



Manitoba Centre for Health Policy

Manitoba's Cross-Over Kids: Overlap between the Child Welfare and Youth Justice Systems

Spring 2020

Summary Written By: Jennifer Enns

A summary of the report *Youth Criminal Justice Systems: Documenting "Cross-Over Kids" in Manitoba*

Report by Marni Brownell, Nathan Nickel, Lorna Turnbull, Wendy Au, Okechukwu Ekuma, Leonard MacWilliam, Scott McCulloch, Jeff Valdivia, Janelle Boram Lee, Elizabeth Wall-Wieler and Jennifer Enns.



University
of Manitoba

Rady Faculty of
Health Sciences

Children and youth are the future of Manitoba. To become successful adults, they need safe spaces to grow and learn. But the systems meant to keep young people safe and guide them as they grow are not working for all children. Too many young people are taken from their families and placed in care of the child welfare system. And too many become involved in the justice system, setting them up for what can often be a bleak future.

Compared to other countries, Canada has a very high rate of children in care of child welfare. The rate of kids in care is higher in Manitoba than any other province. Manitoba also has the highest rate of youth in custody. These high rates exist despite programs to prevent youth from going to prison. Whenever possible, the youth justice system avoids involving the courts when working with young people who have been arrested and instead tries to place them in programs that steer them away from further justice system involvement.

A recent study from the Manitoba Centre for Health Policy (MCHP) looks at how many children in Manitoba are taken into care of child welfare and also become involved in the youth justice system. These children are sometimes called “cross-over kids,” the ones who find themselves caught up in both systems. The study digs deep to look at what characteristics are most common among children and youth who become cross-over kids and uses this information to say what predicts whether youth will end up being charged with a crime. In this way, the study may point to opportunities to intervene and give youth a chance of a better outcome.

An important aspect of the study is that it reports not only the total number of cross-over kids in Manitoba, but also looks at First Nation and Metis kids separately. As high as the rates are for Manitoba overall, they are even higher for First Nation and Metis children and youth. There are far more Indigenous young people in care and in custody than we would expect based on the total number of children and youth in Manitoba. In their report, the Truth and Reconciliation Commission of Canada lays out a framework for building respectful relationships among Indigenous Peoples and other Canadians. It calls for annually reporting the numbers of children in these systems as an essential first step towards reducing them.

Researchers at MCHP used data from the Manitoba Population Research Data Repository for this study. The Repository contains data on all contacts between Manitoba residents and the healthcare system, the justice system, and social services, going back several decades. At MCHP, these data can be linked together. However, the data do not identify individual people. To protect their privacy, all names and addresses are removed before they are brought into the Repository. This means we can do research studies on groups of people without ever knowing exactly “who” the individuals in each group are.

Who are Manitoba’s Cross-Over Kids?

Using Repository data, we followed a group of children born in 1994 as they grew into adults. We looked to see how many were involved in child welfare and/or the youth justice system. There was quite a lot of overlap between the two systems every way we looked at them. For example, more than one in three children who spent any amount of time in care was charged with at least one crime as a youth. And by the time they were young adults, close to half of those who had spent time in care as children had been charged with a crime.

The youth in our study who had been in care and involved in the youth justice system shared several characteristics. Compared with youth who had not been involved in both systems, they were less likely to finish high school. They were more likely to have a mental illness or a developmental disability. And they were more likely to die by the time they were 21 years old. Cross-over kids were also more likely to be First Nation or Metis than youth who had not been involved in both systems. Even though First Nation children made up less than a quarter of the whole group we studied, they made up more than half of all youth who were accused of a crime.

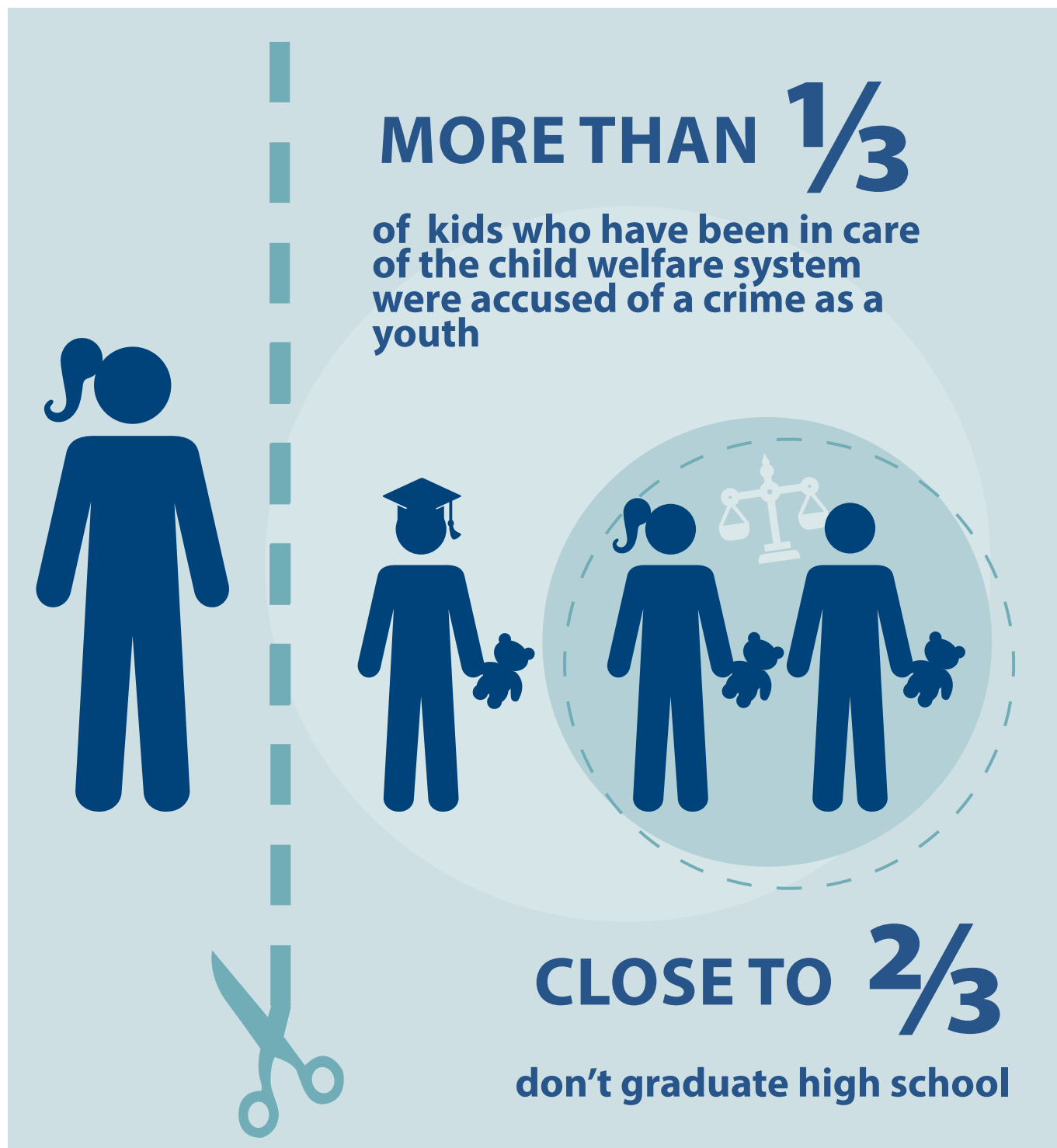
What Predicts Whether Youth Will Be Charged with a Crime?

Among the youth we studied, a number of characteristics were very strongly associated with becoming involved in the youth justice system. In fact, these characteristics could be said to predict whether youth would be charged with a crime. The strongest predictor was being taken into care of the child welfare system. The more times a child was taken into care, the higher their risk of being charged with a crime later on. The type of in-care placement made a difference. A child placed in a group home was more likely to be charged with a crime as a youth than a child placed with foster parents. Being male, being First Nation or Metis, and having a mental illness also predicted whether youth would be charged with a crime.

The study paints a grim picture for children who enter the child welfare system. But keep in mind that the study does not tell us that being in care causes children to become involved in the justice system. Rather, it points out where there is high risk of children and youth having poor outcomes and presents opportunities for child welfare advocates and other system planners to explore possible policy changes.

The findings on Indigenous children and youth must be looked at in context. It might seem like simply being Indigenous puts kids at risk for becoming involved in child welfare or the justice system. But rather, it is the barriers our society places in front of Indigenous people that put their children at risk. In Canada, there is a long history of Indigenous children being taken away from their families. The residential school system and the Sixties Scoop took Indigenous children from their homes. Many were raised

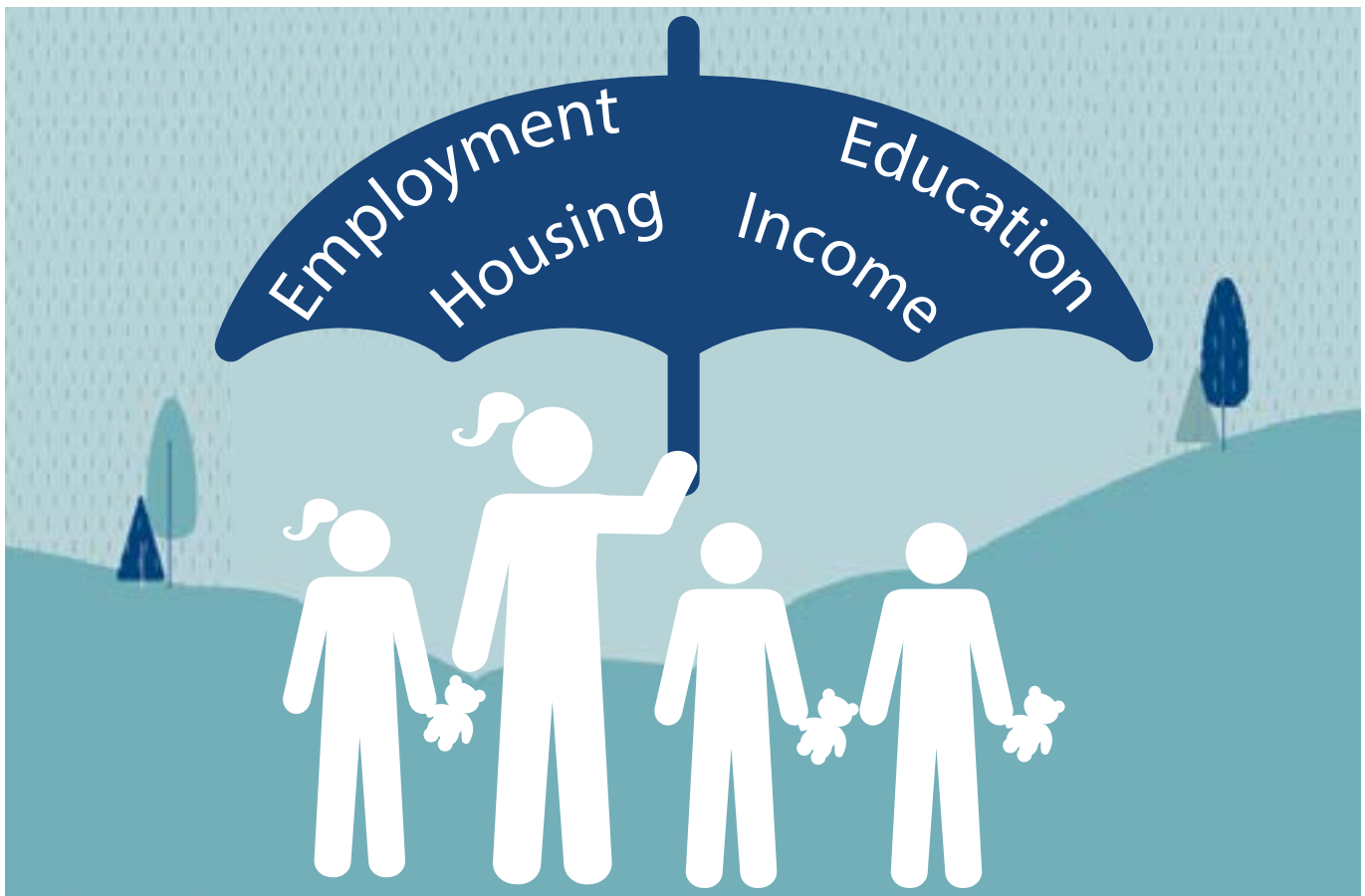
among strangers, away from their own language and culture. Indigenous people continue to face racism and discrimination, and the funding they receive for vital services is consistently less than other Canadians. It is because of these and other forces that Indigenous children continue to be removed from their families. These system factors lead to Indigenous children and youth being over-represented in the child welfare and youth justice systems.



The Numbers Are Bleak, but There Is Hope for the Next Generation

There's a saying in research: "What gets counted counts." Very simply, this means that if we want to solve a problem, we first have to know the size and scope of the problem. The hope is that this study provides the information needed to take action on reducing the number of children in care and the number of youth who become involved in the justice system in Manitoba.

There is still much work to be done. The study closes with recommendations for next steps. These steps focus on supporting families to prevent the challenges that lead to children being placed in care, empowering Indigenous people to deliver their own services in line with their own values and policies, and continuing to report on the overlap and other key statistics. With renewed attention on funding, supports and services for keeping families together, Manitoba communities can continue to build on their strengths and ensure that there will be far fewer cross-over kids in future generations.



Manitoba Centre for Health Policy

Data | Insight | Informing Solutions

Tel: (204) 789-3819

Fax: (204) 789-3910

Email: reports@cpe.umanitoba.ca

www.mchp.ca

The Manitoba Centre for Health Policy is a research unit in the department of Community Health Sciences at the University of Manitoba's Max Rady College of Medicine, Rady Faculty of Health Sciences.

MCHP conducts population-based research on health services, population and public health, and the social determinants of health.

To View the Original Report, Please Visit

http://mchp-appserv.cpe.umanitoba.ca/reference/MCHP_JustCare_Report_web.pdf



University
of Manitoba

Rady Faculty of
Health Sciences