



# The crossover phenomenon of child protection and criminal convictions among adolescents: A commentary

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## ABSTRACT

This commentary presents the main results of an article originally published in 2018 in *Journal of Adolescence*. Based on official records extracted from Quebec City's Youth Center database, the article explores the nature and intensity of officially known criminality of 5 399 adolescents found guilty under the provisions of the Youth Criminal Justice Act of Canada between 2003 and 2012. Since the Youth Center is also responsible for the application of the provincial Youth Protection Act, it then became possible to examine the potential links between previous episodes of child protection and later criminal convictions. The article describes these potential links and gets back to what the literature has showed about the diverse explanations for these links.

**Keywords:** Delinquency, Scientific enquiry, Juvenile delinquents, Self-destructive

## INTRODUCTION

Researches about youth delinquency and its eventual causes and remedies occupies a very vast pan of a scientific enquiry. While both criticized (Caspi, Lynam, Moffit, and Silva, 1993) and praised (Laub and Sampson, 1993), the pioneering work of the Gluecks originally published in 1957 and intitled *Unraveling Juvenile Delinquency* clearly indicated two general sets of observations regarding youth delinquency that are still very up-to-date. The first set of observations reveals that while a majority of youth will engage in at least one minor transgression during adolescence, that same majority will not commit another (Kim, Tajima, Herrenkohl, and Huang, 2009; Salzinger, Rosario, and Feldman, 2007). The second general set of observations points to the fact that a small minority of youth engage into a cascade of offenses, varying both in diversity and seriousness, but with a very high frequency of events that clearly sets them apart from those who form the majority. For some of those youth forming this minority, it seems that even the most severe penal measures our systems have designed show very little impact on recidivism, and to such an extent that some researchers still claim the infamous "nothing works" put forward by the late Martinson in 1974. But while there seems to be quite a strong consensus in the research community regarding these two elements surrounding the phenomenon

of juvenile delinquency, debates are still prevailing regarding the potential explanations about the who and the why some adolescents embark in one or the other track of committing acts of delinquency. The sole existence of this minority (about whom some even go to the extent of labeling them as "super-predators"; Bing, 2007) raises numerous questions: are these juvenile delinquents "crime specialists" of "crime generalists"? Since some of these youth, regardless what group they are from, possess prior records of child protection services, what is the nature and the extent of potential relationships between the motives that brought the attention of these services and later criminal convictions (Mersky, Topitzes, and Reynolds, 2011)? How and to what extent do these youth differ in terms of age of first criminal conviction, their gender, as well as other individual characteristics?

The article entitled the thin line between protection and conviction: Experiences with child protection services and later criminal convictions among a population of adolescents (Alain, Marcotte, Desrosiers, Turcotte, and Lafortune, 2018) presents unique opportunities to discuss how a thorough exploration of empirical data could help to shed some light on some of these important issues. The data set explored in this article addresses elements pertaining to (1) the question of specialisation/non-specialization of criminality among youth found guilty of criminal breaches, (2) the verification of the

existence of two different groups among these youth, e.g., the non-recidivist versus the multi-recidivists and, (3) the nature and the extent of the relationship between prior records of child protection intervention and later onset of delinquent acts and behavior.

## DATA TREATMENT AND ANALYTICAL STRATEGIES

Access to the Quebec City Youth Center database was obtained with the permission of our university ethical research board, as well as the ethical research board of the Quebec Association of Youth Centres<sup>1</sup>. Permission was granted to access the full database for all youth recognized as guilty of a criminal act from April 2003 to July 2012.

The starting point was deliberately chosen since April 2003 is the date the newly enacted Youth Criminal Justice Act became effective throughout Canada; the endpoint, July 2012, corresponds to the completion of data extraction. A total of 5399 youths met the extraction criteria. Using an anonymous identification number given during the first extraction, a second sweep through the database extracted all available characteristics regarding sex, age, details of officially known criminal activities, and all details regarding sentences. Finally, a third and final sweep was conducted, this time to extract all details concerning previous or ongoing episodes of connection with child protection agencies, including the nature of the maltreatment/abuse for which a report had been filed, decisions and measures taken by the child protection authorities. This gave us a database of close to 2000

variables per youth on which all analysis were conducted. These 5 400 youths include all youth under the jurisdiction of the Quebec City Youth Centre during this period and may also act as a sample of youth in the province of Quebec during this nine-year period. The general characteristics of the subjects used in our extraction of material from the Quebec City Youth Centre database are illustrated in the Table 1. As expected and based on the general literature, male subjects are close to 80 percent of those found guilty of criminal offenses in the data under consideration. Female subjects, however, are notable for their younger age at first official offense and higher number of prior records in child protection. The fact that female youth are more likely than their male counterparts to have at least one prior record with child protection services may partly explain these differences. Regarding analytical strategies, the authors relied on results obtained from a latent class analysis (LCA). The LCA model reveals associations between variables and creates discrete classes, or profiles. Dependent inter-profile differences can be determined according to indicators chosen within each profile. The chosen model and the number and definition of profiles obtained depend on both empirical and theoretical values (Keller et al., 2007). A five profiles solution was finally selected as it met the criteria for both best fit (The BIC associated with the five-profiles model is within the lowest possible with a value of -145567.2; the attribution probability score is 95.5%) and best potential theoretical interpretation. Table 2 present the five profiles and some of their defining characteristics.

**Table 1:** General characteristics of youth found guilty under the YCJA between 2003 and 2012 in the Quebec City administrative region.

	<b>Males (n=4242; 79%)</b>	<b>Females (n=1157; 21%)</b>	<b>Total (N=5399; 100%)</b>
	<b>M (s.d.)</b>	<b>M (s.d.)</b>	<b>M (s.d.)</b>
Age at first offense	15.8 (1.5)	15.5 (1.5) <sup>a</sup>	15.7 (1.5)
Average number of convictions	4.9 (7.7)	2.4 (3.6) <sup>b</sup>	4.3 (7.1)
Average number of prior records in child protection	1.03 (2.01)	1.39 (2.31) <sup>c</sup>	1.11 (2.08)
Total number of subjects with a prior record in child protection (%)	1577 (37%)	523 (45%)	2101 (39%)
<sup>a</sup> t=6.01; ddl=5396; sig.=.000.			
<sup>b</sup> t=16.66; ddl=4068; sig.=.000.			
<sup>c</sup> t=4.77; ddl=1660; sig.=.000.			

<sup>1</sup> Certificates number CER-14-204-07.28 and MP-CJQ-IU-14-018

**Table 2:** Characteristics of youth according to their identified profiles

	<b>Profile 1: Low goods-related offenders</b>	<b>Profile 2: High multi-offenders</b>	<b>Profile 3: Low violence-related violent offenders</b>	<b>Profile 4: Low drug-commerce-related offenders</b>	<b>Profile 5: Very high multi-offenders</b>	<b>Total</b>
Number (%)	1727 (32%)	1404 (26%)	1133 (21%)	918 (17%)	217 (4%)	5399 (100%)
Proportions of males (%)	67.90%	85.10%	74.50%	80.40%	93.50%	4242 (79%)
Total number of convictions (%)	4610 (14.1%)	14122 (43.1%)	3851 (11.8%)	1981 (6.1%)	8195 (24.9%)	32759 (100%)
Average number of convictions (s.d.)	2.11 (2.19)	7.98 (7.11)	2.76 (3.83)	1.77 (1.56)	27.88 (22.74)	4.87 (8.47)
Proportion of subjects showing at least one prior record of child protection	29.10%	50.20%	47.50%	24.30%	68.60%	39.00%
Average number of child protection prior interventions (s.d.)	0.72 (1.62)	1.48 (2.31)	1.45 (2.42)	0.56 (1.40)	2.51 (2.87)	0.94 (2.12)

Table 2 summarizes results showing two main types of profiles: those of the “specialists”, namely profiles n.1 (“low goods-related offenders”), n.3 (“low violence-related violent offenders”) and n.4 (“low drug-commerce-related offenders”), and those of the “generalists”, namely profile n.2 (“high multi-offenders”) and n.5 (“very high multi-offenders”). What characterizes the specialists’ profiles is, (1) their relatively low average number of convictions per youth (e.g. between 1.4 and 2.0) as well as the fact that at least for profiles n.1 and n.4, it appears that a rather small fraction of these youth show previous records of child protection events (respectively 29 percent and 24 percent). Things seem to be a bit different regarding profile n.3: in this specific case, 47.5 percent of those classified in this profile have known at least one previous event of child protection. But, perhaps even more disturbing in this specific case is the fact that it appears the reasons why child protection services were invoked are events of child molestation and physical abuses. In other words, these youth are convicted of criminal offenses that are somewhat close to what they had endured during their childhood.

If we now target our attention to the two “generalists’ profiles, two important results now appear to be worth few general commentaries. First, while those youth forming profiles n.2 and n.5 constitute a small fraction of the whole sample (respectively 23 percent and 5 percent) together, they nonetheless are responsible for 68 percent of all registered criminal convictions. Youth classified in the fifth profile, representing

only five percent of the whole number, are responsible for close to 25 percent of all convictions. Second, if we focus our attention to their previous records of child protection events, 50 percent of youth forming profile n.2 show at least one previous event, while those forming profile n.5 are in this situation at a 70 percent proportion.

## DISCUSSION AND CONCLUSION

The aims of the study presented in the article here reviewed were to identify delinquent profiles among officially convicted youth and to contrast these profiles by the presence, the nature and the seriousness of abuse/maltreatment events in the children protection records. The results clearly support previous literature as to the existing links between maltreatment and delinquency. Moreover, results obtained from the analyses highlight two additional aspects. First, it is clear that some youths perform criminal acts that are associated with the nature of the maltreatment to which they have been exposed during childhood. As such, youth in profile 3 (violence-related offenders) are mainly indicted for violent offences while their maltreatment records show that they have more substantiated child protection reports than profiles 1 and 4 (respectively, goods-related offenders and drug commerce-related offenders) and these reports are indicative of physical abuse, sexual abuse and behavioral problems. Lending support to both the social-learning theory (Aker, 1985) and the social-strain theory (Agnew, 2005), it can be argued that violence endured as a child or as an

adolescent is imitated and reproduced against others or that violence suffered repetitively induces prolonged stress which is conducive of self-destructive and aggressive behaviors. Links between sustained violence and committed violence have also been found in other studies (Finkelhor, Turner, Shattuck, and Hamby, 2013; Meinck, Cluver, Boyes, and Mhlongo, 2015). Also, profiles displaying higher offending rates, more serious offenses and more variety of offenses (profile 2 and 5) are also more susceptible to have suffered various types and repeated episodes of maltreatment than youth in other profiles. Other researches have highlighted the role of abuse severity and the lack of support (which can be particularly acute in cases of foster care placement where parents are considered unfit to care for their children) are significantly important risk factors for further delinquency and incarceration (Asberg and Renk, 2013). Whether we rely on the social learning, social strain or social control theory, they all converge to the cyclic nature of violence which asserts that various forms of abuse, neglect, trauma, and violence exposure during childhood create significant developmental problems and significantly increase the likelihood of maladaptive, delinquent, and violent behaviors later in the life course (Bifulco, Brown, and Adler, 1991; Chauhan and Widom, 2012). For example, in a 12-year prospective study, Lansford et al. (2002) found that maltreatment during childhood predicted adolescent aggression, anxiety, depression, dissociation, social problems, thought problems, social withdrawal and repeated episodes of school absence, all of which go beyond the effects of family and child traits that are correlated with maltreatment. Moreover, studies conducted in Australia and in the United States have shown that young people with child protection or care backgrounds are subject to distinct disadvantages, including: greater police attention, and the criminalization of behaviors that would usually be dealt with by parents in family homes (Cashmore, 2011; McCartan et al., 2011); a decreased likelihood of receiving probation for first time offences (Ryan, Herz, Hernandez, and Marshall, 2007); and, a greater likelihood of placement in juvenile justice facilities in the absence of other appropriate accommodations (Cashmore, 2011). Thus, the ripple effect of victimization during childhood is a complex phenomenon, which is manifest over and above the official delinquency reports.

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