

“OUT BUT IN”: THE COMPLEXITIES OF ADULT RE-INTEGRATION POST-
INCARCERATION IN THE CANADIAN CONTEXT

by

Alexandra Wright, BA/BSW, McMaster University, 2019

An MRP

presented to Ryerson University

in partial fulfillment of the
requirements for the degree of

Master of Social Work

in the Program of

Social Work

Toronto, Ontario, Canada, 2020

© Alexandra Wright 2020

AUTHOR'S DECLARATION FOR ELECTRONIC SUBMISSION OF An MRP

I hereby declare that I am the sole author of this MRP. This is a true copy of the MRP, including any required final revisions.

I authorize Ryerson University to lend this MRP to other institutions or individuals for the purpose of scholarly research

I further authorize Ryerson University to reproduce this MRP by photocopying or by other means, in total or in part, at the request of other institutions or individuals for the purpose of scholarly research.

I understand that my MRP may be made electronically available to the public.

ABSTRACT

“Out but in”¹: The Complexities of Adult Re-Integration Post-Incarceration in the Canadian Context

Master of Social Work, 2020

Alexandra Wright

Program of Social Work,

Ryerson University

This study explores the experiences of adult reintegration post-incarceration in the Canadian context, using a qualitative approach to inquiry, specifically a secondary data analysis. Both a thematic and discourse analysis were conducted based on three documents to highlight the experiences of adults during reintegration: one Federal Document, one Provincial Document, and one Non-Government Organization (NGO) Document. These documents were selected due to the various understandings they would provide to create a comprehensive picture of what adult reintegration looks like in the Canadian context. This study found that how the experiences of adult reintegration is taken up in discourses is heavily influenced by power dynamics and social dominance. Further, this study found that successful reintegration is presented as being dependent on long-term, wrap-around support services that recognize the complexities of criminal justice involvement, and the impact systems and structures have on how individuals navigate the reintegration process.

¹ Shannon, C.R., & Hess, R.S. (2019). Out but in: Exploring juvenile re-entry through photovoice. *International Journal of School and Educational Psychology*, 7(1), 28-41. doi: 10.1080.21683603.2017.1356774. This title was inspired by this citation, as it reflects the experience of reintegration post-incarceration. I have chosen to use it for this MRP, and have cited it as such.

ACKNOWLEDGEMENTS

I would like to thank my supervisor, Dr. Susan Preston, for her support and guidance during this process. You have provided incredible research supervision, as well as excellent mentorship. I value your advice and I know it will continue to be of great benefit to me as I move forward in my career.

I would also like to acknowledge the support my friends, family and partner have provided throughout the years. You have all provided me with the support, encouragement and balance necessary to complete my graduate training while keeping my head on my shoulders. I have been incredibly fortunate to have such an incredible support network that is invested in my success and has inspired me with their own successes.

I would also like to thank Ryerson University School of Social Work for providing me with the opportunity to continue my educational studies in Social Work. As well, I would like to thank Ryerson University School of Social Work for providing me with financial support through the Ryerson Graduate Fellowship Scholarship, as well as the Ryerson Graduate Student Research and Travel Award, both of which have assisted me in this research process.

DEDICATION

I dedicate this work to the individuals I have met during my various placement and employment experiences in the housing and shelter system and the criminal justice system. Your resilience, adaptability, intelligence, insight, and humor have demonstrated to me the humility and vulnerability you all possess and have led me to examine how I am complacent in systems that execute your oppression on a regular basis. I want to work to change this, and I hope this work is a strong jumping off point for that.

I would also like to dedicate this work to my parents, who have always emphasized the importance of education and provided me with the necessary support and skills to believe in myself and pursue my dreams. I owe my successes to the unwavering support you have both provided to me throughout the years. And to my family and friends, for supporting me in a variety of ways and for agreeing to read and edit all my papers and presentations.

Finally, my partner, Dan, for talking me off the ledge on multiple occasions and for loving and supporting me on my rough days. You were right, I did do it.

TABLE OF CONTENTS

Chapter 1: Introduction	Page #1
Chapter 2: Lit Review	Page #4
Chapter 3: Theoretical Framework	Page #19
Chapter 4: Methodology	Page #33
Chapter 5: Findings and Discussion	Page #39
Chapter 6: Conclusion	Page #66
Endnotes/Reference List/Bibliography	Page #73

CHAPTER 1. INTRODUCTION

This research will explore adult involvement with the criminal justice system in Canada. Specifically, this research will explore adult experiences with navigating post-incarceration and re-integration into the community as it is described in Federal, Provincial, and NGO Documents. Through my experiences working with the Ministry of Children, Community and Social Services in Youth Probation in Toronto, as well as with street-involved youth at Notre Dame Youth Shelter in Hamilton, I have witnessed the difficulties individuals often experience post-incarceration and navigating re-entry into the community. While these individuals have access to many resources and supports upon return to their communities to make their transition smoother, I have come to recognize the structure of these systems is often neoliberal, individualistic, and top-down in their approaches. This makes it difficult for individuals to access services post-incarceration that are holistic in their approach and recognize the ways in which the structures of these systems further perpetuate social inequality by touting individual responsibility to successfully reintegrate.

While the topic of re-integration post-incarceration has been explored as it relates to adult experiences, youth experiences have not been explored. While my intention was to explore youth experiences of reintegration post-incarceration, this became problematic. The university's Research Ethics Board argued that the project required approval from the Government of Ontario as it relates to youth who are under the jurisdiction of the Ministry of Children and Youth Services. This response assumes a potential vulnerability and does not allow youth to make their own decisions about research engagement, which I argue is both paternalistic and top-down in its approach. However, as I was exploring ways to address this issue, the Novel Coronavirus pandemic arose and, due to its impact, I was unable to continue with my original topic. As a

result, I chose to explore adult reintegration post-incarceration, and to do so using pre-existing data to avoid the challenge of beginning research recruitment late in the MRP process.

While many of the research studies I have come across have been centered on the perspectives of adult experiences of incarceration, and service provider perspectives on the reasons individuals experiencing incarceration have difficulty navigating re-entry into the community upon their release, there has been minimal exploration done on the discourse used to discuss reintegration in the Canadian context, as well as the themes present in this data and what they mean for how we address reintegration challenges in Canada moving forward. Furthermore, they fail to include the perspectives of individuals who exist within these systems specifically, instead focusing on the beliefs and understanding of these experiences from service providers. Therefore, my focus on this topic was on exploring the discourses and themes present when discussing experiences of adult incarceration and reintegration to make them more visible. As well, it will provide a further understanding of whose voices operate within these systems and ways to improve the connection between adult incarceration and re-integration supports post-incarceration. The focus on discourse will assist in developing an increased understanding of how we come to understand incarceration and the experience of re-integration post-incarceration for adults.

My focus on experiences of incarceration and re-integration is important to me as an individual as this is a field of work which I am passionate about and I have experience in. Through working in the youth criminal justice system, I have witnessed youth cycle in and out of this system and have often wondered how we can prevent this from happening. As well, I have also questioned the ways in which we can better equip these individual, their communities, and

service providers to support them as they transition out of the facilities to remain in their communities while addressing the challenges they face during reintegration.

Furthermore, this research was relevant to social work, as it allowed for the exploration of a topic that impacts marginalized communities in which social workers, such as myself, engage. This is consistent with concepts central to Critical Anti-Oppressive Social Work, as this research seeks to “raise questions about policies and practices that sustain oppression through explicating empowerment issues and reframing discussion of the studied phenomenon” (Danso, 2014, p. 573). Thus, this research explored the ways that adult reintegration post incarceration are represented, to better understand this phenomenon. In doing so, I reframed this topic in a way that can be implicated to potentially influence future policy and practice decisions regarding such adults. Finally, this research was important to the community, as it provided a more holistic, in-depth analysis of individual personal experiences with incarceration and re-integration. This provided insight into how this specific community feels changes can be made to ensure individuals have access to the supports and programming they need that meets their specific, community-identified needs (Danso, 2014).

Thus, over the course of the next several chapters, a literature review will be conducted to demonstrate the key themes and other patterns emerging in the literature I consulted. Then, the theoretical frameworks that informed this research will be explored, and why they are relevant to this work. Next, the methodology utilized will be discussed, and why this methodological approach was the best approach in seeking answers to my research question. Finally, the findings and discussion will be explored, following with the conclusion which will summarize the findings, and explore implications for policy and practice, as well as future research.

CHAPTER 2. LITERATURE REVIEW

The experiences of incarceration and re-integration is the common thread that connects all the chosen literature examined for this topic. Major themes have been identified among this literature that complicates the experience of incarceration and re-integration. These major themes are as follows: substance use and mental health as increasing the likelihood of becoming incarcerated; lack of appropriate and affordable housing; state intervention such as child welfare; and minimal employment and education opportunities. These will be discussed in further detail below for the purpose of highlighting the research done regarding the experiences of individuals prior to incarceration, post-incarceration, and the gaps that remain.

State Intervention

State intervention, such as child welfare involvement and incarceration, is considered harmful, as most individuals aging out of these systems often lack access to appropriate integration supports such as housing, education, and employment (Boyd et al., 2016). As a result, they are more susceptible to engaging in illegitimate means of income generation and are more likely to become street-involved (Boyd et al., 2016). This makes them more visible to law enforcement officials due to the engagement in illegitimate means of income generation, such as panhandling or selling substances, and increases their likelihood of incarceration (Boyd, et al., 2016).

The involvement of state intervention, primarily child welfare, was referenced in many of the studies examined (Barman-Adhikari et al., 2018; Boyd et al., 2016; Knights et al., 2017; Leclair et al., 2019; Mayock et al., 2013; Moschion & Johnson, 2019; Omura et al., 2013; Saddiccha et al., 2014). Depending on the background of the researchers, the questions they formulated, and how the research was conducted, the involvement of state intervention such as

child welfare was discussed in different ways. This included state intervention being viewed as highly influential on their likelihood of involvement in the criminal justice system and homelessness or having a small influence on their involvement in the criminal justice system and homelessness (Barman-Adhikari et al., 2018; Boyd et al., 2016; Knights et al., 2017; Leclair et al., 2019; Mayock et al., 2013; Moschion & Johnson, 2019; Omura et al., 2014; Saddiccha et al., 2014). Some studies were very critical of the way state interventions such as child welfare have minimal supports for individuals who “age out” of the system and are left to navigate the youth and adult systems on their own, and the role this plays in subsequent incarceration and experiences of homelessness (Boyd et al., 2016; Moschion & Johnson, 2019; Saddiccha et al., 2014).

Moreover, it was found that adults who had previously aged out of the state system lacked access to adequate adult connections, had lower rates of education, and were more likely to experience incarceration than those who did not have any involvement with state intervention such as the child welfare system (Fowler et al., 2017; Wrotten, 2018). Thus, while these adults had aged out of the system as youth, the ramifications of their involvement with the child welfare system followed them into their adult lives, and had detrimental impacts on their relationship with others, as well as their involvement in other systems such as the criminal justice system. Moreover, aging out of the child welfare system results in these individuals entering adulthood without the proper skills related to employment and education, as well as access to things such as adequate housing, which would allow them to be stable adults (Shah et al., 2017). It was estimated that individuals who had aged out of the system were 37% more likely to experience homelessness as adults in the years following, with an additional 25% experiencing housing

instability (Shah et al., 2017). Therefore, state intervention for youth has long lasting implications for individuals involved as they become adults.

However, other studies spoke to the potential positive impacts of state intervention, such as incarceration, can have on individuals, such as allowing them to form supportive relationships with mentors and staff while they are in facilities (Shannon & Hess, 2019; Zivanovic et al., 2016). Thus, views surrounding the impacts of state intervention on integration following incarceration, as well as the likelihood of homelessness, are obviously contested. While it is important to recognize state intervention can have a detrimental impact on individuals navigating re-integration, it can also have positive impacts as referenced in the studies conducted by Shannon and Hess (2019) and Zivanovic et al. (2016). The literature used reflects this and demonstrates how individuals navigate state intervention in their lives pre- and post-incarceration is complex and multi-dimensional, resulting in some individuals benefitting from state intervention more than others. Overall, state intervention regarding the child welfare system can have detrimental impacts that can lead to individuals “aging out” of the system, leaving them with minimal employment and educational prospects due to lack of adequate supports and preparation. Consequently, these individuals are left to fend for themselves, resulting in them engaging in illegitimate means of income generation that leave them more prone to encountering law enforcement, and thus more susceptible to incarceration.

Mental Health and Substance Use

Another theme that emerged was the impact co-occurring mental health and substance misuse had on increasing the likelihood of incarceration and the potential for difficulty during the re-integration process, leading to potential recidivism. The impact of co-occurring mental health and substance misuse was referenced in multiple studies examined (Barman-Adhikari et

al., 2018; Boyd et al., 2016; Knights et al., 2017; Leclair et al., 2019; Mayock et al., 2013; Moschion & Johnson, 2019; Omura et al., 2014; Saddiccha et al., 2014; Shannon & Hess, 2019; Zivanovic et al., 2016). As it relates to community re-integration, mental health issues have been noted by probation officers as influencing youths' ability to engage with programs and services (Badali et al, 2015). While their mental health was found not to have a direct impact on them re-offending, it did impact their ability to attend programming, follow through with obligations at school or work, and often resulted in them self-medicating with substances, as well as engaging in conflict at home and engaging in limited pro-social leisure activities (Badali et al, 2015). Thus, mental health is regarded as a factor impeding efforts to support young people in reducing their risk of re-offending, as they have difficulty in following through with expectations designed to reduce their rate of recidivism. In this instance, mental health is seen as a responsivity factor to criminal involvement but is not a risk factor that means they will re-offend. This means that mental health is seen as an individual attribute that will affect the achievement of treatment goals, but often has no relation to criminal behaviour, therefore it is not considered a risk factor that increases an individual's chance of re-offending.

Moreover, it was noted that many individuals who are involved in the justice system have extensive histories of violence and victimization that generally start in childhood and continue into their adult lives, having long-lasting ramifications (Bernier, 2010). Most individuals were noted as having dealt with some form of physical abuse in their lives, while others had histories of sexual victimization (Bernier, 2010). These histories of victimization are linked to one's emotional well-being; thus, it is not surprising that many persons involved in the justice system struggle with mental health challenges (Bernier, 2010). Anxiety and depression were identified as being the most prevalent diagnoses for adults involved in the justice system, with 17% of

individuals disclosing they had a diagnosed mental illness at the time they were incarcerated (Bernier, 2010). Moreover, the vast majority of adults who are incarcerated also struggle with addictions. 79% of participants in custody reported significant drug and alcohol usage throughout their lives, while 65% were found to be currently battling addictions, and 61% were using drugs or alcohol at the time they committed their offence (Bernier, 2010). Most participants disclosed using drugs and alcohol to escape from and cope with the trauma, violence, and victimization they had experienced throughout their lives (Bernier, 2010). Thus, the experiences of trauma in childhood are correlated to the mental health and substance use challenges faced by adults involved in the justice system, with both playing a large role in their criminalization experiences and their involvement in the justice system.

However, these studies lacked a critical analysis of why co-occurring mental health and substance misuse is more common among individuals who are homeless prior to incarceration, and what impacts this has for individuals, post-incarceration. Moreover, they do not discuss youth experiences of incarceration and re-integration; only the article by Badali et al. (2015) discussed the experiences of youth incarceration and re-integration as it relates to mental health and substance misuse. The theoretical perspectives of the authors influenced the knowledge that was produced regarding these areas, resulting in some examining mental health as a factor of incarceration and re-integration, but not the primary indicator of whether an individual would commit future offences while out in the community (Badali et al., 2015; Barman-Adhikari et al., 2018; Boyd et al., 2016; Knights et al., 2017; Leclair et al., 2019; Mayock et al., 2013). In contrast, others saw it as the main cause of an individual becoming incarcerated or increasing their rates of recidivism (Moschion & Johnson, 2019; Omura et al., 2014; Saddiccha et al., 2014; Shannon & Hess, 2019; Zivanovic et al., 2016).

Moreover, co-occurring substance misuse and mental health challenges result in individuals who experience homelessness or unstable housing, such as couch surfing, having higher rates of incarceration (Boyd et al., 2016; Leclair et al., 2019; Moschion & Johnson, 2019; Omura et al., 2014; Saddiccha et al., 2014). Mental health concerns and substance use were touted as leading to difficulties in securing stable housing following release from a period of incarceration (To et al., 2016). This was because individuals were often unable to secure employment following their release from prison, both due to their mental health and substance use as well as their period of incarceration (To et al., 2016). Experiencing homelessness and having co-occurring mental health challenges and substance misuse results in these individuals being more likely to be incarcerated, and experiencing homelessness again following their release. While this is discussed in the context of homelessness, incarceration, and mental health and substance misuse challenges, this highlights that individuals with poor mental health are more likely to be involved with the criminal justice system due to the behaviour they may display that, while symptomatic, can be mistaken for aggressive and disruptive behavior, often resulting in police contact and apprehension, leading to time spent in custody and a criminal record (The John Howard Society of Ontario [JHS], 2019). In Toronto, between 2 to 2.5% of police dispatches are for persons experiencing a mental health crisis or addiction problem; 41% of the calls for a mental health crisis in 2013 resulted in apprehension under the Mental Health Act (Housing, Health, and Justice Community of Interest [HH & JCI], 2019). This demonstrates that while not all individuals with mental health and addiction challenges experience homelessness, they are still more visible to the police due to symptomatic behavior being constructed as aggressive or disruptive, resulting in increased criminal justice contact. Because incarcerated individuals with dual diagnoses are more likely to be homeless and experience

longer periods of incarceration, this makes them vulnerable to economic and social instability, resulting in them remaining homeless post-incarceration, or having trouble finding stable, affordable housing (Barman-Adhikari et al., 2018; Boyd et al., 2016; Knight et al., 2017; Mayock et al., 2013; Zivanovic et al., 2016). Thus, the ways in which co-occurring mental health challenges and substance misuse occur have an impact on an individual's experience pre and post-incarceration. However, this is not an area that has been explored with youth; all the studies explored highlighted the experience of adults, except one (Mayock et al., 2013). Thus, more consideration needs to be given to the impact mental health and substance misuse have on individuals pre and post-incarceration, and the impact this had on their recidivism rates, as well as any challenges it may pose during their re-integration to the community.

Affordable Housing

The lack of appropriate and affordable housing has a negative impact on individuals exiting periods of incarceration and reintegrating into the community (Barman-Adhikari et al., 2018; Boyd et al., 2016; Knights et al., 2017; Leclair et al., 2019; Mayock et al., 2013; Moschion & Johnson, 2019; Omura et al., 2014; Saddiccha et al., 2014; Shannon & Hess, 2019; Zivanovic et al., 2016). Obtaining and maintaining housing is one of the primary challenges faced by individuals released from custody (HH & JCI, 2019). Most individuals often had access to legitimate means of income, whether that was income assistance or employment, prior to incarceration, and were thus able to maintain their housing (Boyd et al., 2016; Zivanovic et al., 2016). However, following incarceration these individuals have often lost their income assistance or means of employment, meaning they were unable to maintain the shelter they had prior to this period as they did not have the financial means to do so. As a result, these individuals often turned to what the researchers classified as illegitimate means of income

generation, such as panhandling, substance dealing, or exchange of stolen or purchase goods for income (Boyd et al., 2016; Moschion & Johnson, 2019; Zivanovic et al., 2016). Moreover, people released from courts, rather than correctional facilities, can be separated from their personal property, which can contribute to housing problems (HH & JCI, 2019).

When prisoners attend court from a correctional facility, they are not permitted to bring any personal documentation with them, such as their wallet, keys, or medications (HH & JCI, 2019). If they are then released at court, they must arrange transportation to the correctional facility to pick up their personal property. However, if where they live is far from the correctional facility, the person may never be able to get their belongings due to transportation costs. Thus, without these items, people may find it difficult to return to existing housing or to connect to new housing. Moreover, other policies in the criminal justice system, housing market, and social housing system can further limit an individual's ability to secure housing once released. For instance, court decisions can restrict a person from living with their co-accused, even if they share a home (HH & JCI, 2019).

As a result, individuals generally must rely on the private sector for housing; given the cost of housing in Toronto, this can be quite difficult (CMHC, 2009). In 2015, the average cost of a one-bedroom apartment in Toronto was \$937, with the maximum income assistance for shelter on Ontario Works being \$376 (City of Toronto, 2016). This makes the private market inaccessible for individuals who have been incarcerated and have limited social and economic support that would allow them to access affordable housing. Due to housing shortages and wait lists for affordable and supportive housing, referrals made prior to or upon release from jail are often for emergency shelters and temporary accommodations, such as Transitional Housing Programs (HH & JCI, 2019). However, in many cases, post-release housing services are often

only offered to those who are released, are at high risk and are part of an agency's community services, community aftercare, reintegration programs, or youth programs (HH & JCI, 2019). This is because these are often halfway-houses or supportive living spaces these individuals are released to that have connections with agencies that work with individuals involved with the justice system, or correctional institutions (HH & JCI, 2019). Thus, when individuals are released, they enter a housing market that is already unaffordable, as "city or province-supported affordable housing has become increasingly difficult to obtain; in 2015 there were over 171,000 names on the waiting list for subsidized housing in Ontario, nearly half of those being from Toronto" (HH & JCI, 2019, 21). The average wait time for a household on this list is about five years but can be as high as fourteen years for urban, high demand areas such as Toronto (Ontario Non-Profit Housing Association, 2016). Thus, the private market becomes inaccessible for individuals who have been incarcerated and have limited social and economic support that would allow them to access affordable housing.

Even if one can afford housing in Toronto, there are additional barriers to obtaining it. Ontario landlords may ask for a criminal record check as part of the application process. While it cannot be legally required, a prospective tenant who refuses to provide a record check or who has anything other than a spotless record may go to the bottom of the landlord's list as a result (Ontario Human Rights Commission, 2009). Moreover, credit checks, which are usually required in Toronto's rental market, can also be an obstacle, especially to those who have not been able to build credit for an extended period of time, due to having been in prison, in poverty, or being in and out of the shelter system (JHS, 2018). Thus, the lack of affordability for housing in the rental market, coupled with a discriminatory application process that automatically singles out those in poverty or who have a criminal record or both, makes it difficult for individuals leaving

correctional facilities to gain solid footing by accessing housing that is safe, affordable, and consistent. Despite this, there is limited understanding of how difficulties obtaining and maintaining affordable housing impact adults specifically post-incarceration. While it is understood individuals with past justice involvement need dedicated housing supports that are affordable and catered to their specific needs, none of the research discussed how housing, or lack thereof, impacts adult re-integration post-incarceration. While the assumption may be releasees have a home and family to go to, often that is not the case; some adults have experienced homelessness or are couch surfing prior to incarceration due to family conflict (HH & JCI, 2019). This demonstrates the need for further exploration regarding the impact housing has on adult re-integration post-incarceration, as well as how it impacts their mental health and substance use.

Employment and Education

Additionally, having a criminal record can make it difficult or near impossible to get a job or enter into an education or training program, even when the record is irrelevant to the job being pursued. Police records can be created from a variety of interactions with the police, including: having informal contact with police; calling 9-1-1 or being present when an officer was called; calling 9-1-1 for themselves or an individual experiencing a mental health crisis; being involved in a police investigation; being charged with a criminal offence but not convicted; being arrested; being found guilty of a criminal offence; being convicted of a criminal offence (JHS, 2018). The Criminal Record Check is typically used for employment opportunities where a basic criminal background check is requested; it is highly used among employers during the hiring process, and the use of it seems to be increasing (Holzer & Raphael, 2007; JHS & CCLA, 2014; Kilgour, 2013). Toronto police reported the highest number of record checks compared to

all of Canada; the number of checks conducted by Toronto Police Service increased by roughly 7% from 2010 to 2012 (JHS & CCLA, 2014). However, not all these record checks were used for employment purposes, as the use of record checks is on the rise as a screening tool for the areas of housing and volunteering. This makes it difficult for them to obtain and maintain housing due to their involvement with the criminal justice system that is directly reflected in these record checks. Thus, this makes it difficult for individuals to re-integrate and support themselves upon their return to the community through being able to access housing.

The reason why there may be a hesitancy or denial to hire people with criminal records is twofold. First, there is a negative perception of the characteristics of people with criminal records (JHS et al., 2014). Second, people with records are seen to be riskier to safety and assets in the workplace (JHS et al., 2014). For instance, a significant number of employers reported strong negative character assessments and stereotypes of people with police records of any kind (JHS et al., 2014). The research suggests that people with records, even non-conviction charges such as acquittals, may be perceived as less reliable, less honest, and a greater risk, with employers citing risk to liability as the number one reason for conducting checks (JHS et al., 2014). Moreover, employers often cite potential attendance problems, substance use issues, and relationship with other employees as the main reason for avoiding justice involved individuals during the hiring process (Decker et al., 2014). This may account for why even amongst organizations who say they are willing to hire people with police records, their actual hiring patterns do not reflect these statements; despite saying they are willing to hire individuals with police records, their hiring patterns consistently reflect them denying applications based on a positive record check being completed, even if the person was qualified for the position (JHS, 2018). There is minimal human rights protection against labor discrimination in Ontario for individuals with a police record

(JHS, 2018). While there is some protection for persons with a “record of offences”, a term which appears in the Ontario Human Rights Code, the term has a very narrow interpretation when used by tribunals. For instance, this term, “record of offences”, in the human rights context, only applies to individuals who have 1) been convicted of a federal offence, have received a pardon, and have not had that pardon revoked; or 2) convictions for provincial offences (JHS, 2018, 20). In Ontario, a record of offences excludes non-conviction records, such as charges, acquittals or stays, and pending charges (see *Hulbert v Cott Beverages*, 2014; *Jamal v First Student Canada*, 2009). An employer can still take the person’s record of offence into account during the hiring process if the record is a “reasonable and bona fide qualification of the nature of employment”, meaning it has a rational connection to and is necessary for the job performance (Ontario Human Rights Commission, 2014, 83). Thus, a significant Catch-22 or the “jobless trap” (Ghayad, 2013), becomes apparent. In one instance, individuals with police records are barred from and stigmatized in the labor market; on the other, stable employment and jobs fundamental in preventing individuals from criminal involvement are not accessible (JHS, 2018). This jobless trap is created by “the erosion of skills, loss of professional networks, and the increasing sense of under appreciation and alienation from the workforce. A job provides stability, an income, new networks for social contact, and, crucially, the ability to afford accommodation – all factors linked to the prevention of recidivism (JHS, 2018, 21). Formerly incarcerated individuals who return to the Toronto job market upon release are at a disadvantage due to low educational attainment (JHS, 2018). Approximately 75% of prisoners entering federal correctional facilities between 2008 and 2013 had not completed high school or an equivalent, compared to 20% in the Canadian population overall who have not been incarcerated, but have not completed high school or equivalent (Richer et al., 2015). Upon entrance into a federal

correctional facility, an educational assessment is required for all individuals (JHS, 2018). Those who test below a Grade 12 level are recommended for participation in the Adult Basic Education (ABE) Program, which covers Grade 1 to 12 (JHS, 2018). Historical data indicates about 35% of individuals participate in ABE programs and 25% of participants complete those (JHS, 2018). This means that most individuals also leave a federal correctional facility without a high school education, in a market where the minimum requirement for many jobs is a college or university degree; this represents a significant gap in competency.

However, these programming options only speak to persons who are incarcerated in a federal facility and are serving sentences of two or more years. Those who are sentenced to serve their time in Ontario's provincial facilities are there for a very short period; they are often there on remand, and those who are sentenced only serve sentences of two years less a day (JHS, 2018). Thus, there are barriers to accessing education and work programs based on custody status, as those who are there on remand are not eligible for educational or work programs due to the unknown length of their stay (JHS, 2018). This coupled with lack of consistent program delivery and availability, as well as minimal funding, means individuals in provincial facilities are entering into a job market in which they are not prepared for.

In Canada specifically, young people who are between the ages of 12-17 and are involved in the criminal justice system are governed by the Youth Criminal Justice Act (YCJA), which describes the differential retention and disclosure of youth police records, as compared to adult records, such as those acquired after the age of 18 (JHS et al., 2014). Specifically, requests for and disclosure of youth records under the YCJA are highly restricted and only permitted in explicitly defined scenarios; however, employers are increasingly requiring police record checks of persons under the age of 18 (JHS et al., 2014). Despite youths over representation in the

criminal justice system, there is minimal understanding on the barriers this involvement has on their current and future employment prospects following a period of incarceration. As lack of employment has been noted as a factor highly correlated to recidivism, there needs to be a better understanding of the impact barriers of employment post-incarceration has on youth re-integration, as well as their mental health and/or substance misuse (Emsellem & Natividad-Rodriguez, 2015). Having a job enables individuals to generate more personal support, stronger positive relationships, enhanced self-esteem and improved mental health; all of these social bonds reduce the likelihood that persons will participate in and/or associate with individuals who engage in criminal behavior (Duran et al., 2013; Verbruggen et al., 2015). Thus, employment assists in lower rates of recidivism, regardless of the type of offence, and is evidently an important part of the re-integration process (Berg & Huebner, 2011; Nally et al., 2014). Subsequently, this is something that needs to be explored further, particularly as it relates to how it impacts youth and their re-entry into the community and the recidivism rates.

Overall, it is noted that having a criminal record, youth or adult, has long lasting implications for individuals seeking employment post-release. People with criminal records are less likely to obtain and maintain employment (Graffam et al., 2008). This is due to negative attitudes associated with an individual having a criminal record that makes employers less likely to hire them (Graffam et al., 2008). However, it was noted that individuals who had pre-release training while incarcerated, whether through an educational or vocational program, were perceived to be more employable than those who did not, and were more likely to obtain employment (Graffam et al., 2008). Thus, it is evident that employer attitudes related to hiring individuals with criminal records are complex and multi-faceted, and would be something that

needs to be explored more in depth, particularly as it relates to individuals with youth and adult records.

Summarization of Themes

Thus, it is evident that substance use and mental health, education and employment, housing, and prior state intervention, particularly child welfare involvement, impacts the reintegration process following a period of incarceration. Having access to education and employment, as well as stable housing and accommodation, reduces the rates of recidivism and supports a successful reintegration process. However, the barriers associated with a criminal record, coupled with mental health and substance use, as well as trauma, makes the reintegration process difficult. Therefore, the ways in which we consider reintegration and how we discuss it needs to be explored further to understand how this impacts policies and programs available for individual's post-incarceration, and how this shapes their reintegration process.

CHAPTER 3. THEORETICAL FRAMEWORKS

The theories that informed my work were Social Constructionism and Anti-Oppressive Practice. Constructionism “plays a prominent role in studying the labelling and social categorisation of client groups with so-called problematic identities, such as criminals, victims, substance users, refugees, immigrants, et cetera” (Michailakis & Schirmer, 2014, 432). In this instance, the portrayal of a group as problematic, afflicted or troublesome, such as with youth in conflict with the law, is deemed as the root of the social problem, while the problem itself, such as substance misuse, poverty, mental health issues, or inequality, is constructed as a given based on the person’s identity (Michailakis & Schirmer, 2014). However, these social problems appear to afflict some more than others. According to social constructionism, a problem does not exist socially before it has been defined by some agent as a social problem; while social problems may exist, such as justice involvement or criminal records, they do not pose a social problem before they have been defined as problematic and needing solutions (Michailakis & Schirmer, 2014).

Social constructionism plays an important role in studying “the labelling and social categorization of client-groups with so called problematic identities, such as criminals, substance users, immigrants, or refugees” (Michailakis & Schirmer, 2014, 433). Further, social constructionism highlights the discourses that have historically been marginalized, and the alternative versions they offer that are often not considered as they do not align with the dominant discourses present (Witkin, 2012). Thus, constructionism seeks to answer the question of how and why some, but not other conditions, have received the status of social problems and its relation to the identity of the person it is attached to (Michailakis & Schirmer, 2014). Subsequently, I am using this theory for my research as it highlights how societal constructions of client groups with problematic identities, in this instance adults in conflict with the law, is

seen as the root of the social problem, such as unemployment, inequality, substance misuse and/or mental health, and thus a given for this problem. Thus, using the theory of constructionism will assist in developing an understanding of the impact an identity of ‘criminal’ has on these individuals, and how they navigate their re-integration process. Moreover, the theory of social constructionism recognizes that the imposition of one specific truth, even when it aims to enlighten, is “to privilege a particular understanding or way of knowing and to diminish others, thereby aligning social constructionism with social workers’ professed belief in legitimizing marginalized voices” (Witkin, 2012, 25). Thus, this theory is consistent with values of social work to develop a better understanding of marginalized experiences, and to lift and highlight marginalized voices and experiences to the forefront.

Moreover, I will be using Anti-Oppressive Practice as a theoretical framework, which highlights the importance of challenging structural dynamics in order to eradicate various forms of oppression (Sakamoto & Pitner, 2005). Anti-Oppressive Practice is “an approach to the complexity of today’s social problems, operating in the context of multiple oppressions and the growing need for fundamental reorganization of all levels of society” (Baines, 2011, 4). Anti-Oppressive Practice recognizes that everyday experiences are shaped by multiple oppressions that compound and interact with one another, with macro and micro social relations generating oppression (Baines, 2011). Anti-Oppressive Practice aims to change the structure and procedures of service delivery systems through macro changes, including legal and organizational changes, as these systems have historically disadvantaged marginalized populations (Sakamoto & Pitner, 2005). This theoretical framework recognizes that social relationships are “enacted by human beings and generate the ongoing oppression of many groups and individuals”; these relationships are often organized by those with more power and control

than others, thereby limiting individuals with less power and control (Baines, 2011, 4). One of the limitations of Anti-Oppressive Practice is that it lacks focus at the micro level, as it does not focus on how individuals understand their situations as it relates to oppressions, and how they may not view themselves and their experiences as being oppressed (Sakamoto & Pitner, 2005). Instead, it places more emphasis on the macro and mezzo levels, exploring how various isms and phobias such as racism and homophobia perpetuate various systems and structures, advantaging some while further disadvantaging others (Sakamoto & Pitner, 2005). Thus, this makes it a good fit regarding discourse and thematic analysis as it explores the structures and procedures in play as it relates to reintegration, and who holds more power in these spaces (Sakamoto & Pitner, 2005). Thus, this theory fits well with my study, as it has allowed for the exploration of how structures and procedures influence the development of policies and programs and decision making, and how this influences the re-integration process and the potential for recidivism. As well, it has allowed for the examination of how macro relationships, such as governments and their policies, generate oppression as it relates to processes and policies regarding re-integration, and the impact this may have on rates of recidivism (Baines, 2011).

Constructionism

To begin, Foucault and Gergen made notable contributions to social constructionism. Foucault was interested in the discourses that “confine meaningful thought and experience but also the various regimes of power within which these discourses are forged and participate” (Weinberg, 2014, 53). While I have not drawn specifically from Foucault’s work, some of the concepts related to how regimes of power, such as governments and organizations, influence and construct discourses have been helpful in my work, particularly related to incarceration and reintegration. Moreover, Foucault focused on discourse as well as the body as “a materially

incarnate site of inscription and discipline” (Weinberg, 2014, 53). While I did not focus on the experiences of the body for my research, I was able to examine how discourses adopted by regimes of power were able to act as methods of discipline for individuals as they reintegrated, as these discourses dictated whether they would be able to find employment, obtain housing, or access education.

Regarding Gergen’s contribution to social constructionism, he views meaning as being context-dependent, whereby terms and words acquire their meaning through the ways they are used in social practices (Hibberd, 2001). This is pertinent to my use of discourse analysis, as it is evident that words such as “offender” or “criminal”, acquire their meaning through how they are used in social practices. As well, social processes determine the words used, when they are used, and in what context (Hibberd, 2001). This was also pertinent to my use of discourse analysis and social constructionism, as the social processes and the power regimes that dominate certain processes, such as governments, create situations and use of certain language that are context dependent.

The contributions made by Gergen and Foucault assisted so my use of social constructionism and discourse analysis for this research through exploring how language is context dependent, as well as how powerful regimes have influence over how discourses are constructed and used. These concepts parallel some of the ideas offered by Michailakis and Schirmer (2014), whose work I draw on more fully, as discussed further below.

As mentioned previously, constructionism studies the labelling and social categorisation of client groups with so-called problematic identities and how this impacts how social problems are constructed in relation to these identities, such as unemployment or mental health and/or substance misuse (Michailakis & Schirmer, 2014). The central tenets of this theory include

cultural themes; people; and solutions. While this is a unique understanding to the idea of constructionism as it combines approaches of systems theory and constructionism, I have chosen to continue using this theoretical framework. This is because it focuses on the systems people operate within, and how these systems construct labels and social categorisation of client groups that impact social problems, such as justice involvement. Regarding cultural themes, constructionism makes use of an underlying morality; the problem is constructed as a condition that violates or breaks with generally accepted values and provokes annoyance (Michailakis & Schirmer, 2014). Regarding my research, cultural themes were important, as they highlighted how anything that is constructed as deviating from the norm, in this instance criminal justice involvement, provokes annoyance and disappointment as it goes against our morality of law-abiding citizens who do not break the law.

Additionally, the construction of identity highlights how, on the one hand, there are victims of the punitive condition who deserve sympathy, who are not responsible, and are unfairly affected (Michailakis & Schirmer, 2014). On the other hand, there are those who are constructed as villains, who deserve condemnation and punishment; they can be individuals, groups, a system, an institution, social forces or social structures (Michailaki & Schirmer, 2014). Regarding my research, the construction of identity was important, as it highlighted how we construct whether persons are deserving or undeserving of punishment or sympathy based on their identity and their circumstances. This was important, as it assisted in highlighting how construction of one's identity influences how we understand and construct one's circumstances. Regarding adults with criminal justice involvement, the identity being constructed as 'criminal' means they are often constructed as deserving of any difficulties they may endure during their re-

integration, such as finding employment, obtaining education, or accessing supports for mental health and/or substance misuse (Michailaki & Schirmer, 2014).

Finally, the solution tenet of constructionism discusses how general lines of action (what should be done) and responsibilities (who should do it) are constructed (Michailaki & Schirmer, 2014). These claims legitimize certain solutions and exclude others, as well as construct indicators of success (Michailaki & Schirmer, 2014). This tenet was important to my research, as it highlighted whose lines of actions and who is responsible for them are constructed and the impact it has. For instance, conditions of probation upon re-integration to reduce recidivism are constructed at the hands of lawyers, judges, and probation officers whose solutions to reduce recidivism are seen as more adequate than working with the clients to see what solutions would work for them. This then trickles down into how indicators of success are constructed in this context; adults who are considered to have successfully re-integrated and completion probation follow all their conditions, do not re-offend, and not acquire new charges. Thus, this solution tenet allowed me to explore what harm was done when solutions were constructed within the constraints of the legal system, and the impact this had on adult re-integration. Overall, social constructionism helped to highlight how our narratives about ourselves and the world are linked to our actions and the actions of those around us; how we view the world and how the world views us will shape how we respond to the world, and how it responds to us (Houston, 2001). This fit well with discourse and thematic analysis as it relates to reintegration, as it recognizes how narratives are constructed within a power dynamic, and how this influences the decisions as it relates to those who deviate from the norm, such as adults reintegrating following a period of incarceration.

Moreover, social constructionism is concerned with understanding the social world, as well as critiquing it in the interest of progressive social change (Weinberg, 113). This fits well with the discourse analysis of this project, as it helps to understand the social world as it relates to incarceration and reintegration, while working to critique it and advocate for social change. Moreover, constructionism allows for a more effective examination of “the social processes through which problems are constructed as problematic, through which they are constituted as public rather than private problems, and through which prospective remedies for them are socially produced, implemented, evaluated, revised, combined, replaced, forgotten, and so on” (Weinberg, 114). This further demonstrates how social constructionism fits well with discourse analysis as it relates to reintegration, as it seeks to examine how reintegration and incarceration are constructed as public problems through various social processes, and how we can work to remedy these problems moving forward.

Anti-oppressive Practice

Anti-oppressive Practice is about “acknowledging differing power relations in society through working with a model of empowerment and liberation that requires a fundamental rethinking of values, beliefs, and ways of understanding” (Dalrymple & Burke, 2006, 3-4). Anti-oppressive approaches in social work emerged as a response to the struggle of marginalized persons, feminists, and persons with a disability to challenge the present power structures (Sakamoto & Pitner, 2005, 436). Anti-oppressive Practice “draws on the debates from other types of critical social work, emphasizing the structural origins of service users’ problems; an orientation towards radical social change; and a critical analysis of practice relations to transform those relations in practice (Dalrymple & Burke, 2006, 19). Anti-oppressive practice integrates the personal and cultural bases of oppression through using a structural analysis and promotion

of interpersonal and structural work, while developing radical approaches to include all forms of oppression and change (Dalrymple & Burke, 2006). Thus, the focus of anti-oppressive practice is to eradicate oppression through institutional and systemic change through using structural analysis and operating from a macro oriented social work approach (Sakamoto & Pitner, 2005). Overall, anti-oppressive practice emphasizes the issues of power and oppression within the context of social work services as well as within the lives of clients who have been marginalized and oppressed through deindividualizing client's problems to view them within the wider social and structural contexts of their lives (Pollack, 2004).

Thus, an anti-oppressive approach was important to my research, as it helped to develop an understanding of how oppression within the penal system impacts adults and their incarceration and re-integration process and how they navigate these accessing services and supports pre and post-incarceration. As well, it highlighted how structural systems form different bases for the oppression of various groups, and the subsequent inequalities and divisions they face in society as a result of these structures. This was important to my research, as it examined how the structures that exist as they relate to the penal system influence how individuals engage in their reintegration process, as well as how these structures oppress individuals as they attempt to reintegrate. For instance, through the use of labels such as 'criminal' or 'offender', this constructs individuals as 'other', and influences how they access supports such as housing and employment, structures that have often denied access to individuals constructed as 'other'. While there are some critiques of anti-oppressive practice, such as it being too macro focused and not offering solutions to individual challenges, as well as leading to the automatic framing of service users challenges as linked to oppression such as sexism and racism, it is a strong fit to guide my research (Sakamoto & Pitner, 2005). This is because it operates from a macro level perspective

that seeks to examine how systems and structures in place, such as legal, employment, and housing, use the construction of certain identities such as ‘criminal’ or ‘offender’ to deny access to supports to individuals, thereby oppressing them and making their reintegration process more challenging. As well, my research worked to challenge the labels placed on individuals such as ‘inmate’, ‘criminal’, or ‘offender’ through using discourse analysis to understand the impacts these labels have, and how it affects the reintegration process. My research sought to challenge these labels and highlight how the construction of certain identities as they relate to legal involvement negatively impacts the reintegration process in the Canadian context; challenging dominant ideologies and understandings is a central component to anti-oppressive practice.

Working Together: Constructionism and Anti-oppressive Practice

This theoretical framework informed my work, as it made me want to develop a better understanding of how the construction of a negative identity, such as ‘criminal’, ‘inmate’, or ‘offender’, has on an individual, and the impact it has on how they navigate the re-integration process. Thus, this has led to my research question, which focused on how re-integration post-incarceration is understood for adults within the Canadian context. This allowed me to develop a better understanding of the impact identity construction, coupled with constructs of social problems as it relates to this identity, impacts how an individual navigates their environment with these newly constructed identities.

Moreover, this theoretical framework influenced my method of research as being qualitative. This theoretical framework provided me with the opportunity to examine pre-existing information based on experiences of reintegration as they relate to federal, provincial, and NGO documents in a Canadian context. Through the use of this theoretical framework and qualitative research, I was able to examine the phenomenon of adult reintegration from a critical standpoint

that would not be permitted from a quantitative standpoint, as these experiences are not replicated or understood through numbers or graphs; you cannot measure human experience in this context. Thus, this theoretical framework was effective, as it helped me to examine the complexity of the human experience as it relates to identity construction from a structural and systemic perspective, and how this leads to further oppression and marginalization in the context of this phenomenon. Finally, it influenced the methodology I used. Using secondary data-analysis, and examining the discourse and themes explored in the secondary data allowed me to explore the discourses used as they relate to adults who are reintegrating. As well, it allowed me to explore the impact this has on their experiences and identity associated with them, and how this influences their reintegration process. By not using surveys or scales, I was able to examine the existing data to further examine the complexities that exist within the phenomenon that may not have been previously considered.

Epistemological Paradigms

The epistemological framework and paradigms utilized by researchers shape the ways in which their research is explored, and their knowledge is constructed. Epistemology forms the basis and consideration of what comes to be considered as knowledge, whereas a paradigm is the general way of organizing from different perspectives, ways, and models, through which we can interpret knowledge and make sense of the world (Neuman, 2006).. Most of the literature reviewed was quantitative in its approach, utilizing interviewer-led surveys and questionnaires to gather the data and cross-analyzing the data using coding and equations to determine the relationship between incarceration and homelessness. In contrast, the qualitative approaches utilized narrative-based interview styles, operating from a systems theory way of understanding

homelessness and incarceration that is more aligned with Anti-Oppressive ways of conducting research.

All the quantitative studies utilized in this literature review stemmed from a positivist paradigm (Moschion & Johnson, 2019; Saddiccha, et al., et al. 2014; Leclair, et al., 2019; Omura, et al., 2013; Zivanovic, et al., 2016). This positivist focus resulted in individual experiences being conceptualized and studied in ways that fail to capture the complexity of people's lives and the nuances of experiencing incarceration and homelessness. Surveys and scales utilized in these studies fail to capture the full extent of the human experience as it relates to homelessness and incarceration and the complexities that exist. While positivist knowledge may be considered expert knowledge by some, my concerns rests with how this construction of knowledge both subjugated, and is inaccessible to, those who are the subjects of the research. This knowledge is biased and skewed towards individual, neoliberal, top-down ways of knowing that benefit policy makers and service providers, but not the individuals who are being studied. In contrast, the qualitative studies I examined differed dramatically from the quantitative studies (Barman-Adhikari, et al., 2018; Mayock, et al., 2013; Shannon & Hess, 2019; Knight, et al., 2017; Boyd et al., 2016). These studies highlighted the perspective of those with lived experience in incarceration and homelessness, giving voice to these individuals, and detailing how they understand their experiences and construct them in an individual and social context. They provided bottom up, lived-experience approaches to research that allowed for research participants to share meaning in how they view the embodiment of social issues they experience, moving past number and statistical biases to provide a more comprehensive, in-depth focus of individual experience (Potts & Brown, 2015).

Responding to Epistemological Issues

Due to COVID-19, I had to change the focus of my research to adopt a secondary data analysis approach that examined discourses and themes in key documents, and how they relate to experiences of adult reintegration in the Canadian context. Thus, while I wanted to create research work where the participants are collaborators of knowledge production, this was not able to happen due to reasons beyond my control. However, despite having to change my research focus and research design, I continued to work from an anti-oppressive approach. This allowed for the recognition of the structures in which these adults interact with to be at the forefront of the what leads to incarceration, while also acknowledging that releasees face multiple, intersecting forms of oppression that are further compounded by their experiences of incarceration. This lens allowed me to address some of the issues that have been left out of the current research, such as the influence of these structures on experiences of incarceration, as well as the examination of the discourses present and how this impacts their reintegration process.

While my focus changed, I continued to place an emphasis on reflexivity during the research process. I engaged in reflexivity that included “reflecting on and being accountable about personal, interpersonal, institutional, pragmatic, emotional, theoretical, epistemological and ontological influences on our research, and specifically about our data analysis processes” (Doucet & Mauthner, 2002, 10). In following this, I set aside specific time to engage in self-reflexive practice. Furthermore, I intend to extend this by engaging in social constructivism and interpretivist approaches to my work (Neuman, 2006). This allowed me to center the values and opinions of those who are considered oppressed over the oppressor. I also recognized how my own interpretations and positions impact how I understand and view individuals’ experiences, and how this interpretation is shaped by my personal, cultural and historical understanding of the

world. With social change and justice at the forefront of this research, I made this project one that is not just a perpetuation of data and statistics, but one that will benefit this community through using a critical, reflexive lens about the information that currently exists.

CHAPTER 4. METHODOLOGY

The research focus for this paper was the complexities within adult reintegration following a period of incarceration in the Canadian context. My initial focus was the experiences of youth reintegration post-incarceration in the Canadian context. However, due to COVID-19 I had to change the focus of my research due to the difficulty in securing research participants. I acquired qualitative data that was secondary in nature, as it was collected by other persons. Prior to COVID-19 I intended to collect primary data myself using semi-structured interviews to develop a better understanding of youth reintegration post-incarceration from lived experiences. However, due to COVID-19 I had to change my method of data collection to secondary data analysis through the procuring of documents that currently exist on adult reintegration in Canada.

The specific form of qualitative inquiry the research took was discourse analysis. The focus of this specific type of research design is using written and spoken language in relation to its social context; more specifically, it focused on how various documents discussed the reintegration process of adults in Canada and the language used in those specific contexts and the impact of this on reintegration (Luo, 2019). Central to this form of inquiry is the process of analyzing “semiotic dimensions of power, injustice, abuse, and political, economic, or cultural change in society” (Fairclough et al., 2011, 394).

Thus, the examination of semiotic dimensions of power and political change in society as it relates to the experiences of adult reintegration was the best form of inquiry to take for this research. This is because it allowed for a comprehensive examination of the language used, and how the use of this language influenced other areas of their life such as mental health and/or substance misuse, as well as access to housing, employment and/or educational opportunities. Because how language is used, such as ‘offender’ or ‘inmate’, dictates what these individuals have access to, exploring how this language was connected to power, and the impact it has on

individuals as they reintegrate, was important. This was measured based on how areas such as housing and employment associate language used with releasees in the dominant discourse, such as ‘criminal’ or ‘offender’, and how this influences their decision to rent to or hire these individuals. “As well, discourse analysis allowed for the consideration of how discourse shapes the identities and relationships between people and groups of people, while sustaining and reproducing the status quo but also being able to transform it” (Fairclough et al., 2011, 318). Through utilizing a discourse analysis approach to inquiry for this research, this allowed for a comprehensive understanding of how the language used reproduces the status quo related to how we view and understand justice involvement, as well as how this influences the identity constructed for releasees by the dominant discourse. Thus, this discourse analysis, qualitative approach to inquiry was the best approach as it allowed me to develop understandings of ways that power, oppression, and inequality are reflected in the language used and the structures put in place that impact the experiences of reintegration for adults in Canada. Because of this, we may be able to challenge the notions, stigma, and fear surrounding those with criminal justice involvement, which promote exclusion in society and have a negative impact on long-term well-being. This is in alignment with social work ethics that highlights the inherent worth and self-determination of the person, as well as anti-oppressive social work practice that is cofounded with a commitment to social justice, as well as the belief that research and practice should make a difference and focuses primarily on working towards transformational change (Dalrymple & Burke, 2006).

Data Sources and Data Collection

The form of data sources utilized were three pre-existing documents that touched on the experience of reintegration or justice involvement of adults in Canada: a federal document, a

provincial document, and a non-governmental organization (NGO) document. These documents were found using search terms ‘adult’, ‘reintegration’, and ‘Canada’ in the Google search engine. These documents were decided upon based on their discussion of reintegration or justice involvement for adults in Canada, as well as the different views as it related to federal, provincial, or NGO understandings of reintegration and justice involvement.

This type of data source and data collection was the most effective for this research, as it allowed for an array of data to be collected that highlighted different understandings of reintegration of adults in Canada. This allowed different structures and power dynamics to be considered in how they influence how we come to understand reintegration. As well, this approach allowed me to capture the materiality and embodiment of social issues in these documents, which helps to shake up biases about data and statistics being superior forms of data. This was through seeing how reintegration is discussed, and through considering the different examples provided in these documents based on examples and discussions provided in the document that demonstrate how difficult reintegration can be based on lived experience and examples, and not just statistics. As well, the strategy of using specific search terms was the best way to access this information, as it allowed for the exploration of documents related to this phenomenon to be explored and considered as they related best to this phenomenon. As well, having documents that explored various perspectives allowed for an exploration of the complexities that exist among incarceration and reintegration processes.

Data and Sampling Strategy

The data sampled was documents related to adult experiences of reintegration post-incarceration, or documents that mentioned justice involvement within the Canadian context. Three documents of data were used for this research. There was one federal document; one

provincial document; and one non-government organization (NGO) document. These data were sampled because they would allow for a comprehensive, in-depth understanding of reintegration of adults in the Canadian context as it relates to federal and provincial understandings, as well as NGO understandings

The sampling strategy used for this study was purposive sampling. Purposive sampling is a nonprobability sampling procedure where elements are selected from the target population based on their fit with the purpose of the study, as well as specific inclusion and exclusion criteria (Daniel, 2012). Sampling elements in this instance are selected by the researcher because they satisfy specific inclusion and exclusion criteria, such as including terms ‘adult’, ‘reintegration’, and ‘Canada’, discussing the incarceration and reintegration process in Canada and the laws and procedures associated with this, and discussing complexities associated with the reintegration process for adults in Canada (Daniel, 2012). This was the best method of sampling, as it provided more control over what would be selected to be included in the sample.

Data Analysis

The data analysis approach taken for this research was a discourse analysis. Discourse analysis is a method used for identifying, analyzing, organizing, and describing social problems and power relations (Fairclough & Wodak, 1997; van Dijk, 2005). Discourse analysis is a more descriptive method that permits flexibility and interpretation when analyzing the data and is often used for addressing language and power patterns as they relate to aspects of society, culture and history (Fairclough et al., 2011). Additionally, discourse analysis is unlike other forms of pattern-based qualitative analytic methods. This is because it emphasizes the contextual meaning of language, focusing on the social aspects of communication and the ways in which people use language to achieve special effects such as building trust or creating doubt (Luo, 2019).

However, discourse analysis is a qualitative and interpretive method of analyzing texts, allowing for interpretations based on both the details of the material itself and the contextual knowledge (Luo, 2019). As well, discourse analysis does not have a specific direction of research, meaning it does not have a specific conceptual or theoretical framework, thereby allowing for this method to have flexibility and being able to answer a wide variety of research, such as questions about the ways in which specific discourse structures are deployed, as with the research question that was the focus of this study (Van Dijk, 2005). As well, this type of analysis can be utilized with almost any form of qualitative data, such as examination of language and power as it relates to the reproduction of social dominance, which was a further focus of this study (Van Dijk, 2005). Finally, discourse analysis can be utilized for both smaller and larger data sets, meaning it was ideal for a study this size, as it was relatively small with only three documents, but was able to examine the use of language at the micro level and how it has influence at the macro level, such as the reintegration process (Van Dijk, 2005). Thus, the flexibility of this method, coupled with its ability to be used for small or large samples allowed for themes to be explored in this study that highlighted the varying ways in which reintegration and criminal justice involvement is discussed and taken up in a legal and social context.

When conducting my analysis, I examined language at the micro level and how it had an impact at the macro level (van Dijk, 2005). For instance, analysing the use of terms in the documents such as offender or inmate, as opposed to others such as releasee, demonstrated a negative impact on the reintegration process for adults due to the negative connotation associated with terms such as offender and releasee. Thus, the use of language at the micro level has an impact at the macro level, as the language used, such as ‘offender’, impacts how releasees navigate macro level structures such as housing or employment following their release (van Dijk,

2005). This has an impact at the micro level, as it impacts how individuals are able to access housing and employment post-release due to the language used to label them as ‘offender’ that limits access to these individual spaces. For instance, releasees are often prevented from accessing employment due to their criminal record; employers often do not hire individuals with criminal records, as they perceive them as potentially being problematic for their company (JHS et al., 2014). As well, I was able to analyze how discourse associated with the reintegration process was relational to power dynamics; persons in power and governments have influence over how we view and construct individuals with criminal justice involvement, which can have impacts associated with aspects of reintegration such as finding employment or obtaining housing. In this instance, I was able to analyze micro, macro, and mezzo levels together through exploring how discourses at the micro level have an influence on macro level policies related to areas such as housing and employment (van Dijk, 2005). Through doing this, I was able to further examine how the micro and macro level uses of discourse influence the mezzo levels through examining how these policies are implemented in institutions such as prisons, and the impact this has on releasees once they are released. (van Dijk, 2005). For instance, incarcerated individuals do not have access to adequate discharge planning or programming such as education or employment programs that would make them more employable upon release, or that would connect them to programs and services upon their release. The construction of these individuals as ‘offenders’ or ‘criminals’ have implications for the programs these individuals are able to access while incarcerated, as the power regimes such as governments, have constructed them as ‘less than’, and not deserving of opportunities while incarcerated to better themselves and prepare for their release. Thus, discourse analysis allowed me to examine language and power as it relates to the reproduction of social dominance associated with how we discuss those with

criminal justice involvement, and the power associated with the language that constructs laws and other related policies.

Conclusion

The use of discourse analysis of a qualitative method of research was a strong fit for this study, as it allowed for considerations of the details found in these documents, as well as the contextual knowledge associated with it (Luo, 2019). Through the use of purposive sampling, I was able to acquire documents that fit with the study focus, and allowed for an examination of discourse associated with reintegration. Through studying language used at the micro level and how it impacts at the macro level, such as the use of the terms offender or inmate in certain documents, as well as considering how power dynamics are connected to social dominance within the context of the justice system, this allowed for a comprehensive analysis to be provided of the reintegration process in Canada and how it is taken up.

CHAPTER 5. FINDINGS AND DISCUSSION

Introduction

Using discourse analysis, I analyzed documents related to federal, provincial and NGO policies and understanding of reintegration post-incarceration for adult offenders in Canada. I examined the *Social Reintegration of Offenders and Crime Prevention* (2007), published by the National Crime Prevention Centre and Public Safety Canada; *Correctional Services and Reintegration Act*, 2018 , governing reintegration and the correctional system of Ontario; and *Reintegration in Ontario: Practice, Priorities and Effective Models* (2014) by the John Howard Society of Ontario, a criminal justice organization that advances the mandate of “effective, just and humane responses to crime and its causes” in Ontario (JHS et al., 2014, 3). The results from this analysis indicated there is a vast difference between understandings of what is required for persons experiencing successful reintegration in Canada, thereby reducing the rates of reoffending. Further, the results indicated the difference in discourse associated with how those who are experiencing reintegration are constructed and labelled in policy responses, and how this influences how the experiences of persons going through reintegration are discussed and taken up.

This chapter will include the sources of information utilized to determine the impact discourse has on adult offenders experiencing reintegration in Canada. Further, the themes and discourses that arose will be explored: the impact of housing on reintegration; the impact of substance use and/or mental health challenges; the impact of family involvement on reintegration; and the impact of employment and education during reintegration, and how involvement in the justice system is taken up as it relates to reintegration. Finally, the results will be concluded and summarized as they relate to reintegration. It should be noted I have combined

the Finding and Discussion sections in this paper. This is because there was overlap in the information in the Finding and Discussion sections, and to reduce repetitiveness they were combined to make sure the information was easier to follow. As well, I thought it was important to combine the sections, as they were reflective of one another and allowed for a richer, more comprehensive analysis of the data collected.

Sources of Information

The sources of information used were one federal government document, one provincial government document, and one non-government organization document. These documents were acquired by entering the terms ‘reintegration, adult offender, Canada’ in the Google search engine. The federal government document was the first one to appear and is entitled *The Social Reintegration of Offenders and Crime Prevention* (2007). Hereafter, this document will be referred to as the “Federal Document”. This document was written by Curt T. Griffiths, Yvon Dandurand, and Danielle Murdoch, all who work for The International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR). This document was published by the National Crime Prevention Centre (NCPC) and Public Safety Canada in Ottawa, Ontario, Canada in April of 2007. This document provides an overview of current practices in place regarding social reintegration for releasees in Canada and other areas of the world. It intends to set out some of the primary lessons that can be used to inspire and guide practitioners in designing measures and strategies that are adapted to offenders’ circumstances to stop the cycle of failed adaptation by repeat offenders (Griffith et al., 2007).

In addition, the provincial document, hereafter referred to as the “Provincial Document”, was entitled *Correctional Services and Reintegration Act, 2018*. This is legislation that was passed by the Government of Ontario in 2018 to transform the adult correctional system and

produce better outcomes for individuals upon their release and return to the community (Ministry of the Solicitor General, 2018). This Act was designed to transform Ontario’s adult correctional system by setting rules and clearly defining segregation, improving conditions of confinement, increasing transparency and accountability, ensuring incarcerated individuals have access to appropriate health services, and better supporting rehabilitation and reintegration (Ministry of the Solicitor General, 2018). This legislation was touted as “the boldest transformation in the history of Ontario’s correctional services, and was designed to modernize correctional services and support a system built around safety, dignity and human rights and accountability that will effectively rehabilitate individuals in custody and ensure their successful reintegration” (Ministry of the Solicitor General, 2018, 1). Finally, the third document used was procured by the John Howard Society of Ontario, a non-government organization that works towards creating effective, just and humane responses to crime and its causes through the delivery of services to those in conflict with the law and those at-risk, including youth and adults (JHS et al., 2014). Hereafter, this document will be referred to as the “NGO Document”. The report, titled *Reintegration in Ontario: Practice, Priorities and Effective Models*, was written in 2014 by the John Howard Society of Ontario and the Association for Effective Reintegration in Ontario (AERO), which aims to practically address reintegration issues in the province of Ontario through research and policy activities aimed at clearly defining the barriers to effective reintegration (JHS et al., 2014). This report seeks to highlight how reintegration of individuals from custody is handled in Ontario from various practice and policy perspectives, and what some effective models may be to improve the reintegration process in Ontario moving forward.

The following section of this chapter will explore the discourses that have appeared in these three documents and how they relate to reintegration in the context of adult offenders in

Canada from a federal, provincial, and NGO perspective. These discourses include offender versus releasee, basic rights as citizens, the use of the term reintegration, and the exclusionary nature of the term ‘public safety’.

Discourses

Offender versus Releasee

The use of specific terms has an impact on how individuals are treated and accepted, as well as the stigma that is often associated with those terms. Throughout my analysis of the documents, the only document that utilized person-centered language when discussing individuals who were previously incarcerated was the NGO Document, which utilized the term ‘releasee’ in reference to these individuals and their relationship with reintegration. For instance, the NGO Document highlighted that “while many releasees are in need of reintegrative supports, they often struggle to find stable housing, employment and/or educational opportunities, and access to necessary social, physical and mental health services” (JHS et al., 2014, 6). This document was produced by the John Howard Society of Ontario, which is a leading criminal justice organization advancing their mandate of “effective, just and humane responses to crime and its causes” (JHS et al., 2014, 1). Thus, their use of the term ‘releasee’ instead of ‘ex-con’ or offender is indicative of their mandate as an agency, and demonstrates their person-centered, anti-oppressive approach to understanding crime and its causes, and addressing this through programming and services provided, as well as reports and policy responses that are supportive and inclusive of the wide demographic they serve who have been involved in the justice system.

In contrast, the Federal Document utilized the term ‘offender’ throughout their report, as well as in the title of their report, *The Social Reintegration of Offenders*. According to the Oxford Languages Dictionary (2020), the term ‘offender’ is a noun meaning “a person who commits an

illegal act; a person or thing that offends, does something wrong, or causes problems.” (121)

Thus, the use of the term ‘offender’ throughout the report constructs these individuals as consistently being those who cause problems or are engaging in wrongdoing. This reinforces the stigma associated with individuals who are involved with the justice system as not being able to reintegrate or being of bad character or work ethic because of their criminal involvement. As noted in the report, “social reintegration is often understood as the support given to offenders during re-entry into society following imprisonment” (Griffiths et al., 2007, 3). As well, the report further notes that “the reader is cautioned against using the term “reintegration” too literally, as it should be obvious that, in many instances, the offenders were not prior to their incarceration, successfully integrated into the community, were typically marginalized, and often had failed to acquire the attitudes and behaviors that result in most people functioning productively in society” (Griffiths et al., 2007, 3). Thus, it is evident that, despite being a report designed to highlight the importance of social reintegration, the emphasis is heavily placed on these individuals being ‘offenders’, existing on the margins of society who have not, and will probably struggle to, reintegrate into society due to their involvement with the justice system and their alleged inability to engage in pro-social behaviours. This also places the onus on the individual to be successful in their reintegration, lacking the appropriate attitudes and behaviors to reintegration is seen as an individual failing that makes it harder for them to reintegrate, rather than acknowledging the systemic and structural challenges using the term ‘offender’ has on individuals trying to reintegrate.

As well, the Provincial Document utilizes the term ‘inmate’ when referring to individuals involved in the justice system. This document is connected to the correctional system in Ontario, hence the use of the term. According to Part I: Purpose and Interpretation, Section 2 “inmate

means a person confined in a correctional institution or otherwise detained in lawful custody under a court order, including inmates on a temporary absence”. Even when discussing the purpose of probation and parole officers and their role in community reintegration in Part XI: Probation and Parole Officers, Section 154 (1d) the term is used, as seen in “it is the duty of the probation and parole officer to support the reintegration of inmates and individuals under community supervision”. While Part XI used the term ‘individuals’ and ‘inmates’ interchangeably, the term ‘inmate’ was utilized far more throughout the document, even in spaces where reintegration was discussed, as noted above. Thus, despite the document being designed to discuss reintegration and the correctional services in Ontario, the use of the term ‘inmate’ throughout constructs the identity of the person involved. The use of the term ‘inmate’ strips individuals of their identity and constructs them as consistently being associated with the justice system even if they may no longer be detained in custody. Thus, this moniker moves far beyond the walls of the institutions and has a noticeable impact on how individuals navigate their reintegration, and how the constructed identity they acquire while in prison follows them and has a detrimental impact.

The denunciation of criminal behavior and holding people convicted of crimes accountable for their actions are goals of our justice system (JHS et al., 2014). The justice system is also designed to rehabilitate individuals who have been found guilty in order to prevent offending from occurring in the future. Individuals who have experienced time in prisons and/or have police records seek to work past these challenges and build a better life for themselves; to reintegrate back into a society in which they have previously done wrong in. However, roadblocks often arise during this reintegration process. One major barrier facing individuals reintegrating is the stigma and discrimination associated with having a police record (Small,

2005). Police records are often an intractable stigma for people exiting the justice system (JHS et al., 2014). Stigmatizing and discriminating against people due to a record is a counterproductive way to ensuring successful reintegration and creating safer communities. Moreover, the current societal demand for background screening and risk management “has a dual effect: it renders a person incapable of redefining themselves (instead they are constantly labelled as “ex-con” or “ex-offender”) and it leads to the social exclusion of a significant proportion of the Canadian population from pro-social engagement” (JHS et al., 2014, 38). This often results in reintegrating individuals feeling like outsiders, occupying a status that is less than that of the average citizen; this leaves them feeling marked and vulnerable, and like they are incapable of making any changes (Uggen et al., 2004). Thus, these individuals are consistently denied access to the opportunities to make changes due to the stigma associated with having a criminal record, as well as the discourses used that construct them as less than.

While it is evident that a police record on its own cannot predict future behavior with any type of certainty, the stigma of a police record can have lasting impacts. Meaningful employment, stable housing, and the social networks that come with employment all prevent individuals from being reoffending in the future (JHS et al., 2014). Permanently labelling someone as “bad” or a “criminal” for the rest of their lives because they have a police record undermines community safety (JHS et al., 2014). The more we socially exclude individuals with police records, the more we move towards creating a class of Canadians that are unemployable, simply because of their involvement with the justice system (JHS et al., 2014). It is a severely faulty assumption based on nothing but stigma that individuals with police records or previous justice system involvement will always be ‘bad’ or ‘offenders’.

The use of such labelling language reinforces to the community at large and the people labelled that “their primary identifying characteristic is the fact that they have been convicted of a crime” (JHS et al., 2014, 41). However, it is also important to note that many individuals experiencing discrimination and stigma due to being involved with the justice system also faced discrimination, marginalization and social exclusion prior to contact with the justice system (JHS et al., 2014). “People from racialized and Indigenous communities, people with mental health issues, and people who are homeless all face increased risk of coming into contact with the law” (JHS et al., 2014, 40). As well, having a police record reduces the chance of employment by 50 percent, with the effect being more pronounced for racialized populations (Rodriguez & Emsellem, 2011). There are currently no human rights protections in Ontario for job applicants with criminal convictions that have not been subject to a record suspension (JHS et al., 2014). However, receiving a record suspension from the Parole Board of Canada is difficult to access. A person can only apply for a record suspension if they meet strict criteria: they must have completed their sentence, remained crime-free for a minimum of five or ten years, and pay a \$631 application fee as well as other associated application costs (JHS et al., 2014). While record suspensions enable individuals to rebuild their lives by providing them access to housing and employment, things that are often difficult to acquire with a criminal conviction, the criteria to apply for this suspension is incredibly restrictive, resulting in individuals retaining their marginalized status and a negatively constructed identity.

As well, mental health/substance use were identified in the Provincial, Federal, and NGO documents as having an impact on reintegration of releasees into the community. According to the NGO document, “health, mental illness, and addiction are important priorities during the reintegration process, with a number of studies demonstrating that incarceration negatively

impacts health, mental illness, and addiction issues” (JHS et al., 2014, 29). It was noted that at the time of prison-release, releasees have often been diagnosed with a chronic health condition, or a chronic communicable disease, such as Hepatitis C or HIV, as well as having higher rates of other health challenges such as mental health issues. Substance use and mental health challenges often co-occur; however, they tend to go unaddressed in correctional institutions, meaning releasees dealing with these challenges are released into the community with little coping mechanisms or supports in place to address these challenges. However, in contrast to this, the Provincial Document highlights how ‘offenders’ are provided with health care while they are in prison, including mental health and addictions supports. For instance, Part IV: Inmate Living Conditions, Section 57 (1) of the Provincial Document mentions:

That every inmate will be provided with access to health care services and to the health care service team and the mental health care service team in a manner that responds to their health needs and promotes their well-being, including a) the treatment of disease or injury; b) health promotion; c) disease prevention; d) dental care; e) vision care; f) hearing care; g) mental health and addictions care; h) medications prescribed by a health professional; i) traditional First Nations, Inuit and Metis healing medicines and; j) any other prescribed health care services.

However, the NGO Document contradicts this, demonstrating that individuals are not provided with adequate access to mental health/substance use support despite the claims of the Provincial Document that the intent is to provide them with these things prior to them being released.

Moreover, the Provincial Document notes the use of a mental examination to assess the mental and emotional condition of the inmate. Part IV: Inmate Living Conditions, Section 57 (5), states

“the superintendent may request that an examination be made of an inmate by a mental health care service team for the purpose of assessing the emotional or mental condition of an inmate.” This demonstrates that there are attempts made in provincial correctional facilities to assess individuals regarding their mental health. However, this is only done at the discretion of the superintendent and is not a mandatory requirement upon admittance into the correctional facility. Thus, individuals may not have their mental health assessed upon their admittance until they either show signs or symptoms of mental distress, at which point they may have their symptoms or behaviour labelled as problematic. This results in the use of solitary confinement due to them being deemed a risk to themselves, as well as inmates and correctional staff, as also discussed in the Provincial Document. It also brings into question why this is not something that occurs upon immediate admittance to the facility, which was not discussed in the Provincial Document. While mental health/substance use and its impact on reintegration is addressed in both the Provincial and NGO Documents, the ways in which they are addressed is different, thereby demonstrating contradictions within different spaces and how they address these issues as they relate to reintegration.

Moreover, the Federal Document highlighted the importance of addressing mental health/substance misuse during reintegration. According to the Federal Document, “the primary criminogenic needs that must be addressed by institutional and community-based treatment services are related to education, employment, accommodations, drugs and alcohol, mental health, social networks, cognitive skills and attitude changes” (Griffiths et al., 2007, 4). The Federal Document noted that “offenders afflicted by mental illness encounter particular problems upon their release into the community. These offenders may experience extreme social isolation and are often at-risk of developing a co-occurring substance abuse disorder” (Griffiths, et al.,

2007, 18). The factors of mental health and substance use were identified in the document as being dynamic, meaning they are amenable to change, whereas other risk factors, like friends, family, and community, are not. Through programming or treatment, it appears that one's mental health or substance use can change and become better, making it dynamic. In contrast, one's family or community are not dynamic because you cannot change who your family are, or change who your friends, making them less amenable to change. However, mental health and substance use being amendable to change assumes the individual wants to change these areas, and has access to the resources and supports to do so. As well, this places the onus on the individual to make these changes to their mental health and substance use. This fails to take into consideration the role the facilities play in facilitating access to these supports while the individual is incarcerated, as well as the role the community and society plays in providing these supports and addressing the stigma around mental health and substance use that can limit individuals access to these supports to address these areas.

Overall, the document highlighted the importance of individuals needing to be responsible to make these changes, and continuously accessing the supports to do so. Interventions designed to address mental health and substance use challenges were noted as occasionally failing to meet their objectives because not all offenders are willing to accept responsibility or have the motivation to change. While the motivation to change does influence whether a person will change, this fails to take into consideration the systemic or structural barriers in place, such as stigma, that can reduce a person's motivation to change.

It was evident that the Federal and Provincial Document adopted a more public safety, individual onus approach to discussing the impact mental health/substance use had on the reintegration process, whereas the NGO Document adopted a more systemic and structural

approach to understanding the challenges unaddressed mental health/substance use can pose during the reintegration process.

Thus, it is evident that the language used has an impact on how individuals navigate reintegration. The labelling language of “offender” and “inmate” constructs individuals as being problematic and disruptive, constructing their involvement with the justice system as a central aspect of their identity and characteristic as a person. The stigma and discrimination associated with this labelling language makes it difficult for individuals to acquire meaningful employment, find housing, and engage in pro-social networks and activities that would reduce their rates of recidivism. However, person-first language, such as “releasee”, “person with a police record”, or “person who is reintegrating” noted by the John Howard Society of Ontario (2014a) constructs individuals as something other than their criminal conviction or involvement with the justice system and puts them first. While terms like “person with a police record” may be problematic as it refers to the police record, it can be considered better than the term “offender”, as it associates the person before the record, thereby constructing them as someone beyond their record, rather than solely identifying them by their record. Engaging in education around raising awareness to address the stigma, advocating for more inclusive hiring practices, and working to utilize person-first language when constructing identity are crucial steps needed to work towards making the reintegration process smoother and more accessible for releasees.

Basic Rights as Citizens

Individuals who are not incarcerated or do not have a criminal record are able to access education, employment, housing, and their social networks such as family and friends, with relative ease. However, access to these things is either extremely limited or barrier laden for individuals who have been previously incarcerated and now have a criminal record. As well,

many of us can live our lives without being under supervision and having our activities monitored as assessed, as often occurs when a releasee is on probation or parole.

As noted in the Federal Document, “the period of transition from custody to community can be particularly difficult for offenders and contribute to the stress associated with being supervised in the community” (Griffiths et al., 2007, 4). As well, this period of reintegration may see individuals having to rebuild their lives and regain access to basic things such as housing, employment, social networks, and any supports they had prior to incarceration but lost, all while being supervised and now having a criminal record. The period of incarceration can have a multitude of collateral effects that sees individuals removed from

“their livelihoods, their personal belongings, their ability to maintain housing for themselves and their family; they may have lost important personal relationships and incarceration may have damaged their social networks; they may have experienced mental health difficulties or acquired self-defeating habits and attitudes” (Griffiths et al., 2007, 4).

Thus, the denial of basic rights as citizens, or the limited access to it while incarcerated, makes the reintegration process difficult for individuals as they navigate their new lives. The experience of supervision and needing to meet certain requirements, as well as navigating the world with a criminal record, can make it even harder to reintegrate. While there are institutional programs provided in these spaces as noted in the Federal Document, such as education and counselling, these programs are often provided within a specific mandate of the institution, such as abstinence associated with substance use, or medical model understandings of mental health. As well, these programs are not readily available to everyone. As noted in the Federal Document, individuals are often classified as minimum, medium, or maximum security. Thus, individuals from one

security level cannot be mixed with others and vice versa. This makes it difficult for individuals to access programming, as it may take a while for them to be classified, or they may be ineligible for certain programs due to their classification. Thus, this does not prepare them for reintegration prior to release, and makes the reintegration process harder as they did not have access to programming to provide them with the skills and supports to be successful in reintegration. Thus, the programming and treatment options and choices available to individuals who are not incarcerated are not provided to individuals who are incarcerated, thereby denying them access to choices that other citizens have.

Moreover, the Provincial Document highlights the limited access individuals have to visitations from family and friends, as well as the restrictions in the type of work and programming they are able to access, along with the classification system in place that makes it difficult for individuals to access programming, and the requirements for probation and parole. According to the Provincial Document, Part IV: Inmate Living Conditions, Section 63 (1) “every inmate has the right to receive at least two in-person visits each week that last for at least the prescribed minimum length of time, subject to any restrictions on particular visitors imposed under section 92”. Section 92 (1) states “no person, including a visitor, shall be present on the premises of an institution without the approval of the superintendent “. Section 92 (2) states “no child under the age of 16 years shall be permitted to access the correctional institution for the purpose of a visit, except a) the child is accompanied by an adult; or b) permission is granted by the superintendent for the child to access the correctional institution unaccompanied.” Thus, visitations are very limited, and must follow within the guidelines of the superintendent and the institution. The only exception to the two in-person visits is visits from probation and parole officers under this Act, a probation officer under the *Child and Family Services Act*, a parole

supervisor under the *Corrections and Conditional Release Act*, a volunteer providing programs or services, a diplomatic or consular official, a lawyer or articling student, a recognized religious or spiritual leader, or another prescribed person. Thus, unlimited visitors applies to persons working within the systems, or in professional/paraprofessional roles, resulting in individuals not being able to see their families or friends on a consistent basis, unless otherwise approved. Thus, persons who are incarcerated are denied the basic rights to being able to see their family members or friends while incarcerated, something citizens who are not incarcerated do not have to deal with, as they do not have others telling them who they can and cannot see.

Moreover, Section 64 (1) states that “every correctional institution shall have a telephone system that is accessible to all inmates”. However, these calls have to be collect-calls from the institution to a landline. This does not take into consideration that not everyone has a landline telephone nor are they able to pay for the collect calls to speak to their family members on a regular basis. As well, it fails to mention the limit of the calls these individuals can have, and how long they can be. This limits access to the outside world, and deprives individuals who are incarcerated with the basic right to communicate as individuals are unable to make calls that could help them keep, or access, employment, housing, and connection to supports and social networks, which makes reintegration harder when they do not have these things. Finally, Section 45 (2) discusses that the superintendent should ensure that further assessments are conducted on inmates in a timely manner to identify appropriate supports for the inmate, and appropriate support for the inmate’s reintegration upon release into the community. Thus, while programming is provided, it is provided at the discretion of the facility and the individual must meet classification criteria for it. Thus, individuals in prisons are limited to the phone calls they can make and the influence they have on accessing supports and assessments. Thus, they are

denied basic rights because of constructed discourses that label them as less than and not deserving of basic things, such as phone calls or say in their treatment.

Finally, the NGO Document highlighted how the impacts of ineffective discharge planning deprives individuals of access to things such as the appropriate supports needed for successful reintegration such as housing, physical and mental health care, and employment. As noted in the NGO Document, “tenuous discharge planning practices have been linked to negative outcomes such as hospitalization, threats to public safety in terms of greater recidivism rates, physical and mental health problems due to lack of treatment, suicide, homelessness, and increased substance use” (JHS et al., 2014, 8). This was noted as being the case in Ontario, where it was identified that many provincial releasees in Ontario lack access to adequate discharge plans prior to their release from prison. This results in them not having connections to supports needed in successful reintegration, such as mental health, housing, substance misuse, or employment that individuals not incarcerated would be able to make connections to on their own. Moreover, the document noted “it is the responsibility of correctional agencies to locate community-based service providers to ensure continuity of care upon release” (JHS et al., 2014, 9). However, it was noted that correctional agencies do not provide appropriate connections to community-based services prior to their release. This was often found to be due to inadequate funding resulting in lack of staff; inadequate resources available in the community; and stringent criteria for accessing supports related to things such as age or type of offense committed. This results in individuals re-entering their communities without the proper supports in place, depriving them of basic rights such as access to appropriate supports such as housing that they need to be successful in their reintegration. As well, this highlights that inadequate discharge planning is in part due to the correctional system and their lack of staffing and resources, as well

as lack of resources and allocated funding for programs and supports for those being released. Thus, this deprivation of access to programs that support basic human rights such as housing or mental health proves challenging for individuals as they reintegrate back into the community.

A person's identity as a criminal "becomes their master status, which leads others to treat them as though they were generally rather than specifically deviant" (Denver et al., 2017, p. 666). This has long lasting ramifications individuals reintegrating; the label of a criminal record can discredit a person (Denver et al., 2017). It often limits a person's qualifications and networks through social, civic, and economic barriers (Pager, 2007) and may interfere with family duties and parental involvement (Lageson, 2016). These factors are associated with increased recidivism (Chiricos et al., 2007). Thus, individuals with criminal records often experience the cumulative effects from both legal and informal barriers, such as social networks, due to the stigma associated with having a criminal record and being labelled a 'criminal' (Uggen & Stewart, 2015).

While post-release housing options are available to releasees, such as halfway houses, supportive housing, or subsidized housing, these often come with restrictions such as only accepting resident who have not been diagnosed with mental health or substance use challenges, have not committed specific violent offences, and/or who are abstaining from substance use while living in these spaces, which may not be realistic for some folks (JHS et al., 2014). While private sector housing is the most widely available housing option for releasees, these individuals may not have the financial resources to obtain such housing (Griffiths et al., 2007; JHS et al., 2014). "These post-release housing options are severely limited for those exiting prison, particularly due to social exclusionary measures in the private sector housing market" (JHS et al., 2014, 14-15). Furthermore, this population normally faces discrimination from landlords for

having a criminal record, showing patterns of anti-social behavior that may be associated with mental health and/or substance misuse challenges, having multiple complex social and healthcare needs, and having poor tenancy histories such as still owing rental payments to previous landlords (CMHC, 2009; Gojkovic et al., 2012). Moreover, while police record checks have historically been conducted for employment purposes, they can now also be requested by landlords (JHS et al., 2014). This further discriminates against individuals with records or justice involvement, as it automatically disqualifies them from being a potential tenant due to their record, thereby denying them basic access to housing that other individuals can easily access when they do not have a record. As well, requiring credit checks further prevents these individuals from accessing housing. Because these individuals are often marginalized and live below the poverty line prior to justice involvement, this is further compounded by their incarceration as they are unable to access opportunities to build their human and social capital that would provide them with decent credit (JHS et al., 2014). Additionally, current landlord-tenant legislation in Ontario dictates that failure to pay rent within a 30-day time period warrants eviction, even though the average stay in an Ontario jail is over 30 days (JHS et al., 2014). For releasees, the automatic call-block feature on Ontario jail phones makes it difficult to reach a landlord or even the Landlord and Tenant Board to contest an eviction, thereby posing a threat to secure, post-release housing and accommodation that individuals without a record have easier access to due to lack of a record and incarceration (JHS et al., 2014). Thus, the basic rights of citizens are associated with being able to access a safe, stable and affordable place to live. The barriers that make it difficult for individuals with criminal records to access housing or maintain their current housing deprives them of the ability to access a safe, stable and affordable place to live.

This deprivation extends to access to employment for releasees. In a 2014 report, JHSO surveyed Ontario employers in two counties and found that 51 percent of employers required a police background checks of prospective employees during the hiring process (JHS & CCLA, 2014). The businesses that required these checks tended to be large, well known businesses, meaning most of the jobs available to releasees in those counties required a record check upon completion of an application to be considered for the position (JHS & CCLA 2014). Of those businesses that required a record check, 15 percent had a zero-tolerance policy, meaning they excluded all applicants with any police record from obtaining employment with them (JHSO & CCLA 2014). While the remaining 85 percent of employers indicated they would be willing to consider hiring someone with a record, most of them had never knowingly done so when hiring (JHS & CCLA, 2014). Thus, while an individual may be attempting to make positive life changes through obtaining employment after being released, they are denied this opportunity due to their record and the stigma associated with it. This further denies them basic rights of citizens, which is accessing employment that provides them with a living wage, due to the stigma associated with their record and how releasees are discussed. As well, the cost and calls add up, and can become even more challenging if an individual needs to reach a lawyer or counsellor due to a time sensitive issues (Jones, 2020). This restricts individuals' basic rights to connect with and receive outside supports in a timely manner, as it is financially restrictive and punitive, by limiting access to their social supports. Non-incarcerated citizens do not have to deal with these restrictions.

Thus, it is evident that releasees have limited or difficulty accessing basic rights such as housing, employment, and education, as well as visitations and phone calls while incarcerated. All these things are imperative to ensuring a successful reintegration upon release back into

society. Yet, the stigma of a criminal record, as well as the label associated with the terms ‘criminal’ or ‘inmate’, results in these individuals being deprived of these basic things because of this. This brings into question the necessity for record checks to be conducted for areas such as housing, as well as areas of employment prior to them meeting the applicant. As well, it also demonstrates that individuals should be able to have better access to things such as phone calls and visits, to assist in them maintaining their human and social capital, and to allow them to prepare for the reintegration process prior to their release so they can be ready for when they get out. Thus, the way the term ‘criminal’ and ‘inmate’ are used, as well as the associations with it, are used to justify denying these individuals access to basic things such as housing, education and employment that would allow them to be successful upon release. These basic rights citizens take for granted when they do not have a criminal record become harder to acquire and obtain when one has a record due to the stigma associated with it, that makes these persons seem as less than citizens.

How Reintegration is Used

The Provincial Document entitled *Correctional Services and Reintegration Act, 2018* has no mention of reintegration in the actual document, nor does it discuss the ways in which the Government of Ontario plans to address reintegration for releasees from its correctional institutions. The only mention of the reintegration found within this entire document was in Part I: Purpose and Interpretation: Purpose of the Correctional System, which states:

the purpose of the Ontario correctional system is to public safety and the maintenance of a just, peaceful and safe society by, providing necessary, proportionate and humane measures of security and control to allow for appropriate supervision of individuals under community supervision and inmates; promoting reintegration and rehabilitation through

programs and services that address the needs and circumstances of individuals under community supervision and inmates; and providing the services and facilities necessary for the safe and humane custody and care of inmates.(Section 1 a-c)

However, despite this claim of purpose, there is no mention of programs related to reintegration or rehabilitation in the document. While it discusses work programs available to individuals in the correctional institutions, as well as the assessment process for individuals entering and leaving the institution, there is no clear definition or description of what is meant by reintegration as it relates to this document. As well, the Provincial Document outlines the role of probation and parole officers in the reintegration process as supporting individuals to access support, and ensuring they follow through with their conditions as defined in their probation or parole order. Again, there is no mention of what reintegration means in this process, or how these individuals assist releasees to be successful in their reintegration. Thus, reintegration in this sense could come to mean releasees following very strict conditions and guidelines for their release that is in accordance with making them law abiding citizens. However, this fails to take into consideration the complexity existent within each releasees situation, and how this type of reintegration process will set individuals up to fail if they are unable to follow their conditions, or the expectations of what reintegration looks like from the government.

The Federal Document discusses reintegration and its relation to social reintegration of offenders. The document notes that “comprehensive crime prevention programs must include effective measures to prevent recidivism and to stop the cycle of failed adaptation by repeat offenders” (Griffiths et al., 2007, 3). This places the onus on the releasee to not re-offend, and makes it appear that reintegration only fails when the individual does not adapt what they have learned in the programs provided. As well, it was noted that four types of offender reintegration

programs exist: institutional/prison-based programs, surveillance-based transition programs, assistance-based transition programs, and integrated, through-care programs. Institutional/prison-based programs are “designed to prepare offenders to re-enter society and can include things like education and mental health care. These programs are more effective when they center on a full diagnostic and assessment of the offender” (Griffiths et al., 2007, 6). However, because many of these programs are voluntary, “a large number of offenders do not participate and are subsequently released into the community without any pre-release preparation.” (Griffiths et al., 2007, 6). As well, surveillance-based programs are those that center on the supervision of the offender in the community following release from confinement, often operating from a risk-needs approach to determine what supports are needed to mitigate the risk of reoffending upon release from the institution (Griffiths et al., 2007, 7). Thus, reintegration as discussed in the Federal Document focuses on the individual following specific conditions and protocols after being released. This is considered the best way to reintegrate individuals, resulting in individuals having minimal say in the supports they receive. While it considers the various risks and needs of individuals, it does not take into consideration the environments in which they live, or other areas such as trauma or poverty that make it difficult to successfully integrate; no programming will change this on its own.

Finally, the NGO Document highlights the importance of reintegration occurring from an inclusive, wrap-around, person-centered lens that has broader implications for the community as well as the releasee. Reintegration in this context “in Ontario into the larger community has widespread implications for those being released, their families, and broader societies” (JHS et al., 2014, 6). It was also noted that “addressing the complex needs of releasees through effective programs, services and practices is crucial for successful reintegration” (JHS et al., 2014, 6).

Thus, successful reintegration not only impacts the individual, but the community as well. Successful reintegration was noted as being one of the primary factors in reducing recidivism; further reduction in criminal justice involvement by releasees has implications for their quality of life, as well as broader implications for the community and public safety. Reintegration in this document was noted as being the responsibility of the individual, as well as the responsibility of the community and society. Releasees are noted as needing access to housing, education/employment opportunities and necessary health services in order to ensure a reintegration that will reduce their chance of recidivism. In contrast to the Provincial and Federal Documents, where the onus of successful reintegration was placed on the individual, the NGO Document places the onus of ensuring a successful reintegration process upon the community and society to ensure individuals have the proper supports in place, while recognizing the complexities that occur such as social, mental, and physical limitations. These limitations can make reintegration difficult for some individuals, and addressing those areas through the provision of appropriate services and planning.

Reintegration has been noted as being more successful and effective when services are provided that ensure wrap-around supports to releasees. It has been noted that effective discharge planning, housing, and education and employment issues are crucial to ensuring successful reintegration (JHS et al., 2014). However, “social supports and complex needs can range drastically depending on the releasee, meaning effective models of reintegration require wrap-around services that address the distinct needs of each individual” (JHS et al., 2014, 29). Thus, individuals with mental health challenges, addictions, or who identify as part of a marginalized group, such as women-identified folks, require reintegration supports that recognize the complexity of these identities, and the different challenges they present during reintegration.

Regarding health, mental health, and addiction as it relates to reintegration, the rate of mental health issues are two to three times more common in Canadian correctional institutions than the general population, while 80 percent were identified as having a serious substance abuse problem (JHS, 2016). Individuals leaving correctional institutions with health problems, whether physical, mental, or substance use related, are more likely to face challenges re-entering the community (JHS, 2016). A study across the United States found individuals who had health problems at the time they were released from correctional facilities were less likely to secure stable housing, be involved in raising their children, find and maintain employment, have adequate income; and were more likely to require public system programs compared to those who left correctional facilities without health problems (Visher et al., 2005). Successful re-entry is tied to community health and well-being by mitigating the negative health impacts experienced incarcerated individuals following their release. Addressing health needs in correctional institutions and ensuring transitional care to community services is provided upon release will support the re-entry process, thereby reducing the risk of recidivism (Fu, et al., 2013; Zajack et al., 2015). This is because releasees with “untreated substance use problems and mental and physical illnesses are less capable of finding and maintaining employment, staying in school, and finding or keeping housing” (Zajack et al., 2015 p. 102). Thus, treating these challenges puts releasees in better positions to address other concerns in their lives, reducing the chances they will commit new crimes (Zajack et al., 2015).

Regarding women-identified releasees, they must navigate similar challenges related to housing and employment post-release. However, many women in correctional institutions are mothers, and a major consideration for them is reunification with their children (JHS et al., 2014). This adds to an additional level of burden, as the requirements of these women for safe

housing, economic support, and medical services include the needs of their children (Brown et al., 1999; JHS et al., 2014). However, there is little to no coordination among service providers that provide supports for women post-release, resulting in conflicting expectations for women that result in increased relapse and recidivism (JHS et al., 2014). While women are held accountable for their criminal behaviour, interventions need to take into consideration social, cultural and political contexts that are unique to women, and need to be gender specific (JHS et al., 2014). For instance, an experience unique to women is the double stigmatization of being part of a vulnerable population of being a woman, and then adding the label of “offender” (JHS et al., 2014). While women-identified folks already experience increased marginalization and violence in society for being a woman, adding the label of ‘offender’ raises the barriers they face even higher. However, the availability of programming for women releasees and the types of services offered fall short of what is needed. In order to ensure successful reintegration, female releasees need access to support and programming that considers the gender and cultural factors present in order to ensure they are effective and appropriate services.

Thus, the reintegration process is not the same for all releasees. The way in which reintegration was taken up in the Provincial and Federal Documents reflects the onus being on the releasee to ensure their successful reintegration, and to participate in the programming and services offered to them. This focus fails to take into consideration the diverse needs of releasees, and how certain conditions or expectations set upon them may not be realistic, resulting in increased rates of recidivism and reincarceration as a result. In contrast, the NGO Document explored reintegration as being something that the correctional institutions, communities, and society were responsible for ensuring was successful. This was noted to be possible through ensuring releasees had access to wrap-around services and supports that were

considerate of their diverse needs and experiences. This was noted as being able to be carried out through adequate resources, staffing and funding from governments to ensure releasees have access to services while they are incarcerated, and these are then continued upon release to reduce recidivism. Thus, in order for programs and services to be successful, they must be specifically designed to meet the needs of releasees and/or individuals with past criminal justice involvement (JHS et al., 2014). Programs and services provided need to adopt a multi-sectoral or inter-organizational approach to ensure consistency in service deliverance and expectations and to ensure complex needs are met through wrap-around, holistic measures (JHS et al., 2014). Finally, adopting more innovated or unconventional approaches to addressing issues for releasees, such as adopting a Housing First Model to address releasee experiences of homelessness, mental health and addictions (JHS et al., 2014).

Conclusion

To conclude, housing, employment, and mental health and substance use all have an impact on the reintegration process. Wrap-around, inclusive services and supports that address these areas are crucial to ensuring releasees succeed during their reintegration, while also working to recognize the complexities that come with navigating the world with a criminal record. Individual identities further complicate this process, as women-identified and Indigenous folks have identities and experiences that make the reintegration process more difficult due to the nature of the marginalization and expression they often experience prior to their experience of incarceration. Thus, supports that are inclusive of individual identities and recognize the complexities that arise during their reintegration process are crucial. Finally, acknowledging the discourses we use and the detrimental impact they have on individuals navigating the reintegration process is crucial to taking the necessary steps to adequately support these

individuals. Working to dismantle systems and structures that limit who can access housing and employment with a criminal record is a key step in ensuring individuals are successful during their reintegration and are able to reduce their recidivism rates.

CHAPTER 6. CONCLUSION

Overall, reintegration has important implications not only for releasees and their families, but for the community as well. As demonstrated throughout this paper, addressing the complex issues each releasee presents with can significantly reduce further criminal justice involvement. Reduction in post-release recidivism not only keeps an individual out of prison, but further enhances community safety. Providing wrap-around services that begin when an individual is incarcerated and continue when they are released ensures individuals are fully supported as they reintegrate. However, it is important to recognize that the ways in which we speak of releasees and how releasees are treated has an impact on how they navigate reintegration, and the opportunities available to them post-release. Labelling releasees as ‘ex-offender’ or ‘ex-prisoner’ places the crime first, resulting in that becoming the all-encompassing focus of the person’s character. This self-identity process is constantly influenced and shaped by the public’s perception and negative reactions to violations of societal norms, such as committing a criminal offense (Denver et al., 2017). This results in releasees having limited access to necessities such as housing and employment due to the negative public perceptions and stigma associated with having a criminal record and being labelled an ‘offender’. This level of societal punishment and ostracism can produce high levels of distress, encourage people to gravitate towards deviant groups, and can reinforce the social power of the label by depriving releasees of the opportunities that would reduce these challenges (Denver et al., 2017).

Thus, we need to develop services and programs that are specifically designed to address the needs of releasees or individuals with past criminal justice involvement. Services and programs that are effective for releasees are those with qualified staff whose focused approach deals specifically with the barriers faced during the reintegration process, such as difficulty

accessing housing, employment and/or education due to criminal justice involvement, as well as mental and physical health issues, substance misuse, as well as trauma that has occurred. Moreover, the services and programs that are designed need to adopt a multi-sectoral or inter-organizational approach that is collaborative in nature and leverages the expertise of other agencies to ensure the needs of the releasee are met. As well, providing a wrap-around or holistic approach to services assists in the needs of releasees being met, and recognizes the varying barriers they face during reintegration. For instance, not having a job can lead to homelessness, which can have negative effects on physical and mental health and can increase stigma (JHS et al., 2014). Addressing multiple barriers through comprehensive, wrap-around programs and services in an appropriate manner ensures all priorities of the releasees are met, thereby ensuring successful reintegration.

Moreover, policy changes related to language used would have an impact on the negative stigma associated with having a record or past justice involvement. For instance, in April 2016 the United States Department of Justice announced a policy change regarding the language used to describe individuals with criminal records. Instead of crime-first language, which includes typifying nouns such as “(ex)-offender”, “criminal”, or “felon”, that classify individuals into a group distinguished by its criminality, the Department of Justice promoted the use of person-first language such as “person with a felony conviction” (Denver et al., 2017). Moreover, the Mayor of Philadelphia signed an Executive Order to change the name of the city’s “Office of Reintegration Services for Ex-Offenders” to the “Office of Reintegration Services” in order to comply with the ordinance (JHS et al., 2014). Consistent with this Executive Order, the City of Philadelphia was also told to cease the use of the term “ex-offender” on any official or unofficial document, communication, or written material (JHS et al., 2014). The labels we assign

individuals and the language we use to describe people has significant impacts on their self-perception, as well as their reintegration outcomes. There are serious negative connotations associated with the term “inmate” or “offender”, as utilized in the Provincial and Federal Documents that results in the primary characteristics of these people being that they were convicted of a crime, and is something they must identify on any housing or employment applications. Using person-centered language prevents this from occurring and allows for releasees to be considered as people first. There also needs to be policy changes related to housing and employment applications.

In other jurisdictions such as the United States and United Kingdom, there has been a rise of the “Ban the Box” campaigns where companies and even entire states have banned including the question or check box around criminal history on job application forms (JHS et al., 2014). This allows individuals who have police records to have a chance at being interviewed based on merit, before undergoing a record check. Currently there are no protections in Ontario hindering the ability of employers or landlords to exclude individuals from accessing housing or employment due to their criminal history, whereby they can legally exclude individuals based on their justice involvement. In contrast, other provinces and territories provide broader protection in this area, encompassing all forms of criminal records or police checks (JHS et al., 2014). For instance, the British Columbia Human Rights Code protects against discrimination based on the fact that “a person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person” (JHS, 2018, 29). As well, Newfoundland’s Human Rights Code also made amendments in 2010 to provide “protection against employment discrimination for anyone convicted of an offence that is not directly related to employment” (JHS, 2018, 29). Both of these examples provide more

protection than the Ontario Code by indicating the conviction and employment must be related. Thus, more needs to be done in the Canadian context to address stigmatizing language and exclusionary employment and housing applications for individuals with justice involvement.

Moving forward, this research has implications for future research. It would be better to gain a perspective from adults and youth about their experiences of reintegration using primary interviews and data analysis. Primary interviews allow for lived experiences to be considered, whereas secondary data analysis does not provide for this. While the adult experience of reintegration is important to understand, the research on this is more exhaustive and is not identical to the youth experience. Moreover, youth who have criminal justice involvement end up being adults who have criminal justice involvement; it would be beneficial to understand how this occurs, and what needs to be addressed to prevent the transition from youth to adult justice involvement (JHS et al., 2014). The restrictions about interviewing youth for research is problematic. In particular, seeing youth solely as vulnerable and under the government's jurisdiction fails to take into consideration the autonomy present within these individuals, and the experience they bring with them as it relates to reintegration and criminal justice involvement. As well, there needs to be further research conducted on the impact of stigma and labelling language of releasees, particularly how it impacts releasees, but also how it is taken up by society and community members, such as employers and landlords and how this may influence the decisions they make. Finally, more research needs to be conducted on the varying needs of women-identified and Indigenous releasees, and what specific barriers they face during reintegration. While this was discussed briefly in the NGO Document, it was not mentioned in the Federal or Provincial Document, leading me to believe this needs to be explored further to ensure provincial and federal understandings of reintegration and services and programs they

provide are supportive of the needs of diverse populations. Overall, “crime is a choice, or series of choices, made according to the social context”, and mediated by an individual’s perception of their environment (Law Commission of Canada, 2003, p. 38). For releasees to be successful and to reduce recidivism rates, releasees need to have an environment they can return to that will offer them supports and programs that meet their needs, in a social context that actively works to dismantle and rebut stigmatizing language and denial of opportunities that make reintegration difficult.

Strengths and Limitations

The strengths of this study include the focus on an array of documents to encompass a broad range of information. Through using an NGO, Provincial, and Federal document, this study was able to explore how reintegration is taken up differently in government and non-governmental documentation. Moreover, this study focused on the discourse associated with reintegration, how it is taken up and explored, and how this is connected to power dynamics and social dominance present within our society. Additionally, this study focused on the themes and discourses present within the documents examined. This allowed for a comprehensive analysis to be given to how reintegration is taken up in different spaces, and how this impacts how we understand themes such as housing and reintegration, and their connection to discourses such as basic rights of citizens, and how the difficulties associated with obtaining housing post-release is a deprivation of a basic human right. Finally, this study was expansive in that it explored the vast array of how adult reintegration is taken up in the Canadian context. By not being limited to a certain group in the adult population, such as women, it allowed for a more comprehensive analysis to be conducted.

However, this does not mean there were not limitations to this study. It has yet to be determined how the youth reintegration process may vary from that of adults. As well, the youth experience of reintegration has not been explored in depth and was unfortunately not an area that was able to be covered in this study. However, this is an area that should be examined in the future in other studies. Moreover, the study did not focus on a specific subset of the reintegration population in Canada, such as women or Indigenous persons. This meant the study was more general in its focus, which means the findings are limited and may not apply to certain parts of the population because their experiences may be different. This is something to be considered for other studies, specifically the experiences of women releasees in Canada, as this was an area that I noticed was minimally explored when conducting my research. Finally, this study focused on data that already existed in previous documents. The data was not comprised of the voices of individuals with lived experience, which would have made it more expansive and reflective. However, due to COVID-19, it was difficult to do in-person interviews, thereby making a discourse analysis approach necessary and more doable. Thus, future research studies in this area should attempt to include the voices of those with lived experience to ensure the data collected is reflective of those currently experiencing the reintegration process.

Overall, reintegration is a process made complicated by various systemic and structural barriers. These barriers, influenced by various discourses present, make it difficult for individuals to access necessities such as housing and employment that would aid in their reintegration, and reduce their rates of recidivism. However, through providing better protections for releasees, providing them with wrap-around and person-centered services, and working to address areas of need prior to them leaving facilities, we can make the environment and social

structures to which they return better equipped to support them and meet their needs. This will ensure their reintegration is successful, and reduce their rates of recidivism.

References

- Badali, M., McCormick, S., Vitopolous, N., Davis, K., Haqanee, Z., & Skilling, T. A. (2015). Mental health in the context of Canada's youth justice system. *Canadian Criminal Law Review, 19* (1), 5-20.
- Baines, D., (2011). An overview of anti-oppressive social work practice: Neoliberalism, inequality and change. In D. Baines (Ed.), *Doing anti-oppressive practice: Social justice social work* (2nd ed., pp. 1-21). Fernwood Publishing.
- Barman-Adhikari, A., DeChants, J. P., M. Brydon, D., Portillo, A., & Bender, K. (2019). On the fringes: How youth experiencing homelessness conceptualize social and economic inequality—A photovoice study. *Journal of Community Psychology, 47*(4), 924-942. doi:10.1002/jcop.22164
- Berg, M. T., & Huebner, B. M. (2011). Re-entry and the ties that bind: An examination of social ties, employment, and recidivism. *Justice Quarterly, 28*(2), 382-410. doi:10.1080/07418825.2010.498383
- Bernier, J. R. (2010). *It's like jumping out of a plane without a parachute: Incarceration and reintegration experiences of provincially sentenced women in Atlantic Canada* (Publication No. 978-0-494-64403-4). [Doctoral Dissertation, Wilfrid Laurier University].
- Boyd, J., Fast, D., & Small, W. (2016). Pathways to criminalization for street-involved youth who use illicit substances. *Critical Public Health, 26* (5), 530-541. doi: 10.1080.09581596.2015.1110564

- Brown V. B., Melchior L. A., & Huba G. J. (1999). Level of burden among women diagnosed with severe mental illness and substance abuse. *Journal of Psychoactive Drugs*, 31, 31–40. doi: 10.1080/02791072.1999.10471723
- Brown, J. D., Wingert, S., Higgitt, N., Knol, D., Block, H., Barkman, M., & Charette, C. (2008). Housing for aboriginal ex-offenders in the urban core. *Qualitative Social Work*, 7(2), 238-253. doi:10.1177/1473325008089632
- Canadian Civil Liberties Association. (2014a). *False promises, hidden costs: The case for reframing employment and volunteer police record check practice in Canada*. Retrieved from: <http://www.ccla.org/recordchecks/falsepromises>
- Canadian Mortgage and Housing Corporation (CMHC). (2009). *Canadian Housing Observer*. Retrieved November 22, 2017, from http://192.197.69.106/en/hoficlincl/observer/upload/chapter2_housing_economy_2010.pdf
- Chiricos, T., Barrick, K., Bales, W., & Bontrager, S. (2007). The labeling of convicted felons and its consequences for recidivism. *Criminology*, 45, 547-581. doi: 10.1111/j.1745-9125.2007.00089.x
- City of Toronto. (2016). *Quick facts about homelessness and social housing in Toronto*. Retrieved from <http://www1.toronto.ca/wps/portal/contentonly?vnextoid=f59ed4b4920c0410VgnVCM1000071d60f89RCRD&vnextchannel=d0eeab2cedfb0410VgnVCM1000071d60f89RCRD>
- Correctional Services and Reintegration Act*. S.O. 2018, c. 6 – Bill 6. Retrieved from <https://www.ontario.ca/laws/statute/s18006>

- Dalrymple, J., & Burke, B. (2006) *Anti-oppressive practice: Social care and the law*. Open University Press.
- Daniel, J. (2012). *Sampling essentials: Practical guidelines for making sampling choices*. SAGE.
- Danso, R. (2014). An integrated framework of critical cultural competence and anti-oppressive practice for social justice social work research. *Qualitative Social Work, 14* (4), 572-588. doi: 10.1177/1473325014558664
- Decker, S. H., Spohn, C., Ortiz, N. R., & Hedberg, E. (2014). *Criminal stigma, race, gender, and employment: An expanded assessment of the consequences of imprisonment for employment*. National Institute of Justice. Retrieved from: http://thecrimereport.s3.amazonaws.com/2/fb/e/2362/criminal_stigma_race_crime_and_unemployment.pdf
- Denver, M., Pickett, J. T., & Bushway, S. D. (2017). The language of stigmatization and the mark of violence: Experimental evidence on the social construction and use of criminal record stigma. *Criminology, 55*(3), 664-690. doi:10.1111/1745-9125.12145
- Doucet, A. & Mauthner, M. L. (2012). Knowing responsibly: Ethics, feminist epistemologies and methodologies. In T. Miller, M. Birch, M. Mauthner, & J. Jessop (Eds.), *Ethics in qualitative research* (2nd ed., pp. 122-139). SAGE Publications Ltd. doi:10.4135/9781473913912.n9.
- Duran, L., Plotkin, M., Potter, P., & Rosen, H. (2013). *Integrated re-entry and employment strategies: Reducing recidivism and promoting job readiness*. The Council of State Governments Justice Center. Retrieved from: <https://www.bja.gov/Publications/CSG-Reentry-andEmployment.pdf>

- Emsellem, M., & Natividad-Rodriguez, M. (2015). *Advancing a federal fair chance hiring agenda: Background check reforms in over 100 cities, countries, & states pave the way for presidential action*. National Employment Law Project.
- Fairclough, N., Mulderrig, J., & Wodak, R. (2011). Critical discourse analysis. In T.A. van Dijk (Ed.), *Discourse studies: A multidisciplinary introduction* (pp. 394-417). SAGE Publications.
- Fontaine, J., & Biess, J. (2012). *Housing as a platform for formerly incarcerated persons*. Urban Institute.
- Fowler, P. J., Marcal, K. E., Zhang, J., Day, O., & Landsverk, J. (2017). Homelessness and aging out of foster care: A national comparison of child welfare-involved adolescents. *Children and Youth Services Review, 77*, 27-33. doi:10.1016/j.childyouth.2017.03.017
- Freeman, R. (2003). *Can we close the revolving door? Recidivism vs employment of ex offenders in the U.S. employment dimensions of prisoner re entry and work: Understanding the nexus between prisoner re entry and work*. Urban Institute Roundtable.
- Fries, L., Fedock, G., & Kubiak, S.P. (2014). Role of gender, substance use, and serious mental illness in anticipated post jail homelessness. *Social Work Research 38*(2), 107-116.
- Ghayad, R. (2013). *The jobless trap*. Retrieved from http://www.lexissecuredmosaic.com/gateway/FEDRES/SPEECHES/ugd_576e9a_f6cf3b6661e44621ad26547112f66691.pdf
- Gillis, C.A., & Andrews, D.A. (2005). *Predicting community employment for federal offenders on conditional release*. Research Branch, Correctional Service of Canada. https://www.csc-scc.gc.ca/research/092/r159_e.pdf

- Gojkovic, D., Mills, A., & Meek, R. (2012). *Accommodation for ex-offenders: Third sector housing advice and provision*. Third Sector Research Centre (Third Sector Research Centre Working and Briefing Paper Series, 77).
- Graffam, J., Shinkfield, A. J., & Hardcastle, L. (2008). The perceived employability of ex-prisoners and offenders. *International Journal of Offender Therapy and Comparative Criminology*, 52(6), 673-685. doi:10.1177/0306624X07307783.
- Griffiths, C. T., Dandurand, Y., & Murdoch, D. J. National Crime Prevention Centre (Canada), & International Centre for Criminal Law Reform and Criminal Justice Policy. (2007). *The social reintegration of offenders and crime prevention* National Crime Prevention Centre, Public Safety Canada.
- Hibberd, F. J. (2001). Gergen's social constructionism, logical positivism and the continuity of error: Part 2: Meaning-as-use. *Theory & Psychology*, 11(3), 323-346. doi:10.1177/09593543011113003.
- Holzer, H. & Raphael, S. (2007). The effect of an applicant's criminal history on employer hiring decisions and screening practices: Evidence from Los Angeles. In M. Stoll, S. Bushway, & D. Weiman (Eds.), *Barriers to re-entry?: The labor market for released prisoners in post-industrial America* (pp. 117-150). Russell Sage Foundation. Retrieved July 3, 2020, from www.jstor.org/stable/10.7758/9781610441018.8
- Housing, Health, and Justice Community of Interest (HH & JCI). (2019). *Closed quarters: Challenges in stabilizing housing and mental health across the justice sector*. Retrieved from https://www.eenet.ca/sites/default/files/2018/Housing%20Health%20and%20Justice%20C%20OI%20Report-%20Final%20-%20Feb%2014%202019_0.pdf

- Houston, S. (2001). Beyond social constructionism: Critical realism and social work. *The British Journal of Social Work* 31(6), 845-861. doi:10.1093/bjsw/31.6.845
- Hulbert v. Cott Beverages, 2014 HRTO 1167 (CanLII), <<http://canlii.ca/t/g8hm7>>, retrieved on 2017-11-22
- Information hub. (2016). Unlock. Retrieved from <http://hub.unlock.org.uk/>
- Jamal v. First Student Canada, 2009 HRTO 2083 Retrieved from <http://canlii.ca/t/26wtj>
- Kilgour, L. (2013). Tracing the lifecycle of Canadian criminal records. *Records Management Journal* 23(2), 136 – 148. doi: 10.1108/RMJ-01-2013-0001
- Kilgour Jones, A. (2020, January 14). Ontario looking to change jail phone call system, include calls to cellphones. *CityNews*. <https://toronto.citynews.ca/2020/01/14/ontario-looking-to-change-jail-phone-call-system-include-calls-to-cellphones/>
- Knight, R., Fast, D., DeBeck, K., Shoveller, J. & Small, W. (2017). “Getting out of downtown”: A longitudinal study of how street-entrenched youth attempt to exit an inner-city drug scene. *BMC Public Health*, 17 (376), 1-11. doi: 10.1186/2889-017-4313-9
- Lageson, S. E. (2016). Found out and opting out: The consequences of online criminal records for families. *The ANNALS of the American Academy of Political and Social Science* 665, 127–41. doi: 10.1177/0002716215625053
- Law Commission of Canada. (2003). *Annual report*. Retrieved from: <http://publications.gc.ca/collections/Collection/JL1-1-2003E.pdf>
- Leclair, M.C., Deveaux, F. & Roy, L. (2019). The impact of housing first on criminal justice outcomes among homeless people with mental illness: A systematic review. *The Canadian Journal of Psychiatry*, 64(8), 525-530. doi: 10.1177/0706743718815902
- Luo, A. (2019, August 23). What is discourse analysis? Scribbr. <https://www.scribbr.com/methodology/discourse-analysis/>

- Mayock, P., Corr, M.L., & O'Sullivan, E. (2013). Moving on, not out: When young people remain homeless. *Journal of Youth Studies*, 16(4), 441-459. doi: 10.1080.13676261.2012.725837
- McMurtry, R., & Curling, A., (2008). *The review of the roots of youth violence. Volume 1, findings, analysis and conclusion*. Ontario Cabinet Office, Queen's Printer for Ontario.
- Merriam, S. B., & Grenier, R. S. (2019). *Qualitative research in practice: Examples for discussion and analysis* (2nd ed.). Jossey-Bass.
- Mertens, D. M., & Ginsberg, P. E. (2008). Deep in ethical waters: Transformative perspectives for qualitative social work research. *Qualitative Social Work* 7(4), 484-503. doi: 10.1177/1473325008097142
- Michailakis, D., & Schirmer, W. (2014). Social work and social problems: A contribution from systems theory and constructionism. *International Journal of Social Welfare*, 23(4), 431-442. doi:10.1111/ijsw.12091
- Ministry of the Solicitor General. (2018, May 3). *Ontario passes legislation to transform adult correctional system: Improving conditions and increasing transparency to create better outcomes*. Ontario Newsroom. Retrieved from <https://news.ontario.ca/mcscs/en/2018/05/ontario-passes-legislation-to-transform-adult-correctional-system.html>
- Moschion, J., & Johnson, G. (2019). Homelessness and incarceration: A reciprocal relationship? *Journal of Quantitative Criminology*, 35(4), 855-887. doi:10.1007/s10940-019-09407-y
- Motiuk, L.L., & Vuong, B. (2005). *Homicide, sex, robbery and drug offenders in federal corrections: An end-of-2004 review*. Research Branch, Correctional Service of Canada.

- Nally, J.M., Lockwood, S., Ho, T. & Knutson, K. (2014). Post-release recidivism and employment among different types of released offenders: A 5-year follow-up study in the United States.” *International Journal of Criminal Justice Sciences* 9(1), 16 – 34.
- Nally, D., & Schirmer, W. (2014). Social work and social problems: A contribution from systems theory and constructionism. *International Journal of Social Welfare*, 23(4), 431-442. doi:10.1111/ijsw.12091
- Neuman, W.L. (2006). *Social research methods: Qualitative and quantitative approaches* (6th ed.). Allyn & Bacon.
- Omura, J.D., Wood, E., Nguyen, P., Kerr, T., & DeBeck, K. (2013). Incarceration among street-involved youth in a Canadian study: Implications for health and policy interventions. *International Journal of Drug Policy*, 25, 291-296. doi: 10.1016/j.drugpo.2013.10.010
- Ontario Human Rights Commission. (2009). *Policy on human rights and rental housing: Identifying discrimination in rental housing*. Retrieved from <http://www.ohrc.on.ca/en/policy-human-rights-and-rental-housing>
- Ontario Human Rights Commission. (2014). *Policy on preventing discrimination because of gender identity and gender expression: Reasonable bona fide requirements*. Retrieved from <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression/9-reasonable-bona-fide-requirements>
- Ontario Non-Profit Housing Association. (2016). *2016 waiting list survey report*. Author. Retrieved from <http://qc.onpha.on.ca/flipbooks/WaitingListReport>
- Owusu-Bempah, A., & Wortley, S. (2014). *Race, crime, and criminal justice in Canada*. Oxford University Press. doi:10.1093/oxfordhb/9780199859016.013.020

- Pager, D. (2007). *Marked: Race, crime, and finding work in an era of mass incarceration*. University of Chicago Press.
- Pollack, S. (2004) Anti-oppressive social work with women in prison: Discursive reconstructions and alternative practices. *The British Journal of Social Work* 34 (5), 693-707. doi: 10.1093/bjsw/bch085
- Potts, K. & Brown, L. (2015). Becoming an anti-oppressive researcher. In L. Brown & S. Strega (Eds.), *Research as resistance: Revisiting critical, Indigenous and anti-oppressive approaches* (2nd ed., pp. 17-42). Canadian Scholars Press.
- Richer, I., McLean-McKay, M., Bradley, S., & Horne, S. (2015). *Offender education programs and services*. Evaluation Division, Correctional Service Canada. Retrieved from <http://www.cscscc.gc.ca/publications/005007-2014-eng.shtml#s3.2>
- Rodriguez, M. N. & Emsellem, M. (2011). *65 million "Need Not Apply": The case for reforming criminal background checks*. The National Employment Law Project.
- Roman, C. G. & Travis, J. (2004). *Taking stock: Housing, homelessness, and prisoner re entry*. Urban Institute.
- Sakamoto, I., & Pitner, O.R. (2005). Use of critical consciousness in anti-oppressive social work practice: Disentangling power dynamics at personal and structural levels. *The British Journal of Social Work* 35(4), 435-452. doi: 10.1093/bjsw/bch190
- Shah, M. F., Liu, Q., Mark Eddy, J., Barkan, S., Marshall, D., Mancuso, D., & Huber, A. (2017). Predicting homelessness among emerging adults aging out of foster care. *American Journal of Community Psychology*, 60(1-2), 33-43. doi:10.1002/ajcp.12098

Shannon, C.R., & Hess, R.S. (2019). Out but in: Exploring juvenile re-entry through photovoice. *International Journal of School and Educational Psychology*, 7(1), 28-41. doi:

10.1080.21683603.2017.1356774

Small, R. (2005). The importance of employment to offender re-integration. *Forum on Corrections Research* 17(1), 38-40.

St. Stephen's Community House and Access Alliance. (2016). *Tired of the hustle: Youth voices on unemployment*. Author. Retrieved from:

<http://www.sscto.ca/SSCH/storage/medialibrary/media/Youth%20Action/employment%20research/TiredoftheHustleReport.pdf>

The John Howard Society of Ontario (JHS), Lafleur, E., & O'Grady, W. (2014). *Reintegration in Ontario: Practices, policies, and effective models*. University of Guelph & The John Howard Society of Ontario.

The John Howard Society of Ontario (JHS). (2016). *Fractured care: Public health opportunities in Ontario's correctional institutions*. Retrieved from <https://johnhoward.on.ca/wp-content/uploads/2016/04/Fractured-Care-Final.pdf>

The John Howard Society of Ontario (JHS). (2018). *The invisible burden: Police records and the barriers to employment in Toronto*. Retrieved from

<https://policerecordhub.ca/en/invisibleburden/>

The John Howard Society of Ontario & Canadian Civil Liberties Association. (2014). *On the record: An information guide on police record checks in Ontario for employers, human resource professionals and volunteer managers*. Retrieved from

<http://johnhoward.on.ca/download/record-information-guide-police-record-checks-ontario-employers-human-resource-professionals-volunteer-managers>

- To, M. J., Palepu, A., Matheson, F. I., Ecker, J., Farrell, S., Hwang, S. W., & Werb, D. (2016). The effect of incarceration on housing stability among homeless and vulnerably housed individuals in three Canadian cities: A prospective cohort study. *Canadian Journal of Public Health, 107*(6), e550-e555. doi:10.17269/CJPH.107.5607
- van Dijk, T.A. (2005). Critical discourse analysis. In D. Schiffrin, D. Tannen, & H.E. Hamilton (Eds.), *The handbook of discourse analysis* (pp. 352-371). Blackwell Publishers.
- Uggen, C., Manza, J., & Behrens, A. (2004). Less than the average citizen: Stigma, role transition and the civic reintegration of convicted felons. In S. Maruna & R. Immarigeon (Eds.), *After crime and punishment: Pathways to offender reintegration* (pp. 261-293). Routledge.
- Uggen, C., & Staff, J. (2001). Work as a turning point for criminal offenders. *Corrections Management Quarterly 5*(4), 1-16.
- Uggen, C., & Stewart, R. (2015). Piling on: Collateral consequences and community supervision. *Minnesota Law Review 99*(5), 18-71.
- Verbruggen, J., Apel, R., van der Geest, V. R., & Blokland, A. A. J. (2015). Work, income support, and crime in the Dutch welfare state: A longitudinal study following vulnerable youth into adulthood. *Criminology, 53* (4), 545-570.
- Visher, C. A., Winterfield, L., & Coggeshall, M. B. (2005). Ex-offender employment programs and recidivism: A meta-analysis. *Journal of Experimental Criminology, 1*(3), 295-315. doi: 10.1007/s11292-005-8127-x
- Walsh, C. A., MacDonald, P., Rutherford, G.E., Moore, K., & Krieg, B. (2011). Homelessness and incarceration among Aboriginal women: An integrative literature review. *Pimatisiwin: A Journal of Aboriginal and Indigenous Community Health 9*(2), 363-386.

- Weinberg, D. (2014). *Contemporary social constructionism: Key themes*. Temple University Press.
- Winterfield, L., Coggeshall, M., Burke-Storer, M., Correa, V., & Tidd, S. (2009). *The effects of postsecondary correctional education: Final report*. Urban Institute Justice Policy Centre.
- Witkin, S. L. (2012). *Social construction and social work practice: Interpretations and innovations*. Columbia University Press.
- Wortley, S. (2008). *The review of the roots of youth violence, Volume 4, research papers*. Ontario Cabinet Office, Queen's Printer for Ontario.
- Wrotten, M. (2018). *Predictors of incarceration for African American males aging out of foster care*. [Unpublished doctoral dissertation]. Walden University.
- Zajac, K., Sheidow, A. J., & Davis, M. (2015). Juvenile justice, mental health, and the transition to adulthood: A review of service system involvement and unmet needs in the U.S. *Children and Youth Services Review*, 56, 139-148. doi: 10.1016/j.chilyouth.2015.07.014
- Zivanovic, R., Omura, J. et al. (2016). Eviction and loss of income assistance among street-involved youth in Canada. *Journal of Public Health Policy*, 17 (4), 244-259.