YOUTH AS TRUTH-TELLERS AND RIGHTS-HOLDERS: LEGAL AND INSTITUTIONAL REFORMS TO ENABLE YOUTH HOUSING SECURITY

Naomi Nichols, Jayne Malenfant, and Youth Action Research Revolution

Abstract: In the first pan-Canadian study on youth homelessness, 57.8% of youth reported prior involvement with child protection services. Indeed, transitions from government institutions (e.g., child/youth protection, inpatient mental health treatment, the youth justice system) represent common pathways into homelessness for youth across North America. This article examines young people's experiences navigating youth protection services to identify institutional, legislative, and policy processes that pose problems for youth experiencing or at risk of homelessness, as well as processes that show promise for the promotion of the interests, protection, and well-being of youth. Our participatory youth research team explored homeless youth's histories of involvement with youth protection services, seeking to clarify the sociolegal mechanisms in and beyond the youth protection system that make young people vulnerable to homelessness. Youth and adult co-researchers interviewed 38 individual youth (aged 16–29) who completed 64 qualitative institutional history interviews. According to our analysis, young people identified the following sociolegal practices as implicated in their experiences of homelessness: the use of totalizing institutions, the criminalization of runaways, the abrupt cessation of service delivery at 18 years of age, a systemic failure to view youth as rights-holders, and an overly complex emancipation process.

Keywords: youth protection, youth homelessness, interventions, policy, law, participatory research

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Twenty percent of Canada's homeless population is made up of young people between the ages of 13 and 24 years, with at least 35,000 to 40,000 youth experiencing homelessness in any given year (Gaetz et al., 2016, p. 6). Of these, 40.1% are less than 16 years of age when they have their first experience of homelessness and 75.9% go on to experience multiple episodes of homelessness (Gaetz et al., 2016). Most young people who experience homelessness and housing insecurity will interact with a range of public systems: education, health care, and the criminal legal system, for example. Young people across Canada are required to participate in schooling until they are 16 to 18 years of age, depending on which province or territory they live in, and nearly 60% of young people experiencing homelessness in Canada report prior relationships with provincial youth protection systems (Nichols et al., 2017). Transitions from government institutions (e.g., child welfare, inpatient mental health treatment, the youth justice system) represent common pathways into homelessness among youth in North America (Cheng et al., 2013; Karabanow, 2004; Nichols, 2014, 2016). Our research offers clarity and specificity about the legislation, policies, and processes in public systems that youth identify as implicated in their experiences of homelessness. Young people's knowledge of institutional policies and processes is often reflective of how they get positioned in and by these same sociolegal structures. Our task as a research team was to illuminate connections between their lived accounts and the policy and programmatic structures that shape the institutional organization and governance of child protection services more broadly.

Using a participatory research approach, our team designed and implemented a project to document young people's experiential knowledge of housing precarity and homelessness, as well as their lived knowledge of various intersecting public sector organizations and processes. The aim of our research was to identify places where changes in public institutions — policing and criminal law, health care, education, child welfare, and housing — could be leveraged to better serve the expressed needs of homeless youth and ultimately prevent young people from experiencing homelessness at all.

Interactions with the Quebec youth protection system[1] (DPJ) emerged as an important topic during research training after one youth researcher talked about his relationship with child protection services throughout his childhood and adolescence. After identifying the child welfare system as one we wanted to explore as a team, we asked a legal intern to teach us about Quebec's child protection laws. Later, as part of the institutional history interview process, youth and adult co-researchers invited 38 homeless and precariously housed youth (aged 16–29) to tell them about their experiences seeking, avoiding, or receiving child protection services throughout their lives.

In these interviews and in our legal analysis, several aspects of the DPJ are revealed as particularly problematic in terms of young people's right to adequate, secure housing. For

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[1] Québecois youth refer to the institution of youth protection itself as the DPJ (based on the French: *la direction de la protection de la jeunesse*).

example, existing legislation mandates placing youth with complex needs in residential youth centres, but all services are terminated at age 18. Our aim here is to articulate ways in which the DPJ could enable youth housing security. Our recommendations are based on the results of our research and the lived experience and knowledge of our team. We focus centrally on young people's experiences with the DPJ and peripherally on their experiences with the broader sociolegal, housing, social assistance, and education systems in the Canadian province of Quebec. Building from young people's individual accounts, we identify the generalized institutional and policy conditions that shape youth efforts to find and sustain housing.

Literature Review: Links Between Youth Homelessness and the Youth Protection System

The literature consistently identifies an association between youth homelessness and previous involvement in child protection services (Barker at al., 2014; Britton & Pilnik, 2018; Jasinski et al., 2010; Nichols, 2014; Nichols et al., 2017; Gaetz, 2014). In the first pan-Canadian study on youth homelessness, 57.8% of homeless youth reported some type of involvement with child protection services over their lifetime (Gaetz et al., 2016), whereas national data indicates that only 0.3% of the general public receive child welfare services (Statistics Canada, 2011). Also, 65% of these youth reported that they had not completed high school (Gaetz et al., 2016). A longitudinal study of youth involved with Quebec's DPJ, *Étude sur le devenir des Jeunes Placés* (EDJeP), found that only 24.8% of participants involved with the DPJ obtained their high school diploma by age 19, compared to 77.4% for youth in the province as a whole (Leroux, Blanchet, Goyette, & Bouchard St-Amant, 2020). In general, research confirms that youth transitioning from child protection services are less likely to finish secondary school or participate in post-secondary education, and more likely to experience unemployment, than are the general population in the United States and in Canada (Gunawardena & Stich, 2021). Limited participation in education and employment increases young people's vulnerability to poverty and homelessness as they leave child protection services (Fowler et al., 2009; Gunawardena & Stich, 2021; Rosenberg & Youngmi, 2017). In Quebec, 20% of young people involved with the DPJ report one or more episodes of homelessness after aging out of the care system (Goyette, Bellot, et al., 2019).

Despite the clear indications that young people involved in child protection services experience challenges as they transition into adulthood, very little research synthesizes young people's experiential knowledge of child protection and other intersecting systems to suggest how to better meet their evolving needs so that they do not experience homelessness and instability when they exit care. Furthermore, research on the outcomes of child protection largely takes for granted the central importance of youth autonomy and independence. Laws governing the lives of youth in Canada (e.g., the Youth Criminal Justice Act and the Youth Protection Act) position young people as deserving of protection and rehabilitation until age 18, when they are expected to emerge from state interventions as fully independent subjects. Writing about governmentality and youth criminal law reform in the United Kingdom, Vaughan (2000) observed that under the Crime and Disorder Act of 1998 youth and families were individualized in law as responsible for their own risk mediation and rehabilitation, which mirrors other individualizing neoliberal reforms of that

time. In Canada, Baullucci (2008) noted the encroachment of actuarial technologies — tools and techniques for predicting and mediating an individual's risk of reoffending — in youth criminal justice settings. While the youth criminal justice and youth protection systems do not share the same mandate, these systems are shaped by and operationalize similar rationalities with respect to the normalization of actuarial tools and dispositions, and the individualization of responsibility for familial and youth well-being. In contrast, we are inspired by Nelson's (2020) critique of bureaucratic forms of care and suggest it is worth considering Nelson's invitation to actualize forms of revolutionary care that are built on trust and interdependence, rather than individualist independence and bureaucratic indifference.

The Youth Action Research Revolution

Youth Action Research Revolution (YARR) is a participatory youth research team (Cammarota & Fine, 2010; Fine et al., 2003; Nichols, 2019; Nichols & Ruglis, 2021) that worked together between 2018 and 2021. The team was co-led by a university professor (Nichols) and a doctoral student (Malenfant[2], now a postdoctoral fellow). Co-leadership of this project allowed us to share resources, be more available to our youth co-researchers, and benefit from the different strengths we brought to the team.

The YARR project was designed to improve knowledge of specific structural factors that undermine and enable housing stability for youth. The project is an *institutional ethnography* (IE) of public institutions that directly and indirectly shape youth housing precarity: child protection, health, education, corrections and policing, and shelters and social housing. Described by its founder, Dorothy Smith, as a sociology for people, IE was developed to improve the transparency and navigability of ruling institutional processes and discourses. In an IE, people are not positioned as the objects of sociological discourse (Smith, 1999); rather, institutional ethnographers try to generate knowledge that is useful to individuals and groups seeking to organize and advocate for institutional changes (e.g., repeal a section of law), to get something accomplished (e.g., secure access to social housing), or otherwise actualize a collective or individual objective (e.g., improve child welfare processes).

YARR met in person to work and have lunch together each week from the fall of 2018 until the spring of 2020, when COVID-19 public health restrictions compelled a shift to virtual meetings. The first six months of the project were spent getting to know one another, developing research and legal skills, and creating our research design. We did not rush. In an IE, people's experiences serve as entry points for empirical investigations of the institutions, organizational structures, policies, legislation, discourse, and knowledges that mediate how people relate to one another and the world (Nichols, 2014, 2019). Given IE's requirement that experience be the starting place for research, we spent time each week sharing experiences and mobilizing expertise within the group. For example, during the 2018/19 academic year, our team worked with two legal students who were completing internships at the youth homelessness agency where we met each

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[2] Malenfant experienced homelessness and housing precarity in their youth as did our youth research team members.

week. Based on shared experiences among members of our team, we posed a series of legal questions to the interns, inviting them to teach us about the municipal, provincial, and federal laws that govern the institutions with which homeless youth interact. During legal education sessions, our team shared experiences and observations that allowed us to compare and contrast the laws as written with the laws as youth experience them. These discussions were thus as educative for the legal interns as they were for the research team. All research training and team-building opportunities were paid. To enable paid participation in the study design, the remaining funds from one of Nichols' research grants were redirected to cover the training and project design phase. Once the study was designed, we secured federal research funding to cover its implementation.

Our research was conducted in Montreal. Drawing on young people's experiential knowledge of the public sector organizations and processes that punctuate and give shape to their lives, our objective was to identify specific interinstitutional and policy junctures — in provincial or federal education, child welfare, (mental) health care, criminal legal, and housing systems — that shape conditions of housing precarity for youth. Our research sought to address the following questions:

- What have been young people's experiences with State systems and how have these experiences shaped, and been shaped by, conditions of housing instability?
- What institutional and social processes do young people identify in their histories as points of system promise and points of system failure?
- What are the policy and legislative contexts that shape the practices, discourses, and programs young people describe?

To address these questions, a team of youth and adult co-researchers interviewed 38 individual youth (aged 16–29) who participated in up to three interviews each about their historical and present-day interactions with public institutions.

Research Methods

For this project, we adapted a three-stage institutional history interviewing approach (Prasad et al., 2006). The structure we developed included up to three one-hour interviews; it resembles an oral history approach, in which a small group of people are invited to participate in multiple interviews in an effort to build an historical account of some aspect of their lives. Youth were asked to choose particular interactions with public institutions and community-based organizations that directly and indirectly shaped their experiences of homelessness, housing precarity, and housing stability; those interactions served as starting points to trace sequences of events forward and backward through time.

Interviews always began with the same question: "Based on the recruitment materials, you knew this was a research project about how government systems could prevent youth homelessness. What did you come here to tell us?" From this single prompt, youth were able to self-determine the public systems they wanted to address in each interview. For example, if a first

interview focused on a young person's history of interactions with health care institutions, the next interview focused on their interactions with the police and the judicial system. This approach allowed us to work with youth participants to identify the general institutional and policy processes (e.g., school codes of conduct; placement options for youth in youth protection) that had shaped the trajectories they described. Given our interest in assessing key points of system failure and system potential, we needed an interview strategy that allowed people to construct and add to historical accounts, specifying points of intervention, across different developmental stages and social contexts, that undermined or contributed to housing stability.

Participants

Using an approach in which one youth and one adult served as co-interviewers, we conducted up to three in-depth confidential institutional history interviews with 38 individual youth aged 16 to 29 (64 interviews in total). Participants were recruited via posters hung at the multiservice youth organization where our team met each week, as well as through the social networks of youth co-researchers. Potential participants reached out to Nichols directly via email or cellphone, or approached members of our team in person to speak with us about the project during our weekly lunches at the organization. To participate in the study, subjects had to have experiential knowledge of at least one public system they identified as implicated in their experiences of homelessness. Based on our prior experiences of institutions as service-users and researchers, the research team had identified several potential public sector contexts that we anticipated other youth would speak about. However, the final choice of institutions of focus for analysis was made during the first phase of co-analysis with our team.

Research participants received $20 for each interview they did with a youth and adult-researcher on our team, and participated in a formal written informed consent process for each interview. Participants were compensated monetarily (rather than through a grocery card, for example) because we are committed to honouring young people's bodily and intellectual autonomy. The research design was approved by McGill University's Research Ethics Board, where Nichols was a professor and Malenfant a doctoral student at the time of this research. To protect the identities of participants, they are referenced by pseudonyms in this article.

At the start of their first interview, we asked each participant to self-identify using demographic indicators that they determined were important (see Table 1). The use of self-determined identifiers reflects our team's respect for lived knowledge; however, this approach makes it difficult to summarize the demographic characteristics of our interview sample because it would require us to recategorize people using a single system of classification, which we have chosen not to do. Instead, we include identifiers people used to describe themselves as we introduce their stories later in this article. For general demographic characteristics, we reference the results of the most recent Without a Home (WAH) survey sample for a breakdown of demographic characteristics among youth experiencing housing precarity in Quebec (Gaetz et al., 2019). While we were undertaking the qualitative data collection presented in this article, our research team administered

the WAH survey to 117 youth at the agency serving street-youth where we worked each week — as such, there is overlap between the survey sample and our interview sample. In total, 174 WAH surveys were completed in the province of Quebec.

Table 1. *WAH Participant Demographics*

Sexual Orientation		Survey Language	
Straight	55%	English	16%
LGBTQ+*	45%	French	84%
Gender Identity		Race	
Cis-male	51%	White	65%
Cis-female	29%	Mixed/multiple	13%
Two-spirit (2%),	12%	Black	7%
transgender (3%),		Brown	7%
gender-queer (3%),		Indigenous	5%
unsure (4%)*		Other	3%
Other	7%		
No answer	1%		

*Numbers in each category were too low to report separately

Of the 38 youth who participated in this study, 14 identified child protection as an institution that directly or indirectly shaped their experiences of homelessness, and we created institutional histories for each of them. The points of failure and possibility identified in this article are common across these 14 histories. An affordance of the institutional history approach is that it brings institutional and policy relations into view over time and space — that is, across a young life. As such, in conveying our findings, we have sought to keep young people's histories intact so that the reader can see these temporal relations as they unfold in young people's accounts. This means that our findings highlight the experiences of a subset of the larger sample.

Analysis

Based on a preliminary analysis of the interviews to identify problematic and promising institutional junctures in young people's narratives, we identified the policies and legislation that shaped or mandated the institutional practices and responses they described. Our aim was to analyze how policy and legislation are organized and implemented across institutional domains (e.g., mental health and community policing) to produce the institutional patterns that appeared in the narratives. Analyzing the institutional history interviews and relevant policy, practice, and intervention protocol materials, we produced institutional timelines for each youth's interactions with each institutional sector (e.g., health, education) that they saw as relevant to their experiences of homelessness. Systematically assembling the data in this fashion allowed us to deduce key "points of [institutional] failure" and points of possibility (Sauvé et al., 2018, p. 2) as well as the specific policies, legislation, processes, and programs that mediated them.

Findings

Like other Canadian provinces and territories, the DPJ in Quebec is governed by provincial legislation: the Youth Protection Act. The purpose of the Act is to "protect children whose security or development is or may be considered to be in danger" (Youth Protection Act, P-34.1, 1991, Chapter 1.2). Under this Act, a "child" is anyone who is less than 18 years of age. In each region, a director of youth protection is tasked with applying the Act. The role of the DPJ is to intervene in situations where a report has been made that a child has been or is at risk of being abandoned or neglected, or psychologically, sexually, or physically abused. The DPJ is also mandated to intervene in cases where a young person is struggling with serious behavioural problems. The goal of the intervention is to put an end to the situation that has placed the child at risk, and prevent it from happening again. Child protection interventions are delivered through integrated health and social service centres, which are colloquially described as youth centres. People use "youth centre" to refer to residential or intensive day-centre treatment, and open or closed custody facilities mandated by the Youth Criminal Justice Act. Intensive residential supports are only to be used when a child's safety cannot otherwise be protected in the familial home or in a foster care situation:

> If a child is provided with foster care in compliance with an immediate protective measure or an order issued by the tribunal under this Act, and there is a serious risk that the child represents a danger to himself or to others, the child may be placed in an intensive supervision unit maintained by an institution operating a rehabilitation centre that allows close supervision of the child's behaviour and movements due to its more restrictive layout and special living conditions. (Youth Protection Act, P-34.1, 1991, Chapter 2, Division 2.11.1.1)

In April 2021 the *Commission spéciale sur les droits des enfants et la protection de la jeunesse* (Special Commission on the Rights and Protection of Children and Youth) released a 562-page report, "*Instaurer une société bienveillante pour nos enfants et nos jeunes*" (Establishing a Caring Society for our Children and Youth; Government of Quebec, 2021). The report was commissioned after a 7-year-old girl died in 2019, despite prior child protection involvement and clear evidence of familial distress. The report suggests that chronic underfunding has prevented the DPJ from responding effectively to steady increases in demand for youth protection services over the last 5 years: reports to the Director of Youth Protection increased by 21% between 2014 and 2019. Specifically, the report points to an overrepresentation of Black youth in care compared to the Quebec population at large, problems with the provision of "rehabilitation service" to those placed in youth centres, and insufficient preparation and support for adulthood when young people are no longer eligible for youth protection services (Government of Quebec, 2021). In Quebec, youth are no longer eligible for youth protection services when they turn 18, leaving many young people without stable access to housing, schooling, or work (Goyette, Blanchet, & Bellot, 2019).

Indeed, institutionalizing a child but not preparing them for independence, combined with the expectation that independence is the end-goal for every child protection intervention, was identified as one of two primary points of failure for the youth who participated in our research. Participants explained that a history of running away while in care, coupled with poorly supported transitions from the child welfare system — particularly the province's rehabilitation centres — shaped their subsequent experiences of homelessness. The other major point of failure is the absence of protective interventions on the part of youth protection services, as well as those other professionals who have a legal duty to report child protection concerns (e.g., teachers). We also interviewed young people who had been involved in the youth protection systems of other provinces, and who had experienced difficulties associated with the organization of child welfare services there. Although post-care outcomes are similar across Canada (e.g., young people involved with child protection services experience higher rates of youth homelessness in all provinces), the specific sociolegal determinants of homelessness we point to in this report are unique to the experiences of Québecois youth.

Point of Failure: Institutionalization, Coupled With a Lack of Transitional Supports

Interviewees identified the placement of youth in provincial rehabilitation centres (colloquially described as youth centres) and the abrupt end to service eligibility at 18 as key structural determinants of homelessness. They were highly critical of youth centres and concerned that these institutionalized environments did not prepare them for their transition to adulthood at 18. Young people's concerns about youth centres echoed the findings of the EDJeP team: those placed in youth centres during adolescence were more likely to experience homelessness and housing instability upon being discharged from the DPJ (Goyette, Bellot, et al., 2019).

Youth centres are "totalizing institutions" — they mediate the entire experience of life for the young people who are placed there. The transition at 18 from such a routinized environment to unstructured independence can be jarring, and is likely to pose socioeconomic challenges to anyone who cannot be discharged into the care and custody of their family. As Robert, a white, cis-gendered, straight, francophone man who received educational and residential services at a youth centre throughout his childhood and adolescence, noted:

> You get up in the morning. You make your bed. You eat breakfast. You go to school.
> You come back in the evening. You have time to do homework. After that it's dinner
> and you can watch a movie at night, if not you go to your room and, that's it.

While his days were highly structured, interpersonal relationships were not — he had many different intervention workers and an increasingly strained relationship with his biological family. Indeed, from Robert's point of view, the DPJ intentionally undermined his relationship with the only caseworker he trusted because they were perceived to be becoming too close. This social worker actively sought to get to know Robert and establish a relationship with him by playing ball and going fishing. He was the only social worker in Robert's recollection that sought to build a trusting professional relationship with him.

As he got older, Robert — like many other youth — became increasingly lonely and miserable at the centre and began running away. As a runaway, Robert was able to spend time in libraries during the day, but was ineligible for most social services because of his legal status as a minor. Robert said he was unaware of any youth services through which he could have accessed support, such as food, safe shelter, or health care. Unsure how to feed himself or find shelter without any source of income or adult service eligibility, Robert would eventually return to the youth centre to face the institutional consequences associated with running away.

Young people described three interventions to address runaways at youth centres: punishment (loss of privileges and social isolation); using a private security company or the police to have youth returned to the centre; and an introduction to an emergency shelter for youth requiring temporary respite from the street. Punitive interventions and the use of security services do not address the reasons youth run away from youth centres, nor do they prepare a young person for a life after institutionalization.

For instance, as Robert approached 18, he began running away from the youth centre for longer stretches of time, sometimes months, then either returning to the centre voluntarily or being brought back by a security company or the police. When nearly 18, he was brought back by a security company and was advised that his file was closed:

> They [Garda, a security company] had to wait for them [the centre] to decide what was going to happen to me, because I was gone for too long.… When I contacted the centre, they called Garda. They came and got me and brought me to [another youth centre]. And after that, well they had to decide what they were going to do with me. I stayed in isolation … then I turned 18, they kicked me out, and I didn't know what to do.

When interventions are aimed at punishing running away rather than interpreting it as a sign that youth require supportive scaffolding in their pursuit of independence, the opportunity to support youth to achieve stability when they exit the care system is missed. Like other youth who had been placed in youth centres during adolescence, Robert transitioned directly to the streets at 18 without completing his secondary school education and with little capacity to take care of his own basic needs or work with others to ensure mutual safety and well-being ("I can't even cook an egg … you end up in the street, you have nothing. You just have your clothes, your backpack"). He was homeless for the next three years.

Other youth with similar histories of involvement with youth protection described a similar lack of preparation for life after 18. As Mathieu, a white, cis-gendered, heterosexual, Francophone man, cynically observed, "You're treated like a sack of garbage. And at 18, if you don't integrate like everyone else, it's too bad. You're on the streets then. And they don't care. Their mandate is over."

Point of Failure: Institutional Inaction

Our research revealed another point of failure: a lack of intervention in young lives, even when it is clear that youth are unsafe and even when they are asking for protection and support. In the institutional histories profiled in this section, young women either raised clear concerns about their safety to school personnel or were regularly attending school in a state of obvious distress (e.g., after using drugs, sobbing, covered in bruises). Even though all professionals who work with youth are legally mandated to alert the Director of Youth Protection to any case where there are "reasonable grounds to believe that the security or development of a child is or may be considered to be in danger" (Youth Protection Act, c P-34.1, Chapter 4, Division 1.38), similar patterns of inaction were observed by many of the other youth we interviewed.

For example, Jolene, a White franco-bilingual woman we interviewed, explained that she had often come to school showing signs of distress as a child, but neither the school nor child protection had intervened. Jolene's intuition — one that was shared by a number of young people who had grown up in middle-class Montreal suburbs — was that her family's financial stability prevented school staff from seeing her as at risk of neglect. However, as she explained:

> My mom was never really there for me, and she was like, abusive, she was an alcoholic. She wasn't really taking care of me or my sister, and, well, I feel like when you have money, and you look a certain way, like, the DPJ don't even fucking — they don't even search or anything.

Poverty is often misinterpreted by middle-class teachers and social workers as evidence of neglect (Lash, 2017).

Families experiencing acute financial distress are more likely to find themselves under the gaze of the child welfare system than financially stable families in which emotional neglect and absentee parents are less likely to be noticed in the absence of material deprivation. In Jolene's case, no one intervened despite clear signs of distress:

> The school, they were aware, like my grades were really bad.… My situation was just degrading, because I didn't understand anything that was going on in class, because whenever I had homework or whatever, I fucking couldn't do it. Because my mom was never there to help me, and they knew that, like, all along. High school, like, showing up with bruises and everything, all the time, since I'm showing up to school crying, because my mom was really awful to me all the time.… They knew I was not doing well, or whatever, I was like, doing drugs, in a bad situation, pretty much, all my childhood.

Despite declining academic performance, visible bruises, tears, and obvious drug use, school staff did not ask Jolene how she was doing or offer support, nor did they (to the best of Jolene's knowledge) report her as a child whose "security and development" might be in danger (Youth

Protection Act SC 2020). When Jolene was 12, her mother left home, leaving Jolene in the custody of her mother's former spouse. Shortly thereafter, at 14, Jolene also left to live with her 27-year-old boyfriend. Throughout this period of instability, Jolene was still enrolled in school, but attending sparsely:

> I was still going to school when I was 14 years old. I lived with my 27-year-old boyfriend. And I was going to school like, once a week, because he wanted me to help him doing some stuff, that I'm not going to say, and like, the school picked up on that, and actually the girl, the social worker at the school, she knew him, because she went to school with the guy…. She knew he wasn't a good person, and they never did anything.

A poor school attendance record provides the legal justification for educators to inquire with guardians about a child's well-being and also — in the absence of an appropriate intervention and a consequent change — to make a report to the Director of Youth Protection, but no such inquiry or report were ever made in Jolene's case. Despite her statement that she "wanted a family like anybody else", Jolene did not actively seek out support, neither from school nor directly through the DPJ.

A number of the young people we interviewed for this project and some members of our team also reported being reluctant to ask for help and, in many cases, had actively sought to prevent social workers or police officers from getting involved in their lives because they were not confident an intervention would lead to improved safety for them or their siblings. Thus, the onus is on schools and other institutions that youth interact with to proactively check in with them and ensure that they know their rights and are aware of different pathways for seeking support. Rather than acting on a narrow view of their legal and professional obligations (e.g., a duty to report a youth they suspect needs protection), school staff need to recognize signs of distress and the potential for risk (e.g., of homelessness, trafficking, mental illness), and then act in compliance not only with provincial laws but also with young people's rights to self-determination. For example, educators can engage with young people who exhibit signs of distress about whether and how they might help. Looking back on her own experiences, Jolene observed that "the school should have done something". Indeed, Jolene's teachers and principal failed to exercise their legal duty to report to the Director of Youth Protection any concerns about Jolene's "security and development". Thus, at 15, Jolene stopped attending school, and when she ended the abusive relationship with her boyfriend, she became homeless.

Fariha (a queer franco-bilingual immigrant woman, whose family were practising members of a religious minority) had also struggled to get adult professionals to take her concerns seriously, connect her to resources to alleviate her suffering, and effectively intervene between her and her family. Like Jolene, Fariha grew up in a middle-class Montreal suburb. Unlike Jolene, Fariha relentlessly sought out support from her school, from social services and homeless-serving

organizations, and from the DPJ. In the school setting, she first reached out to friends, then to her teachers, and finally to her high school principal:

> I grew up with a lot of childhood abuse and violence, sexual abuse and violence as well, so like, at one point I was fed up with it, so I decided to seek help from school.… At first, nobody took me seriously.… The teachers wouldn't do anything about it, so that led up to not really trusting anyone, or having faith in anything happening.… So then, after that I ran away from my house, because, like, I had no other option … because nobody believed my story.

The lack of action by Fariha's teachers and principal with respect to her experiences of victimization at home led directly to her first experience of homelessness.

Each time a young person discloses their suffering to an adult who does nothing, their faith in the entire intervention system is eroded. Also, a young person's disclosure of personal risk to an adult professional represents legally sufficient grounds for reporting the disclosure to the Director of Youth Protection, who then shoulders the responsibility of investigating the report. Legally, a young person's "security and development" may be considered to be in danger if they are in an abusive home, but also if the child has left:

> The security or development of a child may be considered to be in danger where he leaves his own home, a foster family, a facility maintained by an institution operating a rehabilitation centre or a hospital centre without authorization while his situation is not under the responsibility of the director of youth protection. (Youth Protection Act, , c P-34.1, Chapter 4, Division 1.38.1)

Treating 'Runaways' as 'Missing Children' and Failing to Coordinate Housing Led, Rights-Based, Youth-Centred Actions

Despite several substantive reasons to initiate a child protection investigation, Fariha was categorized and processed as a "missing person" and was continually returned to her biological family's home:

> When I sought help, I couldn't [access services] because, first of all I was underage, so my parents were against the idea that I live with someone else, that I go in a shelter — they were completely against it…. So like, it was really hard for me as a teenager to get help because my parents weren't approving of anything, so it was either you come back home, or you're on the streets.… I was really powerless.… At one point I was fed up with not getting anything done, so I ran away, and I was claimed disappeared [missing].

In Fariha's case, it was her parents who reached out to contact the DPJ when she ran away; as such, the institutional action deemed appropriate was to bring her back home. Unfortunately, Fariha's own account —that home was unsafe — was not initially seen to be institutionally

actionable. By reporting Fariha missing, her parents were viewed as having demonstrated their will "to put an end to the situation in which the security of development of the child was in danger". As such, Fariha continued to be assessed as in need of protection from herself (because she continued to run away), rather than in need of protection from her parents. She thus remained caught between running away and being at home, exposed to ongoing violence every time she returned.

As the conflicts at home escalated, sometimes the neighbours would phone the police. Fariha stated, "A lot of neighbours would call the cops because there were a lot of fights in my house." Eventually, her school and the police reported Fariha to the Director of Youth Protection. But despite years of street involvement and running away (between ages 14 and 17) and disclosures of abuse to multiple professionals, Fariha was never provided with the housing, the financial support, or the protection and guidance she was looking for from the DPJ. Like Robert, Fariha spent 3 years on the streets, while trying to get access to services. By the time she was 17, Fariha had graduated from high school and enrolled in CEGEP, a publicly funded pre-university college in Quebec. But because she lacked the financial support needed to live on her own and participate in school (e.g., purchasing textbooks, paying for rent and food), she eventually dropped out.

Discussion

Fariha's experiences point to a problem to be resolved with respect to the Youth Protection Act in Quebec. Presently, legislation does not sufficiently recognize a young person's right to pursue and/or inform a service agreement with the DPJ. Nor does the system offer accessible legal information and support for young people who are seeking legal emancipation from their biological families. In this Discussion, we focus on legislative and procedural changes that would ensure that the DPJ contributes to the prevention of youth homelessness in Quebec.

Point of Possibility: Legal Grounds for the Protection of Homeless Youth

Throughout Fariha's adolescence, she continued to run away from the violence in her home. Because she was legally considered a minor, she was ineligible for most emergency housing services in the city and suburbs of Montreal. Furthermore, because her mother repeatedly reported her missing, and missing person reports are regularly circulated in the shelters, she would be flagged by staff as ineligible for services, or reported to the police who would return her to her home. Where there is a concern that a young person has been abducted, trafficked, or otherwise involuntarily removed from their place of residence, this process is protective; however, for those youth who are voluntarily choosing to leave the custody of parents or guardians (including youth centres, foster homes, and group homes), this reporting policy pushes youth onto the streets.

Section 38.1 of the Youth Protection Act empowers the DPJ to classify homeless and "runaway" youth as eligible for protection. This provision has the potential to position the DPJ as a key lever in the province's efforts to prevent youth homelessness, serving as a model for other provinces (e.g., Ontario, where youth homelessness is not considered grounds for protection). In

order to capitalize on this potential and not inadvertently push youth onto the streets, young people must be positioned as rights holders within the Act —able to access or refuse youth protection services, or to legally emancipate themselves from parental control.

Point of Possibility: Improved Access to Justice and a Simplified Emancipation Process

Access to justice for street-involved youth can be enabled by providing street-front legal services. These would assist young people who are seeking to understand their rights and navigate complex sociolegal processes, such as legal emancipation from the custody of their parents or guardians. Unfortunately, the process in the case of emancipation is bureaucratically complicated. Accessible legal services are a start, but for youth to access justice in this regard, improved procedural fairness in terms of the legal process itself is required.

Currently, once a young person has turned 16, they can apply for and be granted simple emancipation through the court system if someone else is willing to serve as their guardian. Simple emancipation does not grant one access to services and support for adults; it only allows a young person to get married or sign a lease. Note that even "simple" emancipation requires a young person to appear before the courts, provide institutionally recognized evidence in support of the application, and comply with conditions. Michel, a White, straight Québecois man, described the process he had to go through to achieve simple emancipation:

> At 16, I went in front of a judge and I asked for, what we call, an emancipation. I wanted my own apartment, I was independent, but the landlord needed me to be 18 to sign the lease, have credit cards, and everything.… They looked through diagnoses and reports and everything, and for sure, they gave me the appropriate resources. I had an educational aide, I had child psychiatrists, I had so many follow-ups. It was conditional to all of that, but they still gave me the emancipation.

The process for full emancipation is even more stringent, since full emancipation means a young person is no longer considered a minor. With full emancipation, a young person has full legal capacity over their property and are deemed fully responsible for their actions (Government of Quebec, 2023). The process of legally emancipating in Quebec is too complex for most young people to navigate: they face considerable difficulty in "proving" valid reasons for seeking emancipation (e.g., that they are unsafe at home, that they have been abandoned). Besides the fact that having to prove one has been abandoned may reactivate past trauma, those who are homeless may lack access to basic identification and historical documentation. Furthermore, the process is not explicitly oriented to enabling access to financial supports that would prevent homelessness. Until a minor has legally emancipated, they are ineligible for provincial social assistance programs under the Quebec Individual and Family Assistance Act.

For Jolene, who, like Fariha, became homeless in early adolescence, an inability to navigate the emancipation process, the failure of the DPJ to intervene, and a subsequent lack of access to social assistance shaped her subsequent experiences of street involvement:

> I was too young to get welfare, so I couldn't get any money.… You have to be 18 years old. 18 or 19. I think even older than that, because, like, they still consider, when you're under 21 that your parents could still be providing for you. I had no contact from my parents. I couldn't get any letter from them.

To maximize the preventive possibilities, the legal system for the emancipation of minors should be more clearly linked with the DPJ. Young people who are of legal age to apply for emancipation (16 or older) and who arrive seeking temporary shelter or housing supports at street youth organizations could — if they so chose — be supported to legally emancipate and apply for welfare eligibility through the provincial social assistance system. Currently, provisions to establish eligibility for social assistance as a minor pose restrictive barriers to young people, particularly those who need it the most — homeless youth.

Conclusion

This article shows that the DPJ has a key role to play in preventing young people from experiencing homelessness. First, we highlighted two institutional points of failure — normalized institutional processes through which the DPJ undermines young people's housing and social stability in and after care. We then highlighted two points of possibility — existing institutional and policy processes that could serve as levers to help prevent at-risk youth from becoming homeless. Here we return to these points of failure and possibility and propose key changes that both attend to young people's expressed concerns and align with existing research evidence.

Our research adds to the considerable evidence that the DPJ is currently unable to provide young people with the supports and services they need and want while they are in care, and does little to prepare people for an independent or interdependent life after care. While extending the eligibility age for care has shown mixed results as a policy intervention (Gunawardena & Stich, 2021), the trend in Canada and across Western nations has been towards extended dependence on parents or the state due to limited opportunities for stable employment (Cairns, 2017), with 34.7% of young Canadian adults residing with their parents in 2016 (Statistics Canada, 2017). Indeed, Gunawardena and Stich's (2021) systematic review suggests that extending service access to age 25 shows the most promising results in multiple areas, including educational attainment, employment, and housing. This view aligns with that expressed by Martin (a White Québecois trans man) who suggested that young people need voluntary access to services and supports throughout their transition into adulthood:

> For me, I think that if the person isn't ready, she's not ready. I find that at 25 years old, you should have access to the DPJ on a voluntary basis.… I find it really inconceivable that at 18 years old, there is not a single support.

Of course, none of the youth we interviewed suggested extending eligibility for the type of punitive, low-quality services they had experienced. The extension of service eligibility must be coupled with investments in high-quality service delivery. To improve service quality, our team suggests the use of rights-based and trauma-informed (e.g., relational) interventions, rather than institutionalizing, punitive, and carceral ones. Research favours the use of transitional supports that address not only housing, but the multiple and intersecting domains of youth's lives (e.g., education, mental health, legal system involvement, employment, and social connections, as well as housing); such supports may include independent living readiness programs, extended flexible supports beyond the age of majority, and mentorship (other than from caseworkers) as young people transition towards interdependence in community settings (Gunawardena & Stich, 2021). Young people's participation in extended or after-care programming must be voluntary, consensual, and progressively self-determined.

This connects to the second key role the DPJ can play in preventing youth homelessness: working to ensure that youth are viewed as truth-tellers and rights-holders, capable of expressing their own needs for protection and emancipation. Our research points to a statutory failure to position youths as rights-holders, capable of voluntarily seeking or refusing protection services. When young people bring forward a concern about their safety and well-being to an adult professional, the concern must be taken seriously. Youth who are 16 and older should be invited to self-determine subsequent actions in dialogue with, and with support from, professionals. In some cases, youth who run away from group homes, foster homes, and family homes should not simply be returned to the place from which they were seeking refuge. Treating "runaways" as missing children without serious consideration for the reasons they run away may have the unintended consequence of pushing them to sever all links to institutional services and support. In this article, Fariha's trajectory is a stark reminder that treating all runaways as "missing persons" can lead youth to actively avoid service delivery systems for fear that they will continue to be returned to an unsafe familial home.

Fortunately, we also identified two points of possibility — existing policy levers that could be used to enable the DPJ to contribute to the prevention of youth homelessness in Quebec. The Youth Protection Act, for example, recognizes running away as evidence of a need for protection and there is an existing system for emancipation accessible to young people between 16 and 18 years of age. Unfortunately, the legal processes for emancipating are outdated (e.g., from age 16, marriage suffices as grounds for emancipation), will likely require considerable legal assistance for youth to navigate effectively, and are not presently coordinated with other necessary support systems (e.g., social assistance). These legislative shortcomings mean youth are likely to emancipate into poverty. In addition to the programmatic and practice-based shifts we have highlighted in this Conclusion, there is a need for policy interventions that address institutional gaps and enable changes that are attentive to contemporary political–economic relations in Quebec and across Canada. These include the rising cost of housing, lack of employment opportunities for

youth, delayed economic independence among young adults, and increased expectations of post-secondary participation.

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