The Extent and Nature of Parents' Involvement in Canadian Youth

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Abstract

A consistent trend in many countries has been a movement toward greater parental involvement in delinquency and criminal proceedings involving youth. However, there is a paucity of research on the extent and nature of parents' involvement in the youth justice system. In this study we investigated parents' involvement from the perspectives of 120 Canadian youth. Results suggested that many parents had limited involvement in certain aspects of their children's legal proceedings but that involvement varied depending on the context (police station vs. court). Implications of findings for policy and practice are discussed.

Keywords: youth justice, young offenders, parental involvement, children's rights, parent-child conflict

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Over the last decade youth justice systems around the world have witnessed considerable change. Countries such as Canada, the United States, and Australia, as well as Western European countries such as Germany, England and Wales, have shifted away from a child welfare orientation to a crime control and responsibility model in which public protection and youth accountability are emphasized (e.g., Muncie, 2008). In many countries, an integral aspect of this shift has been a movement toward greater parental¹ involvement in youth justice proceedings and greater parental responsibility for youths' 'antisocial behaviour'. At the extreme end of the spectrum are laws in which parents are held legally liable for damages resulting from their children's criminal or antisocial acts (Harris, 2006) and/or that mandate parents' involvement in supervision of orders. Parenting Orders in England and Wales demand counseling and/or intervention programs for some parents whose children are charged with, or convicted of an offence (Hollingsworth, 2007). Youth justice laws (e.g., in the United States and Canada) have also cast parental involvement as a means of compensating for youths' lack of full developmental maturity in the context of adversarial, adult-like legal systems (e.g., Grisso, 1981, Tustin, 1994).

A focus on the role of families, particularly the influence of parents, on their children's delinquent behaviour is not a new phenomenon. Goldson and Jamieson (2002) criticized how 'improper' parenting has historically been identified as one of the root causes of juvenile delinquency. Hillian and Reitsma-Street (2003) and Varma (2007) concur that prevailing societal beliefs, which are reflected -- tacitly and explicitly -- in current youth justice and parental responsibility legislation, blame parents for youths' antisocial behaviour. Recent legislative reforms in England and Wales have been interpreted as being particularly punitive towards poor and working class parents. In particular, the Parenting Order has been

strongly criticized as penalizing and further marginalizing parents who are already facing systemic and socio-economic barriers (Goldson and Jamieson, 2002). In Canada, Bala (2003) voices concern that parental liability for legal fees may result in heightened tension between the youth and the parent and/or make it more likely that parents pressure their children not to seek legal representation.

Despite the preceding concerns, a focus on the role of parents is strongly reflected in Canada's Youth Criminal Justice Act (YCJA, 2002), which seeks to balance youth accountability with rights to due process and parental support. Under the YCJA, youth have the right to consult a lawyer and to have a parent or other adult present when they are being questioned by police. The YCJA also instructs that parents be notified when their child has been arrested or is required to appear in court and gives judges the power to order a parent to attend court with their child. In addition, before a youth court decides to detain a young person in custody while waiting for trial, the court must find out if there is a 'responsible person' available to care for, and supervise, the child instead of placing the child in detention. Finally, the YCJA expands the scope for parental roles from advocacy and support to socialization by instructing that 'parents should be...encouraged to support [youth] in addressing their offending behaviour.' (Youth Criminal Justice Act, 2002, 3[1][d][iv]). This simultaneous focus on parental support for and socialization of youth is consistent with Goldson and Jamieson's (2002: 89) characterization of Britain's policy stance, which can 'switch interchangeably between ostensibly benign family-centredness and 'tough' no-nonsense authoritarianism' depending on the political context or audience targeted.

Aside from brief and general references in the legislation to parents' rights and duties, there is little specific information or guidance in governmental or institutional policies regarding parents' roles. This may leave parents conflicted as to their obligations and youth may feel confused about parental roles and consequently not seek their parents' involvement.

Another concern is that conflict in the parent-child relationship may result in lack of supportive and effective parental involvement. In some cases youth have limited contact with their parents; in others it was parents who called the police and pressed charges against their child. It appears that in the case of parents, legislators have rarely, if ever, questioned the appropriateness of their involvement, or their ability to play a positive role in the youth justice process. Rather, legislators seem to assume that parents possess ‘sufficient understanding and appreciation of juveniles’ rights’ and legal proceedings to take on the role of a support person and a knowledgeable advisor (Grisso, 1981: 166). Moreover, legislators appear to presuppose that parents and young people share common interests during youth justice proceedings, that parents desire to be involved in these proceedings, and that their involvement will bring positive outcomes for children. Some scholars have cautioned that current legislation and policies as they pertain to parental involvement seem to be grounded in traditional middle-class perceptions of ‘intact’ families and may lead to us to romanticize the role of parents (e.g., Bala, 2003). Basing legislation and policies on unrealistic assumptions about parents’ ability to play active roles during legal proceedings is particularly concerning in light of findings that even educated middle-class parents find it difficult to navigate their way through the complexities of their child’s youth justice experience (Hillman and Reitsma-Street, 2003).

The preceding discussion raises important questions about how parental involvement actually ‘works’ in youth justice matters and research on this issue has recently begun to emerge. Research on the reality of parental involvement is particularly important in light of criticism that current legislation and policies are based on unrealistic expectations. In other words, there is a need to analyze whether parents are involved in legal proceedings, what roles they play and whether they are able to play the roles assigned to, and expected of them, by the system.

With respect to the frequency of parents' involvement, findings from the United Kingdom, the United States, and Canada indicate that many parents have limited or no involvement when their adolescent children are brought into police custody (Grisso, 1981; National Association for the Care and Resettlement of Offenders, 1996; Peterson-Badali and Broeking, 2004). In contrast, findings consistently suggest that parents are more involved at later points during youth justice proceedings, and particularly at court (Davies and Davidson, 2001; Peterson-Badali and Broeking, 2004), though it is not uncommon for young people to attend court without a parent (Kilkelly, 2005).

There is less information in the literature about the nature of parents' involvement. Despite some evidence that parents' active involvement can bring positive outcomes for youth (e.g., diversion from formal legal processing; Carrington and Schulenberg, 2003) and influence the type or length of disposition they receive (Peterson-Badali and Broeking, in press), data indicate that most parents who attend police or court proceedings are passive and disengaged from the process (e.g., Peterson-Badali and Broeking, 2004, in press; Varma, 2007). Davies and Davidson (2001) argue that some parents' limited involvement in young people's legal cases may not necessarily be due to lack of caring or interest on the parents' part. Rather, reports by court officials indicate that 'lack of parental involvement is frequently related to socio-economic barriers and generally due to parents dealing with common life stressors (e.g., job issues, financial concerns, and marital/domestic problems)' (Davies and Davidson, 2001: 6). These findings raise further concern that current youth justice legislation seems to be geared towards middle-class families. However, many parents of youth in the justice system come from marginalized and impoverished backgrounds, which will make it difficult for them to be involved in the way envisioned by legislators.

In light of the expanded roles envisioned for parents within the youth justice systems of many Western nations, more research on the extent and nature of parents' involvement is

needed. Findings regarding parents' inconsistent and passive involvement at certain points in youth justice proceedings raise questions about the dynamic process that characterizes youths' and parents' interactions throughout their youth justice experience. In addition, adolescents' interpretations of the purpose and goals of parental involvement, as well as their own experiences with their parents and personnel in the system, may shape their efforts to involve their parents in their legal case and thus influence the extent to which the goals of parental involvement can be met. Empirical insight into young people's attitudes towards parental roles, the 'system', and their experiences with their parents may be of specific value to parties who are directly involved with youth and their families (e.g., police officers, probation officers, and youth offending teams). Findings may help frontline workers to develop new strategies for facilitating optimal parental involvement in youth justice proceedings. Additionally, results may have practical implications for current policies and procedures (e.g., in relation to when and how information is conveyed to young people and parents) and suggest the need for new policies and/or procedures to ensure that parents' involvement brings positive outcomes for young people as well as their communities. Finally, findings may help determine whether current conceptualizations of parental roles are based on a realistic family model in light of the diverse systems, interactions, and processes that characterize families in most Western nations.

To explore how parental involvement in legal proceedings is perceived by youth in Canada we investigated parents' involvement from the perspectives of 120 Canadian adolescents in conflict with the law. Focusing on their most recent youth court experience, we interviewed young people retrospectively about their parents' involvement from their first contact with the police through their court experiences. We investigated youths' reasons for seeking their parents' support, whether youths believed that parents had any direct influence on their decision-making, and what roles parents played at different points in legal

proceedings. Differences in the extent and nature of parents' involvement at the police station versus court were captured through exploration of youths' narratives about their experiences with their parents at each of these points.

Method

Participants

Participants were 120 young people aged 13 to 19 (99 males and 21 females). At the time of the study youth had been recently arrested and were awaiting trial, were serving open custody or probation terms, or were attending an alternative education program in Toronto, Canada. Participants' mean age at the time of the interview was 16.1 years (range 13 to 19); mean age at the time of arrest was 15.6 years (range 12 to 18). Most participants were born in Canada (84%), spoke English as their first language (89%) and were still in school (80%) when interviewed. The sample was ethnically diverse: 49% identified themselves as White/European, 37% as Black, 5% as Hispanic, 5% as Aboriginal, and 2% as Asian. The sample was unevenly distributed in terms of socioeconomic status (SES) as measured by parents' occupation, with the majority of participants (66%) coming from low SES homes. Over 50% of participants stated that they usually live with a single parent, which was almost always their mother.

Participants were diverse with respect to prior youth justice experience, with the majority (69%) having two or more prior arrests; 62% had at least one prior conviction. Charges laid in the experience about which youth were interviewed included offences against the person (e.g., robbery, assault; 44%), property offences (e.g., theft, mischief; 52%), drug-related charges (8%), and other criminal code charges (e.g., weapons dangerous; 28%). In addition, almost half (46%) were charged with administrative offences such as breach of probation, failure to appear in court, etc.

Procedure

Youth were recruited through a number of strategies. Open custody facilities and probation offices were approached to inform young people serving custody and probation dispositions about the study. Youth who had been convicted of an offence and who had been expelled from school were approached through an alternative education classroom. Youth who were in the process of being tried were approached at two Toronto youth courts. Participants were interviewed individually and privately for 1 to 3 hours ($M = 1.5$ hours).

Measures

Socio-demographic and criminal history were obtained through a structured questionnaire. In order to provide some estimate of the reliability of participants' self reports, information that could be independently corroborated was sought. In particular, for a subset of participants ($n = 25$) youth court records were reviewed to verify criminal history data. All but one correctly recalled the type and number of charges from their most recent arrest.

Based on a protocol previously developed by Peterson-Badali, Ruck, and Koegl (2001), a semi-structured interview was developed and modified to capture young people's experiences related to parental involvement at all stages of the youth justice process. Questions examined whether youth were aware of – and exercised – their interrogation rights, how they responded to police requests, and how they viewed their parents' involvement during police and court proceedings. A subsample of youth ($N = 79$) was asked to elaborate on what roles parents do and should play at the police station and at court.²

A content-based coding system was developed to capture informants' responses to open-ended interview questions. Coding categories for the various questions were generally non-mutually exclusive; participants' open-ended responses could thus be coded into more than one category. Categories were not predetermined based on an existing understanding of parental roles. Rather, open-ended questions encouraged responses that included a range of family forms and interactions between youth and different members of their social network.

Thus, the responses of participants influenced and guided the researchers' formulation of coding categories. Two raters coded 16% of the protocols to establish inter-rater reliability. In order to control for chance agreement, Cohen's Kappa was calculated where possible; percentage agreement was calculated for variables with very uneven cell sizes. Overall, Kappa values ranged from .80 to 1.0, with a mean of .89. Percentage agreement ranged from 80% to 100% with a mean of 96%.

Results and Discussion

Eighty-seven percent of youth ($n = 105$) reported that a legal guardian (e.g., parent, child welfare worker, foster parent) was involved in their legal case and in most instances (82%) the involved guardian was a parent, frequently a single mother. Five percent of youth ($n = 6$) received support from a relative (mostly grandparents) or family friend. Seven percent of young people ($n = 9$) reported that no adult was involved at any point during their case.

Youth reported a wide range of parental involvement, with close to 50% ($n = 59$) reporting either a high, or medium degree of parental involvement. Parents of youth who reported high involvement were frequently present at the police station, discussed the case with the young person, either visited the young person in detention or talked to the young person on the phone, and came to all or most of the court appearances. Parents of youth who reported a medium amount of involvement were engaged during at least three points in the process. For example, parent(s) came to the police station, discussed the case with the youth afterwards, and attended most of the court proceedings. Nineteen percent ($n = 23$) of youth had parents who had some involvement in their legal case (i.e., they were involved at least two times in the process). Most youth who reported some involvement stated that their parent(s) came to the police station and came to some but not all of the court appearances. Twenty-four percent ($n = 29$) of young people reported that their parents had *minimal* involvement in their case (i.e., parents were involved at only one point). For example, the

parent(s) came to pick the youth up from the police station or attended one of the court proceedings (e.g., a bail hearing). Finally, 7% of young people ($n = 9$) indicated that neither their parent(s) nor any other adult was involved at any time during their case.

That the majority of youth reported at least some parental involvement in their legal proceedings is encouraging in light of the potential benefits of parents' support (Peterson-Badali and Broeking, 2004; in press). However, it is worrisome that only a minority of young people reported that their parents were involved at all, or most, stages of their youth justice experience. Considering the far reaching emotional and social consequences that an arrest and a conviction can have on the life of an adolescent, that some parents show limited or no involvement in their children's case is concerning, particularly in light of findings that youth justice officials' decision-making (e.g. granting of bail) is frequently influenced by parents' presence at the police station and at court (Peterson-Badali and Broeking, in press). Youth who are not aware of this influence, who have no access to a supportive parent, and/or who come from cultures that do not share traditional, western perceptions of parental roles and responsibilities, may find themselves at an unfair disadvantage during their youth justice experience.

Contact with Parents

Upon arrest, almost half ($n = 55$) of participants stated that they explicitly requested their parents' presence at the police station, whereas 42% ($n = 50$) stated that they did not. The rest reported that the police contacted their parents without their knowledge or that their parents independently contacted the police station. Overall, 62% of youth ($n = 75$) actually had contact with a parent; of these, only 45% reported that their parent(s) came to the station. Interestingly, of youth who made a formal statement to the police ($n = 39$) less than a third ($n = 11$) asked to have a parent present despite having the legal right to do so. The majority explicitly said that they did not want their parents present. Only five youth had a parent in the

room with them during questioning. Seventy-two percent ($n = 86$) had no parent present at the police station at any point, which is consistent with police reports that parents rarely speak with accused youth prior to release (Peterson-Badali and Broeking, in press). A majority ($n = 70$) also reported that they had no contact with legal counsel during police proceedings.

Similar to police proceedings, close to 50% ($n = 43$) of participants explicitly asked their parents to be present during court proceedings. However, in marked contrast to the police station, irrespective of whether they asked them or not, the majority of youth (83%) stated that parents actually came or would come³ to at least some court proceedings; the difference in frequency of parents' presence in the two settings was significant, $\chi^2(2, N = 113) = 5.2, p = .02$. This is encouraging in light of findings that parental support at court may influence legal outcomes for defendants (e.g., granting of bail; Peterson-Badali and Broeking, 2004; in press).

Youths' reasons for wanting – and particularly for not wanting -- to have parents at the police station may shed light on the low level of parental involvement in this context, and have implications for parents' roles as intended in youth justice policy. Specifically, findings may help determine whether the roles assigned to parents by legislators are based on realistic assumptions of parents' ability to play these roles in reality. Of respondents who requested to contact their parents, most explained that they were seeking emotional support (see Table 1). One young male explained, 'I was scared. I wanted [my mom] there with me.' In contrast, of those who did not want to contact parents, half cited conflict in the parent child relationship as the reason (see Table 2). For example, youth stated being afraid that their parents were going to be mad at them. Consistent with reports by Davies and Davidson (2001) that there are certain systemic barriers to parental involvement, over 20% of respondents reported that they did not request to contact their parent(s) because they had no access to them (e.g., did

not know how to contact them at work, were told by the police that they were not allowed to talk to them). Over a quarter indicated that they did not know they could do so, despite the law requiring that they be advised of this right, and almost 20% explained that they did not feel the need to call their parents, usually because they felt that their parents' presence would not have made a difference to what happened to them.

In contrast to the police station, where only three youths stated that their parents' presence might bring some legal benefit, the most commonly expressed motivation for wanting parents present at court was youths' belief that their involvement might result in a legal advantage (see Table 1). Specifically, youth thought that their parents might be able to provide them with instrumental legal support (e.g., posting bail), that their presence at court might 'look good in front of the judge' and thereby influence sentencing, or that their parents might have more legal knowledge or expertise that could assist youth. However, as was the case at the police station, many young people also felt they needed their parents' emotional support at court. Youth gave reasons such as 'I felt better with them there; I did not feel so alone' when explaining why they asked their parents to come.

Of youth who did not request their parents' attendance at court, over 40% explained that they did not have to ask their parents to come as it was a 'given' that they would attend. Most of these youth felt positively about the fact that their parents wanted to come to court. However, almost a third of young people explicitly stated that they did not want their parents to be present during any court proceedings. Their reasons were similar to those given in the context of police proceedings (see Table 2): almost a quarter stated that there was no need for their parents to come to court and a similar number indicated that they had difficulties gaining access to their parents. Unfortunately, conflict in the parent-youth relationship continued to prevent some youth from seeking support.

Tables 1 and 2 about here

Parents' Roles

To gain further insight into youths' perceptions of parents' involvement, participants were asked about their views on parental roles during police and court proceedings. Only 22 youth had sufficient contact with parents to answer the question about parents' actual role at the police station. That such a small number of youth was able to report on their perceptions of parents' roles is testament to the fact that most parents played limited roles during arrests. As Table 3 shows, respondents were generally consistent in their views regarding parents' actual vs. ideal roles at the police station, with half indicating that parents did (and should) be involved to provide young people with social and emotional support. It is interesting that almost 40% of youth not only perceived that their parents had no role to play at the station but advocated that parents should have no role, usually arguing that the situation was of youths' making so they should have to deal with it. Some young people also identified that their parents' involvement brought them a legal advantage (e.g., the parent contacted a lawyer). What is particularly striking is that, in comparison to the role parents were seen as playing in actual practice, a smaller proportion of youth noted that parents' role *should* be to facilitate youths' legal situation (e.g., by accessing legal counsel). Youths' identification of legal advocacy as a role at the station also stands in contrast to the fact that almost no respondents reported wanting their parents at the station for this reason (Table 1).

Findings on lack of parental involvement at the arrest stage contrast with the supportive role Canadian legislators envisioned for parents, and are particularly concerning as most youth also waived their right to consult with legal counsel. In the present study, most young people did not share the legislative belief that parents can take on a role of a support person during police proceedings and the majority chose to cope with arrest proceedings on their own. Reports indicate that police not only have a great deal of pre-judicial discretion (Carrington and Moyer, 2003), but also 'exert a substantial influence on the decisions of the

court' (Werner, Minkin, Minkin, Fixsen, Phillips and Wolf, 1975: 57). Hence, the involvement of an appropriate adult seems vital during this stage of the youth justice process. Findings that many youth do not share legislators' conceptualizations of the role of parents at the police station may be interpreted as further evidence that current legislation and policies are based on values and beliefs that do not necessarily reflect the diverse range of family systems and processes that characterize many families.

Similar to their conceptualization of parents' role at the police station, a majority of youth reported that parents' role at court is and should be to offer youth general support and guidance (see Table 3). However, in contrast to parents' roles at the station, more youth felt that parents should have a legal advocacy role (e.g., by facilitating bail) and less argued that parents should not play a role at court. Indeed, youth seemed to have a clearer understanding of parents' roles at court. However, almost a quarter of youth still felt that their parents should play no role during court proceedings, stating that it was not their responsibility.

Validating youths' greater focus on parents' potential influence at court, youth justice personnel emphasize that parents play their most important roles at this stage in the justice process (Peterson-Badali and Broeking, in press). Defence counsel and probation officers, in particular, indicate that parents' involvement at court is vital as it facilitates granting of bail and informs sentencing and programming.

Table 3 about here

Differences in Parental Involvement at the Police Station versus Court: Explanations and Implications for Policy and Practice

Differences in the extent of parents' involvement during police and court proceedings stem from a number of factors and suggest directions for improving the effectiveness of parents' involvement in youth justice proceedings.

System barriers. Consistent with previous findings (e.g., Davies and Davidson, 2001) present data confirms that there are specific systemic barriers to parental involvement including having no access to them. In the present study, lack of access to parents appeared strongly related to the fact that the majority of youth came from very low SES backgrounds. Many parents were single mothers, had little education, worked in unskilled occupations, and lived in the outskirts of Toronto, Canada. It seems likely that it would be more difficult for these parents to come to the police station when their child is arrested. In the same realm, parents from lower SES backgrounds are unlikely to work in occupations that allow them to take time off work to attend their children's court proceedings. Current legislation does not seem to consider systemic factors when addressing parental roles during police or court proceedings. It should be noted that related research investigating the relationship between socio-demographic variables and parental involvement indicates mixed findings with respect to the impact of socio-economic background. Interestingly, and contrary to predictions, quantitative findings from youth interview data indicate no relationship between youths' socio-economic background and parents' level of involvement (Broeking, 2008). However, reports from justice officials suggest that socio-demographic factors (i.e., immigrant status, parents' education, parents' occupation) do indeed influence whether and how parents involve themselves in youth legal matters (Broeking, 2008). More research is needed to help us understand the complex relationship that seems to exist between socio-demographic variables, parent-child variables, and parental involvement.

Clear Communication and Understanding of Parents' Roles. Youths' reluctance to involve parents may be related to their lack of knowledge about how parents might assist them. In fact, most youth had difficulties clearly conceptualizing what exactly the roles of parents were at the police station, which for many translated into the argument that parents should play no role at this point in proceedings. Parents themselves may also lack an

understanding of their role at the police station, thus discouraging involvement.

Conceptualizing parents' involvement in terms of social capital theory (Kim and Schneider, 2005), Weiler (2007) proposed that when parents and youth share a clear and congruent understanding of parents' roles, shared goals ('aligned ambition') are facilitated. Conversely, when youth and parents lack understanding of process goals, they may fail to establish aligned goals, which may translate into lack of parental involvement at the police station.

Young people found it easier to identify parents' roles at court. For example, they expressed awareness that their parents' presence might bring them a legal advantage at court and they desired their parents' emotional support. There is also evidence that parents may have a better understanding of the roles they are supposed to play at court (Weiler, 2007). Youths' and parents' greater understanding of parents' roles at court may enable them to formulate aligned goals, which may translate into aligned actions.

Related research (Peterson-Badali and Broeking, in press) has illuminated a lack of educational resources for teaching youth and parents about legal issues and parental roles and responsibilities. Educating youth and parents about the laws and legal processes affecting them, young people's (and parents') rights, and the ways in which parents are expected to be involved and can have a positive impact on a youth's case is critical if the goal of meaningful parental involvement is to be met. This could be achieved by providing parents and youth with written materials such as plain language pamphlets, but education through dialogue with a youth court support worker (who might also address some of the barriers discussed below) may be a more effective means of to address parents' and youths' lack of knowledge.

Perceptions of Risk. Related to the issue of legal knowledge and understanding, another potential explanation for differences in parents' attendance at police and court proceedings is youths' perceptions of risks. Present findings indicate that some young people did not perceive the need to contact a parent at the police station because they did not fully

appreciate the risks associated with an arrest. This is consistent with findings that ‘adolescents are more likely to see themselves as invulnerable to risks’ (Fried and Reppucci, 2001: 46). Indeed, adolescents frequently underestimate the seriousness of the consequences of their arrest (Grisso et al., 2003). In the present study, one young male gave testament to this when explaining, ‘I was honest about everything because I didn’t think I did anything that bad. I was just in a stolen car. I wasn’t even driving’. By the time an adolescent’s case has proceeded to court (e.g., for a bail hearing), the young person may realize (e.g., through legal consultation) that the situation is more serious than initially thought and as a result may be more inclined to seek parents’ involvement in his or her case.

Concern regarding young people’s ability to appreciate the ramifications of their decisions raises the question of whether youth should be allowed to waive their due process rights at the police station in the absence of legal counsel. The issue has been raised in the literature on youths’ legal competencies (e.g., Grisso, 1981) and was explicitly addressed by one young male in this study. The 15 year old explained, ‘When I got arrested [the police] said I should talk to a duty counsel. They insisted but I didn’t want to because I just wanted to get out of there. They should make it mandatory for kids under 16 to talk to someone though’.

It is also likely that by the time a case proceeds to court youth have had the opportunity to obtain legal advice. Many defence lawyers, being aware of youth justice officials’ focus on parents, emphasize the importance of parents’ involvement when working with youth (Peterson-Badali and Broeking, in press. Thus, parents’ stronger presence at court may be a reflection of the influence of legal counsel at this stage of proceedings. Lawyers are an important source of legal education, which gives strength to the argument that all youth should have access to legal counsel upon and beyond the arrest stage.

Addressing Conflict and Distress. Parent-child conflict and concerns regarding parental distress likely also underlie differences in the extent and nature of parents' involvement at the police station and at court. A significant number of young people referred to conflict in their relationships with their parents when explaining why they did not contact them from the station, and some youth reported that active parental involvement at the station precipitated conflict. Youth explained that they were too afraid of their parents' reactions, or too embarrassed about the situation, to request their help. Young people who did have contact with their parents at the station frequently reported that their parents were of no help because they were 'too emotional'. This lends support to concerns that a child's arrest may cause parents to experience anger and feelings of resentment towards the youth (e.g., Feld, 2000; Grisso, 1981). Although emotional reactions are understandable from the parents' point of view, they raise serious questions about the ability of some parents to support their child during police proceedings. Findings on parent-child conflict also challenge the assumption that parents and young people always share common interests, particularly during police proceedings. Together with concerns raised in the literature (e.g., Grisso, 1981; Peterson-Badali and Broeking, in press) that uninformed parental involvement may actually undermine a youth's legal interests, these results suggest that ensuring universal access to a lawyer and/or support person other than a parent may be important at the police station.

By the time the young person goes to court, conflict in the parent-child relationship may have decreased. Parents may have had time to process the events associated with their child's arrest, and parent and child may have had the opportunity to reconcile their differences. When conflict and distress persist, youth and parents may benefit from additional supports (e.g., parent-child counselling) as they go through the youth justice process. Interventions directed at improving the relationship between youth and parents may prevent

parent-child conflicts from interfering with parents' ability to act as a support during legal proceedings.

Limitations and Future Directions

Certain study limitations should be considered when interpreting findings. First, the present study relied on young people's retrospective self-reported accounts of their experiences with their parents' involvement. It is thus possible that youths' reports were influenced by factors such as social desirability bias and deception, or lapses in memory. It is also possible that youths' interpretations of their experiences were influenced by their knowledge of later events (e.g., case outcomes). Where possible, we checked youths' self-reports with information from other sources. For example, a comparison of youth court records and self-report data indicated that most participants were quite accurate in their reports of charges and court outcomes. In addition, youths' reports were consistent with reports by professionals working in the youth justice system (e.g., judges, lawyers, and probation officers) as well as with findings from courtroom observations (Peterson-Badali and Broeking, in press). Finally, it is important to note that we did not premise the value of youths' self-reported experience of their parents' involvement on the assumption that youth could provide us with completely 'objective' or 'definitive' answers, but rather on the belief that young people's subjective experiences are important in and of themselves. It is often these subjective understandings and interpretations that guide their decisions (e.g., about when and how to involve their parents) and shape their beliefs and attitudes about the system.

Future studies should include observations of parent-youth interactions at the police station and/or include interviews with parent-youth dyads to examine whether youths' self-report data matches that of parents. Gaining the perspectives of those at the heart of the matter – parents themselves – is clearly an important goal for future research. Exploring the extent to which youth and parents view parental involvement similarly to each other is a vital

next step in gaining a comprehensive understanding of parents' roles in youth justice matters. Future studies should attempt to include youth and parents from a diverse range of cultural and ethnic backgrounds to allow for an exploration of parental roles and responsibilities from a non-biased perspective. For example, current traditional Western perceptions of parental roles and responsibilities may not generalize to perceptions of family systems and responsibilities in indigenous cultures.

The findings from the present study may generalize to other jurisdictions to the extent that they share similar structures and processes for administering youth justice. Future studies should examine the extent, nature, and outcomes of parental involvement in other jurisdictions, and in particular where different models of youth justice are implemented (e.g., restorative or collaborative – rather than 'crime control' or adversarial – approaches). Alternative models of youth justice (e.g., restorative justice approaches) may be based on a more integrated conceptualization of diverse family models and thereby allow for a wider range and different types of parental involvement.

It is also vital to examine how youths' interactions with their parents in legal contexts shape their overall justice experience and their legal socialization (i.e., comprehension of, relationship with, and respect for the law; Fagan and Tyler, 2005). As noted, examining marginalization (e.g., in terms of race and social class) in relation to parental involvement and young people's justice system experiences and outcomes is also a pressing research issue. Although not the focus of this paper, present findings suggest that certain systemic barriers (e.g., access) and socio-cultural factors, which seem to be ignored under current legislation, prevent parents from playing the roles envisioned for them by legislators.

Conclusion

Canada's youth justice legislation attempts to balance youth accountability for criminal behaviour with a focus on crime prevention and rehabilitation, though this occurs

within a system that is adult-modelled and adversarial in terms of its structures and processes. Within this context, parental involvement is explicitly viewed as important to efforts to create meaningful consequences for youth (and thus reduce future offending) as well as implicitly seen as a means of compensating for the legal vulnerability that stems from young people's lack of full developmental maturity. Youths' reports in the present study suggest that the reality of parental involvement falls well short of these goals. Suggestions for improving the efficacy of parental involvement that stem from the study's findings include the development of appropriate strategies for educating parents and youth (as well as those who work in the system) about how parents can be meaningfully involved in the youth justice process and providing support for parents – including practical assistance such as transportation and child care as well as counselling when needed. These objectives might best be met by creating or modifying youth court liaison or similar positions to include the role of educating and supporting parents and youth. The findings also suggest that the expectations of parents as reflected in Canada's youth justice policy may not be realistic, and that legislation needs to change to build in alternatives to parents' involvement (e.g., mandating consultation with legal counsel prior to making rights-related and other legal decisions) in order to protect youth and promote justice.

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Table 1. Reasons for Requesting Parents' Presence at the Police Station and Court

	Police Station (N = 55)		Court (N = 43)	
	N	%	N	%
Emotional Support	44	80	25	47
Advised	21	38	3	6
Expertise/Legal need	3	5	28	53
Vague	6	11	3	6

Table 2. Reasons for Not Requesting Parents' Presence at the Police Station and Court

	Police Station (N = 50)		Court (N = 59)	
	N	%	N	%
Conflict	25	50	11	19
Access	11	22	13	22
Ignorance	13	26	0	0
No Need	9	18	14	24
Involvement was a 'given'	0	0	24	41
Vague/Other	5	10	0	0

Table 3. Youths' Perceptions of Parents' Roles at the Police Station and Court

	Police Station (N = 79)				Court (N = 69)			
	Actual Roles (n=22)		Ideal Roles		Actual Roles		Ideal Roles	
	n	%	n	%	n	%	n	%
Support	12	54	40	51	36	52	46	59
Legal advantage	7	32	15	19	25	36	25	32
Socialization	1	4	3	4	4	6	4	5
No role	8	36	29	37	24	35	17	22

Endnotes

¹ In this paper the term ‘parent’ is not restricted to biological parents, adoptive parents, or legal guardians but includes individuals (e.g., grandparents, siblings, or other relatives) who assume one or more parenting roles with respect to youth such as providing advice, guidance, support, or assuming responsibility for the wellbeing of youth.

² These questions were added midway through data collection as the importance of parental roles became clearer.

³ Young people who were still awaiting trial were asked whether they thought that their parents would come to any or all of their court appearances.

Biographical Notes

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