

## **Implications of the UN Convention for Crime Prevention**

By R. Brian Howe, Ph.D. and Katherine Covell, Ph.D. Children's Rights Centre,  
Cape Breton University, Canada

Paper presented to the 4<sup>th</sup> World Congress on Family Law and Children's Rights  
Cape Town, South Africa, March 22, 2005

It is reasonable to expect that youth involvement in crime would lessen with the implementation of the UN Convention on the Rights of the Child. Such an expectation may be inferred from the literature both on crime prevention and children's rights. As reported in crime prevention literature, youth are less likely to become involved in serious and violent crime through the reduction of risk factors – abuse, neglect, poverty, maltreatment – and through the enhancement of protective factors such as supportive family, school, and community environments for children. In children's rights literature, implementing the rights of children is justified not only on legal grounds but also on the basis that it promotes healthy child and adolescent development. These two literatures converge on the expectation that strong policies supportive of children are important means for preventing youth crime and for preventing crime in general. It is expected that when social policies and programs are in place to advance the rights of the child, these serve as protective factors for children through the building of healthier families, schools, and communities. An important outcome is that children and youth are more likely to be steered away from a pathway into serious crime and into one of healthy child and adolescent development.

The purpose of this paper is to investigate the anticipated policy linkage between children's rights and crime prevention, using Canada as a case study. The first part of the paper will discuss reasons for the anticipated linkage, in reference to the literature both on crime prevention and children's rights. The second part will explore the linkage in Canada by comparing the rates of youth crime across the provinces and territories of the country. Finally, the third part will present evidence that differences in family and social policies help to explain variations in rates of youth crime. In the province of Quebec, where policies are relatively strong, the rate of youth crime is lower. In territories and

provinces with larger aboriginal communities and where policies are weaker, the rate is higher. The conclusion of the paper is that while there are many reasons to implement the UN Convention on the Rights of the Child, among these is the relation between securing children's rights and preventing youth crime.

### **The Anticipated Linkage between Crime Prevention and Children's Rights**

In the international literature on crime prevention that has been amassed in the past three decades, much progress has been made in determining risk factors for involvement in crime and in identifying and analyzing different strategic approaches to crime prevention. Informed by social science research, longitudinal studies of children and youth, and studies of crime and crime prevention, this literature has contributed to the establishment of numerous national crime prevention strategies and programs across the world. There is now wide agreement in the literature that criminal law sanctions and law enforcement have only modest effects on the incidence of crime and that other approaches are necessary to complement law enforcement efforts (Tonry & Farrington, 1995: 1-7). Highlighted in the literature are three main approaches to crime prevention beyond traditional law enforcement.

One approach is "situational crime prevention" (Clarke, 1995: 91-150; Crawford, 1998: 65-98; Rosenbaum, Lurigio, & Davis, 1998). It assumes that much youth and adult crime is contextual and opportunistic in nature. Its focus therefore is on the need to institute measures to reduce opportunities for crime by increasing the associated risks and difficulties. The main premise here is that if young people and adults were given the opportunity to commit crime, many would take advantage of the opportunity and engage in criminal behavior. Thus what is required to prevent or reduce crime is to control the environment such that opportunities are reduced both for committing crime and for being victims of crime. This involves the use of opportunity-reducing techniques ranging from "increasing the effort" to commit crime (e.g. through target hardening such as use of locks) to "increasing the risks" (e.g., through surveillance) to "reducing the reward" (e.g., through identifying property). As pointed to by critics, a limitation of this approach is the problem of crime displacement where crime is simply moved around. A criminal, for example, faced with a lock or alarm in one location, would simply move to a different

location. Another limitation is that the approach does not deal with the problem of the underlying motivation to commit crime in the first place.

A second approach is “community crime prevention” (Hope, 1995: 21-89; Crawford, 1998: 124-160). It assumes that crime is largely a function of where people live and work. Crime is not merely the result of the sum total of individual criminal behaviors. Rather, there is something about a “community” in itself that promotes or produces criminal behavior. Some communities are high crime areas. Others are not. Thus the focus here is on identifying and changing environmental conditions that are believed to give rise to crime in particular neighborhoods and local communities. Crime prevention is a matter of environmental design through such measures as modifying building and neighborhood design to increase surveillance, improving the physical appearance of buildings and areas, and mobilizing residents to become involved in their communities and to take preventive actions against crime. Preventive actions include programs such as neighborhood watch and recreational activities for youth. However, a shortcoming of the approach is that there is no solid evidence that it has proven effective over the long term. Although characteristics of communities have been shown to be risk factors in criminal behavior, the importance of local communities should not be overstated. Communities ultimately are made up of individuals, families, and schools. Research indicates that risk factors at these levels are as important or more important than those at the level of the community.

Finally, a third approach is “developmental crime prevention” or “social crime prevention” or “crime prevention through social development” (Tremblay & Craig, 1995: 151-236; Crawford, 1998: 103-124; International Centre for Crime Prevention, 1999). It takes a developmental perspective (from disciplines such as developmental psychology, education, medicine, and studies of public health) and takes into account the motivation for committing crime and the underlying social conditions behind crime. The focus here is on identifying “risk factors” -- especially during a child’s early development -- that increase the likelihood that children and youth will become involved in anti-social behavior, including criminal behavior. Identified are family risk factors including child abuse or neglect, poor parenting, and family instability, school and peer risk factors including low school achievement and anti-social peers, and community risk factors such

as neighborhoods with high levels of crime, violence, and economic deterioration. Identified also are “protective factors” that serve to decrease the probability or risk of involvement in crime. Among these are family protective factors such as positive parenting and family stability, school and peer factors such as mentoring programs in schools and pro-social peer groups, and community factors such as recreational programs for youth. According to this approach, what is required to prevent crime is a strategy to reduce risk factors and to enhance protective factors, especially during the early years. Included as part of the strategy are programs to improve parenting skills, children’s performance in schools, and community recreational opportunities. Because the research has been solid and the logic of the approach convincing, developmental prevention has proven to be a “new frontier” in crime prevention efforts (Tonry & Farrington, 1995: 10).

These different approaches have been incorporated into national crime prevention strategies put into place in a number of countries during the 1980s and 1990s (Crawford, 1998: 218-244; International Centre for Crime Prevention, 1999a). Among the leaders were France and Sweden followed by Canada, the United Kingdom, and the United States. Although there were variations, the common approach was to blend the different approaches, establish national crime prevention councils or agency for purposes of administration and research, and to implement programs with the assistance of local communities and community partnerships. A national council or agency would typically provide communities with administrative assistance, funds, and information about crime prevention. Community organizations would apply to the agency for funds to develop a project. Although the strategies were to be comprehensive and to incorporate situational, community, and developmental approaches, what became increasingly important was developmental or social crime prevention and programs for children at risk of criminal involvement.

In children’s rights literature, those advocating for the implementation of the rights of the child do so on the basis not only of law and principles of justice but also of healthy child and adolescent development. The justification on the basis of law is important. It is emphasized by Eugene Verhellen (1994), for example, that in ratifying the UN Convention on the Rights of the Child, state parties to the Convention are legally bound to ensure that their laws, policies, and practices are consistent with the

Convention, if not immediately then over time. As Verhellen points out, the Convention is a legally binding treaty, not simply a declaration. State parties have the obligation to implement the rights of the child. The justification on the basis of principles of justice is also important. Michael Freeman (1992), for example, applies John Rawls' theory of justice to the situation of children, making the case that the basic rights of children (as well as those of adults) should be part of the first principle of justice, the principle that equal rights and liberties come before all else. He makes the case that reasoning about justice would lead to a social contract in which children, as a particularly vulnerable groups in society, would be given fundamental rights that would serve as a protective shield against forces that otherwise could harm them.

However, apart from these legal and philosophical arguments, the rights of children are also justified on the basis of their linkage to healthy child and adolescent development (Covell & Howe, 2001; Flekkoy & Kaufman, 1997). Accordingly, under the Convention, children have certain basic rights that may be categorized as protection, provision, and participation rights (Hammarberg, 1990). In each category, when the rights of children are violated or impaired, they are at risk of unhealthy development, including anti-social and criminal behavior. For example, their healthy development is put at risk when their protection rights -- rights against abuse, violence, neglect, and maltreatment -- are not provided for. Similarly, their development is compromised when their provision rights -- to health care and basic economic welfare -- are unmet and when their participation rights -- rights to freedom of expression and to a voice in decisions affecting them -- are not provided for. When children are exposed to harmful conditions such as parental abuse, family violence, ill health, poverty, and the denial of expression, the exercise of their rights under the Convention is impaired and their healthy development is compromised. Thus the rights of the child should be secured or implemented for reasons not only of law and justice but also of healthy child development. When the basic rights of children are not met, children are put at risk of a pathway into unhealthy development, including a pathway into crime.

The literatures on children's rights and crime prevention converge on the point that effective crime prevention requires strong child, family, and social policies in support of children's basic rights. Both literatures point to the need for national crime

prevention strategies in which policies and programs are put into place to reduce risk factors and to foster protective factors such that children can properly exercise their rights. Stated another way, the prevention of youth crime implies the need to implement the UN Convention on the Rights of the Child. A linkage is assumed between policies supportive of children's rights and the prevention of youth crime.

### **Exploring the Linkage: Comparing Rates of Youth Crime across Canada**

Canada offers a place to test the hypothesized linkage between child and family policy and youth crime prevention. On the one hand, there is one federal law on youth crime that applies across the ten provinces and three territories. This is the current *Youth Criminal Justice Act*, which took effect in 2003, replacing the earlier *Young Offenders Act* (1984-2003) and the still earlier *Juvenile Delinquents Act* (1907-1984). Thus any variation in youth crime cannot be explained away as simply differences in the law. On the other hand, because there is historical information on rates of youth crime by province and territory and because rates vary significantly across time and across the country, the provinces and territories serve as a useful basis for comparative analysis.

We may begin to explore the linkage by first considering the official rate of youth crime in Canada. The rate of crime in Canada refers to police-reported crime, aggregated each year by the Canadian Centre for Justice Statistics and calculated on the basis of per 100,000 to control for population. Official crime statistics include the number of criminal incidents reported to the police each year, the rate of incidents (per 100,000), and number and rate of incidents for each type of crime and for each province and territory. Statistics are also collected and reported each year on the numbers of adults and youths (ages 12 to 18) involved in crime. This is done on the basis of reports of adults charged and youths charged for criminal offenses. Thus the rate of youth crime refers to the rate of youth (per 100,000) charged for criminal offenses. The rate is recorded for Canada each year and for each province and territory each year.

Measuring crime on the basis of official police statistics has its disadvantages. A chief one is that much or most crime is unreported. But because these statistics are collected regularly and over time and space, an advantage is that they can be useful for comparative analysis. There is no reason to believe that there is a significant variation

across Canada in the willingness to report crime. The statistics indicate that the rate of youth crime in Canada (like adult crime) has increased since the Second World War and decreased in the last decade. As seen in Table 1, following a generally upward trend in the 1980s, the rate of youth crime declined in the 1990s, with a very slight increase in 2001 and a further decline in 2003. As seen in Table 2, the rate of youth violent crime also increased during the 1980s and early 1990s, fluctuating somewhat in the late 1990s and early 2000s. This recent downward trend does not necessarily mean that youth criminal activity has declined. It could mean a declining willingness among the Canadian public to report youth crime or a declining willingness of the police to charge youth in conflict with the law or both (Bell, 2003: 89-93).

What is particularly striking in the statistics is the variation in the rates among the provinces and territories. As seen in Table 1 and Table 2, there is a geographic pattern of north and west (higher crime) to east (lower crime) in rates both of youth crime in general and of youth violent crime in particular. Overall, the highest rates are in Canada's North (the three territories of the Northwest Territories, the Yukon, and Nunavut), the Prairie provinces (Alberta, Saskatchewan, and Manitoba), British Columbia (B.C.), and Ontario. The lowest rates are in Quebec and the Atlantic provinces (New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland). Recent rates in Canada's north are over five times the rates of youth crime in Quebec and over three times the rates of youth violent crime.

What can explain these variations? One possible factor is age differences in provincial and territorial populations. It is well known that crime varies by age group (Bell, 2003: 114-117). However, it has to be remembered that differences in youth populations by jurisdiction are controlled for in the measurement of the rate of youth crime (per 100,000). It may still be the case that age differences within youth populations across jurisdictions may be a factor. Because older teens are charged more often than younger teens, variations in crime among the different jurisdictions may be explained on the basis of a different distribution of older and younger teens. But census data tell us that such age variations are not significant across the country. Another possible factor is urban versus rural differences. Based on early studies of crime in inner cities (Bell, 2003: 153-154), it might be suspected that youth crime is higher in urban areas and thus in

Table 1: Rate, Youths Charged, Total Criminal Code Offenses (excluding traffic)

Year	Canada	North	B.C.	Prairies	Ontario	Quebec	Atlantic
1977	2433	7110	3344	3775	1675	2513	1769
1979	2457	6088	2604	3276	1782	3020	1850
1981	3410	9568	4866	3844	1977	5047	2166
1983	3284	6810	4813	3659	1823	5059	1923
1985	4131	13434	5455	5786	3447	4046	2892
1987	4770	14165	5971	6558	4653	3679	3617
1989	5168	14177	5896	7878	5090	3224	4132
1991	6258	12406	7192	9234	6313	3628	5712
1993	5444	11888	6092	8489	5687	2871	5082
1995	5056	11547	5437	8070	5352	2581	4651
1997	4544	12009	4560	7711	4650	2358	4277
1999	4053	10511	3673	7331	4026	2006	4064
2001	4155	11301	3336	8047	4277	1882	4032
2003	3337	10639	2412	6981	3077	1801	3307

Source: Statistics Canada, CANSIM Table 252-0014

Notes: Rates are calculated on the basis of per 100,000 to control for population

: North refers to the three northern territories of the Northwest Territories, Nunivut, and the Yukon; B.C. is the province of British Columbia; Prairies refer to the three prairie provinces of Alberta, Saskatchewan, and Manitoba; and Atlantic refers to the four smaller Atlantic provinces of New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland. Rates for North, Prairies, and Atlantic represent the average of the rates of provinces and territories contained within.

Table 2: Rate, Youths Charged, Crimes of Violence

Year	Canada	North	B.C.	Prairies	Ontario	Quebec	Atlantic
1977	145	518	163	214	101	191	56
1979	151	154	120	193	128	199	95
1981	184	240	208	210	137	275	83
1983	194	294	197	256	160	260	96
1985	338	822	360	477	362	281	194
1987	450	1163	503	543	539	309	273
1989	614	1250	642	773	708	427	374
1991	832	1727	865	1097	984	476	584
1993	921	1663	1034	1301	1056	485	744
1995	940	1769	1047	1334	1072	514	763
1997	909	1631	973	1322	1025	505	661
1999	861	1464	788	1217	955	550	711
2001	956	2085	837	1445	1072	556	787
2003	816	1815	635	1303	878	514	751

Source: Statistics Canada, CANSIM Table 252-0014

Notes: Rates are calculated on the basis of per 100,000 to control for population

: North refers to the three northern territories of the Northwest Territories, Nunivut, and the Yukon; B.C. is the province of British Columbia; Prairies refer to the three prairie provinces of Alberta, Saskatchewan, and Manitoba; and Atlantic refers to the four smaller Atlantic provinces of New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland. Rates for North, Prairies, and Atlantic represent the average of the rates of provinces and territories contained within.

jurisdictions that are more urban. However, in Canada, urban versus rural differences have not been shown to be related to the rate of crime. Another possible factor is socio-economic differences. Based again on early studies of the class nature of crime (Bell, 2003: 155-158), it might be suspected that youth in relatively poor parts of the country would be more involved in crime. This factor appears more plausible, as per capita income in the high-crime northern territories is the lowest in the country. However, per capita income in Quebec and the Atlantic provinces (which have lower crime rates) is lower than in the provinces of Ontario and British Columbia and in the Prairie provinces (which have higher crime rates). As research on risk factors indicates, the impact of poverty and low income on criminal behavior is complicated. Although poverty is a risk factor, its impact is more pronounced when other risk factors also are present. This is the case with aboriginal young offenders, as will be discussed shortly. But poverty and low income in itself are not critical factors.

Another plausible explanation is differences in police charging practices across the country. Policing in Canada is largely a provincial and territorial responsibility and police (together with crown prosecutors) have considerable discretion in laying charges (Dobb and Cesaroni, 2004: 82-85). Research by Peter Carrington (2001) has shown the importance of police charging practices in accounting for changes in the rate of youth crime. As noted by Carrington, as police are susceptible to changes in public opinion and political climate, they use their discretion to lay charges differently across time and space. The outcome is in the rate of youth crime, which is not necessarily the same as change in the level of youth crime. It often is assumed that because the official rate of youth crime has increased since the 1970s (and then decreased in the 1990s), the level of actual crime has increased (and then decreased). But what may have changed are simply the rates at which police decide to lay charges. As shown by Carrington, if one looks at the rate of youth apprehended by the police for incidents of crime, one sees that youth crime has not changed so greatly across time. What has changed is the rate of laying charges. The implication for apparent variations in the crime rate across Canada is that the variation may be due more to variations in police charging practices than to variations in the actual level of crime. For example, that the rate of youth crime in Quebec (after 1985) has been low may be due to Quebec's low charging rates and preference for

diversion. That youth crime in Saskatchewan has been relatively high (after 1985) may be due to a switch to higher charging rates and less use of diversion.

However, although it may be true that police discretion has had a major impact on the rates of youth crime across jurisdictions, variations remain nevertheless. If rates are measured on the basis of youth apprehended by the police rather than charged, as can be seen in Carrington's research, the same essential differences from north and west to east continue. The northern territories and Prairie Provinces have the highest rates and Quebec and the Atlantic provinces have the lowest. Moreover, differences in charge rates become less when crime becomes more serious. Regardless of their location, police are more likely to lay charges in cases of violent crime. When the rate of violent youth crime is examined, as shown in Table 2, Quebec has the lowest rate, the Prairie provinces have a much higher rate, and Canada's northern territories have the highest rate. Furthermore, when violent youth offending is measured on the basis of self-reported delinquency, violent youth crime is lowest in Quebec and highest in the Prairie provinces (the northern territories were not in the survey) (Doob and Cesaroni, 2004: 78-79). Thus there is much evidence that variations in rates of youth crime and especially serious violent crime reflect not simply differences in charge rates but differences in criminal activities.

There is another plausible explanation in accounting for the variations in the rate of youth crime. This involves differences in child and families policies dealing with children and youth. As indicated below, there is considerable evidence in support of this explanation.

### **Policy Differences Matter: Children's Rights as Crime Prevention**

If the studies of risk factors and protective factors are correct and are applied to understanding the variations in the rate of youth crime among the different jurisdictions of Canada, the variations should reflect different policies and programs dealing with children and youth. That Quebec has had the lowest rate of youth crime and youth violent crime should be reflected in relatively strong family and social policies to minimize risk factors and to enhance protective factors. That the three northern territories have had the highest rates should be reflected in relatively weak policies. Indeed, there is much evidence of such policy differences.

Since the 1980s and especially during the 1990s, Quebec has developed relatively strong policies and programs in support of children and families. Overall, in comparison to many European countries, Canadian family policy has not been particularly supportive of families (Eichler, 1997; Baker, 1995). A key reason is that governing parties at the federal level have tended to be conservative and influenced by business interests and traditional values, viewing families as private institutions and preferring an “individual responsibility model” of family policy (minimal state involvement) rather than a European-style “social responsibility model” (more extensive state involvement) (Eichler, 1997: 123-146). Along with such an ideological preference, Canadian federal governments have been reluctant to develop strong family policies because of jurisdictional disputes with the provinces and the need for consensus before proceeding with national programs. Although federal and provincial policies have been developed and expanded over time in such areas as child-care, parental leave, child benefits, domestic violence, and child protection, the level of support for children and families has been relatively weak in comparison to much of Europe.

The one major exception has been Quebec. Beginning in the 1980s, driven by a combination of two considerations, successive Quebec governments have developed relatively proactive and comprehensive policies in support of families and children (Le Bourdais & Marcil-Gratton, 1994). One consideration was demographic trends. Quebec was experiencing a major drop in its fertility rate: its birthrate had become among the lowest in the world. There was growing concern about the negative impact this would have on the demographic future of Quebec and on the demographic weight of Quebec within Canada. Thus a family policy was needed to promote larger and healthier families as a corrective to negative demographic trends. The other consideration – as elsewhere -- was a changing social environment putting many Quebec families under considerable stress and pressure. There was a dramatic rise in the number of working mothers, an increase in marital instability and divorce, a growth of single-parent families, and a growing need for child care and income support. Thus a strong family policy was needed to give support to families, ensure equity within the family, and promote the well-being of children and families in an environment of increasing stress and strain.

In response to these concerns, the Quebec government announced in the early 1980s that it would pursue the development of an ambitious pro-family policy (Le Bourdais & Marcil-Gratton, 1994). Following a discussion paper, consultations, and the publication of a major report, the government delivered a policy statement in 1987, announcing its intention to have a “multisectoral” family policy that would provide comprehensive support to children and families in thirteen sectors. These sectors included economic supports for parents, family housing, education and the family, social and health services, child care services, family safety, and family law. Following this announcement, in the late 1980s and 1990s (and up to the present), a series of action plans, measures, and programs were implemented, including birth allowances (or baby bonuses) to encourage larger families. At the same, structures were developed to administer the implementation, led by a Minister responsible for the family, a secretariat to assist the Minister, and an advisory council on the family.

Although Quebec’s family policy periodically was criticized for its pro-natalist concern for increasing the birthrate, and for the inadequate funding of programs, the outcome was an array of measures and programs that became known as the strongest in Canada. Through the 1990s, Quebec developed the most advanced system of child care and parental leave in the country, a strong program of parent education, comprehensive measures against family violence, quality health and social services for children and families, and strong measures supportive of family housing. Together, these measures and developments made a major contribution to the reduction of risk factors and the enhancement of protective factors for children and youth becoming involved in criminal activity. It is not accidental that during the late 1980s and 1990s (and to the present), the rate of youth crime and violent crime, as can be seen in Tables 1 and 2, became the lowest in the country.

Policy developments have been quite different in the northern territories where the rates of youth crime have been the highest. A major demographic feature of the territories has been the relatively high proportion of aboriginal peoples and aboriginal youth. In relative terms, by a wide margin, the aboriginal component in the territories has been the highest in the country. According the 1996 census (the latest census figures), where the aboriginal component of the Canadian population was only three percent, it

was 84 percent of Nunavut, 48 percent of the Northwest Territories, and 20 percent of the Yukon Territory (Statistics Canada, 1998). The relative size of aboriginal populations has been much smaller in the prairie provinces (Manitoba 12%, Saskatchewan 11%, and Alberta 5 %) and British Columbia (4%), and much smaller still in Ontario (1%), Quebec (1%), and the Atlantic provinces (2%).

In all jurisdictions of Canada, the development of policies and programs to improve the social and economic situation of aboriginal peoples (First Nations peoples or status and nonstatus Indians, Inuit, and Metis) has been a major challenge. But in the territories, given the larger numbers, it has been particularly challenging. The level of government most important for meeting the challenge has been the federal government, given its responsibility for aboriginal affairs. Problems for aboriginal communities in the territories and in Canada have included very high rates of poverty, unemployment, poor housing conditions, substance abuse, family violence, the overrepresentation of aboriginal adults in the criminal justice system, and the overrepresentation of aboriginal youth in the youth justice system (Chappell, 2001: 271-293; Bell, 2003: 111-114). Problems for aboriginal families and children have included high rates of family violence, inadequate child care and health care, and ineffective aboriginal social and child welfare services.

Historically, the federal government has had most responsibility for aboriginal affairs, including family policy (Chappell, 2001: 274-283). Under the Canadian constitution and *Indian Act* (1876), the federal government had responsibility for status Indians (persons registered under the *Indian Act* and living on reserves) while the provinces and territories had responsibility for nonstatus Indians (persons usually living off-reserve in urban areas). However, since the 1980s, in the context of an aboriginal movement for reform and self-government, the federal government has devolved many of its traditional responsibilities to aboriginal communities or to provincial and territorial governments. It also has entered into a limited number of self-government agreements where aboriginal communities have been given the authority to design, administer, and deliver their own programs and services. But despite the devolution and the movement toward self-government, because many aboriginal communities remain poor and without the capacity to generate their own revenue for the delivery of programs and services,

much of the funding for aboriginal programs and services has continued to be supplied by the federal government, and to a lesser extent by the provinces and territories. Aboriginal communities now typically administer programs while the federal government finances them.

In the 1990s (and up to the present), the federal government initiated a number of programs to improve the situation of aboriginal families and children (Chappell, 2001: 284-293). Under the aboriginal component of the Brighter Futures initiative, launched in 1994, measures were taken to improve prenatal care, infant development, child care, and parent education. Under the Aboriginal Head Start program, introduced in 1995, an early intervention program was developed to help aboriginal children (up to age 6) and their families. The purpose was to support projects designed to promote health, improve nutrition, and prepare children for school. Also, in 1995, the First Nations and Inuit Child Care Initiative was launched, aiming to create more affordable quality child-care services. Finally, as part of the National Children's Agenda, introduced in 1997, new health and child care programs for aboriginal children were established and existing programs under Brighter Futures and Aboriginal Head Start were expanded. At the same time, at the provincial and territorial level, child protection legislation was modified to allow for the creation of aboriginal child welfare agencies to deal with cases of abuse and neglect, although funding remained largely with the federal government.

Progressive though many of these developments have been, they also have been reported to be greatly inadequate. As pointed out by Cindy Blackstock and her colleagues (2004), there have been serious problems due to lack of sufficient funding, jurisdictional disputes, lack of coordination among the different levels of government, and lack of support and resources for aboriginal communities and organizations to deal effectively with the challenges confronting them. The result has been a continuation of serious difficulties for aboriginal children and families. Aboriginal children and youth continue to be greatly overrepresented in cases of child maltreatment (mainly neglect) and in referrals to alternative care and foster homes. They continue to suffer disproportionately from physical and mental health problems and are more likely to have fetal alcohol spectrum disorders and substance abuse problems and to commit suicide. They are more likely to suffer from sexual exploitation and become involved in the sex trade. Finally,

aboriginal families are much more likely to live in poverty (at twice the rate as for non-aboriginal families) and to live in crowded and poor quality housing conditions.

In turn, what this has meant has been the continuation of multiple risk factors for aboriginal youth and the lack of protective factors against a pathway into criminal activity. As result, despite changes in Canada's criminal justice and youth justice system and efforts to reduce entry into the system and especially into custody, aboriginal youth continue to be greatly overrepresented in rates of arrests, charges, and custody.

According to a recent study by the Department of Justice Canada (2004), aboriginal youth were almost eight times more likely to be in custody compared to their non-Aboriginal counterparts. They were more likely than their non-Aboriginal counterparts to be in custody for more serious offenses such as serious assault, serious sexual assault, and homicide/attempted homicide. Thus, with relatively larger populations of aboriginal youth in the northern territories, it is not surprising that the rates of youth crime and violent youth crime have been the highest in the territories, as seen in Tables 1 and 2.

In conclusion, although assessing the factors responsible for youth crime is complicated, evidence from Canada suggests that differences in family and child policies and programs are an important variable. Relatively strong policies in Quebec and relatively weak ones in the territories are shown to be associated with lower and higher rates of youth crime. The implication of this study is that while there are many reasons to improve the lives of children and to implement the UN Convention on the Rights of the Child, among them is the cause of crime prevention.

## References

- Baker, Maureen (1995). *Canadian Family Policies: Cross-National Comparisons*. Toronto: University of Toronto Press.
- Bell, Sandra (2003). *Young Offenders and Juvenile Justice: A Century After the Fact*. Toronto: Thompson Nelson.
- Blackstock, Cindy, Clarke, Sarah, Cullen, James, D'Hondt, Jeffrey, & Formsma, Jocelyn (2004). *Keeping the Promise: The Convention on the Rights of the Child and the Lived Experiences of First Nations Children and Youth*. Ottawa: First Nations Child and Family Caring Society of Canada
- Carrington, Peter (2001). "Trends in Youth Crime in Canada, 1977-1996". In Russell Smandych (ed.), *Youth Crime: Varieties, Theories, and Prevention*. Toronto: Harcourt.
- Clarke, Ronald (1995). "Situational Crime Prevention". In Michael Tonry & David Farrington (eds.), *Building a Safer Society*. Chicago: University of Chicago Press.
- Covell, Katherine, and Howe, R. Brian (2001). *The Challenge of Children's Rights for Canada*. Waterloo: Wilfrid Laurier University Press.
- Crawford, Adam (1998). *Crime Prevention and Community Safety: Politics, Policies and Practice*. London: Longman.
- Doob, Anthony, and Cesaroni, Carla (2004). *Responding to Youth Crime in Canada*. Toronto: University of Toronto Press.
- Eichler, Margrit (1997). *Family Shifts: Families, Policies, and Gender Equality*. Toronto: Oxford University Press.
- Flekkoy, Malfrid and Kaufman, Natalie (1997). *The Participation Rights of the Child* London: Jessica Kingsley.
- Freeman, Michael (1992). "Taking Children's Rights More Seriously". In P. Alston, S. Parker, and J. Seymour. *Children, Rights and the Law*. Oxford: Clarendon Press.
- Hammarberg, Thomas (1990). "The UN Convention on the Rights of the Child – And How to Make it Work," *Human Rights Quarterly* 12, 97-105.
- Hope, Tim (1995). "Community Crime Prevention." In Michael Tonry & David Farrington (eds.), *Building a Safer Society*. Chicago: University of Chicago Press.

International Centre for Crime Prevention (1999). *Crime Prevention Digest II: Comparative Analysis of Successful Community Safety*. Montreal: Author.

International Centre for Crime Prevention (1999a). *100 Crime Prevention Programs to Inspire Action Across the World*. Montreal: Author.

Le Bourdais, Celine, & Marcil-Gratton, Nicole (1994). "Quebec's Pro-Active Approach to Family Policy: Thinking and Acting Family." In Maureen Baker (ed.), *Canada's Changing Families: Challenges to Public Policy*. Ottawa: The Vanier Institute of the Family.

Rosenbaum, Dennis, Lurigio, Arthur, and David, Robert (1998). *The Prevention of Crime: Social and Situational Strategies*. Belmont, CA.: Wadsworth.

Statistics Canada (1998). *1996 Census: Aboriginal Data, The Daily*. January 13. Ottawa.

Tonry, Michael, and Farrington, David (1995). "Strategic Approaches to Crime Prevention". In Michael Tonry & David Farrington (eds.), *Building a Safer Society*. Chicago: University of Chicago Press.

Tremblay, Richard, and Craig, Wendy (1995). "Developmental Crime Prevention". In Michael Tonry & David Farrington (eds.), *Building a Safer Society*. Chicago: University of Chicago Press.

Verhellen, Eugeen (1994). *The Convention on the Rights of the Child*. Leuven: Garant.