to be a better version of myself. But they're so stuck in their ways and they're never going to change."*

Young adults currently in custody frequently noted wanting programs which provide opportunities to participate in current popular social activities, such as playing specific video games or watching current popular movies. This would not only offer them stimulation and social connection while in custody but would ensure they could connect and have things in common with other young adults in the community after their release.

Young people serving both community and custodial sentences wanted programming that provided opportunities to learn and develop healthy relationship skills, including through engagement in prosocial leisure activities. For example, one young adult serving a community sentence spoke of needing a balance of working with program staff to understand and address their offending behaviour, while also having opportunities to develop social skills and participate in social activities where they could "*have fun and relax*." Another who was serving a custodial sentence suggested supports for young parents:

> "*Parenting classes would also be good. It's tough having kids at a younger age. You need to learn how to better yourself to be a better parent and better person overall – son, friend, boyfriend, husband, etc. It could look like a group that meets up once or twice a week and exchange stories – plus a worksheet maybe. Everyone is supporting each other, rather than there being this fight-or-flight mentality there could be space to gather together and connect."*

Participants regularly cited boredom as the hardest thing to deal with when incarcerated. Several also noted that younger adults seemed to struggle with boredom more than older ones. All felt that they should have additional opportunities to exercise, expend their pent-up energy and keep busy.

> *"Before COVID, I was doing work in the kitchen…it was pretty awesome and I got really good at cooking...Right now, I spend most of my time just watching TV, playing cards, there's not much going on. I do wish there was more going on to pass the time, because if not we're just shittin' away the day."*

One young adult felt that counselling programs should be adapted for 18–25-year-olds to reflect their unique developmental stage.

> *"Counselling should be available but with specific elements in place for younger people in custody, and the counsellor should understand that not everyone is the same and you don't think like a 40-year-old 'cause you are still working through trauma and [other things]."*

<u>Allow young people on remand to participate in programming</u>

A few young adults noted that they had been on remand in an adult correctional facility for an extended period of time. During this time, they had not been allowed to participate in programing, which had left

them feeling *"forgotten"* and "*like [they] don't matter."* Being excluded from programing also led to feelings of boredom, isolation and frustration which young adults said had been detrimental to their mental health, as well as to their chances of acquiring the skills and tools they would need to prevent them from reoffending. They recommended permitting remand prisoners to fully participate in programming.

> *"I got remanded for so long and I didn't get a chance to do none of the programs they give the guys who have been sentenced. I didn't get to experience the substance abuse stuff, anger management, none of it. So, then the remand guys go back out into the community worse than they came in and go right back to doing drugs because they didn't get any of the help they needed… It would be better if there were some programs for people on remand because you don't get any programs at all. In the remand units, you're basically just fed three times a day and can visit the canteen and talk to people. You can order puzzles and once you're done one puzzle you can just order another. But that's it. You start to kind of lose it a bit and you can't get any help."*

<u>Focus on building employment skills</u>

The majority of young adults who participated in this project spoke of the need for more opportunities to build their employment skills. Young men in particular emphasized the importance of having a job to reduce their chances of recidivism, and of wanting to acquire the skills and experience in custody which could help them to secure and maintain employment when they returned to the community.

> *"I just did a roofing course [in custody]. Got my first-year ticket for roofing, so that's pretty good. It would help if they would do more stuff like that. I think if they offered more trades programs, things that would help for when we get out, that would be beneficial."*

> *"One thing I could say is we need more job skill trainings…any kind of training to help us younger ones get a job when we get out. Before, I personally would go to Bladerunners or Bridges [Bridges to Employment Program]. They personally help with job training and helping you get to different job sites and help you get equipment. A lot of guys don't know about those programs, so it would be good to have those kinda things here [in custody], too. Or maybe a connection to Bladerunners or Bridges or something…like they come and present to the guys. I think it's all been a really big help when I get out*."

The opportunity to engage in paid employment or work release programs was also felt to be particularly beneficial to emerging adults, including those on remand. In addition to building valuable skills and experience they could add to their résumé, young adults could earn some money which could help to set them up when released from custody. One specific suggestion was to have a coffee shop run by young adults serving a custodial sentence where those who had limited or no previous work experience could learn the demands and responsibilities of having a job, develop barista skills and make some money. Another suggestion was the following:

> *"Young guys need work programs where instead of being locked in a cell all day, they create a program where you're going to a full-time or minimum wage or labour job. Like, hey, you can either sit in your cell all day or actually work instead of just wasting away. There's lot of*

warehouse jobs open, so why don't you take a bunch of the young inmates—the ones that have proven themselves to be fit and sane—to work at a warehouse for like five hours. Somewhere where you're getting skills but also where you're actually making minimum wage that you can keep for when you get out."

Young adults serving a community sentence also wished there was a greater focus on building employment skills and gaining work experience.

"I want to be a carpenter or a woodworker…an artist…or something like that and when I was in custody, I learned how to do those things. We don't have that stuff here so yeah; I wish we had those things so I could keep learning and getting better… I want to earn some money and also, I want to get some job skills. I've never had a real job and I'm afraid I won't have any skills. I'm 18 and I'd like to at least have something…something to show for myself."

<u>Offer relevant educational courses</u>

Young adults with experience of the adult criminal justice system noted that while many of their same-age peers were graduating college or trade school, those who were incarcerated had often not graduated from high school. They felt that custody could offer a wider range of opportunities for young adults to continue their formal education. This included being able to pick up their studies from the point where they left off in the community, and having opportunities to pursue specific courses they needed for their career choice.

"I wish there were more learning programs, especially for the younger people when your brain's still fresh and you're not totally messed up, just to give you a shot at some kind of job or something. I wouldn't mind doing my school here again and just graduating. It helps open doors for when I get out and that's all I'm focused on."

"I'm moving through the courses too fast and it feels like I'm being held back. I want to do a science course but they don't offer it. If I can't do it now, it means that I'm gonna be spending my own money to catch up later."

Participants also suggested access to more educational resources which directly related to employment qualifications, including textbooks and other resources that could help them to get various types of commercial driving licenses. A few suggested that courses supporting young adults to gain skills in jobs where there were labour shortages would be particularly beneficial. They felt this would increase their chances of securing employment, as they perceived employers may be more willing to hire candidates with a criminal record to such positions.

Several young adults noted they had been completing an educational course or program prior to being discharged from custody. When they later returned to custody, they had to start the course again, meaning they had often done the same curriculum multiple times. They suggested that programming records could be kept which documented their progress through a course, and would allow them to pick up where they had left off, if they returned to custody. This would increase the likelihood of them completing the course.

Address trauma and other root causes of offending

Participants spoke of the need for a more therapeutic approach to programing for young adults where they could work on the root causes of their offending behaviours such as trauma, mental health challenges, substance use and the impact of poverty. This would include increased access to counselling and appropriate therapy.

> "*It's called a corrections centre, right? They're not correcting anything. They're not correcting the things you need to not re-offend."*
>
> *"I felt like I should have been placed in a treatment centre for addiction instead of being placed back in custody. There's not much support in custody for those struggling with addiction. There's a drug and alcohol counsellor but they will only get you so far. There needs to be more programming around addictions and mental health."*

A couple of young adults suggested a need for programming which could support 18–25-year-olds to work through the specific trauma and challenges of having a family history of criminal justice involvement. They felt such programming would assist young adults to understand how their relative's relationship with the justice system might have impacted their own behaviour.

> *"One of the biggest gaps, especially for young people, is that there is no active programming for family issues, like to respond to past trauma or the potential trauma that can come from having a loved one incarcerated… That kind of support could really help some of the younger people who are less stuck in their ways. They might be more open to change, more malleable."*

Develop and maintain links to community

Young adults appreciated programs in custody that they could continue in the community, and wished there could be more of these programs. For example, one described how being able to access Narcotics Anonymous in custody helped prepare them to access this support when they returned to the community. This continuity had in turn assisted them to maintain the sobriety they had established while in custody.

Young adults who were currently incarcerated wanted opportunities to establish links with the local community during their time in custody, and to contribute to that community.

> *"I was watching a documentary about a jail in the US and the inmates trained service dogs or seeing eye dogs. I think it's good for giving inmates some meaning in their day, but it also makes a difference… That was a women's jail and it gave them more skills for when they get released, and also meant they had a connection to the outside."*

Those who had experienced such opportunities had appreciated them. For example, one Indigenous young adult spoke of the satisfaction and pride he had felt from making baby moccasins which were donated to single mothers in the local community. He felt like this was a way for him to contribute to that community.

Participants also noted the importance of establishing links within the specific community to which a young adult serving a custodial sentence would be released. They felt that through opportunities to build connections, young adults could receive support to find accommodation and secure employment in the community prior to their discharge.

> *"One free [phone]call a day would help for inmates that are trying to set up their life…to be able to call landlords or job sites. Nobody wants to accept a [collect] call from prison – it's too expensive. If guys could make a call a day, they could slowly set up everything they need for when they get out."*

Young adults from rural communities spoke of the need to be able to maintain connections to their home community. They felt that an enforced separation from their home and family could be particularly challenging for young adults, as this was a time in their life when they were maturing and changing.

> *"It's too far for my aunties to visit, and too expensive. They have to save for it to come down here. I could call them but I just miss them more, so I don't do that a lot. I wish I could see them more…be closer to them. My family are a big part of my life and I feel like that's really missing. By the time I get home, it'll be like a year since I left, a lot happens in a year. You grow a lot. I'm a different person now, and sometimes I'm afraid that they're going to be different too."*

<u>Provide access to nature</u>

Several participants with experience of adult correctional facilities spoke of a desire for more outdoor programming and access to nature. They also suggested reducing the concrete in the outdoor spaces at such facilities and adding more greenery, including trees and gardens.

> *"No adult inmate ever really gets to see the grass. Even when we're outside, we're like in a zoo pen, with four concrete walls. Humans need nature. We need to be able to touch a tree."*

Indigenous young people with experience of adult correctional facilities also specifically noted wanting the opportunity to have a greater connection to the land and nature during their time in custody. For example, one stated:

> *"We need more out programs like gardening and taking care of the land. I'd even do it in the [correctional centre] yard. Just having more knowledge, more First Nations knowledge and sharing of medicines and ways that we [Indigenous people] used to live, and looking at how to work on [growing] traditional foods."*

<u>Provide an induction and advertise available resources</u>

Young adults talked about the need for an induction program which they could access when they first entered custody. The program could explain the rules of the institution, their own personal sentence requirements, the programming available to them, and how to access the programs and services they might need.

"I know people try to prepare you for the transition back into your community, but what's harder is the transition into your sentence. All of a sudden, you're thrown in jail or have to move to a care home and you don't know what's happening or what to expect. It can be a really hard transition."

Young adults also commonly noted that when in an adult correctional facility, they had missed out on programs because they were unaware that these were taking place until it was too late to secure a place. Their suggestions to improve awareness included providing information booklets, as well as having posters throughout the facilities. These resources could highlight when the program was being offered, how to register and how it could be useful.

"It's not fair, you only hear about [programs] from other inmates, but it's not advertised. There's no pegboard saying, 'this is what you can do.' So you fill out a form, but the old guys have taken all the spots already."

Provide consistent and up-to-date programming

Several young adults noted that programs they had found particularly beneficial were often impacted by a lack of staff or resources, which had been exacerbated since the start of the COVID-19 pandemic. Examples included woodwork and employment training programs such as forklift driving. This meant there were long gaps when the program was not offered, or it was cancelled altogether. A couple also noted that the curriculum should be updated, as often if they repeated a course, possibly outdated materials were still in use.

"All [the courses] are pretty useful but they should be updated. Respectful Relationships course was from 2018. They just need to update everything to get more people to take it and then get better feedback."

Learn from successful youth custody programs and approach

Almost all participants who had experienced youth custody felt that there were practices and programs in the youth system that would be beneficial for young adults in the adult correctional facilities. These included pre-employment skills programs, group activities such as baking and decorating for special occasions, and access to a range of sports. They also appreciated the relationship building between residents and between staff and residents that was part of their experience in youth custody. Among those who had experienced both the youth and adult custody systems, even those who felt programming in the adult system had been the most beneficial had appreciated the trauma-informed, therapeutic and respectful approach to programming that teachers and staff took within the youth system.

"Working out outside and doing sports, especially group sports like the Terry Fox run, are really good in [youth custody]. I think you really need that sort of thing when you are locked up, especially when you are young."

Support with transition planning

Young adults who were nearing the end of their custodial sentence noted feeling anxious and under-prepared for their return to the community. They were scared of returning to the behaviours and peers that had led them into conflict with the law. Some spoke of having no transition plan, no discharge address, and not knowing what to expect when they left custody. Without support to address these issues, they feared they would likely return to custody. Several also noted that although they had found the addictions programing useful while incarcerated, they did not feel they had received sufficient access to substance use supports to make a difference to their behaviour when they got out.

> *"People are not prepared for that transition. They are just told that they're getting released and there's no plan or nothing. They just ask you if you want a bus ticket or a cab to take you where you need to go. But if you don't have a place to go, you're just lost. I'm nervous for when I get my release. I hear all the others' stories because they just end up right back in here…You need help to prepare for going back out but you don't get it and then you come right back here."*

> *"At our age we need structure and support to make changes to yourself when you come to custody. 18–25-year-olds need to be given support on how to prepare to transition back out into the community."*

Summary

Young people were generally appreciative of the programming available to them when they were able to access it. In addition to suggesting better advertising and availability of programs, they had a number of suggestions to make programming more relevant to young adults, including increasing the focus on building employment skills and experience; as well as providing more opportunities for young adults to spend time outside and in nature, develop life skills, address the root causes of their offending behaviour, and participate in current age-appropriate leisure and social activities.

Identifying and addressing legislative issues

Young people were asked about their experience with the various parts of the justice system and about any legislative challenges they may have experienced. They were also asked to envision any changes they would like to see to the ways that the law is applied to 18–25-year-olds.

Identifying legislative needs

Lack of support to comply with legislative requirements

Young adults discussed the challenges they experienced to complying with legislative requirements. They often felt like they were set up to fail. They did not have input into the conditions which were imposed upon them, and subsequently were unable to comply with the requirements. For example, the most common way participants who had been on probation described their probation conditions was *"unrealistic."*

> *"They read out all these things I couldn't do, couldn't carry weapons, couldn't see him, couldn't go here or there, couldn't use weed. And I said to my lawyer 'can't use [expletive] weed? Are they kidding me?' I can't [expletive] do that, but he told me I just had to say 'yes' and then not get caught – this was back before it was legal. But WTF they set young people up to [expletive] fail. I needed weed to stop me using the harder stuff but they never bothered to find that shit out or know me…. No weed? How [expletive] unrealistic was that?"*

> *"I think some probation orders should be more flexible and take into consideration that life doesn't always cooperate. Like when my probation officer calls me and I either miss it or I'm late for the call, it doesn't mean I'm doing anything bad. Sometimes things just come up, like my bus is late. I wish there was more flexibility or that it was more realistic for real life or that there were other ways to see that I'm doing okay."*

Lengthy processing times

Experiences of stress and frustration at the length of time their court case took was common among all those who had been through the court system. Participants felt it was particularly detrimental to those aged 18–25 because this was a developmental stage where individuals would typically be in education or working towards a career path. A pending court case put these activities in jeopardy and left them feeling unable to make plans, or commit to school or work while they waited for a court date.

> *"The most frustrating thing was how long it took to get through court. It was like two years of my life just waiting. It felt odd to just wait for this big thing to happen but to also keep going with life…I got a girlfriend and an apartment and just kept moving forward with life, but I also really wasn't able to stop thinking about [the court case] and what would happen to me. It was like…you'd get new court dates every four months or six months…I was already forming a life of my own and the whole thing was so drawn out. The waiting was the worst experience of it all."*

"It doesn't feel like you can start to make amends until you start your sentence."

One young woman who had transitioned out of government care, found a place to live and was attending school when she was arrested. For her, the length of time it took for her case to be dealt with derailed her plans and severely impacted her mental health. She dropped out of school as she was reluctant to continue paying for classes in case she received a custodial sentence and could not complete them. This increased the stress of waiting for the court case, and her deteriorated mental health also meant she could not work, lost her housing and was at increased risk for further justice involvement.

"*It takes so long for anything to go to court. It ruins everything. It is just hanging over you. I had paid for school and got a loan but then had to stop going so I lost my money and still had the debt for nothing…By the time it actually went to court I was homeless again…The [criminal justice] system messes with your head and takes so long that you can't do anything else. You can't plan. You can't do it. You are just in limbo."*

Young people who were held on remand in custody also shared the detrimental impact on their health and well-being of waiting for their case to be tried. For example, one spoke of the mental stress caused by the uncertainty of not knowing how long they would be on remand, as well as the effect on their mental and physical health of not being allowed to participate in programming and of spending most of their time in their cell.

<u>Lack of understanding of legislative processes</u>

Many young adults noted that they had little understanding of the legislative process they were going through or what their rights were. They commonly noted they had not understood what was happening when they were in court, and had been too intimidated or overwhelmed to ask. Most felt they just had to put faith in their lawyer, and hope that the lawyer was competent and would act in their best interests.

A few youth who had not received a court-appointed lawyer and had sought one privately did not realize that lawyers specialized in different areas of law. They had subsequently realized they were being represented by a lawyer who did not have familiarity or expertise in the area of law relevant to their case. They had also been unsure if or how they could replace their lawyer.

Some youth were unclear of when they would be considered an adult in legal terms, and under what circumstances they could be sentenced to adult custody. For example, because the age of majority is 18 federally but provincially it is 19.

A couple also stated they had been surprised that when they received a custodial sentence they were taken straight from court to custody. They had not understood that this was how the process worked and had anticipated having time to prepare after being sentenced.

"Having more information from my lawyer would have been nice. We didn't talk too much and I wasn't sure if I could have just called or texted or emailed my questions…I felt scared because I wasn't sure what could happen to me."

Being housed with older adults who have extensive experience in the justice system

Young people shared their concerns about being housed in an adult correctional centre with older inmates who often had extensive criminal records and whom they described as "*running things*" within the centres. They felt that younger inmates were vulnerable to violence, intimidation and bullying, as well as to being influenced into continued or escalating criminal behaviours. They shared how scary it can be for a young adult, especially first-time offenders, coming into a centre with those who have a long history of criminal or violent behaviour.

> *"I know for me that if I go into a very criminally integrated environment or justice system that's what I am going to do and be influenced by… I think going into an adult environment with first time offenders or repeat ones, those crimes are going to go up exponentially...I just don't think it's a healthy thing for ages 18–25 to be in with adults."*

> *"When I was a youth [in an adult correctional centre], I experienced some really crazy shit, like people beating up other people and forcing guys to beat up other guys for them and other crazier shit I won't tell you. Because I was just a kid, I got shit on all the time. I was weak, not just like physically but like your mind too. I was just a kid and yeah, I got the shit kicked out of me all the time. That was a big part of my experience."*

Addressing the legislative needs of young adults

Young people were asked to provide their suggestions for any changes to legislation which they felt should be introduced to better serve 18–25-year-olds in the criminal justice system. A couple of young people who had spent extensive amounts of time in custody struggled to conceptualize what a different system might look like. Others were quick to point out the challenges with current legislation and policies and had suggestions for change.

> *"Have a system that supports you, not puts you down…Can't we fix this without sending people away? Sending people away fixes nothing."*

Among the most common suggestions were to impose a time limit on how long a young adult's case should be allowed to take to get to court; and to ensure courts did not impose conditions which the young person could not realistically comply with. Other suggestions are discussed below.

Provide an advocate for young people going through the system

Young people spoke of the need for a navigator and/or advocate who could support them through the whole justice process, from their entry into the criminal justice system to their transition out.

> *"They never explained anything to me…. When I did see a judge it was done so quick that I wasn't able to get an explanation of what was going to happen. The sentence happened but I never had any information leading up to that…The Sheriff just told me that they were going to*

put me in a holding cell, but didn't explain why and didn't tell me how long I was going to be there. I was in there a whole day, at 4:30pm I was told I was going to court, but I never did. They took me out at 5:30/6 and back to a facility and the next day I appeared on video court…. It would have been helpful to have someone who could explain what was going to happen better. They told me I would be seeing duty council but then I didn't and no one ever explained why."

Those who had a lawyer who explained things to them or another supportive adult who helped them through the court system felt this was beneficial and should be available to all young people.

"All people, and definitely the youth, should have someone to tell them what is happening when they are in court. Without my lawyer I would not have understood what was being said...[the judge] could have done anything to me without my lawyer."

However, some also provided the caveat that the person in this role should be independent of the justice system so that the young person could be open and honest with them. The role could also include providing some oversight to ensure the young person's lawyer was acting in their best interests.

"This was the first time I'd went through the system so I didn't know what was happening or what I should do. I would suggest there could be someone to help guide you through the system and let you know how to find the right kind of lawyer and what you can ask for and to let you know your rights. Like a guide or an advocate. Not another lawyer but someone who knows the system and fights for you."

Some young adults felt that they could advocate for themselves if they had someone to help them develop the knowledge and skills they needed in order to do so.

"Younger adults usually don't understand the system or their rights as well, and need more support or education to advocate for themselves."

Some young adults felt that providing easily understandable written material would be helpful. The materials could explain what happened as at every stage of the justice system, and provide contact details for potentially useful resources.

"They should give you a package that breaks down the court process and explains how everything goes."

<u>Provide material assistance to those in need</u>

Several young people spoke of missing their court date, probation appointments or other justice related appointments because they lived in rural communities and had no access to transport or were homeless. Homeless young people struggled to keep track of time and their commitments, while having to focus on meeting their basic needs. Their suggestions included being able to schedule appointments at times when they could get a ride, providing financial assistance or transport to assist them to make appointments and offering alternative ways for them to check in.

"It was such a long drive and not only that but I don't have a cell phone or a way to know what day it is. I'm homeless, I don't have a [expletive] calendar. I don't know what time or day it is. I have

to check in with my [probation officer] in person, and I can't always make it to her office. There's no bus and I don't have a car and I can't always get someone to help me and drive six hours, wait for me, and drive six hours back and I don't have any gas money. Who's gonna really want to help with that?"

Have specially trained staff to work with emerging adults

Young adults suggested that judges, lawyers, corrections staff, probation officers and other key staff within the justice system should receive training on how to work with young adults. The training should include information about how young adults can be supported to reach their developmental milestones, as well as how to ensure young people understand the conditions of their sentence. Such training could help these professionals to understand the needs and aspirations of young adults, as well as the social environment they are living in. They also suggested that youth workers or other similar types of support workers could be employed within the criminal justice system, as they are familiar with working with young people and understand their developmental and social needs.

"Probation officers are often there to just check boxes. Maybe if a youth worker could be attached to probation to do the emotional support that young people need? It would be cool to have a youth worker that knows the justice system to support people through it."

"I think there could be better training for the probation officers, or maybe just updated training…By updated training I mean, for example if they're going to breach someone, explain what the breach is for and what the consequences are. I had a probation officer that didn't tell me they were breaching me but just put out a warrant. I heard a bang on my front door and my house was surrounded by police. But I didn't even know I had breached probation."

Separate young adults from older ones

Young people who participated in this project were asked how they felt the criminal justice system should handle young adults. Although the vast majority felt there should be accommodations made for this age group, participants were not unanimous on how this could look. A majority were in favour of having a separate system for 18–25-year-olds, while a minority either favoured keeping young adults within the current adult system or incorporating them into the juvenile system.

Expand the age for accessing youth justice services

Young adults who had received an adult sentence before the age of 19 (the age of majority in BC) reported being shocked to realize this was possible for the offence they had committed. Others felt there were inconsistencies and confusion about who could receive an adult sentence.

"My first experience was as a youth but I got trialed as an adult for some shit that wasn't that serious. I thought I was going to get to go to juvie but they sent me to adult, and I swear it's the

reason I'm here now. I could've just had some counselling, maybe some AA or something like that and I swear I wouldn't be here [in adult corrections]."

One 18-year-old who had been told he might be sentenced as an adult but was ultimately sentenced within the youth system felt that it was a contradiction that he could have received an adult sentence. He suggested that the youth system be extended at least until a person's 20th birthday:

"It's confusing because 18 is considered adult but there's so many adult things you can't do, but you're an adult in court? You can't even get a credit card or drink, but you can be tried as an adult. It's weird because I'm 18 so if I went to court now I'd be an adult, but I feel more like a teen but I am still learning about adult life like taking care of myself. Eighteen and 19 are a bit more like youth than adult, so it makes more sense to have them with other teens."

Some young people felt that it was a good idea to increase the age of eligibility for youth custody, especially for first-time offenders, non-violent offenders, and those with health conditions and cognitive disabilities, such as Fetal Alcohol Spectrum Disorders (FASD). They felt this was developmentally more appropriate because compared to adult correctional facilities, youth custody was more therapeutic; there were more programs available aimed at younger people; and there was a sense that the staff still believed in young people and encouraged them to succeed.

"You should increase the age of youth justice to 25. I don't see any con to that. There's more to do there, and the way that juvie looked…the building looks different. It is more comfortable. Less over-crowded. It's better for people. This place [adult correctional centre] could really use some tips."

"I think it would be a good thing to up juvie to 25. I don't think just because you're 19 you're an adult and that you should be expected to know right from wrong."

Despite the views of those expressed above, the majority of participants in this project did not think extending youth custody to 25 was a good idea. They were concerned about the negative influence which people in their early 20's might have on younger youth. Also, youth who were currently in youth custody did not wish to see the centre's age eligibility extended to 25 as they feared being around young adults who had committed serious crimes or who might recruit younger youth into gangs or sex trafficking.

"I think it would be bad for 25-year-olds to be here [in youth custody.] I think they would be mean to younger youth, and a lot of grooming. I just think it's not a good idea if we want to protect the younger kids."

"I think even having the court be from 12 to 25 would be difficult, if there are youth in court seeing their peers doing crimes that are more serious but getting lenient or 'youth' sentencing could bad."

One 18-year-old who was serving a community sentence also raised some concerns about extending the age range of the program, stating:

"Some of the workers here are like 21, 22. I don't think it would be right for people who are 25 to be here and to be helped by people younger than them. And I don't think I'd want to be with 25-year-olds. It could be intimidating."

Accommodate young adults within adult correctional centres

Several participants felt that 18–25-year-olds belonged in the adult system. For example, one young adult worried that they would have continued to commit offences until the age of 25 if they remained in the youth justice system. They did not see the risk of spending time in youth custody as a deterrent, but did not want to risk going to adult corrections.

A few of those who felt that young adults belonged in adult corrections did feel that they should be housed in separate units "*away from the older, harder inmates."* They felt that these units could offer young adults opportunities to access the types of therapeutic supports and life skill programs that were available within the youth justice system, but tailored to young adults.

"You could have a section [in adult corrections] for youth up to 25, and in that section of the jail they could have more social/emotional support, more things for rehabilitation. That way they're not in the youth system anymore so that it is a bit more serious, but they're still getting support with things like education and life skills."

"A separate system for young adults may be beneficial but doesn't feel practical. What is definitely needed is more supports for young adults in the [adult] correctional centres, especially at the provincial level. They need compassion, they need support, and they need access to psychiatrist support and job skills."

Although the majority of participants felt young adults should not be housed with older ones, one young adult felt that there were benefits to allowing young adults to mix with older ones. In his experience, older inmates could help to calm the younger ones down and be good role models.

Have a separate system for young adults

As discussed above, a minority of participants in this project felt that either the youth justice system should be extended to include young adults, or that young adults should continue to be served within the adult system. However, the majority felt there should be a separate system for emerging adults. This system would be tailored to their developmental stage, and also take into account factors which might affect their individual developmental journey (such as FASD or trauma). They felt that a system which specialized in working with young adults would be able to recognize their increasing maturity but also have a greater understanding of the types of mistakes that young adults might make.

"It would be a brilliant idea to have a separate young system for 18- to 25-year-olds. The challenges they face are unique…they're different than teens and someone in their 50s. As a young adult, our actions are usually a product of our surroundings and the people we look up to. Our actions reflect how we were raised. When you're a young adult, you're not yourself in most parts because you're changing in many ways, all the time…We need a young adult system that

understands our struggles and that can have more flexibility to change with time to understand trends of young adults…like with phones and social media, what was not normal a few years ago and is normal, so we need a judicial system that can be flexible to those changes."

Young people's suggestions included having separate courts for young adults, with judges and lawyers trained to work with this age group.

"Judges are used to dealing with older people and currently courts are seeing us as adults but we are not adults. Yes, you are a youth but still childish in a way. It would be better to be more lenient with sentencing for youth in that [18-25] age range."

"It's an age range that is still young, and they may get more support and help if things were separate. You might get a better chance to get sentenced to community service with probation. I think if courts and judges were separate it would have a better effect on the sentencing."

Having a separate court system would allow judges to impose conditions that were more reflective of the lives of the young adults who appeared before them. With a specialized court, the professionals involved would gain expertise in which sentencing options were likely to be most effective.

"[For young adults] I think there should be more relaxed supervision, not so strict. It should allow the person to at least have a chance to better themselves in the community…. For example, if there is a condition that they are not allowed to have a cell phone, at least give them an option to have one in some way, or access to one at certain times. It's so hard to make a living without access to a phone."

Most participants felt that a separate custody system for young adults would be beneficial. Several young people drew parallels with the education system. They felt that the way that formal education is separated by age groupings could be replicated within the criminal justice system. Creating a system based on age groupings would also address young people's concerns about the negative impact older offenders could have on younger ones.

"I think [custody] should be separated like in high school – like you have middle school, high school, and college. For the younger guys, you should have guys who are within 3 to 4 years of each other. Juvie is middle school and adult is college but there is nothing in between and you need that."

One 22-year-old noted that most people his age had not yet lived independently. He suggested that a separate custody system for 18- to 25-year-olds could focus on supporting young adults to develop independent living skills. Another young adult shared:

"I saw a documentary once where the inmates had little cabins or small houses that they had to take care of, and it helped give them life skills and learn to live on their own. I think that's a better way to deal with inmates than just locking them up, especially for younger people who maybe haven't ever lived on their own. I think they [the justice system] need to deal with the shit that make people offend, but also need to teach them how to actually live in society."

Focus on community sentencing and alternatives to custody for 18–25-year-olds

Regardless of their views on which type of custody system might be most appropriate for young adults, the majority of participants in this project felt that community sentencing should be the 'go-to' sentencing choice for 18- to 25-year-olds. They felt that young adults should only receive a custodial sentence if they were considered too dangerous to be in the community.

> *"For younger people who maybe don't talk to people or have social anxiety you put them behind bars and they're not going to thrive. They need support and connection. They don't just need to be punished. They need to be supported to understand why they do certain things, and understand how to change it."*

Young adults who had been at risk of a custodial sentence but had been given a community sentence spoke of the value of this. They explained it was invaluable to be able to address their offending behaviour and learn new skills, while simultaneously continuing with schooling and employment, and maintaining their housing and social connections. They felt that the support they were receiving while serving their community sentence was assisting them in their transition to adulthood and should be offered to more young adults.

> *"Going through [community sentences] is a lot better because it helps you learn a lot about adult life and taking care of yourself...I'm slowly learning how to be an adult like manage money and get a license and all that, and they're life skills I think I need and I think are really important to learn that you wouldn't get in jail."*

Similarly, those who had served or were currently serving a custodial sentence spoke of the detrimental effect this experience had on them at a key development stage in their life. They commonly spoke of feeling like the time they spent incarcerated put them behind their peers developmentally when they were released.

> *"The hardest thing was catching up when I got out. I thank God that I am starting to catch up now, but I would say that it has been a challenge because during those three years I was in jail, most of my peers [outside jail] had families, they have big projects, and they are way ahead of me…Regardless, though, your life is affected and you lose that time to move forward."*

> *"At 18–25 those are the years of your life you should be building not sitting in jail. Those are the years you make who you are. I have two kids and I am missing out on a lot. It also puts a lot of stress on everyone around you."*

Expunge the record of an 18–25-year-old

Participants suggested that young adults with non-violent offences should be able to have their criminal record sealed or destroyed. Having a criminal record was a major barrier to employment and stopped young people who had made an immature mistake from moving forward with their life.

> *"One thing I don't like about the adult system is that your criminal record stays with you forever. So for an 18 –25-year-old, the most important thing would be to give them an option for their criminal record to be absolved…I have one friend who has a criminal record for something minor*

when he had just turned 18, and every time he has to do a criminal record check for a new job it's embarrassing that he has to disclose it every time. It can really harm his job opportunities. I don't think that's right…. If you complete your sentence and then your record gets wiped, that's almost more important than custody and probation or separate courts, etcetera."

Increase post-release support for young adults who have served a custodial sentence

Young people shared stories of being released from custody into homelessness, unemployment and with little to no money or essential supplies. For these young people, this created a cycle of committing crimes to address their basic needs, returning to prison and then going through the whole cycle again when released. Some felt they would likely continue to interact with the justice system throughout their adulthood until this was addressed. They suggested it should be mandatory to ensure all young adults are supported to successfully transition out of custody. For example, by ensuring they have a safe address to go to, setting them up with employment, and supporting them to access needed services in the community. Those who had experienced release from custody shared examples of feeling lonely, isolated and ill equipped for life back in the community. They wished they had received more support to access stable housing and any needed mental health and substance use services, and to navigate community life.

"When you get out like you have no [expletive] clothes or money to rent an apartment. Every time I get out, I take my welfare cheque and have to buy everything over again. Clothes, toothbrush, socks, all that shit. You only have the clothes you came in with. But you have no money, so you do what you have to do. You try to imagine buying everything you need to live with nothing. I have to commit crime just to live. Myself, I try to really budget but that's the way it is. You're kind of [expletive] when you get out – what kind of justice is that?"

"Outside of here, I haven't been around a lot of people that aren't just addicts. I need help learning about how to be around groups of people, just normal people…I need help with things like a bus pass. I need help getting places. I also need a pass to go to like fitness stuff…working out. I want help with a gym pass. I just need something to do to keep myself busy and focused on my path. I also love reading, maybe a pass to a library. I need someone who can help me with these sorts of things to keep me from coming back here."

Summary

Young people identified a number of legislative changes that they felt were needed to better support 18–25-year-olds in the criminal justice system. These included ensuring they can understand and are able to comply with legislative requirements, separating them from older inmates in custody, decreasing processing times, providing an advocate to support young adults through the system and back into the community, and applying the same standards for sealing or destroying a young adult's criminal record as are applied to youth.

Identifying and addressing the needs of diverse young adults

Identifying the needs

One objective of the current study was to understand any specific needs and challenges experienced by young people who identified as female, Indigenous, racialized or another minority (e.g., due to their sexual orientation, gender identity, health condition or disability). The perspectives of these young people are included throughout the report, and their feedback about their specific experiences within the justice system and suggestions for change are detailed below.

No young person who participated in the study identified as a gender identity other than male or female. As noted in the limitations section of this report, no interviewees who identified as a sexual minority discussed needs, challenges or supports specifically relating to their sexual orientation.

Young women

Young women spoke of fearing being victimized by male staff within every part of the justice system including when interacting with the police, in the courts and in custody. They articulated that much of their fear stemmed from previous experiences of violence and abuse from men. For example, one Indigenous young woman noted:

> *"They don't think about women being scared of men when you are in court or jail, and having PTSD from being raped. It is why I was so terrified and why I wouldn't speak in court, and if you are Native as well, you literally have no chance."*

A few young women stated that the custody system appeared to have been designed by and for males, and felt that they did not receive equal access to services and supports as a result. One young woman who was interviewed while in an adult correctional facility felt that women at the facility did not receive the same level of opportunity, support, or respect as the male inmates. She also felt that programming was designed for male inmates and males got priority in accessing the programs and supports which were available. As a result, the women were often left with little to no programs or supports.

> *"There are only 20 women here [at the adult correctional centre]. We're really limited to what we can do because it's a men's jail and we're just kinda…I don't know…it just doesn't feel like they want us to be here. Like, they don't care about us. I just noticed that we don't get as much freedom as the men here because there are more staff to take the men out to do activities and stuff. Because there's less of us, we just get stuck in our cells and don't get to do as much…Our yard is very small compared to the men's. The men's side gets this whole big garden to grow strawberries and peas and zucchinis and pumpkins and all we get is some strawberries and weeds. Like what…we're all gonna garden this one strawberry plant?"*

A few young women noted wanting more opportunities to be able to take care of their appearance and dress up. These young women felt that such experiences helped their mental health and self-esteem.

"We can't get makeup or shave our legs or tweeze our eyebrows…like we want to feel good about ourselves, even if we're not going anywhere. Maybe, it's like something you can earn, like you have to show good behaviour."

Young adults with a disability

Young adults with disabilities spoke of the additional challenges they experienced within the justice system. They particularly felt that accommodations were not made which could have allowed them to more fully understand and participate in court proceedings. For example, a young woman with a vision impairment noted that her glasses were broken during her arrest. She was not able to get replacement glasses and this impeded her ability to read and understand the documents she was asked to sign when she was in court. Similarly, a young woman with a hearing impairment felt that needed accommodations were not made within the court system to allow her to follow discussions:

"They don't care about you. I am deaf in one ear and have lost hearing in the other but they don't care. They don't make any accommodations."

Indigenous young adults

Indigenous young adults noted that the criminal justice system had been established by, and is currently run primarily by, white settlers. As a result, they felt powerless and that they were treated unfairly. In some cases they also felt they had received a harsher sentence than a white offender would have. For example, one Indigenous young woman noted:

"What can I do to change anything. It is all white dudes and nothing will change but it needs to. I am a woman and half Native too so they just look at you like scum. The system is hateful to Native people and needs fixing."

Despite the racism they experienced within other parts of the justice system, as noted earlier most Indigenous young adults who had been through the youth and/or adult custody systems were appreciative of the efforts the centres made to address their cultural needs and be respectful of their culture. Examples of ways young people felt supported to engage with their culture included through access to Elders, Talking Circles, a sweat lodge, beading and drum making.

For a few interviewees, their time in custody had been their first opportunity to learn about and engage with their Indigenous culture and this had been a positive and therapeutic experience.

"It's been great [in custody], they help me take down walls on my cultural awareness situation."

Indigenous young adults who had access to Indigenous staff within the justice system very much appreciated this. They felt they were able to build positive relationships with these staff members, which they found valuable in helping them address their offending behaviour and increasing their desire *"to stay out of trouble*." However, those with experience of custody did note there was not as much access to Elders or Indigenous staff as they would like, that Indigenous programming was often not specific to their own band or Nation, and their access to traditional foods was limited.

"They [custody centre] have an Indigenous Cultural Liaison, but they don't have an Elder here. At least they don't have one where I am, which they should because there are a lot of Indigenous people here."

Racialized young adults

Young people who participated in this study described their racial identity in a range of ways including Black, Brown, African, Indian, Asian, Persian and Chinese. Racialized young adults spoke of experiencing racism at every point in which they connected with the justice system. This included being targeted by the police because of their skin colour, as well as having negative experiences within the court system, when serving a community sentence, on probation, and in custody. Some examples included:

"Not every Black person is a criminal, some are presidents, some are even police. The police treat me like even if I'm found not guilty, I'm still guilty…The lawyer that I was provided didn't do his job or represent me to the fullest. Maybe because of my skin colour, but he acted like I was actually guilty of the crime….While I was in custody, I felt like I wasn't treated like the other inmates…it felt like discrimination because of the colour of my skin. For example, the duration that I was able to spend with my family was shorter and less than everyone else…. Discrimination makes us feel hated and it feels like there's no way for it to get better. I want the justice system to be fair for everyone. It doesn't feel like justice to me."

A female who identified as a Black Muslim refugee to Canada noted:

"[When I was in court] there wasn't a single Black person and not a single immigrant. Not one on the jury. Not one Muslim. There were no immigrants to understand the cultural experience or the experience of coming to Canada…and then when they ask you why you run from the police or are scared to talk to them, they don't understand because they were born here and they just think 'why didn't you just talk to the police?'"

She went on to describe her experience on probation:

"I had a racist worker but what can you do? You get appointed a social worker or a probation officer or whatever and you just have to work with them until they leave. There is no one to complain to who is going to listen and can do anything."

Some racialized young adults who had been through the custody system felt their cultural needs were not addressed, including the opportunity to dress in ways that reflected their culture and to eat foods from their culture:

"I had my health needs met [in the correctional facility] and I also had my religious needs met. But when it came to cultural needs, that was a no. People have to be made not to forget about who they are and appreciate their culture and that of others."

One young adult noted that he had accessed a range of programs and supports while in an adult correctional facility. He did not feel any of the resources he had accessed had understood his culture or reflected his experience as a Black Canadian. He was left feeling that any cultural supports which were offered were tokenistic and made no effort to address the racism that he experienced in the facility.

Government care experience

Young adults with care experience spoke of the link between losing the support of the care system after their 19th birthday and an increased likelihood of becoming involved in the criminal justice system.

> *"I think everyone who has been through the care system has had some sort of involvement with the courts and the justice system. I felt like I turned 19 and that was it. I was on my own trying to figure it all out and how it all worked."*

Young people with care experience also spoke of the overrepresentation of their peers from care in custody. One young adult noted that at least half of the 30 youth he had been in foster care with were now in adult correctional facilities. Another felt a youth who was in care was more likely to receive a custodial sentence, compared to youth without care experience. In their own case, they felt that they had been unfairly sentenced to custody as a youth, and had become entrenched in the justice system as a result.

> *"Basically why I'm doing this [interacting with the adult justice system] is because I was signed over to the courts when I was younger. I was in and out of group homes because I didn't want to go to a foster home and be adopted, and I wouldn't stay in the group home. I wasn't even committing crimes, I just wasn't going to the group home, so they put me in jail… And because of all that, I'm treated differently now, like in the system."*

Addressing diversity needs

Young people had a range of suggestions as to how young people of diverse cultures and needs could be better served within the justice system. These included:

<u>Have specialist services</u>

All services should be aware of and responsive to the different needs and experiences of diverse young people. There should be separate services specific to different genders and cultural backgrounds where needed.

> *"They should have services for women, and Native women. Like you should have female police officers dealing with you, female lawyers, female judges – not just all these white dudes."*

Young adults for whom English was not their first language suggested having interpreters available within the justice system. They noted that even if these young people appear fluent in English, they often do not know words that are associated with the criminal justice system. This can make it difficult for them to understand what is happening as they move through the various stages of the justice process. For example, one immigrant young adult suggested:

> *"All people, and definitely the youth, should have someone to tell them what is happening when they are in court. Without my lawyer I would not have understood what was being said as there were a lot of words I did not know."*

Take a culturally appropriate approach to sentencing

Some Indigenous youth felt that a restorative community approach to addressing criminal behaviour would be more appropriate than the current system for Indigenous young adults.

> *"Some communities get everyone involved, like the whole community and they figure it out together. They take everything into account and listen to everyone. We should offer that more*."

Increase diversity within the justice system

Young people wanted to see more professionals within the system who they felt were relatable. This included young women wanting the opportunity to have a court appointed lawyer who was female, as well as Indigenous and other racialized young people wanting access to staff from their background.

> *"I think if you could have more Black policemen and Black judges, you could relate with them more and they could ease the whole racial struggle."*

Increase community surveillance and accountability

Indigenous and other racialized young people were keen for there to be more community surveillance and accountability to reduce young people's chances of being victimized because of their skin colour or cultural background. They felt this would reduce the likelihood of them being targeted and brought into contact with the justice system.

> *"People won't like this but I think you should have cameras everywhere, like they do in England and places. So, if I do something I shouldn't, it will be right there but fair enough, it will stop the cops pulling shit on young people. Right now, it's your word against theirs and who are they gonna believe? But have cameras and it ends there…I know people will freak but if anything happens, it's on camera!"*

Provide financial support and stable housing to youth transitioning out of government care

Young people with government care experience felt that there should be more support available to them as they transition out of care to ensure they have stable housing and sufficient money to meet their basic needs.

> *"Sort out housing and that will help a lot. It is so hard when you leave care and then rent is $1,500 to $1,800 a month and you are going to become homeless or have to do things to survive….It is impossible to live on what you get but then when people learn anything about you, you are not going to get a job and you don't have any qualifications because you can't afford school either."*

Ensure young people know about the services and supports available to them

Young people from different backgrounds spoke of being unaware of what services and supports were available to them prior to their contact with the criminal justice system. They felt they may have made different choices if they had known that there were places they could go, supports they could access or courses they could take.

> *"As an immigrant I didn't know about things like food banks. I do now, but if someone had told me about them earlier I wouldn't have had to do things to get food. I didn't know where to go, I didn't have a phone. I didn't have any of those things you need."*

Offer opportunities for young adults to engage with their culture

Participants shared the value of respecting and allowing emerging adults to practice their culture, including the opportunity to eat traditional foods, engage with traditional music and play instruments from their culture. They felt that connection to culture could bring healing, belonging, and a sense of identity.

> *"Definitely I was not allowed to dress culturally or eat culturally or just have my native lifestyle…that was way off the table [in custody]. I think it's really important to bring out that aspect, to help people feel like they belong and like they're part of their culture...Maybe one day a month [custody centres] could allow us to eat food from our culture."*

> *"I didn't want a [expletive] program. I don't need to go to a dreamcatcher-making workshop. I need*
> *to eat food that I recognize. Food IS culture not [expletive] programs."*

Indigenous young adults serving community and custodial sentences suggested it would be helpful to have more opportunities to connect with an Elder.

> *"I wish there was an Elder or someone in the [community sentenced] program to help learn traditions. Learning the language would be really nice because things were shared through stories so that would really help me connect with my culture."*

Summary

Young people felt that increased community surveillance and accountability would reduce the number of 18–25-year-olds from diverse backgrounds who entered the criminal justice system, as would increased supports and services for youth transitioning out of government care. Young adults who did enter the criminal justice system could be better served through the introduction of specialized, culturally appropriate services targeted at young adults with diverse needs and backgrounds. They also suggested providing authentic opportunities for young adults to engage with their culture while serving a custodial sentence.

Study findings in the context of brain development

The views and experiences of young adults who participated in this project seemed consistent with current knowledge about brain development. For example, they viewed emerging adulthood as a distinct life stage which fell between adolescence and a fully mature adult. This is inline with recent developments in neuroscience which have shown that during the ages of approximately 18–25, the prefrontal cortex of the brain continues to develop, and as it does there is increased capacity for reasoning, decision-making, judgement, and impulse control (Lindell & Goodpoint, 2022; van Koppen, 2018).

The late development of the prefrontal cortex means that other areas of the brain which are fully developed much earlier can override rational thought among young adults. For example, the limbic system which is responsible for emotional and behavioural responses is usually fully developed by age 12. As a result, while impulse control is still developing, young adults can be susceptible to impetuous and short-sighted decision making (Arain et al., 2013; Galvan et al., 2007; Johnson et al., 2009; Pimentel, 2013; Steinberg, 2015).

> *"[Emerging adulthood] is the first time you are experiencing freedom and it's an age full of experimentation and you're full of curiosity. You're trying everything for the first time and you don't always know how to make the right choices. It's an age where we should not face the same punishment that someone in their 40's or 50's might face who have done those mistakes over and over again and knows what the repercussions are. Just like children who make mistakes, you correct that not by beating them up but by talking to them and helping them understand why what they did was wrong. Young adults are still learning and making mistakes, so why should it be different?"*

The brain systems that develop 'cold cognition' (i.e., thinking that takes place under ideal conditions) reach adult levels of maturity before those that govern 'hot cognition' (i.e., thinking that takes place under conditions of emotional or social arousal; Steinberg, 2015). For example, while emerging adults can function similarly to older individuals in calm situations, in circumstances of hot cognition, the brain of an 18- to 21-year-old functions like that of a 16- or 17-year-old (Lindell & Goodpoint, 2022).

Several participants recognized this in themselves and articulated a need for more support to help them make better decisions when they were in states of emotional or social arousal. Many also spoke of the value of programs such as the anger management programs currently offered within the justice system.

> *"I see a need for support to assist with decision making. This is the information that sticks with you. Knowing the negative outcomes for not abiding by your probation or [community] sentence helps your thought process for what to do in a situation where you're at a crossroads of whether to break your probation or whatever. It can definitely be the deciding factor."*

> *"The Respectful Relationships course helped because it teaches you about anger management which is something I really need to learn."*

As the brain of an emerging adult is not fully developed it can still be heavily influenced by experiences and environmental factors (Steinberg, 2014; Steinberg, 2015). This ensures that with exposure to

positive experiences and supports, young adults can overcome and heal from past traumas, and can develop new skills and behaviours (National Academies of Sciences, Engineering, and Medicine, 2019). Conversely, for many young people, incarceration can be traumatizing, particularly if they experience abuse by staff or other inmates, or are isolated from family (Woolf & Shi, 2009). Such traumatic experiences can disrupt a young person's development and exacerbate or trigger mental health problems that may persist well into adulthood (Fuhrmann et al., 2015).

> *"I need help to deal with my trauma. I'm working on my anger, but it's the reason I'm [in custody]. I was the only child my mom gave up [for adoption] and I took it out on my brothers and sisters for years. I'm trying to work on me. Trying to be softer, less angry, but it's heavy and I need support to deal with it."*

> *"I got the shit kicked out of me by the older guys [in adult corrections]. When I got out, because I was a youth and didn't know how to deal with everything I experienced [while in custody]. All the violence, the abuse – it all gave me PTSD and…I drank a lot so I didn't think about it."*

Positive role models

Exposure to positive adult relationships and natural mentors have been shown to reduce criminal activity (Kelley & Lee, 2018). However, many young adults who participated in this study lacked such role models in their life, and those in custody often turned to older inmates for guidance when they lacked other role models.

> *"Like we need a mentor…a good role model…so the young guys don't always feel like they have to go to the older guys for help*."

The influence of peer relationships increases during adolescence and these relationships maintain their importance during emerging adulthood (MacLean et al., 2013). As a result, young adults may imitate their peers, even if they are complete strangers, and engage in high-risk behaviours because of a desire for positive attention and to feel a sense of belonging (Riedijk et al., 2017).

> *"As a younger adult in custody I noticed the younger guys are also easy to pressure and might end up doing worse crime because of who they get in with."*

Boredom and isolation

Emerging adulthood is a period of development characterized by high levels of exploration. Exposure to new experiences and ways of thinking contribute to identity development, but this can be interrupted by isolation and lack of social stimuli (Lindell & Goodpoint, 2022). One of the major criticisms young adults raised about their time spent in adult custody was the lack of opportunities to engage in educational, employment and life skills programming, particularly during the COVID-19 pandemic. They also noted the negative impact on their mental health of spending lengthy amounts of time in lockdown in their cell and in isolation.

> *"When I was first here, there was schooling, there were the Aboriginal programs, there was church, you could go to chaplain…they had Narcan [training on administering naloxone], art programs, NA, AA…out programs [outdoor and in-community programs]. There's not much of that here now and everybody feels tense and on edge because they have nothing to do."*

A lack of meaningful interaction with others and with the natural world, as well as a lack of physical activity and visual stimulation, as occurs when young people are locked in a cell for an extended period of time, can be sufficient to permanently change the brain (Lobel & Akil, 2018). For example, the hippocampus—which is the part of the brain responsible for setting the level of emotional reactivity and anxiety, encoding stressful events, and controlling the body's response to stressors—loses neuroplasticity during isolation. As a result, an individual loses emotional control, stress regulation, and other cognitive processes, which in some cases can have lasting effects on mood, including severe depression (Lobel & Akil, 2018).

> *"The male prisoners can exercise and they can garden but we [females] have only half a basketball court. It just feels inhumane."*

> *"I feel like you guys need to focus on separate confinement…There should be people from outside [custody] coming in to check on you, and just talk to you so you aren't just left to rot. There should at least be someone to talk to. They can't expect you to go from that to integrate back into society."*

One young adult spoke about the long-term impact on his mental health of having served a custodial sentence.

> *"I went to counselling every week when I got out for anxiety. It was geared towards becoming social again. I became very quiet and observant while I was in jail– watched my surroundings. I would get anxiety going to grocery stores and being around people. You have to relearn everything. When I got out [of adult custody] the first time, I would lock my doors and stay inside at certain times because that's when I was used to being locked up. My girlfriend would come home and ask what I was doing. It took 8–10 months to not lock my doors at certain times. I would check behind me constantly. It took me a long time to be able to be in big crowds. Even walking through the airport when I was first released was overwhelming because of all the noises around me."*

<u>Prosocial leisure activities</u>

Engaging in appropriate leisure activities can help to foster identity development as young adults try new experiences and develop social relationships outside the confines of school and work. However, too much leisure time or leisure time spent away from others can delay or interfere with identity development (Layland et al., 2018). Leisure activities which have been associated with positive identity development include physical activity, artistic expression and technology-based leisure. In addition, exposure to prosocial content on media, such as in television or music, has the potential to increase prosocial thoughts, empathy, and helping behaviour in emerging adults (Coyne et al., 2016).

"*I'm writing my own music and making my own beats [while in youth custody]. It's very therapeutic and it's just something different for us during the week. The music teacher, she's so nice and doesn't judge us. It's nice to just escape for a bit…I'm also doing the sewing program. I've always wanted to learn how to make my own clothes. It's amazing, I'm coming out of here with like a whole new wardrobe!"*

Age-appropriate social support

Emerging adulthood is a period of learning about intimacy and mutual support, intensification of pre-existing friendships, developing new relationships and changing family relationships (Hochberg & Konner, 2020). As individuals move into emerging adulthood, peer and/or intimate partner support become more important to psychological and social well-being (Arnett, 2015; Lee & Dik, 2017; Meadows et al., 2006; Qualter et al., 2015).

Initiating, establishing, and maintaining romantic relationships and positive peer relationships requires a complex set of skills that unfold developmentally and socially during emerging adulthood (Shulman & Connolly, 2013). The development of relationship skills can increase problem solving skills, healthy attachment, and emotion regulation (Shulman et al., 2011; Xia et al., 2018). However, interaction with the justice system can isolate a young person from their support networks and dramatically limits their opportunities to build prosocial peer relationships (Lindell & Goodpoint, 2022).

Emerging adults who had experienced custody talked about becoming isolated from their social supports. They also felt they missed out on opportunities to develop healthy new relationships. Conversely, those who had been able to develop positive social networks while serving a community sentence spoke of the value of these supports.

"You come in here [adult corrections], you lose your girlfriend, it's too far for your family to visit. Everyone else's life goes on and you are stuck here, just stuck."

"Regardless of the length of their sentence, you give them that opportunity to interface with members of that community to help build empathy but also to motivate you to be prosocial and motivate you not to reoffend."

Online connections and skills

The plasticity of the brain during adolescence and emerging adulthood ensures that young adults are quick to adapt to changes in technology and will master new games and platforms they are exposed to quicker than an older adult whose brain has lost some of that plasticity (Geidd, 2012). The use of social media serves as an important socialization context in which emerging adults assert their developing autonomy, explore their identity and initiate and maintain social relationships (Bjornsen, 2018).

Many young people who had experienced custody spoke of missing out on opportunities to connect through social media, follow the latest trends and engage with games and other online opportunities that their peers in the community had access to. Some subsequently felt they were lagging behind their

peers in terms of their general technology skills, and specifically their ability to navigate social media. They also struggled to connect with other young adults because they lacked social references that their peers had, and had not played some of the current popular games.

> *"We are human and need social connection and emotional support. If we don't have these things, we are less than human. We need opportunities to connect and stay connected through social media, and to have better access to other media so we can stay connected to our culture through certain songs, shows and movies… and more opportunities to learn and build our online skills."*

Employment skills

Employment generally requires the learning and mastery of new skills, establishing a routine and engaging socially, all of which are associated with improved cognitive functioning and increased neuroplasticity (Vance et al., 2016). Emerging adulthood is a stage where a young person will typically move from a focus on gaining work experience to laying the groundwork for a career (Arnett, 2014). As young people try out different jobs and post-secondary programs, they learn about their abilities and interests, and continue to develop their identity (Arnett, 2014). Those who lack work skills and are unemployed are at increased risk of experiencing mental health and substance use challenges. Even a single period of exclusion from education, employment or training can increase the chances of long-term negative employment outcomes (Jongbloed & Giret, 2022; Ralston et al., 2016).

When participants in this project were asked about any needed changes within the justice system, they most commonly spoke about wanting to gain more employment skills and work experience. They also spoke of their concerns about future engagement with the criminal justice system because of their lack of employment skills.

> *"I'm never really prepared at all to be back into community. I get released back into the community with what I came in with and you just get released into the world. It would be really nice if there was a structured environment where you weren't going to get released into the street…where you could live, eat, and stay while you try to get a job. The day and age we live in, we all need a job…There's a show on A&E called Inmate to Roommate, where someone who is just released lives with an ex-con. It's like a jail buddy. Like a peer mentor. The ex-con helps the guy [who was recently released] stay clean…helps him to get a job and live a normal life and stuff. It's support and it's accountability…and it means that the roommate has someone to talk to who knows what it's like [to be in custody]."*

Reducing stress

Enduring extended periods of severe or sustained stress can fundamentally alter the structure of the brain during emerging adulthood (Lobel & Akil, 2018). Young adults spoke of the high levels of stress they experienced within the justice system including when waiting to go to court and while on remand, and of the impact this had on their life and mental health.

"The court process is a huge stressor for young people waiting for their sentence…The provincial system is usually pretrial, so there's more stress for inmates because you're waiting on your sentence. You could be ready to kill your cell mate, there's that much tension."

Summary

The experiences and perspectives of young adults who participated in this project appeared consistent with current knowledge about brain development, including their assertion that emerging adulthood should be viewed as a distinct developmental period where young people need tailored supports. These include opportunities to develop employment skills, life skills and social skills, as well as to engage in prosocial relationships and activities. Young people also described the negative effects of stress, boredom and isolation, which was also consistent with current knowledge of the developing brain.

Final Thoughts

This project was successful in canvassing the perspectives of young people with experience of the criminal justice system. Young people who participated in the project felt that emerging adulthood is a unique developmental stage during which they do not feel they are functioning as a fully matured adult. They also noted that experiences of trauma and conditions such as FASD may delay or extend a young person's transition from adolescence to independent adulthood.

Young people's willingness to share their experiences of the criminal justice system highlight where they are being well served and where there are opportunities for change and improvement. The suggestions they provided ranged from those that would require changes to legislation and to address systemic issues such as racism and poverty, to more simple, low-cost measures which would be relatively easy to implement (such as providing youth with information about what programs are available to them and how to apply).

The following is a summary of ten of their most common suggestions:

- Train adults within the justice system, such as lawyers, judges, custody staff and Probation Officers, to work with young adults (including those of diverse backgrounds and experiences). This training should ensure these professionals understand the developmental needs of this age group and how to work with them in a trauma-informed way.
- Inform young people about what will happen to them within the justice system, in a way they will understand, and ensure they have the opportunity to get their questions answered.
- Sentence a young adult to custody only if this is absolutely necessary, such as if they are a danger to others in the community.
- Ensure any sentence a young adult receives provides opportunities to learn life skills and employment skills, and to gain work experience.
- Do not house 18–25-year-olds with older (and often more criminally-entrenched) inmates in custody.
- Limit the length of time a young adult can be on remand or waiting for a court date.
- Provide young adults on remand with access to programming.
- Ensure young adults are not isolated from their community or culture. This should include offering opportunities for emerging adults to gain and maintain knowledge of current trends, cultural references and popular social pastimes.
- Address the root causes of offending behaviour through counselling and support.
- Allow young adults to have their record expunged in the same way that those under 18 can have their record sealed or destroyed.

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Appendix: Semi-structured interview script

Explanation of project

Explain to any young people interested in potentially participating in a conversation:

Name, role at McCreary Centre Society.

Reason for conversation - Canadian Department of Justice want to better understand the specific needs and challenges of young people (18-25 years) who are in contact with the justice system, and to gather suggestions for how things might be improved.

Confirm eligible to participate (age 16-29 with experience of Canadian justice system).

Explain anonymous, confidential and limits of confidentiality (i.e., need to report if share with us that someone under the age of 19 has been abused or it as risk of being abused, or you're planning to harm yourselves or others).

Let them know they can skip any questions and stop at any time. Their decision to participate (or not) will not affect the services they receive. They can review notes, in case they want to change anything, and can receive a copy of the final report.

Let them know not to discuss illegal activity.

Explain honorarium.

Ask if they have any questions or is anything is not clear.

Confirm they are agreeable to move forward with the conversation.

Interview Questions [Skip questions which are not relevant.]

Can you start by telling me a bit about what parts of the justice system you have experienced (e.g., youth, adult probation, custody, etc.)

Courts & sentencing:

- You mentioned going through the adult court system - what was that experience like for you?
- Was there an adult who supported you through it?
    - If yes, who? How did they support you?
    - If no, were you given the option to have an adult accompany or support you, such as at court or during police interviews?
    - Do you think that having a supportive adult present is something that should be offered to young people involved in the adult court system, or is it not needed?
- How much did you understand the court process, or what was happening?
- Did someone help explain to you what was happening?
    - If so, who? How helpful was it?
- What sort of information was shared with you about the court process?

- Is there information you didn't get, that would have been helpful for you to have at the time?
- When it comes to sentencing in adult court, there can be fines, community service, probation or custody.
    - Do you feel that some types of sentencing might be more effective than others?
    - Do you feel that sentencing for young people, aged 18-25, should look different than sentencing for people over the age of 25?
- Do you have (other) suggestions for how young people (aged 18-25) could be better supported in the adult court system?

Probation/Community sentences:

- In your experience, what type of support do young people get when on probation or serving a community sentence? *[If they can't speak to this, skip this section]*
- Are the conditions of probation or community sentences made clear enough for young people to understand? (e.g., do young people know what they should and shouldn't be doing?)
- Is there (other) information that you think is important to be shared with young people on probation or serving a community sentence?
- Are there ways that community sentencing options could be improved for young people aged 18-25?
- Are there ways that you think probation could be improved to better serve young people aged 18-25?
- What do you think good community supervision should look like?
- Any (other) suggestions for how young people who are on probation or serving a community sentence could be supported through the process?

Transition to adult custody:

[Skip this section if have not experienced youth/adult custody]

- What would you see as the biggest differences between youth and adult custody?
- What, if anything, do you think adult custody could learn from youth custody?
- Is there anything that youth custody could learn from adult custody?

Experience of adult custody:

[Skip this section if have not experienced adult custody]

- What programs and supports have you accessed in adult custody?
    - What have you found helpful (and why did you find it helpful)?
    - What do you feel has been less helpful (and what would make it more helpful)?
- Did/do you get access to the specialist services/supports you needed (e.g., CLBC, FASD, brain injury, legal aid, cultural, LGBTQ, etc.)?
- Were you able to access the programs/supports that you wanted to access? If not, what stopped you from accessing them?
- What programs and supports, if any, are available in adult custody which are particularly useful to young people aged 18-25?

- What, if anything, do you feel 18–25-year-olds need when they are in custody that may be different from older adults?
- Are there other programs and supports that you would like to see made available in adult custody to young people aged 18-25?
- Do you see any benefits to having young people aged 18-25 in custody with those who are older?
- Do you see any challenges with having young people aged 18-25 in custody with those who are older? If so, how could these be better addressed?
- Is there any support that could be offered to young people while in custody that could help them to not return to custody? (i.e., what would help them to not come back?)

Transition to community:

Currently in custody:

[May not be relevant if just entered custody/serving long sentence]

- What supports (if any) have you received in custody to help you prepare to transition back into the community?
- What supports or programs would have been helpful to receive, that could have made the transition out of custody better?
- [If approaching release] Do you feel like you have a clear plan for transitioning back into the community?
- Has anyone helped you create a formal plan? If not, would you like this and what do you think it should include?
- How prepared do feel to transition back into your community?
- Do you feel like you have the skills and supports you need to live successfully in the community?
    - What skills (if any) do you feel like you still want/need?
    - What do you think would help you learn these skills? *If programs/supports:* What would those programs/supports look like?
- What do you feel like you might need in your community to feel supported/feel safe/be able to live independently?
- What supports would you need in the community so that you won't return to custody or the justice system again?

Have transitioned back into community:

- When you were in adult custody, did you feel like you have a clear plan for transitioning back into the community?
- Did anyone helped you create a formal plan? If not, would you have liked this? What do you think it should have included?
- When you were in adult custody, what programs/services/supports did you receive to help prepare you to transition back into the community?
- What do you feel has actually helped you in your transition back into the community?
- Is there anything that you felt was missing from your time in custody that would have helped you to feel more prepared or supported after you left?

- At the time you were released from adult custody, did you feel prepared to go back into the community?
- Looking back now, how prepared do you actually feel you were to transition back into the community?
- What skills (if any) do you feel like you still want/need?
- What do you think would help you learn these skills?
- What could good community supervision look like for you?
    - Who should provide this support?
- What do you feel like you need to reduce the chance of going back into the justice system?

Diversity:

- *[If have experienced custody, community sentence etc. confirm which they are talking about*] Did you have access to support that was specific to your needs, culture, and/or identity (i.e., cultural, LGBTQ, disabilities, other health conditions, etc.)?
- If so, what did this look like? Was the support helpful and appropriate?
    - If you did not find these helpful and appropriate, what could have helped you to feel more supported?
- Do you feel like your needs, culture, and/or identity were respected and supported? [If no] What, if anything, do you think could have been done better/differently?
- Do you have experience or knowledge of other approaches to justice in your community or culture that you would like to share?
    - What (if anything) about this approach do you think is helpful and supportive?
    - What (if anything) do you think the current justice system could learn from this approach?

Wrap-up:

- Do you have any other thoughts or suggestions on how the justice system can be changed to best support young people aged 18-15?

Explain that we want to ensure we are capturing diverse youth voices and the information will not be identifiable. Confirm gender identity, sexual orientation, cultural background, health condition/disability, care experience, if from rural community.

Thank them for talking with you, ask if they have any questions or want to review notes, remind them of honoraria, etc.