

THE PAST AND PRESENT OF THE JUVENILE DETAINEES’ PEDAGOGICALLY BASED TREATMENT IN CANADA¹

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Abstract: The Canadian correctional system as a whole has a diverse array of measures and practices to address issues on the field, these questions are all valid ones in the case of the Nova Scotia Youth Facility an institution that has been a pioneer in the matter of pedagogically treating juvenile delinquency. Despite several legislative and practical changes during its existence, it managed to maintain (and even improve) its unique way of increasing the chances of juveniles under its jurisdiction for a successful reinsertion into society, all the while honouring certain traditions bestowed upon it by the decades of its existence. With this study, we aim to provide a brief introduction to the operation of the Nova Scotia Youth Facility, the historical and legislative background that serves both as the foundation and – in some cases – the obstruction of its goals and methods. During our investigation, we focus on several crucial aspects which underpin the Nova Scotian practice, such as the status of Youth Workers, the unique Restorative Practice carried out within its walls, the group sessions and the changes in the related regulations.

Keywords: Canada, juveniles, Youth Workers, Restorative Practice, Waterville – Nova Scotia Youth Facility

1. Introduction

*Better guide well the young than reclaim them when old,
For the voice of true wisdom is calling,
“To rescue the fallen is good, but ‘tis best
To prevent other people from falling.”
Better close up the source of temptation and crime
Than deliver from dungeon or galley;
Better put a strong fence ’round the top of the cliff
Than an ambulance down in the valley.*

Joseph Malins: A fence or an ambulance (1895)

The Canadian practice of treating juvenile prisoners can in many aspects be regarded as system that is in fact a more European than that of Europe: a forgiving but strict framework that is willing to provide alternatives to its subjects but remains consistent while doing so. A system that is affluent but not uneconomical, and a system that respects tradition but does not refrain from innovation.

How was Canada capable of establishing a completely unique system of correctional practice that is more humane than that of the neighbouring United States and is significantly (beyond comparison) more advanced than the systems of the other countries in the Americas? The answer seems incomprehensible from the European side of the Atlantic Ocean.

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We believe that it is worth analysing the reasons behind this unique phenomenon, starting from the era of the discovery of the continent by Europe.

2. Historical background

In the 16th century, European explorers, like Jacques Cartier in 1534 and Marquis de La Roche in 1598, brought with them to North America the influence of the French government. Due to the political climate, prisoners were either sanctioned harshly, with punishments consisting of physical pain and humiliation, or were transported to other countries and abandoned. The 17th and 18th centuries represented a punitive movement in corrections, in an environment characterized by imported illness. Those who violated certain rules were either executed (e.g. hanged) or subjected to brutal treatment and their remains were often left for public viewing as a method of deterrence and disgrace. In the 17th and 18th centuries the necessity of prison was less pronounced given the preference for corporal and capital punishment (Cellard, 2000). Prisons and holding centres, designed for the short-term incarceration of people (who, make no mistake, were treated with little humanity) awaiting trial, execution or release, were fortress-type facilities (Kirkpatrick, 1965).

Back then, establishing humane conditions was simply out of the question so much so that the matter itself was simply overlooked. (Kabódi and Mezey, 2003, 51.) From the 18th century in Canada, several measures – far more advanced ones than the principal theories and notions of the era – have been introduced that incorporated provisions on the rights and interests of inmates. These measures greatly contributed to the creation of today's „Canadian model”.

The first Canadian prison opened in 1853 (Kingston Prison), which was an arguably more humane alternative to the harsh punishments of the time. The facility put greater emphasis on meeting the needs of individuals of all genders, ages, walks of life (mental and social health) as well as offering the prisoners the chance to develop in certain areas (e.g. a carpentry shop, shoemaker's shops and other venues of vocational training were included in Kingston Penitentiary), an ideal previously introduced in Canada by John Howard. (Cellard, 2000)

The two pioneers striving for establishing better, more humane conditions within prisons were John Howard and Elizabeth Fry. Both of them were leaning towards reform which also moulded Canadian corrections in the 18th century. Fry, influenced by the conditions of incarcerated females, fell in line Howard's views in that the well-being of a prisoner should be prioritized. Simply, they argued that a prison should be a place for 'penitence, learning, self-discipline, meditation and repentance' (Cellard, 2000, 11.) „where prisoners can reflect on their actions, lessons learned and grow as people. Prisons were to be far more than places of exile or punishment. Instead it was a communal work environment, segregated by gender and age (e.g. adult, youth, male, female), with periods of silence during the day to allow prisoners time to reflect on themselves and solitary confinement at night for seeking repentance”. (Ricciardelli, Crichton and Adams, 2014, 100.)

Over decades (even centuries) changing demographic trends, as well as social and political idiosyncrasies influenced Canadian corrections. Canada's correctional history is largely shaped by how punishment is defined as well as how such definitions are influenced by members of society; including victims, perpetrators, politicians and media personalities.

Starting around the 17th century, penal sentences imposed on wrongdoers mostly served as deterrence, as a means of maintaining public confidence in the justice system and as barriers that help avoiding recidivism; the later function was to promote the prisoners' potential for rehabilitation, a goal which it often intended to achieve by altering the psychological state and personality of its subjects. (Ricciardelli et al., 2014)

3. The Changes Related to the Treatment of Juveniles in Canada

Even today – although with diminishing significance –, the principal goals of incarcerating adults in Canada remain the rehabilitation and successful reintegration of prisoners. The presence of this approach is much more perceivable in the case of juveniles.

In 1908, Canada was among the first countries in the world to introduce a law that was specifically dedicated to juveniles (Juvenile Delinquents Act), a law that was expressly treatment-based. It was state-of-the-art legislation in that it explicitly stated that juvenile delinquency was basically the product of an incorrect upbringing and the lack of proper guidance, and that juvenile delinquents are thus not criminals but lost, unguided, badly educated children.

The Canadian juvenile justice system, since its inception in 1908, has focused on meeting the rehabilitative needs of youth, preferring a holistic approach. (Erickson and Butters, 2005)

The coming into effect of the Juvenile Delinquents Act of Canada (1908)² was based on the recognition that children who broke the law were to be treated differently than adult criminals. (Boudreau, 2010, 110.) A keystone provision of the law is that "every juvenile delinquent shall be treated, not as a criminal, but as a misdirected, misguided child and one needing aid, encouragement, help and assistance". (Juvenile Delinquents Act of Canada, 1908)

The philosophy behind the Juvenile Delinquents Act of 1908 has proven to be too lenient and supportive for the turn-of-the-20th-century Canada because by the end of the 70's, the country – just as several other Western countries – turned away from the treatment ideology and turned towards the notions of responsibility, chargeability and the protection of society as the foundations for the criminal policy on juveniles, paving the way for the neoclassical criminal school. The culmination of this process was the coming into effect of the Young Offenders Act (hereinafter: YOA)³ in 1984. (Lőrincz, 1992, 66.) and (Kapa-Czenczer, 2008, 97.) During its 19 years of existence, the YOA has remained the subject of heated controversy and public criticism.

Many felt that the fact that upper limit set by the Act for juvenile criminals (three-year detention sentence for youths) was way too lax, and allowed juveniles to get unreasonably light sentences for murder or sexual assault. This maximum was repeatedly increased, until in 1996 it was extended to 10 years. That same year a provision was also made that allowed 16-year-olds to be tried as adults in certain cases. Critics argued that this move was "too harsh," as it made youths possible victims of life sentences.

The act also drew much criticism from the public for not charging young offenders under the age of 12 years, and for banning the publication juvenile delinquents' identities, arguing that the number of violent crimes committed by them had dramatically increased together with the number of repeating juvenile offenders since the act was passed. (Youth Justice in Canada, 2008)

The YOA, based on a hybrid model combining elements of the child-welfare and justice models, offers no clear sentencing guidelines (Anand, 1998) and does not provide a consistent statement of the Act's intent in its Declaration of Principle. Consequently, youth court judges have had more freedom since the introduction of the YOA to sentence youths based on a multitude of conflicting principles.

Despite the fact that the Canadian public has remained unaware that youth crime has been decreasing and that youths are, under the YOA, treated more punitively than adults, the Parliament has taken notice and introduced the Youth Criminal Justice Act in an effort to reduce the prevalence of incarceration for young offenders. (John Howard Society of Alberta, 1999)

After long preparations and several professional discussions, the Youth Criminal Justice Act (hereinafter: YCJA) was introduced in 2003. The new regulation contained several new elements as to its goals. The whole law rests on a completely new aspect according to which it is believed that preventing criminality is possible through addressing the negative circumstances at the root of the problem – namely criminal or delinquent behaviour.

The advanced nature of the YCJA is further backed by the fact that it actually designates the juveniles' rehabilitation and reintegration into society as goals. Not only does the YCJA state that juvenile delinquents shall be punished but it also emphasizes the efforts that are to be made to facilitate their successful rehabilitation. (Bala and Roberts, 2004, 17.)

² The "Juvenile Delinquents Act of Canada" was in effect from 1908 to 1984

³ The Young Offenders Act" was in effect from 1984 to 2003

The text of the law actually mentions that „The purpose of the youth custody and supervision system is to contribute to the protection of society by assisting young persons to be rehabilitated and reintegrated into the community as law-abiding citizens” and to prevent them from committing another crime. (YCJA 83. §) To serve this purpose, YCJA has introduced a two-phased sanction system where periods of incarceration are followed by phases of supervision during reinsertion into the community. Thus, the first phase of the Canadian system serves as the period of actual incarceration which is followed by the so-called community supervision. (Smandych, 2006, 53.)

Among the fundamental correctional principles YCJA, reintegration custody and supervision enjoy a vital role. The aim is to – upon starting serving a sentence – focus on facilitating the successful social reintegration of juveniles. (Kapa-Czenczer, 2008, 100) and (Junger-Tas, 2006, 508.)

We believe it is important to emphasize that among its principles, the YCJA was the first to determine the three goals of the separate system of criminal justice involving juveniles. It is the first occasion when crime prevention as a task to be addressed appears. The law also sets the goals of using efficient measures and punishments as answers to criminal behaviour, and the notion of social reinsertion. (Vincze, 2008) By examining the process, it can be determined that the introduction of the new legislation was the result of a decade-long experimental phase filled with dissatisfaction. It seems that the YCJA was able to create some sort of harmony out of the vastly different practices apparent on a federal and provincial level alike. Based on clearly defined fundamental principles and guidelines, a process has been initiated which – it seems – is capable of providing an effective and successful alternative solution to the increasing criminal delinquency. (Kapa-Czenczer, 2008)

Thus, the YCJA offers a unified, federal-level regulation, but its application remains the task of the provinces. Cases involving juveniles are addressed by dedicated judges appointed by the provincial ministers of justice. The execution of criminal sanctions involving juveniles (for example, incarceration) takes place on a provincial level. (Vincze, 2008)

4. The Treatment of Juveniles in Nova Scotia

Limiting the isolating and punishing factors and enhancing the educational, correctional functions in the case of juveniles is a key focus of Nova Scotia – tradition dating back to more than a century. The Halifax Juvenile Court, which led the fight to "save" juveniles from a life of crime, was established in February 1911, following the proclamation in Nova Scotia of the Juvenile Delinquents Act. It was among the first locations for a juvenile court in Nova Scotia, and even Canada.

Not even the two great wars of the 20th century were capable of dissuading the Nova Scotia government from using traditional values: most delinquents (juveniles) in interwar Halifax received some form of punishment and rehabilitative care. (Boudreau, 2010)

The Young Offenders Act (YOA) has led to an increase of juveniles in a way never seen before in Nova Scotia – or the other provinces. Actually, the reason and the result of the introduction of the YCJA was the dramatic reduction in the number of juveniles. During the last 15 years, the number of incarcerated juveniles has decreased by 90%. As of now, only one juvenile institution remains in Nova Scotia (Nova Scotia Youth Facility, formerly Waterville Youth Centre), whose original capacity is sufficient for accommodating 120 persons but now houses only 24 juveniles.⁴

The Attributes of the „Youth Worker” position:

In Anglo-Saxon countries, the position of Youth Worker has been in use in the past 50 years. The operational details are different for each country and state, but several professional competences and skills are generally expected:

⁴ The rest of the provinces have been facing a decrease in the number of juveniles similar to that of Nova Scotia: for example, in Newfoundland there were only 10 young offenders in custody at any given time in 2013 compared to 90 to 120, an average from a decade ago. (Marc, 2016, 363.)

- a strong commitment to young people and an understanding of the factors affecting their lives;
- the ability to provide reliable support to young people in times of stress and to act with integrity;
- excellent interpersonal skills, with the ability to establish good relationships with young people;
- patience, tolerance and flexibility;
- a sense of adventure and a willingness to try new things;
- formal communication skills for presentations, report drafting and funding applications;
- the ability to treat young people's concerns with respect, tact and sensitivity, while being aware of the limits that are required by confidentiality and the boundaries that govern the youth/youth worker relationship;
- a great deal of resilience. (<https://www.prospects.ac.uk/job-profiles/youth-worker>)

On top of the above, youth workers are required to understand the sociocultural forces and the nature of opportunities that are conducive to a conflict-focused attitude. They must know how to modify institutional arrangements mediating these forces and how to facilitate the provision of opportunities by the official representatives of key institutional organizations in order to minimize or eliminate disabling social conditions. They are also expected to make use of the opportunities which potentially reside in the relationships of several conventional adults and delinquent youth. Due to the nature of their assignment, youth workers are required to work with delinquents as group members. While certain social conditions appear to give rise to the certain conflicts, it is the group itself which discovers and develops the organized set of norms, values, and beliefs that facilitate a peaceful resolution of said conflicts instead of gang fighting.

Through group discussions, youth workers strive to make certain unavowed or hidden goals that manifest within the groups. He seeks to increase the attractiveness of social goals for the group. He assists the members to redefine criteria for success status more in line with conventional expectations. Youth workers confront the delinquents in their current living situation. They focus their diagnostic skill on the individuals' present reactions to and their feelings about their everyday lives. They aim to understand the delinquents' past history with regards to (and in connection with) its significance to their current functioning. They strive to understand and modify the delinquent's feelings and relationships, which are, without help or guidance, seem destined to be perpetuated (Spergel, 1962).

The tasks and responsibilities of Youth Workers working with juveniles are regulated in detail by the provisions of the current relevant legislation. Based on the YCJA, whenever a juvenile person is sentenced to incarceration, a Youth Worker is designated to work together with the subject in order to facilitate his or her efforts at reintegration.⁵ In reality, this help involves the creation – and later realization – of a reintegration plan which determines crucial forms of support and the programs that are effective enough to maximize the chances of the juveniles' successful reintegration into the community following their release.

We believe that the key to the effective cooperation on the field of reintegration with the juveniles of Waterville is the result of the Youth Workers' efforts. Hence, the terms and conditions of use within Nova Scotia are strict, which is perfectly understandable.⁶

In order to become a Youth Worker, it is generally desirable to have a BA degree in psychology, criminology, sociology, social work or education, but they also accept applicants with a completed secondary education and at least five years of institutional experience working with prisoners in one of the facilities. (Sampson, 2016)

⁵ YCJA: Chapter 5 90 §. (1).

⁶ Despite the increasing expectations and workload, the status of YW is so popular that on 19 March 2018 no empty YW statuses were open (<https://jobs.novascotia.ca>) and no new employee has been hired in the last 4 years.

After the successful completion of the employment procedure (background check; examining the physical, psychological and mental capabilities of the applicant, evaluating communication skills), a series of internally hosted trainings begins with a theoretical phase held in small groups with the leadership of trainers and a practical phase to be conducted within the facilities with the inclusion of mentors. Staff training is both an individual and group process where cases are discussed and intervention strategies are reviewed. It focuses on interactions, psychodynamics and systemic concepts and draws upon social and organizational policies. The purpose of in-service training is to enhance accountability, and to ensure coordination and evaluation procedures. It is a key factor in enabling staff to deal with the difficulties that occur daily in group care. It provides on-going feedback and redirection in applying various counselling approaches to different problems, offers a tool for examining intervention efforts, continually develops and refines assessment skills and attempts to ensure constancy within the social system by emphasizing collaborative team work.

Youth Workers have to be aware of the fact that in groups, juveniles function at different emotional, cognitive and social skill levels. To integrate them, and thus make the operation of the group fluid, the staff must teach the young participants how to understand and communicate information, how to be receptive to and appropriately expressive towards others. These skills are emphasized through cooperation, listening, awareness, sensitivity and mutual respect and developed by pin-pointing roles in groups, recognizing role change, identifying commonality and the purpose of groups, setting common rules of conduct, teaching shared decision-making, or problem solving strategies, assertiveness of individual members and learning to deal with the impact of loss and change. Critically, cooperation includes responsibility towards other members (group spirit), understanding the mood or tone of groups, teaching members how to defuse conflicts, and it also encourages risk taking, and resisting negative peer pressure. (Pazaratz, 2000)

Due to the general use of the Youth Worker position within the Waterville Juvenile Facility, the number of the administrative staff is remarkably and security staff is virtually non-existent. This also means that 80% of the prison staff performs tasks associated with reintegration. We believe that the youth workers are capable of completing the following tasks simultaneously:

- educator (trustworthy partner and advisor who supports and encourages, sets guidelines and is capable of using the subject's sources to their fullest extent);
- teacher (a person who helps and motivates and who has a significant role in improving the personality of a subject, someone who determines a goal and then helps achieve it);
- supervisor (sets boundaries, monitors, foresees, organizes and – should the need arise – punishes);
- security officer (scrutinizes, cares, maintains and upholds the security rules);
- group leader (ambitious, dynamic, flexible, punctual, capable of enhanced focus, objective);
- punishing and rewarding father (significant character-shaping abilities, boasts the required experience, mediates and negotiates – reliable, determined and consistent);
- role model (a sympathetic and fair leader who is worthy of respect);
- social affairs expert (a person who has excellent communication skills, who serves as an administrator and as a key person behind the communication and information system of the facility).

Youth workers cover all of the aspect of the juveniles' internal life through their own personal involvement. (Ruzsonyi, 2003, 2006)

With the leadership and coordination of the youth workers, the work on the field of reintegration in Waterville is generally built on the method of "Restorative Practice"

5. Restorative Practice

“Human beings are happier, more productive and more likely to make positive changes in their behaviour when those in positions of authority do things with them rather than to them or for them.” (Ted Wachtel⁷)

Nowadays several forms of restorative practices and measures are known, with their precise names mostly linked to the profile of the given field of expertise. In the criminal justice field these innovators use the term “restorative justice” (Zehr, 1990); in social work they advocate “empowerment” (Simon, 1994); in education they talk about “positive discipline” (Nelsen, 1996) or “responsive classrooms” (Charney, 1992); and in organizational leadership terms like “horizontal management” (Denton, 1998) are used. However, all of these titles are related to a similar perspective about people, their needs and their motivation.

Restorative justice programmes are based on the fundamental principle that criminal behaviour not only does violate the law, but also injures the victims and the community itself. Any efforts to address the consequences of criminal behaviour should, where possible, involve the offender as well as these injured parties, while also providing the help and support the victims and offenders require. Restorative justice refers to a process for resolving crime by focusing on redressing the harm done to the victims, holding offenders accountable for their actions and often also engaging the community in the resolution of the given conflict. Participation of the parties is an essential part of the process that emphasizes relationship building, reconciliation and the development of agreements around a desired outcome between victims and offenders.

The fundamental goals of restorative justice are to reduce recidivism by encouraging change in individual offenders and to facilitate their reintegration into the community. The past behaviour of individuals and its consequences clearly have a central role in the restorative process, but so does the offender's future behaviour. An offender's undertaking as it relates to his or her future behaviour is usually an essential component of agreements arrived at through mediation or other restorative processes. (Dandurand, Griffiths and United Nations Office, 2006) and (Bergseth and Bouffard, 2007) From the perspective of restorative justice, rehabilitation cannot be achieved until the offender acknowledges the harm that was caused to the victims and communities and makes amends (Bazemore and Umbreit, 1997). Therefore, restorative justice programs are generally voluntary in nature and require that offenders (if they are to participate) admit responsibility for the illegal act.

What we can state in a general sense is that although the emergence of restorative justice as a global phenomenon in the last four decades is significant (Llewellyn, Archibald, Clairmont and Crocker, 2013), it is even more important from the aspect of our investigation to point out that in Nova Scotia there is an actual, legacy-rich tradition and several great achievements of the practice related to restorative justice. Based on the related professional literature: „The Nova Scotia Restorative Justice Program (NSRJ) is regarded as one of the best criminal justice system-initiated restorative justice programs in Canada”. (Clairmont and Kim, 2013, 360.)

Hereinafter, we will focus on the “Restorative Practice” method as it is more important when it comes to our topic. The restorative practices concept has its roots in “restorative justice,” a new way of looking at criminal justice that focuses on repairing the harm done to people and relationships rather than on punishing offenders. For the last decade the International Institute for Restorative Practices has been developing a comprehensive framework for practice and theory that expands the restorative paradigm beyond its origins in criminal justice (McCold and Wachtel, 2003).

The acceptance and later the introduction of the concept of restorative practice was facilitated by the fact that the related literature produced by senior researches of the Correctional Services of Canada (Bonta and Andrews, 2010) has noted that over the past two decades there has been a shifting paradigm among researchers, replacing the earlier perspective of “nothing works” in prison rehabilitation to a more optimistic view believing that certain programmes are capable of changing the

⁷ Ted Wachtel is the president of the International Institute for Restorative Practices. Bethlehem, Pennsylvania, U.S.A.

behaviour of offenders towards a more prosocial behaviour. Hence, they have argued for the importance of synergetic effects, noting that addressing non-criminogenic needs (the usual direct focus of RP) “may be important for removing (on the inmates’ part) certain barriers before dealing with criminogenic needs and thus increasing the offender’s motivation to participate”. (qtd. by Clairmont 2016, p. 10)

On the field of employing restorative practice methods, the Waterville facility has a tradition that goes back to almost half a decade. Following the cooperative planning of correctional professionals and university lecturers,⁸ the process was first introduced in 2012 in two living sections of the Waterville Youth Centre, and was later – following a favourable experience – expanded to cover the whole area of the institution. The latest development was introduced in 2015/2016, when they (a) increased the use of RP for addressing discipline concerns with respect to high risk offenders, (b) extended the initiative to incarcerated juvenile females; (c) improved collaboration with partners from the Isaac Walton Killam Health Program’s youth forensics in the field of youth management. (Clairmont, 2016) In our opinion, the initiative of the Canadian colleagues was a brave and ground-breaking one, since at first, the introduction of restorative practice methods within correctional institutions was met with a general opposition. Many scholars and RJ practitioners contended that the idea of a restorative approach in prisons is an oxymoron, basically on the grounds that the prison environment itself is the hallmark of coercion and thus profoundly violates the principle of voluntarism that is fundamental to the restorative approach. Engaging in restorative practices in the prison milieu represents a challenge to that presumption, a challenge that acknowledges coercion but also advances the idea of a continuum where there is scope for participants to act freely even though there may be negative consequences depending upon their actions. The initiative of the professionals at Nova Scotia was novel not only in the environment of the procedure, but also its goal which diverted from the goals of restorative justice in a “classic” sense. The literature on the implementation of the restorative approach in prisons typically indicates that it has rarely been focused on the prison milieu itself (e.g., the prison relationships, the prison subculture) but was rather directed towards the participants’ understanding of the approach and towards the contribution to the healing process for participants and their victims outside the prison. In the strategy of the NSYF, the focus lies on the actions to be carried out within the prison milieu itself. There are but a few existing models of such an approach that the NSYF can draw upon for guidance and nothing similar could be found in the North American literature on youth prisons. The challenges were numerous, extending beyond the existing prison culture to other crucial factors such as the characteristics of the youths incarcerated in the post-YCJA era, and the short sentences and high turnover among these incarcerated youths. (Clairmont and Kim, 2013)

Restorative Practices were to focus on creating more collaborative relationships among juveniles and staff at the institution, and to increase the sense of community. It was anticipated that such an emphasis could produce a positive change especially, but not only, on how the juveniles think about themselves and others, to help them discover alternative ways of responding to issues, and translate that into a more socially positive and productive behaviour. Clearly, the focus was to be on carving out more positive relationships within the institution, with anticipated relations, using an approach that had acquired much credibility over the past decade in dealing with conflicts and problems within schools, community corrections and prisons elsewhere. A wide variety of strategies and tools to achieve such goals has increasingly been conceptualized and honed, and a popular RP continuum emerged, ranging from using affective statements in interpersonal interactions to having fully-fledged circles among the involved individuals and stakeholders (Costello, Wachtel and Wachtel, 2009).

In the NSYF project the emphasis has been put squarely and, at least at this point, exclusively on prison culture; that is, everyday life in the institution. The focus on prison life puts emphasis on the fact that in reality, there are four chief relationships that would be impacted by the initiative. These are the following: youth and staff workers; youth and youth; youth worker and youth worker; and finally youth worker and management.

⁸ Lorri Bower from Corrections Nova Scotia; Don Clairmont, director, Atlantic Institute of Criminology at Dalhousie University; Ethan Kim, a long-term research associate with the Atlantic Institute of Criminology.

6. Conclusions

Within the Nova Scotia Youth Facility (NSYF), the process of introducing Restorative Practice and the related experience has been under investigation and evaluation from the beginning by experts, due to which nowadays several interlinking factors and connections are known, and it has also become possible to determine steps required for further developments. We have to put emphasis on the fact that in Waterville professionals have been very thorough during the introduction of the method. It was implemented at little cost to the NSYF, did not result in extra work for the YWs, and apparently did not even conflict with their already established formal responsibilities. There were no significant hardships for youths as a result of the Restorative Practice initiative, no increased vulnerability, and no interference with or diminution of any of the on-going programs and services. Moreover, even the external factors were beneficial, since the Youth Criminal Justice Act and the Nova Scotian demographics have resulted in a much smaller number of young inmates but the round-the-clock organizational responsibility continued to require an almost similar number of staff, enabling the opportunity to provide a more thorough service and explore options in managing youth-staff relationships. (The number of the staff currently working within the facility currently exceeds the number of inmates).

During the introduction of restorative practice, the morning circle⁹ was the centrepiece of the RP initiative and evidence suggests that it has been an appropriate and effective strategy. It put emphasis in a rather dramatic way to the notion innovation and required significant skills and commitment from the initiative's leader in the unit – the program coordinator – to convey its meaning and value. The morning circle should continue to be a central feature of the RP approach along with its complement, the reintegration circle, for youths returning to normal unit life after a period of segregation for a serious violation of the rules.

By using restorative practice, the creators managed to approach criminogenic needs from the direction of non-criminogenic needs, creating a fruitful cooperation and partnership in the meantime. This is the spot where the Hungarian criminal-pedagogical theory and the practice in Waterville overlap in multiple areas.

In our next article we will examine in detail the similarities between the Hungarian criminal-pedagogical theory and the practice related to the closed-institution treatment of juveniles in Nova Scotia.

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⁹ The format of the morning circles was very similar across cottages. They usually began about 8.30 a.m., lasted about 35 minutes, with the cottage program worker or a Youth Worker (YW) being the central facilitator. Frequently, a Youth Person (incarcerated youth = YP) had the concluding role of thanking participants for their attendance and contribution. The participants always included in the circle both staff and youths and occasionally other adults (e.g. health service providers). Usually there were two rounds, the first wherein participants indicated on a scale of 1 to 10 how they were feeling that morning, and the second varying in focus. Usually on Monday and Friday the participants discussed their objectives for the week (Monday) and how successfully they realized their targets (Friday). During the week, the topics for the circles varied considerably with some selected from a prepared list and others being the suggestions of either the YPs or on-duty YWs whose attendance was usually mandatory. (Clairmont, 2016)

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