



[Back to Superjail for youth raises troubling questions](#)

Superjail for youth raises troubling questions

November 09, 2009

Diana Zlomislic

Troubled teens promised cutting-edge treatment at Ontario's new \$93 million superjail for youth have instead been deprived of food, denied programming and subjected to questionable body cavity searches, according to a review by a senior provincial official.

Irwin Elman, Ontario's advocate for children and youth, is investigating cases of excessive force used by some staff at Roy McMurtry Youth Centre in Brampton, which holds 102 male and female youths, 90 of whom are still awaiting trial. Police are looking into at least one of these incidents, he said. What's more, despite the centre's much-publicized commitment to "state-of-the-art" programming – a proven tool in preventing young people from becoming repeat offenders – it simply doesn't exist, he said.

"If it's because of lack of staff or lack of good planning, I don't know," Elman said. "But whatever ... it's not there."

From the outside, with its gleaming exterior and manicured yards set on nearly 80 acres of land, the government-funded centre seems to embody the model of positive change its foundation was built on.

Inside, though, it's a much different story.

Elman recounts a particularly disturbing incident.

"They talked to me about a lockdown," he said. "They were telling me that there was a strip search because there was a DVD missing. There had been a strip search and full-cavity search for the DVD."

Staff made the youths "bend over to see if the DVD was in their rear ends," he said. "That's punishment," Elman said. "To be in that situation, for a young person especially, is punishment."

Elman's findings follow a *Toronto Star* investigation probing problems in detention centres that house youths. One story focused on the life and death of Ashley Smith, who was jailed at age 14 for throwing crabapples at a postal worker in Moncton, N.B. Smith suffered from mental health issues that were never treated and as a result spent nearly four years in segregated isolation – provincial and federal – for bad behaviour.

At 18, not long after she was transferred to the adult prison system, she strangled herself with a cloth ligature. Around the time of Smith's death, academics and politicians in Ontario were debating the finer points of building a more effective model to deal with youths in custody – one where staff treat young detainees like humans, not worthless criminals. It's a system that requires a shift in mindset – a willingness to "see youth as having a problem, not being one," as former chief justice Roy McMurtry noted in the 2008 report on the roots of youth violence he co-authored with former Liberal cabinet minister Alvin Curling.

The point and promise of the Roy McMurtry Youth Centre was to put these principles in action.

"These programs are crucial because they offer opportunities for young people to learn new skills, develop their minds and bodies and become productive members of our society," said Deb Matthews, minister of children and youth services at the time.

The first sign of problems came by phone.



Irwin Elman, Ontario's advocate for children and youth, is looking into complaints at the new jail.

AARON HARRIS/TORONTO STAR FILE PHOTO

In August, Elman's office began receiving an alarming number of calls from youths detained at the centre. As the province's first independent child advocate, Elman delivered a chilling report shortly after his appointment last summer on the deaths of 90 children and teenagers who were involved in Ontario's child welfare system. He's met thousands of youth during the 20 years he spent building and running the Pape Adolescent Resource Centre, a kind of community hub for Crown wards and foster kids that prepares them for independence.

Elman knows real trouble. When the complaint calls about the Roy McMurtry centre escalated to nearly 20 a week, he and his staff arranged regular visits to meet with inmates, officers and managers.

The centre employs 166 full-time youth services officers. Though initial estimates predicted the 22,000-square-foot facility would need closer to 200 permanent ground-level employees working directly with youth, budget cutbacks forced a new scenario, said Bruce England, a staffer at The Roy and president of OPSEU Local 290, which represents jail workers.

Raising further questions about the centre's commitment to providing a positive, rehabilitative environment, family visits have been cancelled at the last minute or moved into "secure" rooms where parents and their detained children are separated by glass and must communicate by phone.

Since the centre opened in May, staff have responded to more than 100 "code blue" emergencies, which are often related to violence in the facility.

Complaints to the youth advocate have "run the gamut of everything from portions of food or not having food available; to the sleeping conditions are too cold; to young people fearing for their safety," Elman said.

A portion of the facility is dedicated to a multi-faith centre run by a chaplain. It's supposed to offer a variety of programs around Muslim, aboriginal, Catholic, Buddhist and non-denominational faiths.

"The multi-faith building isn't being used because we can't get the kids there because we don't have the staff to run multi-faith religion programs," England said.

Laurel Broten, Minister of Children and Youth Services, visited the centre shortly after taking over the portfolio last month. She said the ministry, which oversees youth justice services, is looking into concerns raised by Elman and echoed by staff at the facility.

"I'm very committed to making the Roy McMurtry Youth Centre something that we can all be proud of," she told the *Star*.

"I'm not in a position to speak to any of the specifics with respect to any of the investigations that are ongoing, suffice to say that I take every incident and allegation very seriously."

Elman said he worries that opportunities to change young lives will be wasted in the time it takes to turn things around. "I think that there is a bit of a vacuum in terms of leadership."

Three weeks ago, the regional director of the ministry of children and youth services replaced the facility's top boss with a new administrator and added a deputy of operations. Broten said she could not comment on the reasons behind the changes.

The teenagers, meanwhile, vegetate, Elman said. On a recent visit, he asked them what they want to be when they grow up.

There was a lawyer, an administrative assistant, a recreations programmer, a plumber, a construction worker ...

"That's who's sitting there," Elman said. "If you think about it that way, the promise of doing things differently than they've been done before makes so much sense. We cannot turn our backs on those kids."

Diana Zlomislis can be reached at 416-869-4472 or dzlomislis@thestar.ca.