"A CHANGE TO MAKE GOOD:" JUVENILE MALES
AND THE LAW IN VANCOUVER, B.C.,
1910-1915
by
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A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
in
THE FACULTY OF GRADUATE STUDIES
(History)
(Educational Foundations)
We accept this thesis as conforming
to the required standard

THE UNIVERSITY OF BRITISH COLUMBIA
September, 1978
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Abstract

The federal *Juvenile Delinquents Act* of 1908 confirmed and expanded upon an inferior civil status for Canadian children and young people. Using the vehicle of a special children's court designed to protect its clientele with such innovations as private hearings and informal evidence, legislators denied the benefit of traditional legal protections to children. The rationale for these changes was the assumption that wayward children were incontrovertibly criminalized by contact with the regular court system and with adult offenders. Proponents of the new juvenile court system believed that a paternalistic probation officer who kept a close watch on the child and its family would provide an effective alternative to the cycle whereby juvenile offenders became irreversibly committed adult offenders.

This thesis examines the day-to-day operations of the Vancouver Juvenile Court, one of the pioneer Canadian children's courts, with a view to testing some of these premises. Files were compiled on all juvenile males who came before the court during its first five years of operation. A computer analysis was made of the cases to determine how different variables, such as the child's home situation and who initiated his initial contact with the court affected handling of the cases.

It was found that the Vancouver Court did not function as its promoters had intended. Children were still frequently picked up by police and held in regular police cells for varying lengths of time. They were subjected, further, to frequent and lengthy periods of detention in the Court's Detention Home. Instead of being the subjects of an exhaustive examination by a fatherly judge, their cases were decided, occasionally over the telephone and usually after only the most cursory consideration, by a police magistrate after his other duties were completed.
Almost all male offenders who came into contact with the Court were formally charged. Of these, fewer than half were brought back for a subsequent offence. Most of those who did return to Court on one or more new charges were brought in for either the same or lesser orders of offences than their first charges. Many repeating offenders were brought forward on charges arising directly out of the settlements of their first cases. The Juvenile Court thus may have either succeeded in breaking the presumed cycle whereby boys arrested on a single charge went on to commit more frequent and more serious offences, or it may have actually inflated the numbers of offenders by causing the arrest of boys whose minor misbehaviours might otherwise have been overlooked.

The Court's influence went beyond the power it held over its wards. Families, friends, teachers and employers of the boys were also brought under the control or influence of the probation officer as part of his efforts to control their environments. In a larger sense, the entire community was affected by Court campaigns for new bylaws to control children's activities.

The Juvenile Court served a social function by enforcing a standard period of dependency for all children without regard to their personal and/or their parents' wishes in the matter. The lengthier childhood had always existed in law, but Court enforcement and elucidation of the issue made it a matter of wider practice as well. The Juvenile Court also functioned as an economic institution in that it controlled both the occupations of its wards and the regularity with which those occupations were practiced. It played a similar role for parents who came under its power. The evidence suggests that in both its social and its economic functions, the Court was acting in full compliance with the wishes of the general community.
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Acknowledgements

I would like to thank my thesis supervisor, Dr. Neil Sutherland, and the other members of my committee for their kind suggestions and advice. Dr. Joy Parr's assistance in the statistical sections of this thesis was gratefully received. The entire project was possible because Ms. Sue Baptie, City Archivist, and Mr. Bill McKee, of the Vancouver City Archives, kindly arranged for my access to the confidential Court records. Ms. Joan Fraser, of the University of Victoria Law Library, assisted in solving certain legal questions.
CHAPTER I
ESTABLISHING THE JUVENILE COURT

Since the eighteenth-century, the term "juvenile delinquency" has been a euphemism for child crime.¹ This is an indication that it has been perceived as a problem in the western world for several centuries. Responses to concern with the issue have varied however, resulting for example, in passage of the Elizabethan apprenticeship and poor laws in the sixteenth-century and establishment of children's aid societies in the nineteenth.² Another period of keen interest was the late-nineteenth and early-twentieth centuries, characterized this time by the children's court movement.³

During this three-century evolution, children who attracted the state's attention had come to be divided into three theoretically distinguishable groups - neglected, dependent and delinquent children. Dependent youngsters - those who were orphans or whose parents were too sick or poor to properly care for them - were the most easily characterized of the categories. Neglected children, on the other hand, were frequently dependent as well, but were classed as neglected because their parents were considered to be avoiding their responsibilities for vicious reasons such as drink or immoral habits. Delinquent young people were those who had already crossed the thin line that separated respectability from a dissolute life. In theory the three classes of children represented different problems and were to be handled in distinct ways. In practice, the demarcation lines were blurred and all were treated as offenders to a greater or lesser extent.

In mid-nineteenth century Ontario (Upper Canada), for example, there was much concern about the incidence of children who neither worked nor attended school.⁴ The concern was for the maintenance of
public order, however, despite the fact that many of these young people fell into the neglected and dependent, rather than delinquent categories. The same situation applied to the children's aid societies that mushroomed in Canada and the United States in the late-nineteenth and early-twentieth centuries. Although supposedly philanthropic ventures, all three categories of children were forcibly committed to them and discipline and procedures had to be adjusted accordingly.

For most legal purposes, children were minors until the age of twenty-one years. As such, they generally could neither sue nor be sued and those under sixteen years old were bound by their parents' wishes in most ways. It is almost impossible to determine with greater clarity the civil status of minors at the time the children's court movement peaked in Canada.\footnote{5}

The movement fitted very well into the natural evolution of institutions for the control of children. It was primarily promoted as a way in which delinquent youngsters would be treated more humanely than they were under the existing justice system. It was also intended to be a preventative measure in that neglected, or pre-delinquent, children could also be brought before it and handled in such a way that they would not become wayward. Similarly, dependent, or pre-neglected, children were also to be brought before it for disposition in a safe manner.

The movement culminated in Canada in 1908 with passage of the federal \textit{Juvenile Delinquents Act}, legislation which established separate courts and legal procedures for children under the age of 16 years and created the crime of delinquency.\footnote{6} Under this act, the new children's courts were to be operated independently of police and other courts;
proceedings were to be held in private and without the rules of evidence; and probation was to be employed freely with the aim of rehabilitating the child in his own home rather than punishing him. Offences against any federal or provincial statute or local bylaw were to be tried in the juvenile court.

This thesis will consider the establishment and early operations of the Vancouver Juvenile Court, the first such court established in British Columbia and one of the original children's courts in the country. It will deal with the court only insofar as it affected juvenile males since girls were treated in a different manner and were arrested primarily for offences against morals; they must thus be considered in a male-female rather than an offender-enforcement agent continuum.

Approaches to the history of juvenile delinquency have varied widely. Gillis presented the juvenile court in terms of a British model of class conflict, with aggressive middle-class reformers struggling to impose their habits and ideals on resistant members of the working class. In his view, the new institution also contributed to a lengthened period of dependency for children. Schlossman treated the court as a relatively harmless product of the nineteenth-century reform tradition whose only real impact was that it allowed the law to be enforced against children for the first time. He suggested that police and judges had refused to enforce the law against youngsters until there were special facilities available for them. Sutherland postulated that the new system benefitted young offenders by providing non-institutional care for them, thus saving them from being formally stigmatized as and socialized into becoming criminals.

The most rewarding approach to the court, however, appears to be that of treating it as a case study within the framework of a morphology
of social reform movements. The morphology, which was developed by Carl Kaestle in reference to changes in patterns of urban education, suggests that cyclical reform movements are composed of four distinct, but concurrent cycles. These are the cycles of expectations, personnel, support and ideology. All four cycles work together to cause staff and public, both of whom originally approach the matter confidently, to lose faith in their reform. Kaestle's framework will be utilized in this thesis.

There are many reasons for studying the ways in which juvenile delinquents were handled. Examination of the manner in which a society defines and deals with juvenile offences is one of the best possible ways to learn about that society and the values it reveres. Kai Erickson, and Emile Durkheim before him, have demonstrated the value of all forms of crime in terms of elaborating community boundaries. Erickson explained that crime performs:

... a needed service to society by drawing people together in a common posture of anger and indignation. The deviant individual violates rules of conduct which the rest of the community holds in wide respect; and when these people come together to express their outrage over the offence and to bear witness against the offender, they develop a tighter bond of solidarity than existed earlier.... Unless the rhythm of group life is punctuated by occasional moments of deviant behaviour, presumably, social organization would be impossible.

When this process is understood, it is possible to note the boundaries and study the community within.

While Durkheim and Erickson postulated a benefit in the study of responses to all types of crime, the value of the misbehaviour is even greater when it is juvenile deviance. This is because most societies view children in a special way and with an exaggerated importance because they represent the future. This was certainly true of Canadian society in the early twentieth century:
We recognize its outstanding importance, for we know that the child is the source of the nation's manpower, and that upon a healthy childhood depends the health, vigour and mental alertness of the adult.

Another aspect of the role of crime is the relationship between the type of deviance and the boundaries of the community. Erickson explained that the community will be most threatened by a type of crime that offends the principles dearest to it. In the early twentieth century, Canada was a nation obsessed with economic development and national efficiency. Even a study dealing with the cost of living in Canada discussed the impact of efficiency on prices and drew the obvious conclusions from it:

It is beyond question that productive efficiency is essential for the average citizen if he is to be capable of maintaining his economic value to the community, and becoming and continuing socially and industrially a sustaining and helpful unit rather than a burden.

The relationship is obvious between this concern and a juvenile delinquency that most often manifested itself in boys wandering about the streets at night without apparent supervision or self-control.

The Royal Commission on Industrial Training and Technical Education, which heard from Vancouver’s Chief Probation Officer during its deliberations, made the point most clearly:

The interest of the State, as such, is that the individuals who compose it should be healthy, intelligent, capable, animated by goodwill towards their fellows and that they should be able and willing to fill their places in the community, as citizens discharging their duties and preserving their rights, as individuals in the economy of life, and as earners contributing to the material prosperity of the State.

Schoolboys who disregarded their studies in favor of less demanding lifestyles or working boys who gambled away their earnings, rather than saving them, clearly had little of value to offer their country. As Senator T. Coffey (London) told his colleagues, "To us ... belongs the
task of transforming them as much as we may into useful citizens. A special juvenile court that might succeed in salvaging into productive citizens, children who would otherwise probably turn into human wreckage in economic terms, had much to commend itself to "right-thinking" people.

Legislators considering the Juvenile Delinquents Act had no doubt about what they were doing:

In our time we are making any amount of sacrifice for all kinds of improvements. We see ... that donations of millions and millions are given to the universities and to institutions of all kinds .... If it is advisable to come to the help of such classes as attend institutions of higher education, such as universities, still more desirable is it to spare no efforts in coming to the rescue of the poor, and especially of children.

The underlying reasons for establishment of the court, however, were seldom discussed. For working purposes, the act's preamble was most often cited:

Whereas it is expedient that youthful offenders should be classed or dealt with as ordinary criminals, the welfare of the community demanding that they should on the contrary be guarded against association with crime and criminals, and should be subjected to such wise care, treatment and control as will tend to check their evil tendencies and to strengthen their better instincts.

Specific conditions had to be met by each community before the act could come into force there and a Vancouver group quickly took up the challenge to bring the innovation to their city. The Juvenile Protection Association (J.P.A.), also known as the Children's Court Association and forerunner of the Child Welfare Association of British Columbia, was founded in 1907 to promote juvenile courts before the act had even been passed. The association had grown out of a meeting called by a local temperance group to discuss methods of handling juveniles. Its main object was "the improvement of conditions as they affect the interest and future well-being of the boys and girls." An association letterhead from December, 1908, said that "any organization in sympathy
with the aims and objects of this Association is invited to elect delegates."

By 1908, the Trades and Labour Council; the Local Council of Women; the Women's Christian Temperance Union; the Salvation Army; both Protestant and Roman Catholic Children's Aid Societies; the Moral Reform Association; the Ministerial Association; Associated Charities; and several individual unions and fraternal organizations had already affiliated with the Association. Elected members included the mayor, chairman of the Police Committee; Chief of Police; Chief Superintendent of Education; and, among others, Salvation Army Staff Captain Herbert W. Collier, who later became the court's Chief Probation Officer. The Association's president, F.C. Wade, a lawyer who was a friend of J.J. Kelso, the Ontario "child-saver," and was rumored to be a main contender for the B.C. Lieutenant-Governor's position, was accurate when he wrote that the J.P.A. "is an unusually representative body...."

At the time the Association was founded, the city of Vancouver was experiencing very rapid growth. During the decade from 1901 to 1911, its population soared from 27,010 to 95,260 and it clearly established itself as the major west coast Canadian city. Its entire area was serviced by street railway lines and interurban lines made the urban development of surrounding areas possible. As a result, by 1911, the effective Vancouver population was more than 123,902. A real estate boom had been underway since 1904 and the city was splitting into clearly identifiable residential, commercial and industrial districts.

Since the 1911 census did not break the population down by age groups, it is not easy to determine what proportion of the population was under 16 years old. One indication of the size of a juvenile court's
potential client group, however, was that public school enrolment in December, 1912, was 11,828 students. The type of home life of most of these children can only be suggested by general information. There were, for example, 17,681 families living in only 15,081 dwellings in Vancouver in 1911. Because of the city's role as a metropolitan centre for the province, many men kept their families in the city while they themselves lived and worked in logging or mining camps or the like. The state of family stability in the nation generally was suggested by census changes in 1901 adding a category for divorced persons and in 1911 adding a class for the legally separated. Many concerned citizens feared that the family unit was crumbling.

Children who appeared before the juvenile court came from a wide variety of family situations. The Chief Probation Officer was always careful to note when a boy came from a "good home," but apparently few of his wards fell into that category. Most children who lived with their parents were brought into the Detention Home in such a filthy condition that they had to be given different clothes to wear. The case of an eleven-year old Polish boy, who was charged as a runaway, was more extreme than most, but indicated the type of problem court staff felt they had to deal with: "The father is a laborer. They live in a dirty place and keep a lot of their countrymen as roomers occupying but two rooms themselves, one for sleeping and the other as a living room while they have twelve rooms." Several other families lived as units in rooming houses rather than maintaining their own households.

Some children lived in rooming houses by themselves, with the rent paid by parents who lived elsewhere in the city. Boys in this
situation often came before the court charged with having taken the rent money from their parents and having spent it for other purposes. The cases of two brothers who boarded "in a poor miserable place where he just had a bed in the dining room" were not uncommon. Some boys did not seem to have a home at all. In such cases, rooming house operators occasionally took an interest in them and became de facto guardians. Other boys, such as Case No. 67, retained their full independence:

This boy was found ... wandering about the lanes in the east end in a most filthy condition and his clothes literally falling off him. He was taken to the home of his 'sister' ... who said he did not live there but that he sometimes slept under their house. He is apparently about 11 years of age.

The J.P.A. was concerned with all children, but its first object was "to secure the enforcement of laws relating to neglected and dependent children or juvenile offenders." The Association considered it had much to do in this regard. The 1894 federal and 1901 provincial legislation providing for separate trials and detention for children had always been a dead letter in Vancouver. Wade warned of the dangers of confining children in the city gaol, which had held up to 97 prisoners although it had accommodation for only 54. He said: "When it was remembered that these prisoners included some of the worst characters on the coast the effect of placing juveniles in the midst of such a crowd could be seen in a moment." In a Vancouver speech, Dominion Parole Officer A.P. Archibald specified the difficulty for anyone who might be unable to see it: "... it was a very serious wrong to herd boys with old and hardened criminals who never lost an opportunity to make bad impressions on the boys' minds, which soon afterward developed the worst kind of criminality."

Physical conditions at the gaol were in such a state that the view was expressed that it "was not fit for adult prisoners, let alone children of tender years." The gaol was generally agreed to be "absolutely
"insanitary" and so dark that even with electric lights on in mid-afternoon, "it was impossible to recognize men 20 feet away." Prisoners awaiting trial, including children, were required to wear prisoners' clothes. The use of juvenile offenders on the city Chain Gang also aroused the Association's ire.

Association members were further outraged at the Police Magistrate's failure to hear children's cases in private. Newspaper reporters were always allowed and the courtroom was not otherwise cleared. Nor did a two-hour interval elapse, as required by the provincial Children's Protection Act, between the end of other trials and the start of those of youthful offenders. The entire procedure was unsatisfactory, according to R.P. Pettipiece, a well-known local labour leader, who said his 10-year-old son had been:

... summoned (at the schoolhouse door) by the civic preservers of law and order for the heinous offence of riding a bicycle on the sidewalk. I appeared with my boy in 'open' court at 10 o'clock and with him waited till nearly 12 o'clock before his case was called and dismissed. Meanwhile, for the first time in his life, the child was treated to the evidence of about a dozen painted women who confessed to having been found in Canton alley wearing nothing but a pleasant look; all of which formed a cause for wonderment by the fireplace the following evening.

But the harsh treatment meted out in 1909 to T.F., an accomplice in a bicycle theft, generated the greatest protest. Despite his previously clear record and testimonials on his behalf from friends, relatives and neighbours, the 11-year old was sentenced to five years at hard labour in the penitentiary. In the face of great criticism, Magistrate Adolphus Williams changed the sentence from penitentiary to reformatory. Wade complained that, even so, the Association considered such a lengthy sentence for a boy who was "little beyond tender years" to be "unjustifiable,
shocking and unnatural," but the penalty appears to have held. The J.P.A. considered it had won a major victory when the same judge decided against sending "a small boy" to gaol to await trial on a bicycle theft charge.

The campaign to secure enforcement and extension of juvenile legislation took the form of briefs, resolutions and delegations to the provincial Attorney-General, city council, the Police Commission and federal members of Parliament. By mid-1909, the J.P.A. had manoeuvred city council into voting to renovate an old civic building for use as a juvenile detention centre. No funds actually changed hands, however, and concrete results were delayed for a year. During that time, the provincial government passed the **Juvenile Court Act**, providing for extension of the **Juvenile Delinquents Act** to all parts of British Columbia, and a charter amendment giving Vancouver authority to make expenditures for such purposes.

Wade sat on the three-man Juvenile Court Committee appointed by city council to make arrangements for establishing a local children's court. At that point, he and the Attorney-General, among others, hoped that the Salvation Army would undertake the management functions as it had in Winnipeg, Manitoba. The Winnipeg Juvenile Court judge said the Salvation Army had taken over the detention home when it was established in 1907 under a local act and the arrangement had worked well:

'[The detention home manager] and his wife were chosen especially by the army staff in Toronto for this work and excellent people they are. Fact of their still being with the Army helps out a lot as they get assistance and cooperation in their work. Staff Captain ... acts as a probation officer and our Chief Probation Officer ... is Superintendent of Neglected Children under our Children's Protection Act.]

Local antipathies to the Salvation Army won out, however, and although
Collier's offer to assume the position of Chief Probation Officer was accepted, he was required to immediately sever all ties with the church. His first year's salary of $1,500 was guaranteed by the Association.

The J.P.A.'s concern with developing new procedures for dealing with juvenile offenders reflected the community's increased concern with the child as a resource, but went beyond it. A new view of children, and adolescents in particular, had been developing in North America since the closing years of the nineteenth-century. George Stanley Hall, the founder of psychology in America, formulated many of the new ideas and elaborated on them in a monumental two volume study. His starting position was that the "child and the race are each keys to the other," and the child's progress through life represents the evolutionary stages of the race itself.

But Hall was best known for his flowery characterization of adolescence as a period during which instability was the norm:

The momentum of heredity often seems insufficient to enable the child to achieve this great revolution and come to complete maturity, so that every step of the upward way is strewn with the wreckage of body, mind and morals ... The cohesions between the elements of personality are loosened by the disparities of both somatic and psychic development, and if there is arrest at any stage or in any part before the higher unity is achieved there is almost sure to be degeneration and reunion on a lower level than before.

He thought the implications of this were obvious for juvenile crime if youngsters were not treated according to their age and given "another chance to make good."

A mere accident of circumstances often condemns to criminal careers youths capable of the highest service to society, and for a mere brief season of temperamental outbreak or obstreperousness exposes them to all the infamy to which ignorant and cruel public opinion condemns all those who have once been detected on the wrong side of the invisible and arbitrary line of rectitude.
Wade believed in Hall's approach. He said children "are criminals or delinquents by occasion only" and continued:

Children who have not yet left their mother's knee are often arrested like grown men and shut up even before trial with the worst classes of criminals. Until recently it was the practice to try them in open court as ordinary criminals... and to segregate them as criminals, when as a matter of fact they were only children who had strayed from the path of right, and who needed only to be set right again and encouraged to grapple once more with the evil conditions and temptations and to overcome them, who, as President Roosevelt said needed 'character building.'

Legislators took the same position when they characterized juvenile delinquents as "active children [who] are full of mischief, and [whose] vicious tendencies are easily developed if any occasion is afforded to them."

The new approach to viewing the moods and capacities of juveniles was intended to be more humane than the old way of treating them much the same as adults. It was, however, also far more patronizing and degrading to the older children involved. It denied that any children had adequate mental capacity and judgement to assess situations and act in their own best interests, and ignored the wide range of children the court would have to deal with. By espousing the imposition of unlimited restraints on those under the age of 16, promoters of the Juvenile Delinquents Act were acting to increase the length of childhood or the period of dependency for youngsters. This meant a corresponding increase in the length of time that parents, or the state acting in loco parentis, held almost absolute power over them. With the passage of the new legislation, they sought to halt the exercise of judgement that had characterized juveniles over the age of seven for centuries, both in practice and in law. Under the new arrangement, the individual exercise of judgement was to be replaced with
an unconsidered response to the official state judgement as articulated by the juvenile court staff. The problems of the new institution were to be expected, considering the basic challenge its starting point offered to tradition.
Footnotes to Chapter I


6. Canada Statutes, 1908, Ch. 40.


Wayward Puritans..., p. 20.


Juvenile Court Advisory Committee Minutes, Nov. 28, 1910.

Report of the Commissioners, Parts I & II (Ottawa: King's Printer, 1913), p. 16.

Senate, Debates, May 21, 1908, p. 976.

Ibid., p. 975.

Ibid.

Notice of Annual Meeting and Election of Officers, Juvenile Protection Association, Aug. 12, 1909, in Wade Papers, Vancouver City Archives.

Letterhead, Dec. 1908, in Wade Papers.

Ibid.


This includes Vancouver City, North Vancouver, South Vancouver and Point Grey, Census, 1911, p. 39.

MacDonald, Critical Growth Cycle..., pp. 33-36.

Province, Jan. 6, 1913, p. 15.

In Feb., 1925, there were 2,549 schoolchildren with 1,400 fathers in this category. British Columbia, Survey of the School System, by J.H. Putnam and G.M. Weir, (Victoria: King's Printer, 1925), p. 279.


William O'Neill has demonstrated with American figures that this impression was false since family stability was actually increasing during this period. Divorce During the Progressive Era, (New Haven: Yale University Press, 1967), pp. 30-31.

Day Book, Chief Probation Officer, Case No. 7.

Ibid., Nov. 30, 1912; and J.C.A.C. Minutes, Oct. 3, 1910.


Day Book, Nov. 4, 1913.

Ibid., Cases No. 57 and 65.

Minutes, Nov. 28, 1910.

Day Book, Case No. 67.


Province, May 1, 1908, p. 7.

Ibid., p. 24.

Ibid., p. 7.


Ibid., May 12, 1910, p. 2.


Province, May 18, 1908, p. 14.

Letter to Editor, Ibid. While the description of the experience has universal applicability, a study of police methods would have to be made before we can know if bylaw offences were usually dealt with in this manner or if this boy was a special target because of his father's activities.

F.C. Wade to Minister of Justice, June 18, 1909, in Wade Papers.
Ibid.

Province, May 18, 1908, p. 4.

Resolution passed by City Council, June 3, 1908, in Wade Papers.

Vancouver Daily News-Advertiser, April 24, 1910, p. 7.

Hon. T. Mayne-Daly, Winnipeg, to F.C. Wade, July 29, 1909, in Wade Papers.

Teleg. George Healey to F.C. Wade, Winnipeg, May 20, 1910, copy in Wade Papers. The intent of the requirement to sever ties with the church is unclear, but his diary shows that he no longer attended Salvation Army meetings after this time. Dominion Parole Officer W.P. Archibald and Vancouver Assistant Probation Officer Thomas Collier were only two other examples of former Salvation Army officers who were in the first generation of juvenile court workers in Canada.


Ibid., Vol. I, p. viii. This theory, known as recapitulation, posited that the child had to live through all the stages that mankind had, from the Stone Age to the present, and that growth of the race occurred during advancement in the adolescent period. The theory was stated as a fact, in almost the same words used by Hall, in a 1924 B.C. government report. See Survey of the School System, by J.H. Putnam and G.M. Weir (Victoria: King's Printer, 1925), p. 73.


This phrase was frequently used by court personnel to describe the opportunity they gave to their wards.


Senate, Debates, May 21, 1908, p. 975.
CHAPTER II

A LEGAL DEVICE; A SOCIAL OBJECTIVE

The Vancouver Juvenile Court bore little resemblance to the juvenile justice system that had been articulated and promoted by the authors of the Juvenile Delinquents Act. Children were far more freely incarcerated than they could have been under ordinary police controls and the Chief Probation Officer used his almost absolute power in a tyrannical fashion. The federal requirement that the court operate informally in private without being bound by the rules of evidence sometimes made the court into a Star Chamber rather than a protective agency. The tripartite system of controls shared among the C.P.O., judge and citizens' advisory committee was badly out of kilter and C.P.O. Collier ran almost a one-man institution.

The people who had framed the legislation had not considered the possibility of such a situation. In their minds, the C.P.O. was significant, but the judge, who was expected to set the tone for the court, was by far the more important figure. Attitudes toward, and expectations of the juvenile court system had developed, in large part, in response to publicity about the system as it operated in the United States. Foremost among the publicists was the famous judge, Ben Lindsey, of Denver, Colorado. Few people who were interested in child welfare, whether in Canada or the United States, were unaware of his sympathetic approach to youth and the successes he claimed with the informal way he conducted his court.

An unidentified newspaper correspondent, reporting in 1910 on the legislative debate on the bill to introduce the court into British Columbia, described the system he envisioned:
Experience had demonstrated ... that at least 90 per cent of all juvenile offenders are not criminal at all, but only in need of guidance and proper care. What was wanted ... was a ... special judge, a man who would take an interest in the children, a man of good temperament, wise, perhaps having boys of his own, one who could talk to them as boys and accomplish what could never be done by the usual methods of criminal procedure.... It would partake more of a talk with the boy and dealing with him along the same lines as adopted by Judge Lindsay.

His linking of the system to a specific American example was not unique to the province.

In the Senate debate on the federal bill, Senator T. Coffey (London) recounted one of Lindsey's favorite anecdotes about how he approached delinquents. In the story, the judge told a boy that while he would like to help and protect him, Lindsey had to be assured that he would respect the law, if only to protect the judge himself. Lindsey had continued:

.... I couldn't hold my job very long if I permitted thieves to run loose on the community.... With tears in his eyes this 13-year old boy stood up like a man and said, so sincerely and earnestly for a boy of his age, that he would never get me into trouble, that I, almost tearfully, accepted his protection. I rang for the jailer and through the clatter of the iron gates, the bolts and bars, walked out of that jail with that boy and took him to his mother. 2

The boy naturally became a model citizen "and would frequently come to me during the week, with a face full of gladness, to tell me how well he was doing, and how ably he was protecting me." 3

Writing several years later, W.L. Scott, who had framed the Juvenile Delinquents Act, strongly endorsed and enlarged on the central role of the judge. The person who fills such a post, he wrote, should have both "social sympathies" and legal training; be able to link "social understanding and sympathy;" know child psychology; give general direction to the court's work; spend enough time at court affairs "to keep detention at a minimum;" take time to thoroughly consider each case prior to the
court hearing; meet frequently with court staff, particularly regarding cases handled out of court; and carry on liaison work between the court and the rest of the community. The judge's role was to be so important, in fact, that during debate, senators stressed the importance of ignoring all pressures to appoint a man primarily because of his community standing.

By these criteria, the two judges who were appointed to the Vancouver Juvenile Court during its early years fell far short of expectations. Both Judge Alfred E. Bull, who served through 1910, and Judge Henry C. Shaw, who sat from 1911 until shortly before his death in 1931, were also the city's Police Magistrates. An inspection of the C.P.O.'s daily diary revealed that the judges had almost no contact with the juvenile court or its staff aside from the weekly court session. This information, combined with their almost total lack of public statements regarding the court, strongly suggests that both Bull and Shaw considered their magistrate's position to be the primary one and juvenile work as being additional to their regular, more important duties on the bench. The extent of this view was demonstrated by an obituary editorial praising Shaw for his contributions to Vancouver jurisprudence. The article dealt with his work as magistrate and mentioned only in passing that he had also been judge of the juvenile court.

The Bill's framers had foreseen difficulties in such dual appointments and had specifically warned against use of police magistrates. Most such people, said Senator Coffey, "are quite unfit for the handling of cases of criminality among the young. They have pinned their faith to methods of the harsh order. To them kindness is an almost unknown quantity."

The sheer volume of the police magistrate's workload was such that a Vancouver judge charging a Grand Jury in 1908 suggested that
they consider the juvenile court proposal as a method to "relieve [the magistrate] of a branch of work which at present encumbers a court already overburdened." The only acknowledgement by the Attorney-General, however, of problems with dual appointments was his statement that before naming the new Police Magistrate, he would consider his personality with reference to his dealing with juvenile cases and would increase his salary because of the additional duties of the new court.

Unimportant though the youth work may have been to him, as chief juvenile official, the judge held great power over the children who appeared before him. Shaw, who was by far the more important judge, must have been an imposing sight for defendants:

Huge-framed and with great shoulders ... [he] was in earlier days known among his friends as an athlete and in wrestling bouts he astonished chance logging camp acquaintances whom he met on the coast voyages by deftly pinning their shoulders on the floor.

His courtroom manner, however, at least certainly in the Police Court, could not have been as abrupt as his vacation activities. A eulogizing editorial observed:

He made his court a court of justice rather than of law, and justice he tempered with mercy.... His sympathy for the unfortunate was well-known, but his wide experience divested that sympathy of any trace of maudlin or sentimentality and prevented his being imposed upon. There was a streak of iron in the magistrate, too, and a vivid sense of his responsibility to society, which employed him. He could be stern when conditions seemed to demand it, and, on occasion, even severe.

Most of the children who appeared before Shaw on minor charges were treated leniently and with an apparent appreciation of their personal circumstances. Two very small boys, who lived near the home of a member of the probation staff, were allowed to report to that officer there to spare them the longer trip to the Detention Home. In a similar way, he allowed a young boy on probation to stop reporting at the start
of winter because his age, combined with the weather and his parents' lack of funds for car fare, made it too difficult for him to reach the Home. Another boy was allowed to drop to reporting monthly instead of weekly, also because of a lack of funds for transportation. Shaw further displayed empathy with the boys on the issue of keeping the Detention Home school open during vacations. When Collier first requested permission for the change, the judge refused, saying that he would not deprive the children of their holidays. He displayed no sympathy, however, for a youth who thought he became free of the court when he reached the age of 16 years. Upon learning that the boy had become disobedient at home and was now staying out at nights, the judge warned that as a court ward, he must continue to live up to the conditions of his probation "the same as if he were under 16 years of age."

Judge Shaw was often less stern in dealing with parents than he was in treating the boys themselves. Unlike the C.P.O., who liked to hold children hostage against their parents' changing their lifestyles, Shaw was inclined to turn troublesome, but non-criminal children back to the family. In such instances, he took the position that the court would no longer waste its time trying to prevent the child from developing into a delinquent, but would instead place all responsibility on the parents, who must be prepared for the consequences should the child be returned to court. Nor was the judge prepared to push his powers to the limit. When the parents of a boy who had been placed in detention for failing to appear on a curfew charge "raised an awful row," he said "he thought we should let him go home and then that we might let the matter drop."

Boys who transgressed too frequently or committed a serious crime were well aware of the judge's potential for severity. A.A., who had been
on probation from a theft charge when it was learned he "had used his influence to encourage smaller boys in several thefts," was dispatched to the Boys' Industrial School without further consideration. Nor did the judge seem to consider the concept of a statute of limitations when dealing with a boy's record, as G.S. learned when he appeared in 1915 charged with theft. Although he had last been before the court in 1911, his new offence was treated as part of a continuing pattern and he was sent to the B.I.S. When committing boys, Shaw often specified whether he did so for the boy's best interests, for the good of the community, or both. In such cases, he obviously saw the community good as the more important factor. A ward of the Children's Aid Society, brought before the court as incorrigible, was committed because "the good of the boy and the well being of the community demanded it," particularly since he "had no home and was colored or Indian and it seemed impossible that any person would have been willing to have taken him." 

Judge Bull had taken a different approach in disposing of his cases. Strenuous efforts were made to find employment for the boys and he repeatedly extended probation for violators. He went to great lengths "in hopes of saving [a] boy" who had already spent three years in the reformatory and whose family was frightened "of him doing them bodily harm." In this case, after probation and work had both failed, the judge was still willing to give the boy a chance to attend school as a means of reform. Another boy, P.O., was committed to the B.I.S. for a six-month period, instead of the more usual two-year minimum. Even so, in passing sentence, the judge explained that "it was not his intention to keep strictly to the term, but would allow him out sooner if conditions
were satisfactory."\textsuperscript{22} Bull was juvenile court judge for less than a year, however, during which time he considered only 43 cases, or 7.6 per cent of all those dealt with in this study (N=567).\textsuperscript{23} All further references to the judge will deal with his successor, Shaw, unless otherwise specified.

Shaw considered it his responsibility to observe carefully the terms of the governing federal legislation. He refused permission for a worker from the Women's Christian Temperance Union (W.C.T.U.) to attend court sessions because "it was contrary to the spirit and interpretation of the act."\textsuperscript{24} He occasionally allowed volunteers to attend sessions, however, so he may have been more impressed with the W.C.T.U. worker's perceived lack of tact than with the actual legislation.\textsuperscript{25} In any event, he also denied information regarding a boy's past record to the police from Lynn Valley.\textsuperscript{26} This ban was one of the few instances in which the judge overrode the wishes of the C.P.O.

As C.P.O., Herbert W. Collier was clearly the key person in the court's operation. He was investigator, prosecutor and keeper of children who came into contact with him, as well as court secretary, and administrator of both court staff and the court itself. His influence was so great that he and the court may be considered as one for all practical purposes. In most matters, Judge Shaw was guided by his probation officer's recommendations. Collier, in fact, fulfilled for the Vancouver court more of the intended functions of the judge than Shaw did himself.\textsuperscript{27}

With the demands of his work as magistrate and his personal affairs, Shaw had little time for juvenile court matters. He appeared at the Detention Home a maximum of once a week for the regular court session and would even phone in decisions without appearing if the number of
cases was very small. Advance conferences with the C.P.O. were held only in cases of particular interest. In four years, the judge attended only two meetings of the Juvenile Court Advisory Committee (J.C.A.C.) and these occasions were at the members' request to discuss specific matters. Even then, he left immediately after his addresses to the committee. The C.P.O. filled the vacuum left by Shaw's abdication of his extra duties.

Collier came to the court after fifteen years as a captain in the Salvation Army, where he had been in charge of the social and prison gate department. He had been stationed in Vancouver for at least three years prior to his appointment to the court. City council made it a condition of employment that he resign from the Salvation Army immediately and that Mrs. Collier serve as matron for the Detention Home. The C.P.O.'s general approach to the rehabilitation of young offenders was simple:

The idle boy is father to the idle man.... I regard this court rather as a preventative measure than anything else. My experience has shown me clearly that the unemployed boy leads to the unemployed man, and that the boy who is properly employed at the present time will not be found standing in the bread line in years to come.

Under the Juvenile Delinquents Act, the C.P.O. was given almost unlimited powers over the children under his care. Aside from making recommendations to the judge and the J.C.A.C. regarding their disposition, he was responsible for enforcement of the sentences and the boys' subsequent supervision. Collier decided when children would be charged, when they would be picked up, how long they would be detained, and how they would be treated during detention. His powers extended to parents and all others who had any dealings with juveniles, because under the act, adults could be charged with contributing to delinquency if their associations were considered to be less than wholesome.
During debate on the Act, some senators had expressed concern at granting a probation officer such power over the children he encountered. Senator J.H. Wilson (St. Thomas), for example, argued:

Here we pass an Act to permit a child being taken away from its parents and put in other charge, and who is as solicitous for the welfare of the child as the parent? We put young children in the hands of an officer and that officer has absolute power and control over them. He may do anything under the Act and he is protected.... it is an unreasonable proposition to make, and I am fearful that instead of lessening the criminal juvenile class it will increase them....

Senator R.W. Scott (Ottawa), a defender of the Bill, responded that his colleague's concerns were unwarranted since officers "are selected from people who take a great interest in the child and his welfare." He also said that their duties would be such as to require special consideration:

They go into a home where father and mother are fighting, or perhaps drunkards, and they bring the child away and protect it in order that it may become a valuable member of society. Does the hon. gentleman say that anyone acting in that capacity should not be protected when looking after the vital interests of the child and the well-being of society?

Collier's actions suggested that he considered his most important power to be the right to confine children in the court's Detention Home on Pine Street.

A regulation listing the requirements that had to be met before the Act could come into force in any city described the type of institution that had to be provided as a Home for the "temporary confinement of juvenile delinquents, or of children charged with delinquency." It further stipulated that the Home could "not be under the same roof as, or in the immediate vicinity of" any place where adults were, or might be confined, and stressed that it should "be conducted more like a family home than like a penal institution." Writing many years later, W.L. Scott reaffirmed the position he had taken regarding detention when he
framed the Act. He said:

The child should be ... only in rare cases, detained in custody even by the Court officer.

No child should ever be removed from its home, even temporarily, unless its continuance there is absolutely unsafe for the child and the community. Such cases obviously will be few. Unless home conditions are vicious and deplorable; the offence exceedingly serious; the child, a problem case requiring special study and likely special services; or the assurance of appearance for the hearing doubtful, the child should be left in its home pending hearing. The child is inevitably disturbed at such a time. To disturb it further, by removal to strange surroundings, perhaps for its first night away from home, seems adding to, rather than remedying, its maladjustment. 37

Collier clearly rejected this conservative approach to detention. He viewed the Home as the most efficient, and hence, proper way to teach the boys discipline; study and assess them; and generally influence both them and their parents. He used the facility freely. Boys charged with any sort of criminal offences or as runaways or children "under investigation" were almost always detained, at least until the next regular court session. He and his family resided in the Detention Home and boys on probation were required to report to him there. Children were brought to the Home for interviews and investigation. In Vancouver, at least, it was also the site of the juvenile court itself since, like the detention facility, the court too had to be completely removed from adult facilities.

As Senator Coffey had argued in the Senate debate:

There is that about the very atmosphere of the police court which grates upon the boy nature (sic), and his reclamation will be rendered all the more difficult if he be forced in the by-way of the hardened criminal from whom hope of correct living has fled and whose only ambition is to prey upon society. Call it by what you will, the Children's Court, to the wayward boy, remains the police court so long as the same roof covers both. 38

At court Judge Shaw normally accepted the C.P.O.'s recommendations for further detention and remands of two, three and four weeks at a time were very common. The two had different reasons, however, for their
affinity for the use of detention. Shaw preferred to remand cases in custody so that children could "have the advantage of the home life at the Detention Home." Collier, on the other hand, wanted to detain boys "to cure [them] of some habits." Fifty-five per cent of the 567 boys who came before the court during its early years were detained at the Home. The average period of detention, including boys who were brought in late at night and released the following morning was 39.6 days, hardly the minimal stay legislators had anticipated when they passed the Act. Longer stays were quite common and it was not unusual for boys to spend over 200 days confined at the Home.

The longest instance was A.B.'s 430-day detention, ranging over a one and a half-year period and split by a two-year gap. The boy first entered the system at age eight when he was charged with theft. Although this charge was dismissed "as it was thought that he was not responsible," he was brought in again three months later, this time charged with breaking and entering. He was allowed out of the Home and placed with the Alexandra Orphanage on condition that he continue to attend the Detention Home school. He escaped from the orphanage, however, and was returned to the Home after recapture. He was held there for thirteen months before being released. He then dropped from sight for two years, to reappear charged with theft, and later, breaking and entering. He was committed to the B.I.S. for the latter offence and served three years before he was paroled. Six months later, when he was 14 years old, he was returned to the B.I.S. on a new charge of breaking and entering. The 404-day detention of T.S., whose only offences were single charges of curfew, vagrancy and begging, is more difficult to understand. A truant, he was deported to England at his father's suggestion.
W.L. Scott had been absolutely opposed to the detention facility being turned into a juvenile jail in such a manner. Several years later, he wrote:

Certainly, if detention is necessary it should be for as short a period as possible, and never longer than seven days. While this is the maximum period generally applicable in the fairly involved cases, usually occurring under the Children's Protection Acts, a much shorter period should suffice for initial action in the Juvenile Court.

While Collier obviously did not share these qualms, he did make a point of trying to notify parents within 48 hours that their children were being detained.

The issues of bail and improper detention seldom arose, but Collier invariably backed off when a family with a lawyer brought them up. In one instance, the C.P.O. and the acting police chief arranged to release a boy on $25 bail after a lawyer had demonstrated that since the juvenile court judge was out of town, the detention of a boy on a charge of wounding was improper. A family which simply protested was unsuccessful in moving Collier, as he told them to get a legal firm to take up the matter if they were dissatisfied.

Life in the Detention Home offered few advantages for a child or young man. By special dispensation from the provincial education department and with full approval of the Vancouver School Board, the school operated year round. A "strong room" in the basement held unruly inmates or those charged with serious crimes or attempting to escape. The least sign of insubordination, as in the passing of notes in school, was severely met with corporal punishment. A diet of bread and water was often employed as punishment: a boy who tried to steal food from the staff table, for example, earned for his efforts a Sunday dinner of two
slices of bread and a cup of water. With punishments, Collier most often simply noted that he had "dealt with" the boys, so the incidence of specific penalties cannot be determined. "Committing nuisance" in bed was one of the most frequent offences for which boys were punished. The C.P.O.'s methods of maintaining internal discipline were suggested by his complaints that he "had to keep the boy nearly all the forenoon to get the truth out of him" and that another boy lied until "I got the strap out." In keeping with the government's mandatory home-like atmosphere, bedroom doors were locked at night. The children who taunted siblings of a detained boy because he was "in 'Jail' as they call it," may have been closer to the mark than court personnel were willing to acknowledge.

Despite these anomalies, Collier truly believed that he was providing a proper home atmosphere for his wards. He harshly criticized juvenile courts he visited in Toronto, Winnipeg and Chicago. As he said:

... there was lots of bolts, bars and locks, quite a lot of Police Evidence, and in fact almost a sub Police Court for Children, instead of as he saw it a treatment of what home life should be, work, study, work (sic), recreation, and rest and a generous treatment of parental (sic) fondness generously given, and with an evenness as to time and discipline.

The impact of detention on a boy's family was often severe, and many, on hearing the news that their youngster was detained, advised Collier that they would then require some form of relief to replace his income. The mother of M.L., who was held for five weeks on a curfew charge, explained in vain to the C.P.O. that she needed her son to deliver her work and sell newspapers, particularly since she had a two-week old baby and a husband who did not support the family. Collier's main concern, however, seemed to be whether or not sleeping accommodation was available at the Home and the only children who could be certain of avoiding detention were polite boys who met him at a time when the Home was
already full. Boys with "excellent home conditions" were unlikely to be detained even if space was available at the facility.

As his title suggests, however, the C.P.O.'s primary function remained his supervision of the probation process. Under this procedure, children charged with some offence were brought before the court, but released, with the stipulation that they follow a line of conduct designed to ensure future good behaviour. The introduction and extension of this practice was generally considered to be the central feature of the Juvenile Delinquents Act. In debate on the Bill, frequent reference was made to the attractiveness of this innovation. As one Senator argued:

"... The children who would ... be watched in their homes, and whose parents would also be under the eye of the probation officer, are more likely to grow up with some love for home and regular habits than they would be if this probation officer exercised no supervision over them. ... If these juveniles are to be taken away from the parents and sent to a school, the connection between the home and the child is broken. ... Keep the child with its parents; see that the parents look after him properly, and save to the state the expense of his education, for the parent is the natural guardian of the child ... and in that way you weave into and interfuse into the community the supervision of a court, of a probation officer... of high character, and thus modify and improve the moral or immoral habits of children."
during the week - others were told to report monthly, twice a week, by
mail, or even at irregular and unspecified intervals. The actual time of
reporting was occasionally changed to prevent specific boys from meeting
each other at the Home. Collier was quite insistent that the reporting
condition be maintained faithfully, as shown, for example, by his treatment
of a boy who did not appear one evening because of a bad storm. The
C.P.O. advised him in no uncertain terms that he was to report the
following day with no excuses being accepted.

Reporting boys were given a probation card which had to be signed
by Collier at each meeting. An unsigned card, whether because the boy did
not come or because the C.P.O. had refused to endorse it, usually because
the probationer had arrived late, meant the youth could be detained and
returned to court at any time for a breach of probation offence. E.M.
was committed to the B.I.S. for getting another boy to mark his card after
he failed to report.

Parents who objected to the reporting provision were given short
shrift at the Vancouver Juvenile Court. Judge Shaw supported Collier
completely in this regard and refused to accept requests for cessation
unless they were previously endorsed by him. The two accepted, as valid,
requests based on distance to be travelled or family illness, but had
little sympathy with other reasons. Mrs. J., for example, who asked Shaw
to change the order that her son report, was refused "as the only reason
given was that their pride was injured." The child was caught in the
middle in cases where the parents objected to the reporting, but Collier
continued to demand it.

Other conditions of probation varied from case to case. R.M. was
released on condition "that he go to school every day, be kept from attending picture shows and be attended when necessary to come into the City. Also to attend to Sunday School." In the case of H.L., the boy was forbidden to sell papers or attend plays and required to be in by 9 p.m. each night. In some cases, boys were ordered to stay away from certain companions and to disband gangs. One boy, who was forbidden to engage in professional boxing during his probationary period, was also taken to task for having criticized his treatment while in the Detention Home.

Conditions of probation normally included continued attendance at work or school. In this way, the court caught up other community members in the enforcement procedure. School officials and employers were requested to keep a close watch on the charges and were frequently contacted by the C.P.O., both in person and by telephone, for information on their progress "in case they show any signs of slipping away." As with the reporting provisions, a failure by the boys to abide by these terms could result in a new charge being laid for breach of probation.

Scott had envisioned that the probationary process would be all-encompassing when he drafted the federal legislation. He later wrote: "The Probation Officer must be the friend of the probationer, must know him intimately, his home, school, relationships and environment." But he and all other promoters and court officials seemed to view it as something the child would welcome, because of its protective aspect. There is little evidence, however, that friendships with and deep respect for the C.P.O. did in fact develop, at least in Vancouver. A few "old boys" did continue to seek Collier out for advice, but the attitude of the
"great crowds of boys" who ran off when they saw him approaching was more indicative of the general feeling. Nor was it very uncommon for boys to tell the police that they were over 16 years old to avoid being sent to the Juvenile Court.

The C.P.O. felt free to accost probationers whenever and wherever he wished, whether at home, school or work. The same applied to their parents and acquaintances. At least one employer took objection to this practice, and when Collier began to interview a second employee in his laundry as to the whereabouts of a friend of hers, he "practically ordered me out of the place, said ... that I was delaying his people that he paid wages to." On another occasion, when he was notified that a boy had not appeared at work, the C.P.O. went to the laundry where the lad's mother was employed and made her come to let him into her residence to check if the boy was still sleeping. One mother articulated her resentment of Collier's constant harassment of the family: "As I came out of the door she commenced to say that my actions were driving her to her grave before her time." Needless to say, her despair did not deter him from continuing to monitor her child tightly.

The C.P.O. often had hostile dealings with parents, particularly since he was so sensitive to slights to his authority that he saw insults everywhere. The case of a boy, who reported very late one evening despite a previous warning on that count, illustrates his overreactions. Collier refused to endorse his card and ordered him to appear in the morning with his father. When the father sent word that he had to work, but would come at noon, Collier angrily responded that he need not bother as the matter would go to court for the judge to settle. He wrote: "This man
will have to be taught that the order of the court must be obeyed." 75

In other cases, however, the challenge from parents was clear. When young F.S., who had failed to appear in court on a curfew charge, was picked up and detained at the Detention Home, his parents angrily came to protest. The C.P.O. was out, but the mother threatened to sit on the verandah until 1 a.m. unless he returned to see her. He did so and arranged for her to return in the morning. When he telephoned Shaw about the matter and the judge suggested it be dropped, Collier vigorously objected, warning that the father was the sort "who would make a great deal of talk about beating us, etc." 76 Shaw yielded to his protestations and the father was formally reprimanded when the case came to court. 77

Relations with many other parents were friendly and they often sought out Collier to ask for advice in handling their children and home situations in general. If the difficulty was primarily between husband and wife, he usually attempted to bring about a reconciliation. But if conditions had deteriorated to a point at which that was no longer possible, he referred the injured party to the appropriate agency, usually the wife to the police to lay a charge of non-support. When family circumstances were such that the parent or parents could no longer provide for the children, he sent them to the proper Children's Aid Society. He made arrangements for other people to call on them to assist in cases of illness or lack of food or clothing.

Parents who were having problems with children, most often because they were disobedient and either coming in late or staying away nights, were usually asked to bring them into the Detention Home for a conference.
Collier frequently commented after such meetings that he had had a talk with the boy "and believe he will do better." In some cases, the talk was sobering enough that "when she had got to the D.H. she had repented fast and asked to be given another chance." Other children wept bitterly and asked their surprised and delighted parents to take them back again. In many other instances, the C.P.O. sent parent and child home with instructions for the parents to administer strong corporal punishment. He told a woman with a large boy that if her son resisted, she could get an order from the judge and Collier would administer the penalty. He often complimented such concerned parents for their "earnest efforts to save the boy[s]."

Not all parents who brought their children to the Home were treated in such a warm manner. One couple, whose 15-year-old son had been away from home for a few days, asked Collier "to put him away somewhere. The father was told to go home and rise to his responsibility. He became vexed and went away in a rage." The C.P.O. advised another woman that "she was only too anxious to drop the child." One father who came in to discuss his child was told that "it was unreasonable to talk of a child seven being unmanageable" and then lectured about his personal drinking habits. Collier wrote: "He was a little indignant at first to think that anyone should dictate to a man of his age but finally came down and was willing to be advised." The C.P.O. often walked out on unfriendly parents or ordered them to leave, as in the case of a father who was "unreasonable. I told him at the last that I had no more to say and he would have to go."

Collier's relationships with boys began with the same premises as
with their parents. His authority had to be recognized and accepted in toto. He remarked that he had expected to settle satisfactorily the case of a boy who was sleeping out nights and was accused of petty thefts, "but as the boy was so stubborn it was decided to hold him to try to get a statement from him." The C.P.O. made the same assumptions when deciding how to deal with curfew violators: "... as none of these children offered any resistance I did not take their names." When a neighbour told him that the family of one of his wards "simply make a joke of the system under which we have been trying to regulate Bob's conduct," the boy was committed to the B.I.S. the following day. This was despite the woman's concern that "she does not want to be called into Court, but every word she says is perfectly true."

Collier's easily-aroused indignation also often showed itself when dealing with C.J. South, Superintendent of the Vancouver Children's Aid Society. But in these instances he was unable to brazen his way through since South was as powerful in his own realm as the C.P.O. was in his. The two cooperated a great deal, as their work frequently complemented each other's. In these cases, Collier was usually the first on the scene in a home and decided that conditions warranted calling in South or his Roman Catholic counterpart, J.S. Foran. The C.P.O. then did most, if not all, of the required investigation, brought the children to court as neglected, and had them formally committed to the Society. The youngsters usually stayed in the Detention Home during these proceedings. The overlap was so great that the two officers met in July, 1914, to consider making a joint request to the provincial government for the appointment of a Superintendent of Neglected and Dependent Children. They agreed that if
city council approved, the new official would be attached to the juvenile court rather than to the C.A.S. Problems arose between the two whenever South decided, as he frequently did, that he was not interested in a case. The problem, for example, of a three-month old baby living in a poor situation with its unmarried 17-year-old mother and an older man did not interest him at all, probably because of the additional expense the Society incurred when it had to deal with a baby. In this instance, Collier, who already had more than enough work of his own to do, had to contact various women in the community and ask them to take the matter in hand. Another instance in which South "absolutely refused" to act, and even walked out of the room to avoid discussion of it, involved a six and an eight-year old whom Collier found in "rooms filthy beyond description - several whiskey bottles, a bitch with seven puppies occupying bed with the children and all of the bloodstains from where they had been born in the bed...." The children's mother was a native Indian, and the C.A.S. superintendent, who had always refused to accept children he considered to be undesirable, told the C.P.O. to advertise their problem in the press. After consulting with Judge Shaw, Collier took the children to the Detention Home where he held them for two weeks until South was persuaded to accept them. Tensions between the two officials were aggravated when the superintendent began to refer complaints, such as those involving child-beating cases, to his court counterpart. Collier protested "that it was CA work pure and simple," but agreed to investigate the reports. The C.P.O. was also forced to negotiate, rather than order, in his dealings with the city police. The actual relationship of the court to
the police is clouded. Although they were established as two separate civic departments and the legislation governing the court stressed that it was to be kept almost completely separate from the other, Collier frequently appeared to accept orders from the Police Chief. This usually occurred in minor cases, often involving very young children, where the C.P.O. had decided not to bring the matter into court. He reversed his position several times in cases of this nature on instructions from the chief.97 Such actions suggest that he, in some way, viewed himself as a subordinate of the police. It is possible, however, that Judge Shaw, who was technically his supervisor, may have advised him that he would support the police position in this sort of dispute.

There was certainly nothing of the underling in the way Collier attacked any police officer who continued to deal with juvenile cases in the time-honoured manner of reprimanding them and sending them on their way. He protested in definite terms that the responsibility for such decisions rested with officials of the juvenile court.98 The Deputy Chief agreed with his assessment of the situation, saying that he thought the officer had acted in error in sending the child home "as he considered we should have an opportunity of dealing with all juvenile matters before being disposed."99 When similar episodes recurred, the chief was quick to advise the C.P.O. that no one had acted with any thought of passing him by.100 On the whole, however, Collier enjoyed very good relations with the police.

The same cannot be said of his dealings with the third arm of the court system - the Juvenile Court Advisory Committee (J.C.A.C.). Under the Juvenile Delinquents Act, provision was made for a committee from the
local Children's Aid Societies to consider each case and make recommendations for its disposal. As the Attorney-General put it: "The judge would have the advantage of consulting with a committee.... This committee was a most important factor in the work." A row immediately erupted in Vancouver because the C.A.S.'s were specifically required to provide the committee membership "despite the fact that these two societies had not been very active in the promotion of the act." Such associations elsewhere in Canada, most notably in Ottawa, Ontario, had been instrumental in bringing the act into being.

In Vancouver, however, the Juvenile Protection Association had been agitating for juvenile courts since 1907 and felt its members should form the committee. As one member observed, "the association might as well disband if it were not allowed to conduct the juvenile work which it had begun." Their concern with the "awkward situation that has arisen" was shared by others with special knowledge of the legislation. J.J. Kelso advised the association:

When the Dominion Act was being framed the thought never occurred to me that there would be any difficulty of this kind, and there certainly should have been a clause stating that where a society is specially organized to deal with youthful offenders it shall be given the full status of a children's aid society....

W.L. Scott, who actually drafted the Act, suggested to Kelso that the problem need not arise since the term C.A.S. was not defined: "It appears to be reasonably clear that the 'JPA' is a 'CAS' within the meaning of the Act." The Attorney-General tried to evade the issue at first by saying he was bound by the terms of the federal act. But he soon yielded to pressure and reorganized the J.C.A.C. to include two delegates from the J.P.A.
The Committee's operating premise was that "it is wiser and less expensive to save the children than to punish the criminals." The members met weekly to discuss the cases for the next court schedule. They made recommendations for disposition of most children, although they did not venture to make suggestions as to how to deal with the most serious offences. Like Collier and Shaw, they favored frequent and lengthy periods of detention. They also recommended corporal punishment or deportation as favored methods of treatment, but this advice was usually ignored. Members devoted considerable time to trying to find positions for the boys who came before the court. After two months of operation, they put out a call for volunteers to help them and the C.P.O. by procuring situations and finding foster homes and clothing for the destitute. A few volunteers were used, but most work continued to be done by the appointed J.C.A.C. members. The C.P.O. occasionally had the Committee assist him in cases where extensive investigation of home circumstances was required. On two occasions, members had boys examined by the superintendent of the provincial mental hospital. As described in Chapter III, they spent much of their time on campaigns to change community standards with regard to children's range of experiences.

Despite their relatively innocuous activities, friction soon developed between Collier and the Committee. In other cities, similar antagonisms also destroyed the J.C.A.C. potential. As Scott explained in retrospect:

It was thought by those who framed the Act that a Juvenile Court Committee would prove extremely useful, if not indeed actually necessary to the proper functioning of the Court. Nor was this notion based solely on theory.... Unfortunately the idea of a Juvenile Court Committee did not eventually prove popular and few of them are now [1927] existing in Canada. The result appears to have been
chiefly due to a tendency to friction between the judge and the committee.\textsuperscript{111} Judge Shaw had minimal contact, friction or otherwise, with the J.C.A.C. and seemed to favor members' involvement in the court process.\textsuperscript{112}

Disputes with Collier were more frequent, although they were seldom serious enough to be noted. Nonetheless, the C.P.O. made his attitude apparent when he omitted all reference to the J.C.A.C. in the court's first annual report. When challenged on the matter, Collier "assure[d] the committee that there was no discourtesy intended and if the committee would bear up in this future reports would be submitted to them for consideration before being printed."\textsuperscript{113} The members did "bear up" but the incident must have rankled, particularly considering the amount of time some were devoting to the work.

Their dissatisfaction showed itself three weeks later when they challenged Collier's routine procedures. J.S. Foran, superintendent of the Children's Aid Society of the Holy Rosary, raised "questions as to the action of the P.O. (sic) in referring matters in connection with the court, to the judge first, instead of the Committee, and their findings to the Judge."\textsuperscript{114} The matter was glossed over, but the next issue on the agenda also caused a dispute. In that item, Collier recommended that his brother from Toronto be appointed to replace the retiring Assistant Probation Officer. When Foran, along with others, asked "what steps if any had been taken to secure the services of a resident man," the C.P.O. simply responded that "there was not any."\textsuperscript{115} His brother was approved since the position had to be filled immediately.

Collier's general attitude toward lay involvement with the juvenile court was made clear in his dealings with the general public.
When one man called the Detention Home to get the names of J.C.A.C. members, the C.P.O. refused to give the information until the caller explained at length the reasons for his request. He was finally given the name of the committee chairman. In another instance a doctor and "a couple of preachers" came regarding one of the boys who was being detained. Collier informed them "that we very well knew our work and resented interference, that the best interests of the future of the boy would be considered." As committee members became demoralized, they grew less and less enthusiastic about their commitment. A motion was made "to have weekly meetings discontinued and monthly meetings ... substituted or when necessary." The motion was not endorsed as it "appeared to be not in accord with the act," but regular meetings began to grow shorter and shorter. Members' confidence in the value of their contributions was further shaken when the mayor declined to resume the practice of appointing a council member as delegate to the J.C.A.C. He responded that "the councillors are very busy men and could not attend. And that all confidence had been shown in the past, and would no doubt in the future, in the efficient work being done and in those carrying it out." Despite "great praise" from Collier for the committee's role in getting approval and funds for a new extension to the Detention Home, relations deteriorated further. The predictable crisis arrived on March 29, 1915, when the J.C.A.C. simply voted to discontinue meeting. Members retained their interest in the court, however, and the issue came up again three years later when amendments to the provincial Infants Act were being considered. Referring to the Vancouver court as
a "one man machine system," Foran wrote to the Attorney-General regarding the Act's court clause:

What we mean in this is that Mr. Shaw and Mr. Collier ... have sidestepped the custom and practice ... wherein the probation officer's recommendation to the Court in the case of the child, was formerly reviewed by the Committee, they have changed that and there is no protection for the child between the probation officer's recommendation and the court's action.\(^2\)

Foran was correct in this because although committee members often urged stern punishments, they brought a different perspective to the work. When referring, for example, to a runaway who was a constant source of concern to them, they humorously noted that "Andy has again evaded the vigilant eye of the probation officer, but is expected to turn up again soon."\(^2\)

It was not the sort of comment that Collier, who would have been ordering his staff to use all diligence to find the boy, would have made.

The foregoing all serves to illustrate how very far the juvenile court system, as it operated in Vancouver, deviated from the system envisioned by the people who wrote and promoted the *Juvenile Delinquents Act*. In the name of protection and reclamation, children lost some of the rights they used to have before the law and were placed under the almost absolute control of well-meaning people who sought to force new attitudes and life-styles on them. Using as a reference the framework established by those who initially granted them, the court powers were seriously abused by Vancouver court personnel. Any apparent successes in terms of reducing the numbers of children who actually became criminals must be considered with this in mind.
Footnotes to Chapter II


2. Quoted in Senate, Debates, May 21, 1908, p. 977.

3. Ibid.


5. Senate, Debates, May 21, 1908, p. 976.


7. Senate, Debates, May 21, 1908, p. 976.


10. Ibid., Sept. 29, 1931, pp. 6, 10.

11. Ibid., p. 6.


13. Ibid., April 28, 1914.


15. Ibid., Oct. 1, 1913.


18. Committed Nov. 11, 1914, see my file I-2-A.

19. Committed Aug. 25, 1911, see my file I-472-A.

20. J.S., committed Sept. 19, 1919, see my file I-460-A.

21. Minutes, Aug. 10, 29, 1910, see my file I-431-A.

22. Minutes, Nov. 21, 1910, see my file I-381-A.

23. N is the symbol for the total figure on which a percentage is based.

25. Ibid., Sept. 16, 1913.
26. Ibid., Nov. 4, 1914.
27. Scott, The Juvenile Court..., p. 40.
29. Minutes, Nov. 27, 1911; March 15, 1915.
32. Ibid., April 18, 1912, p. 2.
33. Section 28.
34. Senate, Debates, June 4, 1908, p. 1044.
35. Ibid.
37. The Juvenile Court..., p. 37.
38. Senate, Debates, May 21, 1908, p. 976.
41. See my file I-70-A.
42. See my file I-442-A.
43. The Juvenile Court..., p. 37.
44. Day Book, Aug. 7, 8, 1913.
45. Ibid., Oct. 2, 1914.
46. Minutes, June 3, 1912.
47. Day Book, Feb. 4, 1912.
48. Ibid., July 8, 1914.
49. Ibid., Aug. 15, 1914.
50. Ibid., June 11, 1913.
51 Ibid., March 21, 1911; Feb. 5, 1914.
52 Ibid., July 9, 1914.
53 Minutes, Oct. 14, 1912.
54 Day Book, Dec. 5, 1912.
55 Ibid., June 21, 1912.
56 Ibid., Sept. 28, 1911.
57 Senate, Debates, June 16, 1908, pp. 1154-1155.
60 Ibid., May 6, 1914.
61 Day Book, June 17, 1914.
62 Ibid., June 2, 1912.
63 Ibid., Aug. 19, 1914.
64 Minutes, Sept. 12, 1910.
65 Ibid., March 6, 1911.
66 Ibid., Jan. 19, 1911; Day Book, Sept. 27, 1911.
67 Day Book, April 8, 1914.
68 Ibid., April 28, 1914.
69 The Juvenile Court..., p. 42.
71 See my file, G.L., I-261-A.
72 Day Book, May 23, 1913.
73 Ibid., Oct. 1, 1912.
74 Ibid., March 8, 1914.
75 Ibid., Dec. 31, 1913.
76 Ibid., Oct. 7, 8, 9, 1914.
78 Ibid., Dec. 3, 1914.
80 Ibid., Dec. 15, 1912.
81 Ibid., July 4, 1914.
82 Ibid., April 14, 1914.
83 Ibid., Aug. 17, 1912.
84 Ibid., Sept. 11, 1913.
85 Ibid., Oct. 14, 1913.
86 Ibid., Oct. 15, 1913.
87 Ibid., Sept. 5, 1914.
88 Ibid., Jan. 23, 1912.
89 Ibid., Aug. 16, 1913.
90 Ibid., Oct. 21, 1913.
91 Ibid.
92 Ibid., July 9, 1914.
93 Ibid., June 19, 1913.
94 Ibid., April 17, 1914.
95 Ibid., April 30, 1914.
96 Ibid., Feb. 2, 1914.
97 Day Book, May 16, 1911.
98 Ibid., Nov. 30, 1914.
100 Ibid., Nov. 30, 1914.
101 Victoria Daily Times, Feb. 5; 1910, p. 10.
102 Province, Feb. 16, 1910, p. 9.
104 J.J. Kelso to Mr. Healey, J.P.A., May 10, 1910, in Wade Papers, Vancouver City Archives.
105 Ibid.
106 W.L. Scott to J.J. Kelso, May 10, 1910, copy enclosed with Ibid.
109 Ibid.
110 Minutes, March 11, 1912; Feb. 6, 1911.
111 The Juvenile Court..., p. 11.
112 Minutes, Nov. 27, 1911.
113 Ibid., April 1, 1912.
114 Ibid., April 22, 1912.
115 Ibid.
117 Ibid., Oct. 25, 1913.
118 Minutes, May 13, 1912.
119 Ibid., May 20, 1912.
120 Ibid., Feb. 17, 1913.
121 Ibid., May 26, 1914.
122 Ibid., March 29, 1915.
123 J.S. Foran to A.G., March 21, 1918, in A.G. Correspondence, File 1026-12-18.
124 Minutes, May 1, 1911.
CHAPTER III

THE COMMUNITY GUARDIAN

Collier and members of the J.C.A.C. firmly believed that the entire community had a role to play in the reclamation of wayward youth and in preventing future delinquents from developing. The involvement, as they saw it, consisted in providing a morally safe environment in which young people could live. Court personnel viewed themselves as the catalysts for steps to raise general standards of conduct. Their guiding philosophy from the start was "to take up matters of general and particular interest to the betterment of the lives of the Children."¹ Such a broadly construed mandate brought practically all things within the Juvenile Court's purview.

Despite some frivolous ventures, the Committee and Collier displayed a persistent determination to take specific active steps to circumscribe tightly the freedom of activity of juveniles. Their major interests during the early years were school attendance, curfew, and a campaign for establishment of a Girls' Industrial School.² These efforts, however, by no means exhausted their activities. An observer at one of the J.C.A.C. meetings may have best described the extent of their efforts at control when he:

... expressed his great pleasure in what he had seen and heard and compared the conditions of the present where so many people were interesting themselves in bettering the lives and conditions of the youth of today compared with his earlier days. The wonder is how did the children escape from the environments.³

Since the speaker was in full sympathy with actions taken by the Committee, his comment was not tendered in a facetious vein. Collier and the Committee worked together very closely in their efforts at
community control and it was often difficult to determine precisely whether he was operating at their behest or they at his. In any event, the tensions that strained their working relationship in other areas did not develop in this one.

The key to activity of the court in regulating adults in the community was Section 28 of the Juvenile Delinquents Act, under which it was an offence to contribute to the development of delinquency. This crime ranged from actively assisting a youth in improper activities through less obvious encouragement of the acts and even extended to simple knowledge of a juvenile offence. Some concern over the wide-ranging implications of the clause had been raised during Senate debate on the Act, but it had been explained that the section would not be used unless a person actively encouraged, aided or assisted a child to commit a crime. Collier, with the Committee's support, interpreted this provision very freely. The Committee even discussed appointment of a special prosecutor to handle charges laid under this section, but no concrete action seems to have come from the proposal.

Collier found the clause particularly helpful when trying to deal with school attendance. Probation staff and the school board's three school attendance officers worked together quite closely on this general problem. The involvement with truants was a constant, if frustrating, affair for probation staff. Children found out of school were questioned and sent to classes after their names and addresses were recorded. A fuller investigation was made if the child was not already registered at some school. In both instances, full reports were made to the school attendance staff.
The policy of close cooperation between the two enforcement agencies had been initiated by Collier as soon as the court was established. James Inglis, Chief Attendance Officer, gradually recognized the value of an ally and in October, 1911, had gone through the Juvenile Court records "to see how many of the Juvenile Delinquents there registered have previously been dealt with for truancy." The confidentiality clause often invoked to deny information to others was not applied in this instance. Aside from the almost daily contact between the two departments, there were further formal meetings held to discuss methods of improving school attendance. In April, 1912, Collier met with School Superintendent W.P. Argue and the full attendance staff regarding "an agreement whereby we could keep better tabs on truants." There was no reference to details of the plan and day-to-day operations seemed to continue as before. In early 1913, however, Inglis provided the Detention Home with a section of filing cabinet to hold the records of "absentees who are reporting."

The limited action taken by the court against truancy did not mean that it was perceived as a minor problem. Superintendent Argue, who was also a J.C.A.C. member, expressed the majority feeling during one of the Committee's frequent discussions on the topic:

He spoke as to the early failures of children, gave statistics to show that a very large proportion of the delinquents were truants at school, and expressed his view that if we could apply our system to the truants very many cases would be prevented from delinquency. The difficulty, as the court saw it, lay in the fact that truancy was not a crime in its own right. Under the Public Schools Act, the failure of children to attend school was a parental offence. Parents who neglected to send their children to school, employers who hired them,
or theatre managers who admitted them during school hours could be prosecuted under appropriate legislation, but action could be taken against the children themselves only if the parents would charge them with incorrigibility. The Juvenile Court was generally not concerned with employers and considered the sanctions against parents and others to be inadequate. Their preferred solution was for the government to make truancy a delinquency. The J.C.A.C. members explained their rationale during consideration of the case of a boy who was not registered at school and whose parents had been fined the maximum five dollars when they were prosecuted after repeated warnings. Members observed that "in this case it was shown that truancy was not a delinquency. If it was, action could be brought against the parents for contributing to delinquency." 11

Although the gap in the array of legislation made it difficult to take steps against a child whose only misbehaviour was truancy, his immunity vanished once he committed any other offence, however minor. A frequent course of action in such cases was to confine the child in the Detention Home for two or three weeks, during which period he would be under discipline and would attend the institution's school. Continued attendance at school was normally made a condition of parole or suspended sentence when the child was released. Confirmed truants were usually required to attend the Home's school for several months before being allowed to return to their regular classes. For all students, however, improper absences became breach of probation offences because attendance had been made mandatory by court order. Likewise, parents of the boys were then subject to provisions of the Juvenile Delinquents Act as well
as the Public Schools Act for their role in permitting the truancy. The C.P.O. sometimes took advantage of such situations to force parents to declare their children incorrigible in order to protect themselves from prosecution. But legislative change remained the preferred solution and the subject of continued agitation by court personnel.

The curfew question, unlike truancy, was one that was already entirely within the Juvenile Court purview. It was also the single issue that absorbed more attention than any other during the court's early years. City Bylaw No. 576, passed in October, 1907, under enabling provincial legislation, prohibited children under the age of 16 years from being out between 9 p.m. and 6 a.m. unless bearing messages or accompanied by a guardian. But although remaining on the books, curfew was no longer enforced by 1910. Lack of enforcement was seen intermittently as a problem even prior to establishment of the court. In April, 1910, for example, the Mayor warned that it might be necessary to remove theatre licences from offending establishments. He said: "Complaints have been made that many of the children who offend in this respect do so through the inducements held out by the dime novelty and moving picture theatres." Pressure was not consistent enough to force a reversal in the police policy of ignoring the curfew, however, until Collier turned his attention to the matter.

The C.P.O. always enforced the bylaw himself and believed other enforcement bodies should do the same. Soon after his appointment, he began to lobby the police and the mayor to persuade them to make his position official policy. He appeared to have succeeded in March, 1911, when the mayor ordered Police Chief Chamberlain to resume curfew
enforcement.\textsuperscript{14} At first, there was an immediate improvement in the situation in that there was a reduction in the numbers of children on the streets late at night. The impact faded, however, and a year later Collier was again pressuring for more assistance in enforcement. After he asked that "constables give more street attention to boys being on the streets after 9 p.m.," senior police officials pledged renewed cooperation.\textsuperscript{15} While accepting this, Collier thought that the real solution was for the bylaw to "be made substantially stronger than it is now."\textsuperscript{16} He did not record the specifics of his proposal, but when he put his view to the mayor and the entire Police Commission, he succeeded only in having another announcement made that the curfew was to be officially reintroduced.\textsuperscript{17}

Pressure for a stronger bylaw was maintained, but in the interim, court personnel tried a new approach in the curfew struggle - a bid to have an officer appointed to deal exclusively with curfew matters. Collier both initiated this proposal with the J.C.A.C. and provided the main impetus for the ultimate appointment of such an officer.\textsuperscript{18} The Police Chief gave it his unqualified support, calling the position "a necessity."\textsuperscript{19} Nor was there any dispute between the police and the court regarding the correct status of such an official. Deputy Chief Mulhern said the curfew officer would have to be attached to the probation rather than to the police department "as they [police] could not possibly give it the attention it required."\textsuperscript{20} It appeared as if there was no opposition to the appointment and action was very swift despite a civic election necessitating its approval by two separate city councils. Curfew Officer Arthur Capon assumed his duties Feb. 11, 1913, only nine weeks after Collier had first made the suggestion.\textsuperscript{21}
Capon's day began around 11 a.m. when he reviewed the previous evening's work with the C.P.O. He then called at the homes of many of the children whom he had ordered off the streets. These meetings were utilized to determine the characters of the homes, to advise parents of the risks their children were running in violating the bylaw, and to warn recalcitrant children and parents alike of the need for reform. He went on to check theatres to ensure that children's hours were being observed. As curfew officer, he was also responsible for checking hotels and lodging houses to be certain that no juveniles were staying there. His most obvious duties did not even begin until the fire department's curfew bell sounded at 9 p.m. From then until shortly after midnight, he went about the downtown streets, arcades, theatres and any places that boys might be frequenting. In most cases, he warned them of their violation and ordered them home immediately; many others had their names and addresses recorded before they were sent on their way. If the children were particularly small, the officer usually escorted them home. He took boys to the Detention Home for investigation if their appearance suggested they had been away from home for an extended period of time.

The new official's work was successful in that it greatly reduced the number of juveniles on the street at night. Collier frequently recorded remarks about curfew offenders and the quality of his comments changed significantly by the time Capon had been at work for about six months. From then on, Collier often remarked that he had been "much struck with the absence of children in the street, showing off the good work of the curfew officer." 22 This result was accomplished even though
probation officials were not quick to rush curfew violators and their parents into court. As with many of their prerogatives, they preferred to use threats as a means of producing the desired results. In Capon's first eleven weeks, for example, he reported that he had personally taken notes on 729 violators, an average of 9.5 per night. Of these, he paid follow-up visits to the homes of 307, or 42 per cent. During the same period in the Juvenile Court, however, only eleven such charges were filed, that is, only 1.5 per cent of the violators he actually reported.23 The number of children spoken to and sent home was really much higher than those reported, since all court officials and police officers could and did deal with violators without bothering to identify them, and even Capon himself usually recorded less than half of those he encountered.

Although Capon's nightly patrols reduced the urgency for a new curfew bylaw, Collier continued to press for amendments. He slowed his campaign only after the city solicitor warned that if he formally wrote to council about the matter at that stage, the attendant publicity to the existing bylaw's shortcomings could do his cause more harm than good. Solicitor Hay recommended that changes could more easily be made without publicity in the next amendments to the Street Traffic Bylaw.24 As Collier was already well-occupied with other campaigns, he accepted this argument and temporarily let the curfew issue rest, leaving himself more time for attention to the many other areas of community life in which he and the J.C.A.C. had involved themselves.

Some of the areas were clearly peripheral to their youth work. For example, the sending of a delegate to a committee "working on immoral literature" may have legitimately represented the J.C.A.C.'s moral
support for the cause. But the act also indicated an unconsidered response to involvement in all forms of general community improvement rather than any particular commitment to that issue. On the other hand, Collier's warnings to a commercial photographer to cease taking pictures of boys "with pipes in their mouths" or to another "to stop taking pictures of small boys without their parents" were not simply isolated incidents. They were, rather, part of the court's determined effort to make large-scale changes in the extent of the freedom of activity previously accorded to juveniles.

Although all minors were already subjected to numerous legal disabilities, these were initially generally potential rather than actual. The enforcement of compulsory school attendance was an example. Officials originally concerned themselves with regularizing attendance patterns of children who were already registered before trying to impose the law on those who resisted totally. Similarly, court personnel sought to standardize juvenile activities by extending enforcement of officially-accepted limits to all elements of the community.

Seen in light of this ultimate goal, actions to restrict the sale of questionable postcards and to enforce actively the federal Tobacco Act prohibition on the sale of cigarettes to juveniles were predictable. This also applied to the bid to limit the use of the entertainment arcades and pool-rooms by youths. The pressure to control the sale of regular and air-guns to minors was in the same vein. The reasons for other activities were less obvious, as in the case of Collier's concern that messenger services located in the segregated [red-light] district might decide to begin employing young people. At his urging, the police
warned the companies and advised all madams in the district not to allow any deliveries to be made by boys.\textsuperscript{32} His campaign to ensure that bellboys in hotels would not be used to serve alcohol to guests resulted in one boy losing his job and the drafting of a proposed legislative amendment that would make it illegal for anyone under the age of 21 years to do such work.\textsuperscript{33} In these latter cases, the C.P.O. was clearly looking for any sort of potential for an undesirable situation rather than responding to actual situations.

Concern over the number of thefts by boys led to sanctions against people who made any sort of purchases from juveniles. The J.C.A.C. discussed the possibility of adopting a licensing system for pedlars and junk dealers to ensure that they would be prohibited from such transactions.\textsuperscript{34} At the Committee's urging, city council disregarded a warning from its solicitor that such a ban would be \textit{ultra vires} as a restraint of trade, and passed a bylaw prohibiting second-hand dealers from buying from children under the age of 18 years.\textsuperscript{35} Collier used the bylaw frequently, laying charges against merchants who ignored its provisions, particularly if the goods they had bought were later found to have been stolen. It is interesting to note that in such situations dealers were charged under the bylaw, while boys who bought items from one another were charged with the more serious criminal offence of receiving or retaining stolen goods.

Like the ban on the use of second-hand and pawn shops, the clause in the Lodging House Bylaw prohibiting operators from renting rooms to juveniles without reporting them to the police or the C.P.O. struck hardest at the independence of working youths.\textsuperscript{36} The ban was enforced
in such a casual manner that some proprietors seemed legitimately unaware of it until the curfew officer began his work. Enforcement of this bylaw then became his responsibility and he had cards for recording young guests printed and distributed to most hotels and rooming houses. He made the rounds daily to pick up the cards and question any boys who were staying on the premises.

The curfew officer was also given much of the responsibility for enforcement of laws governing attendance at movie theatres. The struggle to force theatre operators to restrict access to children had been going on since the court was first established. At that time, the probation staff’s main concern had been that no unaccompanied minors were admitted during school hours or allowed to either enter or leave after the curfew hour. To this end, Collier spent much time checking theatres, sending youthful patrons home and warning and trying to persuade operators to help with child control. Some of the theatres entered into agreements with the C.P.O. stipulating that they would not sell tickets to boys after 7:30 p.m. to ensure that they would be out and on their way home by curfew.

Collier’s involvement with theatres provides one of the clearest examples of the way in which overall community standards were affected by the perceived need to protect young people from bad influences. Prior to the advent of provincial film censorship in 1913, responsibility for control rested with the municipal authorities, specifically the licence inspector in Vancouver. As this was only one of his many duties, the inspector frequently asked Collier to replace him in his capacity as censor. On many other occasions, the inspector and the C.P.O. jointly
viewed and dealt with productions. The need for an official censor was raised from time to time by the J.C.A.C. and the J.P.A. The beginning of provincial movie censorship removed the issue of film content from Collier's jurisdiction and further relieved him by providing clear, enforceable rules for theatres to follow with regard to admission of juveniles. Under the new regulations, unaccompanied children under 14 years could not be admitted after 6 p.m. The school-hours ban remained in effect.

During the court's first years, and particularly prior to disbanding of the J.C.A.C., court workers engaged in several other minor schemes to improve the lot of Vancouver children. A labour bureau exclusively for boys was started, but proved ineffective and was soon dropped. Pleas were frequently made for someone to establish a well-run boarding home for boys, although court officials displayed only antagonism when two women actually tried to set up such an institution. The question of establishing a training ship, where boys could learn discipline and maritime skills, also came up at least once a year. One Committee member even wanted to develop some arrangement for "children to have opportunity of a Bank Account" to teach them thrift.

Court personnel, and particularly Collier, met with strong and successful opposition to only one of their serious proposals - the control of newsboys. Young boys worked as hawkers for older youths and men who had newsstands. With frequent "extra" and late "final" editions, the boys were often on the streets until late at night. They had their own favorite "newsboy haunts" and often engaged in gambling, fighting and flirtations while waiting for papers at the rear of newspaper offices.
The control of newsboys was a recurring issue in British Columbia because the boys "from their office were exposed to numerous temptations which yielded to, tended to land so many boys in the reformatory." Collier had clear authority to deal with any boys he caught gambling, creating a disturbance, or those under 14 years who were out after curfew, but the others evaded his control.

The C.P.O. proposed a system of badges and licences to correct this situation, which he viewed as unsatisfactory. Unlike other youths, however, the newsboys were organized and Collier had to deal with their association as well as his usual lobbying with city council, the police department and the Police Commission. He met with the "king of newsboys" and got his endorsement for the scheme. The advent of World War I disrupted normal municipal business, however, and the proposal was not implemented during this period. The C.P.O.'s good relations with the newsboys faded when the war increased the number of special editions and he proposed to enforce the curfew rigorously even against them. At this juncture, the police refused, warning him that such a course was inadvisable.

References to this dispute are sketchy and while the police may have based their advice solely on a concern for the availability of war news, it seems reasonable to assume that newsboy organization was at least partially responsible for the decision. This was the only recorded instance in which anyone, other than families or business proprietors such as theatre operators who were being directly and adversely affected by activities of the probation staff, objected to any activities of the Vancouver Juvenile Court.

As extensive as the interests of court personnel were, there were
two major areas of child life with which they did not concern themselves - the school and the "regular" workplace. Compulsory attendance at school until the age of 14 years, unless in special circumstances, had been required in the province in stages since 1872 by the Public Schools Act. Child labour on a wide scale in industry and commerce had been checked by the Factories Act in 1908. This act prohibited employment of boys under 14 and girls under 15 years old by non-seasonal firms with at least five employees. The Vancouver Juvenile Court system did not concern itself with the regular conduct of children while at school or at most types of work, even if the latter were illegal. There appears to have been no contact whatsoever between court officials and the Factories Inspector during the court's first five years of existence. The court's concern with children improperly absent from school, working on evening schedules or in street trades, and all juveniles during all free hours thus completed the circle of controls on youth that had been started with the imposition of compulsory education.

Within five years of establishment, the Vancouver Juvenile Court had managed to institutionalize new community attitudes towards permissable juvenile behaviour and to restrict significantly the freedom of activity of youngsters. The impact of the new restrictions on schoolboys was not great since they merely put into effect many constraints that had been presumed, even if not enforced before this time. The situation regarding working youths was quite different, although legislation subjected them to the same restraints simply because of age. The J.C.A.C. and Collier's intervention in community organization had both a nuisance and an economic impact on these boys.
The impact was demonstrated by the case of R.S., a fourteen-year-old labourer who had moved to Vancouver from Vernon six weeks before his encounter with the C.P.O. Collier met him while the boy was at the street railway depot waiting for a car home after the curfew officer had ordered him off the streets. In response to questions, he explained that he lived in a rooming house, had a father living in West Vancouver, and had just quit his job because the pay was too low. The C.P.O. ordered him to keep in at night and to bring his father to the Detention Home for a discussion. He also had Curfew Officer Capon personally escort him home. When the boy came to the Detention Home, Collier ordered him to try to get his old job back and told the father to get medical treatment for the boy's paralysed hand.

Parents were similarly limited by actions of the court. In many instances they were denied needed family revenue because their children were forbidden to work as newsboys and faced additional costs because the boys were required to attend school. They lost the economic and emotional advantage that accompanied their children becoming adults for all intents and purposes at the age of 14 years. Parents who had children who came into contact with the court further lost their former privacy and independence as they also came under the court's orders and the C.P.O.'s scrutiny.

There is no indication that the new community watchdogs associated with the court ever stopped to consider that they were seeking to impose on all children and parents, standards of conduct that had no relevance for most of them. This is despite the fact that court personnel were well aware that schoolboys and potential schoolboys were not their only
clients. The activists' blindness in this regard is a strong testimony to the degree of bias they held for their personal life-styles. What is even more revealing, however, is the fact that apart from the families directly affected, almost no opposition developed to the new community standards for youth. This suggests that the judge, the C.P.O. and the J.C.A.C. enjoyed a remarkable degree of community support for their activities. This support must be balanced against their assault on the independence of all children, and working youths in particular, when assessing the positive and negative aspects of formation and operation of the court.
Footnotes to Chapter III

1. J.C.A.C. Minutes, April 24, 1911.

2. The latter campaign will not be treated as this study is dealing with the Court only as it affected juvenile males.

3. Minutes, July 31, 1911.

4. Senate, Debates, June 4, 1908, p. 1045.

5. Minutes, April 3, 1911.


7. Ibid., April 22, 1912.

8. Ibid., Jan. 24, 1913.


10. B.C. Revised Statutes, 1911, Ch. 206, s. 140-142.


12. Bylaw regulating occupation and conduct of persons in or upon Avenues, Streets, Lanes, etc., and providing for control of same.... The bylaw is no longer extant. The enabling provincial legislation was the Curfew Act, 1907, Ch. 13.


15. Ibid., May 30, 1912.

16. Ibid., June 24, 1912.


18. Day Book, see entire month of Dec., 1912.

19. Ibid., Dec. 17, 1912.

20. Ibid., Dec. 12, 1912.

21. The only recorded biographical information regarding him is that he was previously employed by the B.C.E.R.

Statistics compiled from Minutes, Feb. 24, 1913, through May 26, 1913, and Day Book for the same dates. This period was used because it was the only time for which relatively detailed curfew officer statistics were reproduced.


Minutes, March 13, 1911.


Day Book, March 25, Nov. 10, Aug. 24, 1911; Sept. 12, 1912; June 24, 1913; and Aug. 19, 1914.

Ibid., June 12, 1911; Aug. 24, 1912; Nov. 12, 1913; and Sept. 24, 1914.


Ibid., April 23, 1912.

Ibid., May 7, 1912.


Minutes, Sept. 12, 1910.

Ibid., Nov. 28, Dec. 12, 1910, and Day Book, July 31, 1911.

Minutes, July 5, Aug. 17, 1910, and March 27, 1911.

Day Book, March 14, 1911.

Ibid., Feb. 22, 1913.


Ibid., Feb. 4, April 24, 1911; March 22, April 2, April 19, 1912.


Day Book, June 2, 1913.

News-Advertiser, April 18, 1912, p. 2.


47. Minutes, April 24, 1911.

48. Province, Feb. 18, 1909, p. 6, and Minutes, Vancouver Local Council of Women, April 4, 1910, in Special Collections, University of British Columbia Library.


50. Ibid., May 2, 1914, and Minutes, Sept. 21, 1914.


52. See my file I-440-A.
CHAPTER IV

CLIENTELE OF THE JUVENILE COURT

Legislators who passed the Juvenile Delinquents Act had many preconceptions about the class of boy who found himself in trouble with the law. The major assumption was that he came from a poor family. His family was also seen as one in which the parents either had a flawed conception of the difference between right and wrong or were too lazy or uncaring to teach and discipline the child. A single mother was considered very likely to produce a delinquent boy, and children were often seen as getting into trouble even during temporary, short-term absences of their fathers. Other factors such as truancy and a foreign background were also seen by many as likely to lead to criminality.

The view that any period in gaol, however, slight, was almost certain to condemn a child to life as a criminal was a truism. The innovation of probation was seen as a key to breaking the vicious cycle whereby a child was arrested for some offence, placed in detention with hardened criminals who taught him their profession, and then released to go on to more serious crimes. An analysis of the cases that came before the Vancouver Juvenile Court during this period provides an opportunity to test the validity of some of these assumptions.

I compiled files on all cases who came before the court from its inception in May, 1910, until January, 1915. Of these, I studied 567 cases, which included almost all male delinquents who were actually charged before the court for any reason. Unlike the practice in some other juvenile courts, Vancouver officials laid formal charges against almost all offenders they encountered. Another 199 female cases were eliminated.
for the reasons mentioned in Chapter I. A further 94 cases were discarded because although they were handled through the juvenile court, they were child welfare, rather than delinquency cases. Twelve more cases were eliminated because they dealt with adult offenders, mostly those charged with contributing to delinquency.

Who actually were the boys who came before the court during its early years? Many fit the category of A.B., who was arrested for the theft of tobacco and cigarette papers: "It is a case of a wayward boy." Some, such as J.L., who stole oranges he had found while delivering newspapers in an apartment building, were good boys who had simply "yielded to the temptation." Others were "small boy[s]" who were too young to know any better. Some children were called before the court to answer for having ridden their bicycles on the sidewalk. Others, such as A.F., an eight-year-old truant who had already run away from home twelve times, were there to be given a final chance "to see if he can make good." Still others were charged with serious offences. The sort of boys clearly covered a wide range of children.

The type of first offences that might have been expected for the most part was suggested by Senator Coffey's characterization of the juvenile offender as a "little waif ... a child of nature who has wandered from the path of rectitude but who should be directed homeward to the ideal once again." Table one, which shows the distribution of first charges, lends support for Coffey's view that the children were not really criminal simply because they had committed offences. Minor theft accounted for almost half of all first offences. Although this category included the occasional charge for picking flowers in someone's garden, the boys' favorite targets
were bicycles. Thefts of money from parents and lodgers or neighbours were also common, as was the shoplifting of candy and raisins. Car theft was also included in this category because it almost invariably involved joyriding and was treated as a minor charge, as if the theft were one of the ride rather than the auto. Gambling, drunkenness, tobacco violations and breach in the conditions of probation were classed as "most minor" offences for purposes of this table. "Victimless crimes included curfew, truancy, vagrancy, wandering abroad, and incorrigibility. Wilful damage, receiving or retaining stolen goods, and breaking and entering were considered to be "relatively serious" charges and all other offences were classed as "serious."

**TABLE 1**

INCIDENCE OF FIRST OFFENCES

<table>
<thead>
<tr>
<th>Charge</th>
<th>Absolute Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victimless</td>
<td>150</td>
<td>26.5</td>
</tr>
<tr>
<td>Most minor</td>
<td>45</td>
<td>7.9</td>
</tr>
<tr>
<td>Minor</td>
<td>232</td>
<td>40.9</td>
</tr>
<tr>
<td>Relatively serious</td>
<td>105</td>
<td>18.5</td>
</tr>
<tr>
<td>Serious</td>
<td>32</td>
<td>5.6</td>
</tr>
<tr>
<td>Missing</td>
<td>3</td>
<td>0.6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>567</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

There was an implicit, but clear hierarchy of charges as perceived by court staff. In ascending order of severity, offences ranged from smoking cigarettes, bylaw offences, truancy, gambling, drunkenness, curfew violations, incorrigibility, wandering abroad, breach in conditions of probation, vagrancy, wilful damage, minor theft, receiving or retaining stolen goods, breaking and entering, forgery, false pretences, major theft, arson, assault, escaping custody and highway robbery to indecent acts.
Writing many years later, W.L. Scott explained that when he had drafted the act, he had assumed that the court's probation officer would become the major enforcement agent for juveniles.\textsuperscript{11} This was not the case in Vancouver, where police continued to fulfill their traditional function with regard to juveniles, even after establishment of the court. This was unlike the situation in Chicago, where police were very rarely involved with juvenile offenders.\textsuperscript{12} Information regarding the originator of the child's first contact with the Vancouver Juvenile Court is available for 59.4 per cent of all cases (N=567).\textsuperscript{13} The results are recorded in table two and the extent of police involvement is obvious.

\begin{table}[h]
\centering
\begin{tabular}{lcc}
\hline
\textbf{Originator} & \textbf{Absolute Frequency} & \textbf{Percentage} \\
\hline
Police & 177 & 52.5 \\
Probation staff & 89 & 26.4 \\
Parent or guardian & 42 & 12.5 \\
Other & 29 & 8.6 \\
\hline
Total & 337 & 100 \\
\hline
\end{tabular}
\caption{ORIGINATOR OF FIRST CONTACT (OVERALL)}
\end{table}

The originators varied from offence to offence, with police tending to bring in all boys charged both with the most serious and the most minor (bylaw) offences. Table three indicates the extent of police involvement throughout the range of charges, and particularly at its two extreme ends, and suggests certain things about the C.P.O.'s attitude toward the police. For the more serious crimes, the boys were usually taken to the police station and held until Collier picked them up. Since he did not object to this practice, it seems evident that he did not share the concern of many of his contemporaries regarding juvenile contact with
criminals. The fact that police also brought in most minor offenders suggests that the C.P.O. was successful in stopping them from dealing with such cases on the spot, as they probably had done prior to establishment of the court.

TABLE 3
ORIGINATOR OF FIRST CONTACT (SPECIFIC)

<table>
<thead>
<tr>
<th>Charge</th>
<th>Victimless</th>
<th>Most minor</th>
<th>Minor</th>
<th>Relatively serious</th>
<th>Serious</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parent</td>
<td>22</td>
<td>0</td>
<td>12</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>61.1%*</td>
<td>0</td>
<td>33.3%</td>
<td>2.8%</td>
<td>2.8%</td>
</tr>
<tr>
<td></td>
<td>19.6%#</td>
<td>0</td>
<td>9.2%</td>
<td>2.3%</td>
<td>5.0%</td>
</tr>
<tr>
<td>Guardian</td>
<td>3</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>50.0%</td>
<td>0</td>
<td>50.0%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2.7%</td>
<td>0</td>
<td>2.3%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Police</td>
<td>41</td>
<td>13</td>
<td>72</td>
<td>38</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>28.2%</td>
<td>48.1%</td>
<td>55.0%</td>
<td>86.4%</td>
<td>65.0%</td>
</tr>
<tr>
<td></td>
<td>36.6%</td>
<td>7.3%</td>
<td>40.7%</td>
<td>21.5%</td>
<td>7.3%</td>
</tr>
<tr>
<td>Probation staff</td>
<td>43</td>
<td>12</td>
<td>29</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>46.2%</td>
<td>12.9%</td>
<td>31.2%</td>
<td>5.4%</td>
<td>4.3%</td>
</tr>
<tr>
<td></td>
<td>38.4%</td>
<td>44.4%</td>
<td>22.1%</td>
<td>11.4%</td>
<td>20.0%</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>2</td>
<td>15</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>13.6%</td>
<td>9.1%</td>
<td>68.2%</td>
<td>0</td>
<td>9.1%</td>
</tr>
<tr>
<td></td>
<td>2.7%</td>
<td>7.4%</td>
<td>11.5%</td>
<td>0</td>
<td>10.0%</td>
</tr>
</tbody>
</table>

*Row Percent (that is, 61.1% of all cases reported by parents were victimless)
#Column Percent (that is, 19.6% of all victimless offences were reported by parents)

N=335, M.D.=2.

Parental involvement in bringing children before the court was centered on the victimless crimes of incorrigibility, curfew and wandering abroad. This was to have been expected, since many of the latter charges came about when parents who were worried about the whereabouts of their
children had called the police or the Detention Home to ask for help in locating them. Vagrancy was the only victimless offence which deviated from this pattern, as shown in table four, and police were responsible for bringing in most of the boys in this category. Probation staff were involved in bringing in all types of cases except bylaw offenders, but focused primarily on curfew violators, gamblers and truants.

### TABLE 4

**ORIGINATOR OF VICTIMLESS CRIME CHARGES - FIRST OFFENCE**

<table>
<thead>
<tr>
<th>Charge</th>
<th>Curfew</th>
<th>Vagrancy</th>
<th>Wandering</th>
<th>Incorrigible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parent</td>
<td>10.5%</td>
<td>---</td>
<td>26.7%</td>
<td>52.9%</td>
</tr>
<tr>
<td>Police</td>
<td>34.2%</td>
<td>73.7%</td>
<td>43.3%</td>
<td>---</td>
</tr>
<tr>
<td>Probation staff</td>
<td>55.3%</td>
<td>26.3%</td>
<td>25.7%</td>
<td>23.6%</td>
</tr>
<tr>
<td>Other</td>
<td>---</td>
<td>---</td>
<td>4.3%</td>
<td>23.6%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>N</td>
<td>56</td>
<td>24</td>
<td>35</td>
<td>24</td>
</tr>
</tbody>
</table>

Various forms of probation dominated juvenile court sentences for first offences, indicating that court personnel were quick to use their new rehabilitative tool. Other favorite sentences included warnings to parent and/or child; forms of suspended sentence, some involving corporal punishment; and out-of-court settlements. Only sixteen boys were committed to the Boys' Industrial School at this stage. As with offences, there was a clear hierarchy of penalties. In ascending order of severity, it was as follows: restitution, settled out of court, found job, fine, dismissed or withdrawn, suspended sentence, school to punish, spanking,
detained until parents improve home, child warned, child to attend the Detention Home school, parent and child cautioned, probation, flogging, committed to care of guardian, committed to Children's Aid Society, leave city, leave country, committed to B.I.S., and transferred to Police Court.

The reasons for choice of different penalties were usually obvious to court personnel. Fines, for example, were seen as parental rather than children's penalties, and were applied to parents who were "ignorant of their duty, [and] very negligent..." Charges involving children eight years old and younger were usually dismissed because of age. Poor home conditions often led to a sentence of probation rather than suspended sentence "as in probation we are enabled to keep in touch through visiting and reporting and in so assist to better the conditions." Court staff often made decisions based on their distrust of the city environment as a suitable place for weak-willed boys to take hold of themselves. Their attitude in this regard supported the views of Senator Sullivan, who had told his colleagues during debate, that "... the moral atmosphere in [townships or villages] is purer than in cities or towns." Work on a "farm as a means of reform" was seen as the ideal by local staff and strenuous efforts were made to locate such positions for boys. Where this could not be accomplished, other forms of work were secured in the hinterland and many children were required to leave the city for these places under threat of committal to the Industrial School. Troublesome boys who had come to Vancouver from other cities were usually required to return to them, with or without their families. The same approach was applied to immigrants, although such cases tended to be more involved. The exceptions to this rule were boys from Seattle and other points in
northern Washington state. These boys were immediately deported if they came into contact with the juvenile court. The case of P.N. was more representative of the situations of children who were deported elsewhere. Originally charged with possession of an offensive weapon, he was sent to live with a school attendance officer who had taken an interest in him. He was returned to school four months later as "a better way of living does not seem to appeal to him" and deported as soon as it could be arranged.

Several other boys were allowed to remain in Vancouver, but were turned over to the care of a guardian, often a relative, friend or employer, and usually with approval of the parents. This was especially likely in the case of foreign boys, who were frequently turned over to a local representative of the particular ethnic community. Other boys were ordered to begin living with their parents to ensure better control over their activities. Reasons for committal to the B.I.S. ranged between optimism and despair. C.C. was sent "so that his education [could] be properly attended to," while R.D. was committed because he had failed to reform even though "society had done its best for him."

In recommending and assessing penalties, the C.P.O. and the judge clearly considered individual circumstances, rather than arbitrarily imposing sentences based on the category of offence. Breaking and entering, for example, was considered to be a fairly serious charge. The punishments awarded, however, were relatively minor, although none of the boys charged with this offence were simply warned and released. Only two of the seventy-two youths charged with this crime were committed to the B.I.S. for the first charge.
Offences involving curfew, wandering abroad, vagrancy, truancy and incorrigibility were distinguished from each other by fine points. A child charged with wandering abroad, for example, was considered to be a runaway who still had a home, while a vagrant was seen simply as a child who had no fixed address. An incorrigible might also be guilty of truancy, curfew violation and wandering abroad. The exact charge that was laid appears to have been at the whim of the C.P.O. Runaways brought in by the police, however, tended to be charged as vagrants and treated more severely than the others.

Consideration of the disposition of first offences indicates that the court did not directly press the parents too hard at this point. Although 22 children were detained until parents made improvements to the home, warnings were issued to only another 21 parents. At the same time, the children alone were cautioned 43 times, suggesting that the court took the position that most children had been acting against their parents' wishes in committing the offences.

The association between the originators of the first charge and its disposition was considered to see how assumptions about the methods by which children were brought before the court affected perceptions of the child's future chances for reformation. The results suggested that court personnel did not expect boys brought in by the police to reform successfully, probably because the police exercised no continuing overseer function. Children brought in by parents, on the other hand, were seen as having a good chance to readjust, since their parents were obviously concerned and interested in their behaviour, and usually only needed support from the court. Boys brought in by the probation staff were
considered to be in good hands already, and more of the same treatment was indicated for them.

It was found that all of the cases who were sent to Police Court or ordered to leave the country and most who were required to leave the city or were committed to the care of a guardian had been brought in by the police. Since the actual charges involved ranged widely, it is reasonable to assume that the court considered police involvement in the matter as a further negative factor. Only one boy whose first contact had been originated by the police was committed to the C.A.S., reinforcing the impression that the superintendent of that institution would have nothing to do with boys whom he perceived as having a bad record. By contrast, almost half of the C.A.S. committals were made from cases generated by parents, as were two-thirds of the suspended sentences under which the children were required to attend the Detention Home school. Sixty-seven per cent of all warnings were issued to defendants brought before the court by probation staff (N=64). Combined with information about the type of cases brought in by police and parents, this suggests that staff viewed themselves as the vanguard of the court's protective function, being responsible for bringing in boys whose shortcomings were so slight that they might otherwise have been overlooked.

The family structure of the children, inasmuch as the records referred to it, was another variable that was examined for its relationship to the disposition of the first charge. The impact of the many assumptions that were made about the role of the family in regard to the boys' futures could have been expected at this stage of the process. Two-parent families, if of the right kind, were assumed to be the best mixture
for the child, since a mother's affection was required to complement the father's discipline. Not all dual-parent families were satisfactory, however, as demonstrated by the case of B.P.A. Collier observed that the father who "does not seem to be too reliable," was a "terrible drunk," and that the mother had been forced to nurse for several years to raise the children with practically no help from her husband. The C.P.O. also found that conditions were often poor in families where one of the parents was a stepparent. The case of E.R., whose stepfather advised the C.P.O. that the mother must choose between her son and her husband, was an example of such a situation. Despite numerous cases of families of this sort, however, the myth persisted that a family unit with two parents was more likely to prevent a boy's progress toward delinquency. The pressure to maintain "normal" family units was so strong that the judge sometimes persisted in ordering both parents to appear with the boy even after the husband and wife had separated.

Where there was no alternative to single-parent families, staff seemed to prefer that the father be the parent, and references such as, "he has no proper home his mother having to go to her daily work," were common. Collier intervened more directly in household affairs when a mother was head of the family, as seen in the case of A.H., whose mother was allowed to move to a new residence "with the understanding that she was to settle down to housekeeping." Boys were seen as likely to get into trouble even during brief absences of their fathers, and it was not unusual for staff to make notations such as: "... it was only through the absence of Mr. F. from the City (sic) that he got in bad company." Fewer boys from father-only households did in fact come before the court, but their offences were more serious and they tended to be treated more
harshly than were their counterparts from maternal families. Table five illustrates how family structure appeared to influence the disposition of

Table 5

<table>
<thead>
<tr>
<th>Home</th>
<th>Two Parents</th>
<th>Father Only</th>
<th>Mother Only</th>
<th>Adopted</th>
<th>Alone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disposition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dismissed</td>
<td>24%</td>
<td>0</td>
<td>6</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>66.7%*</td>
<td>0</td>
<td>16.7%</td>
<td>2.8%</td>
<td>2.8%</td>
<td>6.3%</td>
</tr>
<tr>
<td>9.8%</td>
<td>0</td>
<td>20.0%</td>
<td>3.2%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suspended</td>
<td>96%</td>
<td>0</td>
<td>6</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td>78%</td>
<td>0</td>
<td>4.9%</td>
<td>8.9%</td>
<td>1.6%</td>
<td></td>
</tr>
<tr>
<td>39%</td>
<td>0</td>
<td>20%</td>
<td>35.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parent &amp; Child</td>
<td>17%</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Cautioned</td>
<td>85%</td>
<td>0</td>
<td>0</td>
<td>3.2%</td>
<td>6.3%</td>
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<tr>
<td>6.9%</td>
<td>0</td>
<td>3.2%</td>
<td>6.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Probation</td>
<td>88%</td>
<td>3</td>
<td>16</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td>68.2%</td>
<td>0</td>
<td>12.4%</td>
<td>7%</td>
<td>3.9%</td>
<td></td>
</tr>
<tr>
<td>35.8%</td>
<td>0</td>
<td>29%</td>
<td>31.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leave Jurisdiction</td>
<td>13%</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>59%</td>
<td>0</td>
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<td>6.3%</td>
<td>6.3%</td>
<td></td>
</tr>
<tr>
<td>5.3%</td>
<td>0</td>
<td>3.3%</td>
<td>6.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guardian</td>
<td>5%</td>
<td>3</td>
<td>0</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>27.8%</td>
<td>0</td>
<td>27.8%</td>
<td>16.7%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2%</td>
<td>0</td>
<td>16.1%</td>
<td>18.8%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.I.S.</td>
<td>3%</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>42.9%</td>
<td>0</td>
<td>0</td>
<td>14.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2%</td>
<td>0</td>
<td>0</td>
<td>6.3%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Row Percent (that is, 66.7% of all cases that were dismissed were from two-parent families)
#Column Percent (that is, 9.8% of all cases from two-parent families were dismissed)

N=361, M.D.=206.

cases. This information is suggestive of tendencies, rather than definitive, since it is available for only 63.7 per cent of the cases (N=567).
A consideration of second offences suggests the degree to which the juvenile court was successful in its goal of preventing delinquents from progressing into adult criminals. Sixty per cent of the boys who came before the court committed no further offence as juveniles in Vancouver during this period \((N=567)\). Only 227 were returned to court for a second charge and very few of these involved serious offences. Many of the new offences, such as breach in conditions of probation and escaping custody, stemmed directly from the first charge. Victimless crime replaced minor theft as the major new charge group, with fully 40.5 per cent of second offences falling into this category. This was a tribute to the degree of watchfulness the C.P.O. and his staff exercised over boys once they had entered the system. Their scrutiny seemed to be so close that the wards were being picked up for any minor infraction and often no longer had the opportunity for more serious crime. Table six shows the distribution of second offences.

**TABLE 6**

<table>
<thead>
<tr>
<th>Charge</th>
<th>Absolute Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victimless</td>
<td>92</td>
<td>41.4</td>
</tr>
<tr>
<td>Most minor</td>
<td>10</td>
<td>4.5</td>
</tr>
<tr>
<td>Minor</td>
<td>84</td>
<td>37.8</td>
</tr>
<tr>
<td>Relatively serious</td>
<td>17</td>
<td>7.7</td>
</tr>
<tr>
<td>Serious</td>
<td>19</td>
<td>8.6</td>
</tr>
<tr>
<td>Total</td>
<td>222</td>
<td>100</td>
</tr>
</tbody>
</table>

\(N=222, \text{ M.D.}=0.\)

Sentencing patterns differed for second offences, particularly in the use of the probation and warnings penalties, both of which greatly dropped off.\(^{37}\) The sharply reduced use of these options reflected the court's feeling that it had offered the child a chance to make good, but
that the boy did "not seem anxious to help himself." The range of possible sentences was greatly reduced, with no one, for example, being detained while his parents improved the home.

A major assumption of legislators and promoters of the juvenile court had been that boys almost inevitably progressed from minor offences to more serious crimes. This was not the experience of the group of boys who appeared before the Vancouver Juvenile Court. Most of the boys who were originally tried for curfew violations and wandering abroad had only a first charge registered. For those curfew violators who were returned on a new charge, curfew was again responsible for one-fifth of the new charges (N=24). Most of the other charges for these boys were in the same offence category and the incidence of those who progressed to minor theft was so slight that the offence was underrepresented by 0.48 in this category.

Boys whose first offence had been minor theft were slightly overrepresented in that category for the second charge. Youths who had been arrested for breaking and entering, likewise, were overrepresented in that category for the second offence. Both these groups of children were overrepresented in the breach of probation category. These examples suggest that the level of criminal activity tended to either remain constant or fall. Incorrigibility was the only category whose members generally advanced to more serious crimes.

Many of the boys who were brought in on a second charge had the further contact as an outgrowth of the probation and report requirement from their first offence. Thirty-seven per cent of all boys who had originally appeared in court had been sentenced in this manner (N=567). The length
of time these 210 boys continued to report ranged from two to 114 weeks.\textsuperscript{45} During this period, the boy, and his entire family to a large extent, were subject to the type of harassment from Collier that was described in Chapter Two. The most favored times to end reporting were at the 11 to 13 week and 17 to 20 week stages.\textsuperscript{46} Children were frequently sentenced to report until the end of the school term. The length of time other boys spent reporting was based largely on individual circumstances, although this was skewed to some extent by Judge Shaw's practice of announcing the end of probation for several boys at a time in late December each year. He acted almost exclusively upon recommendation from Collier, however, and the C.P.O. often took it upon himself not to advise the boys of the ruling until he considered the timing to be more appropriate.

The originators of the juvenile court movement had assumed that appearances in any type of court had a bad impact on children and should be avoided if at all possible.\textsuperscript{47} Once again, the reality of the Vancouver experience was far removed from that ideal. The number of juvenile court appearances per boy, disregarding the number of different charges, ranged from one to twenty-one. Most children appeared only once on the original charge. A further 20.8 per cent were called into court a second time and half again as many made a third appearance in court (N=567).\textsuperscript{48} The number of trips children made to court fell off abruptly after the fifth appearance, and continued to decline despite a slight rise at the eight and nine-trip levels.\textsuperscript{49} The number of court appearances bore little relationship to the number of charges per child, which ranged from one to thirteen.\textsuperscript{50} A boy might appear several times on each of one or two offences or once for each of several new charges.
Most of the boys left the court after their one or two appearances and disappeared from the records of the Vancouver Juvenile Court, their ultimate disposition unknown. The fate of the 37 per cent for whom information is available is shown in table seven \( (N=567) \). Generally, only those boys who got into further trouble with the law in Vancouver during this period left additional records, so it can be seen that most boys either left town or must have "made good" as juveniles.

**TABLE 7**

**ULTIMATE DISPOSITION OF BOYS**

<table>
<thead>
<tr>
<th>Disposition</th>
<th>Absolute Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.I.S.</td>
<td>79</td>
<td>39.3</td>
</tr>
<tr>
<td>Guardian</td>
<td>26</td>
<td>12.9</td>
</tr>
<tr>
<td>Left city or country</td>
<td>69</td>
<td>34.3</td>
</tr>
<tr>
<td>Left jurisdiction</td>
<td>27</td>
<td>13.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>201</strong></td>
<td><strong>99.9</strong></td>
</tr>
</tbody>
</table>

\( N=201, \text{ M.D.}=366. \)

Certain interesting, and probably important variables could not be explored due to a lack of information. Ethnicity, for example, was an important factor for boys who appeared before American juvenile courts, and one estimate has suggested that more than 70 per cent of such cases were the children of immigrants.\(^5\) This sort of information, however, was seldom mentioned in the Vancouver court records. While this was at least partially due to the state of the materials, it may have fairly accurately reflected the ethnic mix in Vancouver where people of British background were the predominant group. A modern author has noted that approximately 80 per cent of the Vancouver population during the period under study was made up of people of English-speaking background, whether from the United States, Britain or Canada.\(^52\) There was also a significant sprinkling of Germans, Norwegians and Swedes who blended in imperceptibly
and a number of Russians and Italians who were met with clear ethnic hostility. The Oriental community met with even greater hostility than the latter groups.

A telling observation was made when Judge A.E. Bull, who sat on the Juvenile Court during 1910, reported that "since the inception of the court ... I have found it necessary to send only 2 boys to the Industrial School, and both of these were of foreign birth and parentage." In any event, this information was not available for more than a few of the cases. Where references were made, as to the occasional Italian, Greek, Russian or Bulgarian child, the context makes it clear that the C.P.O. was predisposed to expect improper behaviour from them because of this background.

Family income cannot be estimated without knowing the occupation of the parents, but this was seldom mentioned. Descriptions of home conditions that were recorded suggest, however, that most boys who came before the court were the children of laborers. Educational levels of child and parent and family religion were other factors that could not be assessed because the records do not show this information. The materials record the ages for only 27.3 per cent of the 567 boys and this was thus not considered. Collier preferred to refer to his wards with descriptive terms such as "young boy," "lad," "young man," and "big boy." His attitudes could not be assessed through these phrases without knowing the actual ages to which they corresponded.

The material in this chapter definitely suggests that the Vancouver Juvenile Court was at least a limited success in terms of the expectations of its founders. Less than half of the boys who faced an
original charge returned to court, and with few exceptions, those who did
come forward a second time were charged with the same, or lesser orders of
offences. The probation system seemed to have been successful in halting,
or at the very least slowing the progression into full adult crime.

It would not be possible to determine the extent of this success,
however, without a detailed study of the manner in which juvenile offenders
were handled prior to passage of the Juvenile Delinquents Act. Before that
time, police probably only lectured children for minor offences and sent
them on their way, so the court's existence may actually have inflated the
numbers appearing for first offences. The fact that many second charges
grew directly out of the children's first offences also lends credence to
the warning sounded during debate of the act by a senator who said he
thought that the new system would increase "instead of lessening the criminal
juvenile class."54 Likewise, the original idea that child criminals tended
to move on to more serious crime was a conventional wisdom and may never
have been correct.55

The court's success, such as it may have been, was only limited, in
any event, since the court's founders had expected and wanted the children
to become willing aides in their reclamation. Chapter Two has illustrated
how very far that was from happening in Vancouver.
Footnotes to Chapter IV

1 Senate, Debates, May 21, 1908, p. 979.

2 Neil Sutherland, Children in English-Canadian Society: Framing the Twentieth-Century Consensus, (Toronto: University of Toronto Press, 1976), pp. 96-7; 101-107; and 149-151.

3 See Appendix I for a description of the methodology of the statistical section of this chapter.

4 Day Book, C.P.O., May 4, 1911.

5 Ibid., June 26, 1912.

6 Ibid., April 13, 1913.

7 Ibid., Sept. 16, 1914.

8 Ibid., Case No. 49; and J.C.A.C. Minutes, Sept. 12, 1910.

9 Senate, Debates, May 21, 1908, p. 976.

10 The modern categories of theft under $50 and over have no relevance for the early twentieth century.


13 N is the total number of cases on which a percentage is based.

14 M.D. = missing data, i.e., the number of cases for which information on this variable is missing.
### Disposition of first offences

<table>
<thead>
<tr>
<th>Charge</th>
<th>Victimless</th>
<th>Most minor</th>
<th>Minor</th>
<th>Relatively serious</th>
<th>Serious</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Disposition</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dismissed</td>
<td>12</td>
<td>8</td>
<td>22</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>21.8%</td>
<td>14.5%</td>
<td>40%</td>
<td>12.7%</td>
<td>10.9%</td>
</tr>
<tr>
<td></td>
<td>8%</td>
<td>17.8%</td>
<td>9.6%</td>
<td>6.4%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Suspended sentence</td>
<td>50</td>
<td>28</td>
<td>75</td>
<td>34</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>24.8%</td>
<td>13.9%</td>
<td>37.1%</td>
<td>16.8%</td>
<td>7.4%</td>
</tr>
<tr>
<td></td>
<td>33.3%</td>
<td>62.2%</td>
<td>32.6%</td>
<td>32.7%</td>
<td>76.9%</td>
</tr>
<tr>
<td>Parent and child cautioned</td>
<td>12</td>
<td>2</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>57.1%</td>
<td>9.5%</td>
<td>33.3%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>8.0%</td>
<td>4.4%</td>
<td>3%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Probation</td>
<td>39</td>
<td>5</td>
<td>108</td>
<td>52</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>18.7%</td>
<td>2.4%</td>
<td>51.7%</td>
<td>24.9%</td>
<td>2.4%</td>
</tr>
<tr>
<td></td>
<td>26%</td>
<td>11.1%</td>
<td>47%</td>
<td>50.0%</td>
<td>15.6%</td>
</tr>
<tr>
<td>Leave jurisdiction</td>
<td>14</td>
<td>1</td>
<td>9</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>9.3%</td>
<td>2.2%</td>
<td>1.7%</td>
<td>2.5%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Guardian</td>
<td>14</td>
<td>0</td>
<td>4</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>70%</td>
<td>0</td>
<td>20%</td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1.3%</td>
<td>0</td>
<td>1.7%</td>
<td>1.9%</td>
<td>0</td>
</tr>
<tr>
<td>B.I.S.</td>
<td>6</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>37.5%</td>
<td>6.3%</td>
<td>25%</td>
<td>18.8%</td>
<td>12.5%</td>
</tr>
<tr>
<td></td>
<td>4.0%</td>
<td>2.2%</td>
<td>1.7%</td>
<td>2.9%</td>
<td>6.3%</td>
</tr>
</tbody>
</table>

*Row Percent (that is, 21.8% of all cases that were dismissed were victimless)*

# Column Percent (that is, 8% of all victimless crimes were dismissed)

\[ N=565, \text{M.D.}=2. \]

### Reasons for committal to B.I.S. - first charge

- Minor theft ........................................ 4
- Breaking and entering ................................ 2
- Receiving stolen goods ............................... 1
- Incorrigible ........................................ 1
- Vagrancy ............................................ 5
- Indecent act ........................................ 1
- Major theft ......................................... 1
- Other ................................................ 1

**Total** ............................................. 16
17 J.C.A.C. Minutes, Aug. 7, 1911.
18 Ibid., June 10, 1912.
19 Ibid., July 31, 1911.
20 Senate, Debates, June 4, 1908, p. 1045.
21 J.C.A.C. Minutes, Feb. 12, 1912.
22 See my file I-370-A.
25 Disposition of victimless crimes - first offence

<table>
<thead>
<tr>
<th>Disposition</th>
<th>Dismissed</th>
<th>Suspended sentence</th>
<th>Out of court</th>
<th>Warnings</th>
<th>Sent home</th>
<th>D.Home school</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curfew</td>
<td>1.8%</td>
<td>26.8%</td>
<td>1.8%</td>
<td>26.8%</td>
<td>14.3%</td>
<td>1.8%</td>
</tr>
<tr>
<td>Vagrancy</td>
<td>---</td>
<td>12.5%</td>
<td>0</td>
<td>8.4%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Wandering</td>
<td>2.9%</td>
<td>37.2%</td>
<td>5.7%</td>
<td>11.3%</td>
<td>20%</td>
<td>2.9%</td>
</tr>
<tr>
<td>Incorrigible</td>
<td>1.8%</td>
<td>26.8%</td>
<td>20.8%</td>
<td>8.3%</td>
<td>8.3%</td>
<td>12.5%</td>
</tr>
</tbody>
</table>

(Disposition cont'd)

<table>
<thead>
<tr>
<th></th>
<th>Got job</th>
<th>Probation</th>
<th>Leave city</th>
<th>Guardian</th>
<th>B.I.S.</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curfew</td>
<td>0</td>
<td>37.5%</td>
<td>1.8%</td>
<td>3.6%</td>
<td>---</td>
<td>56</td>
</tr>
<tr>
<td>Vagrancy</td>
<td>4.2%</td>
<td>16.7%</td>
<td>16.6%</td>
<td>16.7%</td>
<td>20.8%</td>
<td>24</td>
</tr>
<tr>
<td>Wandering</td>
<td>8.6%</td>
<td>20%</td>
<td>22.6%</td>
<td>5.8%</td>
<td>---</td>
<td>35</td>
</tr>
<tr>
<td>Incorrigible</td>
<td>4.2%</td>
<td>20.8%</td>
<td>4.2%</td>
<td>16.7%</td>
<td>4.2%</td>
<td>24</td>
</tr>
</tbody>
</table>
26. Relationship between police and disposition of first charge

<table>
<thead>
<tr>
<th>% from police</th>
<th>Police court</th>
<th>Leave country</th>
<th>Leave city</th>
<th>B.I.S.</th>
<th>Guardian</th>
<th>C.A.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>5</td>
<td>11</td>
<td>20</td>
<td>16</td>
<td>11</td>
<td>9</td>
</tr>
<tr>
<td>% of all police cases</td>
<td>0.6</td>
<td>1.5</td>
<td>3.3</td>
<td>2.4</td>
<td>1.5</td>
<td>0.3</td>
</tr>
</tbody>
</table>

27. See my file, J.H., I-206-A, for boy rejected because of "a record like he has."


30. See my file I-3-A.

31. See my file I-417-A.


34. Day Book, March 18, 1913.

35. F.C. Wade to Minister of Justice, June 18, 1908, in Wade papers.
### Home situation and disposition of first charge

<table>
<thead>
<tr>
<th>Home</th>
<th>Two parents</th>
<th>Father only</th>
<th>Mother only</th>
<th>Adopted</th>
<th>Alone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dismissed</td>
<td>24</td>
<td>0</td>
<td>6</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>66.7%</td>
<td>16.7%</td>
<td>2.8%</td>
<td>3.2%</td>
<td>2.8%</td>
</tr>
<tr>
<td></td>
<td>9.8%</td>
<td>20%</td>
<td>2.8%</td>
<td>2.8%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Suspended sentence</td>
<td>96</td>
<td>0</td>
<td>6</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>78%</td>
<td>4.9%</td>
<td>8.9%</td>
<td>1.6%</td>
<td>12.5%</td>
</tr>
<tr>
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<tr>
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<td>5</td>
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<tr>
<td></td>
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<tr>
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<td></td>
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</tr>
<tr>
<td>B.I.S.</td>
<td>3</td>
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</tr>
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</tr>
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</tr>
<tr>
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<td>3</td>
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</tr>
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</tr>
</tbody>
</table>

*Row Percent (that is, 66.7% of all cases that were dismissed were from two-parent families)*

# Column Percent (that is, 9.8% of all cases from two-parent families were dismissed)

N=361, M.D.=206.
Disposition of second offences

<table>
<thead>
<tr>
<th>Charge</th>
<th>Victimless</th>
<th>Most minor</th>
<th>Minor</th>
<th>Relatively serious</th>
<th>Serious</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dismissed</td>
<td>16*</td>
<td>7</td>
<td>11</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>40%*#</td>
<td>17.9%</td>
<td>27.3%</td>
<td>7.5%</td>
<td>7.5%</td>
</tr>
<tr>
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<td>1</td>
<td>25</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>52.8%</td>
<td>1.4%</td>
<td>34.7%</td>
<td>6.9%</td>
<td>4.2%</td>
</tr>
<tr>
<td>Parent and child</td>
<td>1</td>
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<td>0</td>
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<tr>
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</tr>
<tr>
<td>Probation</td>
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<td>23</td>
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<td>2</td>
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</tr>
<tr>
<td>Leave jurisdiction</td>
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<td>1</td>
</tr>
<tr>
<td></td>
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<td>5.9%</td>
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<td>5.9%</td>
</tr>
<tr>
<td></td>
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<td>10%</td>
<td>7.1%</td>
<td>0</td>
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</tr>
<tr>
<td>B.I.S.</td>
<td>4</td>
<td>0</td>
<td>15</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>16%</td>
<td>0</td>
<td>60%</td>
<td>8%</td>
<td>16%</td>
</tr>
<tr>
<td></td>
<td>4.3%</td>
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<td>17.9%</td>
<td>11.8%</td>
<td>26.7%</td>
</tr>
<tr>
<td>C.A.S.</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
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<td>10%</td>
<td>20%</td>
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<tr>
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<td>3.3%</td>
<td>10%</td>
<td>3.6%</td>
<td>5.9%</td>
<td>13.3%</td>
</tr>
</tbody>
</table>

* Row Percent (that is, 40% of all cases that were dismissed were victimless)
# Column Percent (that is, 17.4% of all victimless offences were dismissed)

N=222, M.D.=5.


39 Curfew = 55.4% (N=56); wandering = 79.2% (N=24).

40 An index is an indicator of the extent to which a variable is over- or underrepresented in a sample. It is calculated by dividing the percentage of the value of a variable (column percentage) into the percentage of the value of the variable with which it is being compared (row total).

41 Index = 1.14.
Index = 3.6.

Index for minor theft cases = 1.17; index for breaking and entering cases = 1.8.

Second offences for original incorrigibles

<table>
<thead>
<tr>
<th>Charge</th>
<th>Absolute Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incorrigibility</td>
<td>4</td>
<td>21.1</td>
</tr>
<tr>
<td>Vagrancy</td>
<td>1</td>
<td>5.3</td>
</tr>
<tr>
<td>Wandering abroad</td>
<td>2</td>
<td>10.5</td>
</tr>
<tr>
<td>Breach of probation</td>
<td>1</td>
<td>5.3</td>
</tr>
<tr>
<td>Escape</td>
<td>3</td>
<td>15.8</td>
</tr>
<tr>
<td>Minor theft</td>
<td>8</td>
<td>42.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>19</strong></td>
<td><strong>100.1</strong></td>
</tr>
</tbody>
</table>

The two children who reported for only two weeks were both taken into detention at the end of that time and committed to the B.I.S. upon release from the Detention Home. The next shortest reporting time was four weeks.

Released at 11 to 13 week stage = 5.6% (N=210); released at 17 to 20 week stage = 5.6% (N=210).


Single appearance on first charge = 44.4 per cent (N=567).

Three appearances = 10.8%; four appearances = 5.3%; five appearances = 5.9%; eight appearances = 2.5%; nine appearances = 2.1% (N=567).

Three charges = 7.4%; four charges = 4.8%; five charges = 3.9%; thirteen charges = 0.7% (N=567).

Hawes, Children in Urban Society..., pp. 182-183.


Senate, Debates, June 4, 1908, p. 1044.

CHAPTER V
THE INDUSTRIAL SCHOOL EXPERIENCE

Seventy-nine, or 13.0 per cent of the 567 boys who came before the Vancouver Juvenile Court from its founding in 1910 until early 1915, experienced another level of the British Columbia juvenile justice system. These were the boys who were committed to the Provincial Industrial School for Boys (hereafter B.I.S.) at Point Grey in Greater Vancouver. At the School, they were mixed with boys from all other parts of the province, boys who had been charged with a wide variety of offences, and many of whom had been through the ordinary criminal court process. General rhetoric insisted that boys in the B.I.S. were still seen as youthful offenders who might be reformed, but actions and attitudes made it clear that they were really viewed in the same light as adult criminals.

The B.I.S. was the successor to the provincial Juvenile Reformatory established in 1890 "with a view to the education, industrial training, and moral reclamation, of such boys as shall be lawfully sentenced to confinement therein."¹ When a new building replaced the original in 1905, a new superintendent took unofficial advantage of the move to change its name from reformatory to industrial school. Technical problems developed because the institution legally remained a reformatory, and so new legislation was passed in 1909 legitimizing the name change.² The mandate remained that of its predecessor. The School received boys 16 years old and younger and could hold them for five years, unless otherwise specified by the sentencing official. Boys could be committed by Assize, magistrate's, or juvenile courts or under the terms of the provincial Infants Act or the federal Juvenile Delinquents Act. From 1910 to 1915, however, the boys from the Vancouver court, who made up 59.9 per cent of
the 132 new admissions to the inmate population, were practically the only ones sentenced under the federal legislation.³

In a speech before the Vancouver Canadian Club, J. J. Kelso, the prominent Canadian child welfare worker, articulated the philosophy that those guiding the B.I.S. had claimed as their own. Describing Ontario boys who had been committed to reformatory there, he said:

Many of the lads were victims of wrong social conditions, drunken parents, illegitimacy, motherless, lack of education, learned no trade, too much street life, no moral or religious instruction, no playground, familiarized with crime by frequent arrest, too much 'law' in dealing with them and an almost entire absence of love and True Christian compassion. They were heart-hungry boys, misunderstood, unappreciated, uninspired, and Institutions, as such, cannot save or reclaim, but only the influence of some good man or woman gaining the affection and stimulating the latent spiritual forces into heroic effort for a better life ... reformatories ... should be resorted to only when other means fail, or should be conducted on a high ethical plane, aiming to develop character through freedom of action and self-control....⁴

Addressing the Legislative Assembly the following day, Attorney-General W. J. Bowser echoed Kelso's account of the causes of delinquency and added the specific lack "of school discipline, the boys being mostly truants."⁵ B.I.S. Superintendent Daniel Donaldson, a former men's clothier who had been a member of the first Board of Directors of the Vancouver Children's Aid Society, translated this approach into action, saying: "We aim to do for the boy what his former environment has failed to do..."⁶ He was fond of boasting that "while I have found it necessary to demand and enforce a somewhat strict discipline, at the same time we have tried as far as possible to eliminate the idea of a prison and prison surroundings."⁷

Donaldson discussed his perception of his function, with specific reference to the boys from Vancouver:

... a more difficult class ... now comes to us, as it is after the home, the school, the Church, suspended sentence, and probation have
all failed ... as it were, in the last stages of juvenile crime; and to take hold of such boys with criminal tendencies, who by consorting with vicious companions have formed many bad habits, and in the course of a year or two to give such a boy a better conception of life, teach him obedience to law and order, build him up mentally, and morally, then return him to his home, and unfortunately usually to old companions and old temptations and still expect such a boy to remain a good and useful member of society, is a big proposition....

He said he found that a good example with consistent adherence to proper precepts "combined with a great deal of patience and perseverance ... will usually bring out the best that is in the boy." His methods were not always successful, however, and he spoke with sympathy and disappointment of those graduates "that started out well and gave good promise ... but got weary in well-doing and have fallen back into evil habits."

Life at the School was not easy. From its inception, the government had planned that the B.I.S. would operate on a very small budget. As the Department of Lands and Works put it during construction of the School:

It is anticipated that under good and intelligent management the boys will be able to do a great deal of work which otherwise would have to be done by hired labour. There is no reason why, under proper management, this institution should not be, to a great extent, self-supporting.

Donaldson provided the type of management the government had hoped for and under his direction the boys produced most of their food, made their own uniforms, shoes and furniture, supplied all their own firewood from surrounding brush and carried out almost all maintenance. Most of the work was seen as manual or industrial training, particularly the tailoring, shoemaking and carpentry, although a dubious case was also made for other efforts. In 1911, for example, Donaldson had inmates dig a 200-foot long trench 12-to-15-feet deep for replacement of a sewer line: "The excavating ... meant a great deal of hard work for the boys, but the practical experience received by the half-dozen boys who did the work ... will be useful to them later on."
The days began with the rising whistle at 6:15 a.m., and the boys were immediately required to file into the hall where they dressed in silence. They then marched down to the assembly room and washrooms, after which they split up, with some boys going to the kitchen and dining-hall to help prepare breakfast and others to the stable to care for the animals.

The daily schedule continued as follows:

- 7:15 a.m. - bell for breakfast, followed by morning prayers;
- 8-8:30 a.m. - recess, with boys allowed to play outdoors under supervision during fine weather;
- 8:30 a.m. - bell for work, some boys sent to manual training workshop and others to work in different parts of the building, barn, garden and bush;
- 9:30-9:45 a.m. - recess to prepare for morning school;
- 9:45-12 noon - some boys attend school while others do various types of work;
- 12-12:30 a.m. - recess for all boys except those working in kitchen or dining hall;
- 12:30-1 p.m. - dinner time;
- 1-1:30 p.m. - sports;
- 1:30-2:30 p.m. - some boys attend manual training workshop and rest to work;
- 2:30-2:45 p.m. - recess to prepare for afternoon school;
- 2:45-4:15 p.m. - school for boys who did not attend in morning and others to do outside work, except for smaller boys who work in kitchen;
- 4:15-5 p.m. - recess;
- 5-5:30 p.m. - supper;
- 5:30-6 p.m. - dining room cleaned up and prepared for morning;
- 6-7:30 p.m. - recreation, including games or reading;
- 7:30-7:45 p.m. - Bible reading and group prayers, changing into night-clothes, private prayers and bed;
- 7:45-8:45 p.m. - boys usually allowed to read in bed;
- 9 p.m. - lights out.

Donaldson and others interested in the work all agreed that idleness, above all, was to be avoided when dealing with boys. The superintendent also considered the full schedule to be a precipitating factor in many of the escape attempts, especially those made by new boys. Aside from their simply being irked at being under restraint, he thought it was difficult for "boys who have been in the habit of attending cheap shows almost nightly, hanging around pool-rooms, and reading the most exciting kind of
yellow literature" to reconcile themselves to "the simple life" of the B.I.S.15

Another major reason Donaldson cited for escape attempts was "the terrible craving that comes over them for tobacco, as with very few exceptions the boys that enter the school are confirmed cigarette fiends, and the intense longing for a smoke is such that they are prepared to run all kinds of risks in order to gratify the appetite."16 Although the tobacco ban did not become a major discipline issue until the end of the decade when overcrowding, ruined buildings, and shortages of staff and operating funds had made the institution well known as a place to avoid, it was always a nagging problem. As such, it was punished like any other relatively minor internal offence, usually with the superintendent's favored method of discipline - a bread and water diet.

Unlike Collier, who used corporal punishment at the Detention Home for the most trifling offences, Donaldson was always proud of the fact that "whipping is almost unknown in the institution" and explained that he had "not much faith in whipping except for some serious offence."17 This penalty was normally reserved for discipline of recaptured escapees, and even then, was always carried out by the superintendent himself. His rationale for this was simple:

If a boy deserves to be whipped, I will see that he gets it, but I don't think it wise to place the boy at the mercy of every official to give him a cuff when they see fit, when sometimes the official may be as much to blame as the boy, at any rate when in a temper is not the time to mete out punishment and in nine cases out of ten bread and water or some other kind of punishment will give better results.18

When he did resort to this discipline, his method was "over the chair with a good heavy strap."19 On at least one occasion he called in a doctor to examine the boys who had been punished to ensure that in the
event of a legal action to have any of them released, there could not be "any suggestion made that he had been unmercifully beaten."\textsuperscript{20}

A more frequently used chastisement was a denial of privileges. As Donaldson explained, "sometimes he is prohibited from play for a day, a week or a month, according to the seriousness of the offence. To have to sit on a bench and see others enjoying a game and not be able to take any part is about the hardest punishment a lively youth can be given."\textsuperscript{21} This tactic was sometimes expanded to total isolation, but in this event, was usually accompanied by the bread and water diet.

This latter element of the punishment system was very contentious. When the Attorney-General banned the practice in late 1918 "on the ground that I could not see that it would be anything but injurious to a growing boy to be deprived of proper nourishment," both the superintendent and the guards protested long and vehemently.\textsuperscript{22} A guard wrote that offending inmates "should have a punishment to undergo thoroughly corrective and deterring in effect. Bread and water with solitary confinement has proved its usefulness. They laugh after the strap is applied...."\textsuperscript{23} Donaldson proved his devotion to the system by his impassioned and prolonged objection to the ban. His final plea for its return, explaining that he was now being forced to frequently resort to the strap, was submitted just before his dismissal from the post:

\begin{quote}
Personally I never had any use for flogging except in very serious cases. Fifteen years in this work has convinced me that to place a boy alone for a few days, put him on a light diet, supply him with interesting reading matter, have a little friendly talk with him and try to show him the error of his ways, better and more lasting results will be achieved.\textsuperscript{24}
\end{quote}

In practice, the reasonable situation just described translated itself into a boy wearing nothing but a nightshirt staying alone in a basement
room furnished only with a book and a mattress on the floor while being deprived of his regular meals. The superintendent did not seem to consider a bread and water diet lasting four weeks to be unusual enough to call for special comment. The quality of the records is such that it is impossible to trace punishments on a day-to-day basis to determine how common this sort of treatment was.

Harsh as some of the punishments may have been, Donaldson was frequently able to document examples that illustrated the regard and warm feelings many boys retained for the school and its staff after leaving. Over 70 per cent of all former inmates "who were of military age and eligible for service" volunteered to join the army in World War I and many of them either called at the B.I.S. or telephoned before shipping out and on their return. The superintendent and his family, who lived at the school, reciprocated the boys' feelings. Inmates were never referred to by numbers alone in any correspondence and nicknames and abbreviations appeared as common appellations. Mrs. Donaldson, who served as matron, was always very closely involved in the work, as were some of her children. One daughter played the organ during the evening prayers and on special occasions and another married daughter returned to Vancouver during the post-war influenza epidemic to help nurse the boys. Donaldson's concern with their welfare extended itself to securing medical attention for physical impediments that had existed prior to their entry into the school. For example, one boy who was tongue-tied and who could speak only with difficulty, was given an operation to correct the condition. The superintendent noted: "In a number of cases, from a physical standpoint, it has been a blessing to the boys that they were committed to the school, as otherwise they would have been obliged to go
The relationship between Donaldson and the boys was warm enough that even near the end of the decade when the B.I.S. was quite literally going to wrack and ruin, "some of the very small boys came to me this evening for protection" when a larger boy threatened them.29

Who were these boys of whom Donaldson was so solicitous? There were 132 new admissions during the period 1910 to 1915 and the total number in residence at the time of writing annual reports ranged from 43 in 1910 through 57 in 1912 to the dramatically increased 90 in 1914. The age spread in 1914 was typical and ranged from nine to nineteen years, with the great majority in the fourteen to seventeen years category. Very few - only an average of 6.7 per cent over the five-year period - were of non-Anglo-Saxon birth. Fifty-seven per cent were born in Canada, 22 per cent in the British Isles and the remaining 15 per cent in the United States. Their offences ranged from being a neglected child through the more common incorrigibility and theft to the very rare murder and placing dynamite on railway tracks.30 It is not possible to calculate average length of stay from the records available.

Information regarding committals from the Vancouver Juvenile Court was included in material dealing generally with all the boys. Court records show that, unlike the boys from areas without special courts, the actual offences for which they were committed were usually of little importance in determining the decision. More attention was paid to the overall record, including offences that were never brought to court, but were observed by officials. This category included breaches of probation, each of which was considered to be a separate new offence.

The reasons cited by Judge Shaw for committal included recognition
of the fact that some boys had no home to care for them, but most cases made reference to the beneficial impact the B.I.S. discipline was expected to have on the child. When the parents of W.W., who had been committed on a charge of vagrancy, tried to have him released to go to relatives in Australia, the court refused "on the grounds that the boy was just getting the discipline he so much needed and which his parents had failed to give." Other common reasons for sentence were that the boy had "been given several previous chances [and] has failed to make good," that he showed "no sign of improvement," and that he showed "a great deterioration." Other boys, particularly incorrigibles, were committed "for his own protection and at the mother's request."

The impact of committal must have varied with each boy. The predicament of L. B. illustrates the way in which the protective aspect of the Juvenile Delinquents Act could affect boys. He was sent to the B.I.S. for a minimum of two years' detention for the same offence for which a companion, who was a few months older than he, was sentenced in the regular Police Court to three months in gaol. Not surprisingly, L. B. soon engineered a successful escape from the School and disappeared. Boys remained wards of the Juvenile Court until they were 21 years old, but could be accepted at the B.I.S. only when they were 16 years old and younger. As a consequence, youths who were nearing that age and did not seem to be properly reforming, were sometimes brought in and committed to the B.I.S. on an old charge.

The possible overall impact of a committal could be seen in the case of C. T. A ward of the Vancouver Children's Aid Society, he was brought before the Juvenile Court by the C.A.S. superintendent as
incorrigible by reason of vicious conduct and sentenced to the B.I.S.

His record from that point onwards was as follows:

- July 24, 1912, to B.I.S. - four years;
- arrested Nov. 25, 1916, vagrancy - withdrawn;
- arrested Nov. 28, 1916, vagrancy - three months;
- arrested June 6, 1917, theft of bicycle - 20 days;
- arrested Aug. 25, 1917, theft of auto - 30 days;
- arrested Oct. 10, 1917, theft - six months.

By 1918, the provincial Attorney's-General office, disregarding the fact that almost all of his subsequent offences had occurred shortly after his release from one or another penal institution, had labelled him and refused to recommend clemency for a parole. The Deputy Attorney-General wrote: "Apparently he is an incorrigible thief, having been charged and convicted four times in the last 14 months." The lengthy period G. T. spent in the B.I.S. did not seem to have helped him.

The overall range of the inmates' ages and offences indicates that the arguments employed by promoters working to establish a juvenile court had a sound basis. As the B.C. Attorney-General had written to one such person, "I have always thought that the herding together in a reformatory of boys, some of whom may be very depraved, is the surest possible way of reducing all to the level of the worst boy amongst their number." This thesis was valid even after part of the province began to be served by a properly-constituted court and the attitude implies that despite rhetoric to the contrary, B.I.S. boys were considered to have placed themselves beyond the pale. But the superintendent did not give up on most of them.

Donaldson closely observed the human element of all cases and applied the information to try to benefit the boys. In the case of a boy who caused considerable damage to the school through arson, he overruled his initial impulse to send him to the reformatory because "previous to being committed to the school he had been unfortunate enough to be much
in the company of agitators and anarchists, who had poisoned the boy's mind.\footnote{40} He was particularly sympathetic to the very young inmates, the nine to eleven-year olds, frequently making efforts to have them released well ahead of schedule. W.F. was a case in point. Although the 10-year-old had been committed for a minimum of two years for incorrigibility, Donaldson recommended and secured his release within two months. He explained his reasoning:

... in favor of a very little boy ... being released and returned to his foster parents, who are very fond of the little chap and who are breaking their hearts until they have him back in the home with them. He is a very loveable little chap, an adopted child from a Children's Home, but has the seeds of disease in his system that will give him trouble in the not very distant future.... He has not a very strong constitution and should anything happen to him the parents would always feel if the boy had been under their care the results might have been different....

The same philosophy of doing what would be best for the boy in the long run, however, could also work against his short-term interests. W.G. was a fifteen-year-old inmate who had been in the B.I.S. for a year, committed for minor offences while his father was serving abroad during the war. His mother, who had had a bad reputation and was unable to control the boy, had since left the home and the father, who had been discharged from the army, had requested his son's release. The superintendent refused to endorse the request, saying, "He is a lad who requires to be kept well under restraint and with no mother at home to counsel and advise him, I have grave doubts as to his future conduct.... the father would be doing the boy a kindness to leave him in the school for another year."\footnote{42} W.G. may have had some difficulty seeing that the decision was in his best interests, but in other cases, Donaldson's efforts to protect the boys were more obvious.
The woman from Langley Prairie who requested that her two sons be released because "... I have potatoes going wrong and berrys (sic) spoiling for the sake of picking...." elicited such a response. The superintendent replied that neither of the boys should ever have been committed "but the mother seems to have the idea that the school being a Government institution she has the right to use it for her own convenience." He explained that the conduct of the boys was exemplary although both had been committed at their mother's request as being beyond her control, and that when one had been pardoned and sent home for health reasons, she had returned him three months later on a fresh charge of incorrigibility. He based his refusal on their common lack of education: "Expecting as I do that on leaving the school their school days will be about ended I have not been in as great a hurry to make a recommendation for their release as I would have been had I been sure they would continue going to school for another couple of years...."

The perceived educational advantages of a term in the B.I.S. were also considered to be important by others in the provincial justice system. Magistrates often committed boys or persuaded their parents to agree to their committal on the grounds that they would be educated and would learn a trade while in the school. Not all people interested in juvenile justice, however, made the same assessment of the opportunity. As F.C. Wade wrote:

Magistrate Williams ... seems to overlook the fact that these advantages [education and manual training] are as nothing compared with the blight which a sentence to the Reformatory places on a boy's whole life and career.... imprisonment in a Reformatory in most cases is merely a long period of enforced pauperism expensive to the State and destructive to a very large extent to the life and prospect of the prisoner....
Wade's views remained those of the minority, however, and judges continued to explain to parents the educational benefits their children could expect to receive at the B.I.S.

The superintendent considered physical well-being to be of paramount importance: "The health and lives of the boys (not saying anything about their comfort which is also important) should be our first consideration ..." His compassion for boys who were ill, particularly the Indian boys who were dying of tuberculosis, was evident and he made every effort to have them released to die at home. His concern was partially practical, however, as he remarked on how quickly the disease could spread to the white inmates. In cases where he was not successful in sending the boys home in time, he pressed the government to accept its moral responsibility and assist the parents in returning the body:

The mother and father are working people but ... are very highly respected at Nakusp, and had been assured by the authorities there that if anything happened to the boy, the Government would see that the remains were taken home and all funeral expenses paid.... It is a sad case, a bright, promising, young fellow, manly and gentlemanly .... the parents are heartbroken.... I don't think they have anything but the father's weekly wages to rely upon, but it would break their hearts to have to go home without taking the remains with them, besides, it has cost them a good deal to come to Vancouver and stay here for the past ten days.

The request in the above instance was approved, but Donaldson was severely rebuked for the size of the outlay and warned never to repeat it.

The allowances the superintendent made for the boys' shortcomings were not extended to the staff, from whom he demanded the highest efforts. He outlined his views on staff in 1919 when the newly-formed Civil Service Commission first hired on his behalf. In his opinion, the ideal official would be "a man of good moral character, whose every day life will be an example to the boys;" a total abstainer and non-smoker; "an
active man who can join the boys in a game of football, baseball, etc., and who can do some sprinting in case a boy or boys should make a sudden dash for liberty;" have some knowledge of drill "in order that when he marches with the boys he will not appear awkward[;] ... should be a man who has the welfare of the boys at heart and has full control of his temper because the boys can be very exasperating; should be a man of tact and possessed of a great deal of common sense so as to keep the boys in their proper place and yet at the same time command their respect;" and should be an instructor in whichever department he works "for a new official is only on duty for a few hours until the boys have sized him up and it is astonishing how accurate they are in reaching conclusions." Of all the staff, he regarded the drill instructor as one of the most important.

Drill was a required daily activity and Donaldson was clearly satisfied that that was as it should be: "The drill and physical exercises which the boys have in the gymnasium each day under a competent instructor are bound to play an important part in their development from boyhood into young manhood." He further endorsed all types of sports activities, and said he always questioned job applicants regarding their abilities in that area, with the result that games in which staff and boys mixed were common. He explained the results:

... which made for a 'pal' feeling among boys and officials. I don't know of anything better to make a boy control his temper than taking part in a game of football or Lacrosse (sic) while the work in the Gymnasium will build up and develop young manhood. When the school was opened fourteen years ago the lines I laid down as Superintendent were Work, Sports, Drive and Education, and I have seen no reason to change it for if we can develop along these lines the boy is bound to be a success....

His concern for the development of a warm relationship between staff and charges did not, however, obviate his request that all officials be supplied with badges of authority. The reason, Donaldson explained,
was to make the recapture of escapees less difficult by eliminating
hostility from members of the public who might be present at the time.\textsuperscript{53}
The Attorney-General did not seem to consider this request incongruous.
As his deputy minister explained to a correspondent: "The boys detained
or confined in the Boys' Industrial School are not in any different
position from any man who might be imprisoned in gaol or penitentiary...."

In the same tone, the superintendent rejected a suggestion that
many of the boys could either be sent out to work with farmers who had
requested such help or be apprenticed to some outside firm while continuing
to board at the B.I.S. In contrast to Collier, who was unstinting in his
pressure on employers to give his boys a chance, Donaldson wrote:

> Very few employers would be willing to take a boy as an apprentice
> unless the Superintendent could pass his word in regard to his future
> conduct and if the boy's conduct was such that the Superintendent could
> vouch for his future good character it is only right that the boy
> should be released anyway and then his parents could apprentice him to
> whatever trade he wished to learn and nobody would know that the boy
> had been in a Reform School.\textsuperscript{55}

He enlarged on the ambivalence of his approach to the inmates when
referring to former wards who had served abroad during the war: "many of
these young men distinguished themselves on the field, as their rank and
medals testify, but to mention names would possibly stamp them as
Industrial School boys, therefor for that reason their feats of daring
must come through some other channel than the School."\textsuperscript{56}

The superintendent's attitude was widespread, and in the United
States, in the famous 1870 Turner case, had been given the force of law.
A decision ordering the release from reform school of a boy who had not
committed a crime, said:

> It can not be said, that in this case, there is no imprisonment. This
> boy is deprived of a father's care; bereft of home influences; has no
freedom of action; is committed for an uncertain time; is branded as a prisoner; made subject to the will of others, and thus feels that he is a slave. Nothing could more contribute to paralyze the youthful energies, crush all noble aspirations, and unfit him for the duties of manhood....

These references best signify the dilemma in which Donaldson and many others working in juvenile corrections found themselves. Their rhetoric and publicly-enunciated guiding philosophy stressed that their charges were merely wayward youths whose environment had failed them. Their attitudes, however, demonstrated that for practical purposes, they did not believe their own declamations. They still viewed the boys for whom they cared as young criminals being confined in a juvenile gaol. This ambivalence in approach made it difficult for the B.I.S. to play any significant role in development of the policy of dealing with juvenile offenders in a non-criminal setting.
Footnotes for Chapter V


3. This meant that previously protected Vancouver boys came into immediate contact with boys who had been tried as regular criminals. Josiah Flynt, *My Life* (New York: The Outing Publishing Co., 1908), pp. 82-3, graphically describes how young people took advantage of their time in gaol prior to and during trial to educate themselves as to ways of beating the legal system.


14. See the newspaper debate on this topic in *Ibid.*, March 2, 1907, p. 15, and March 5, 1907, p. 13.


17. *Province*, March 2, 1907, p. 15; and D. Donaldson (hereafter D.D.) to Attorney-General (hereafter A.G.), Jan. 24, 1919, File I-106-4 in A.G. Correspondence, B.C. Provincial Archives, Victoria, B.C. All subsequent references to A.G. correspondence will be from this record group unless otherwise specified.


Gases of neglected children would normally be committed to the care of the Children's Aid Society, but if its home was full or it refused to accept them, for whatever reason, and alternate arrangements could not be made, the B.I.S. was the only institution to which they could be sent. All statistics in this paragraph have been compiled from Annual Reports, 1910-1914.

31 See my file, J.M., I-343-A.

32 Ibid., I-546-A.

33 Ibid., S.S., I-464-A; W.L., I-274-A; and M.O., I-379-A.

34 Ibid., E.S., I-476-A.

35 Ibid., I-328-A.

36 Ibid., I-517-A.

37 Dep. A.G. to P.M. Cote, Dept. of Justice, Ottawa, Feb. 1, 1918.

38 Ibid.

39 A.G. to F.C. Wade, Feb. 16, 1907, in Wade Papers, Vancouver City Archives, MSS. 44.

40 Annual Report, 1913, p. 16.


42 D.D. to A.G., Jan. 8, 1918, File 650-3-18.

44 D.D. to Chief Clerk, July 8, 1919, File I-106-1.

45 Ibid.

46 F.C. Wade to Minister of Justice, June 18, 1908, in Wade Papers.


49 D.D. to A.G., April 19, 1918, File 51-3-18.


51 Annual Report, 1911, p. 27.


53 D.D. to A.G., July 15, 1912.


56 "Annual Report, 1919."

CHAPTER VI
CONCLUSION

The advent and impact of the juvenile court in the English-speaking world has increasingly been the focus of study in recent years. The foregoing consideration of the day-to-day activities of the Vancouver Juvenile Court has demonstrated, however, that none of the theoretical approaches utilized thus far is adequate for a proper understanding of its function.

Gillis' view of the court as a model of British class conflict has some validity. The court and its activities did serve to increase the period of dependency for children from all families. Likewise, there is no doubt that Canadian legislators and court promoters saw the new institution as one intended to deal almost exclusively with the poor. But the analogy breaks down at this point. Although individual families tried to resist adopting the court-ordered norms, there was no evidence of any widespread opposition to its activities. Indeed, the demonstrated lack of public interest in the new institution suggests, to the contrary, that its work was generally endorsed by the community.

Schlossman's view that the court's real impact was in allowing the law to be enforced against children for the first time by providing special facilities for them also seems to have merit. But it cannot be verified without detailed study of the manner in which young offenders were actually treated by police and judges prior to the advent of the juvenile court. The Vancouver evidence demonstrates, however, that he errs in considering the court to be harmless because of the extensive nature of its community interests. The overall impact of its attack on many fronts was to significantly constrict the available range of activities for young people,
their families and business operators who dealt with children.

Sutherland rehabilitated the arguments of the original reformers with his position that the new system benefitted young offenders by saving them from being characterized as and socialized into becoming criminals. The evidence from the Vancouver court suggests, however, that he may have been too kind in his judgement. The court did not function as its promoters had intended and children were both kept in police cells and subjected to lengthy and frequent periods of detention in the Detention Home under relatively stringent conditions. The youngsters were treated more like criminals who might still be reformed than like wayward children in need of correction.

The Vancouver Juvenile Court is probably best analyzed as a case study within the framework of the morphology of social reform movements developed by Carl Kaestle and described in Chapter I. Cyclical reform movements, according to Kaestle, are composed of four distinct, but concurrent cycles. These are the cycles of expectations, personnel, support and ideology. All four cycles work together to cause staff and public, both of whom initially approached the project with confidence, to lose faith in their reform.

In the first phase, the cycle of expectations, the existing institution is attacked and utopian solutions are proposed to provide for a total solution to the problem and even the reformation of society. In this way, high expectations are generated both within the reform movement itself and the general public. The new institution is established and its progress sympathetically charted for a time before the differences between its performance and the exaggerated claims of its promoters are
noticed and disillusionment sets in.

Although the latter stages of this cycle are beyond the time frame of this study, its earlier phases coincide directly with those of the Vancouver case. The Juvenile Protection Association, like its counterparts across the country, began to strenuously decry the methods by which children were treated by the courts, insisting that these practices almost inevitably led to growth of the criminal class. They promised that a juvenile court would halt the criminalization process and turn potential long-term offenders into solid, productive citizens. After the court was established, city council was interested enough in the work to send one of its members as a delegate to the J.C.A.C. After the first year, interest had waned enough that the delegate was withdrawn. Collier gave frequent public addresses, but these were rarely even noted by the press after the court was underway.

The cycle of personnel is the second aspect of the movement that was experienced in Vancouver. According to Kaestle, the talented amateur provides the impetus in many reform movements, but is replaced by trained staff when the institution is established. The qualifications of the new personnel lead to expertise and efficiency, or the appearance of them, but also to insularity and often to mediocrity.

In Vancouver, the J.P.A. was made up of interested citizens who worked in other areas, most notably the lawyer F.C. Wade. But Herbert Collier, who was already familiar with regular court work from his involvement in the Salvation Army's Prison Gate Department, became the first C.P.O. The contrast between his stern approach to his wards and that of Daniel Donaldson, superintendent of the Boys' Industrial School,
was a striking demonstration of the changes wrought by professionalization. The boys demonstrated genuine affection for Donaldson, who had been a clothier who was interested in children, while they went to great lengths to avoid dealing with Collier, the specialist. A similar situation developed at the B.I.S. when Donaldson was replaced by David Brankin, a trained child welfare worker who immediately began to refer to the boys by their assigned numbers in place of their proper and nicknames. A Progressive-era reformer described this problem in general terms:

The true reformer is not without humor, without pity, without mercy, but he is without knowledge of life or of human nature, and without very much of any sort of sweetness and light. The more moral he is, and the more amazingly ready with cruel judgements.... He thinks there is an absolute good and an absolute bad, and hence absolutely good people and absolutely bad people.

Collier's aloofness from his wards contributed to the downturn of the cycle since the court's promoters had predicated their assumptions on the belief that the boys would cooperate wholeheartedly with court staff.

The third cycle, that of support, was also experienced by the Vancouver Juvenile Court. As Kaestle explained, during the early stages of institutional reform, the public is often willing to allocate extraordinary financial resources. This support diminishes, leading to overcrowded facilities and inadequate staff, as public enthusiasm wanes. Poor results and further diminished resources result from this financial situation, since it makes impossible the type of treatment that had been envisioned by promoters.

The Vancouver Juvenile Court likewise began with full financial support. A building was procured and furnished, adequate staff was hired, an extension to the Detention Home was constructed, and more staff were hired as the work expanded, all without questioning or complaint from the
funders. As the 1913-14 depression wore on, however, and the outbreak of war followed, the court began to feel the financial pinch with slow payment of salaries and inclusion in a general wage cut for civic employees. The impact of the new financial restraints, however, is beyond the time scope of this thesis.

In explaining the fourth cycle, that of ideology, Kaestle argues that prevailing theories about the causes of poverty and deviance tend to parallel the cycles of reform. Thus, although environmental and hereditarian explanations coexist at most times, environmental theories tend to dominate during the optimistic early years of an institution and hereditarian explanations during the pessimistic downturn.

Environmental and genetic arguments regarding criminality were both advanced during the debate on the Juvenile Delinquents Act, but the former were clearly in the majority. This situation continued throughout the period 1910 to 1915 and although occasional reference was made to the number of mental defectives in the British Columbia delinquent class, the mental hygiene movement, which soon came to dominate discussion of the problem, did not gain momentum until later years.

Kaestle explained that permanent linear changes often underlie the apparent circularity of the cycles of reform movements. This was also true in Vancouver, although the juvenile court was definitely not the major new institution it is often considered to have been. Its function was economic in that it sought to produce well-disciplined workers and clearly indicated that deviance from this line would no longer be tolerated by society. Its function was also social in that it was an important part of the machinery for extending the length of childhood. But both of these functions clearly enjoyed wide public support with only isolated cases of resistance.
The court merely provided an institutionalized method of enforcing the new norms that had already developed from a cross-class consensus on these issues.

The court was effective and aggressive as an economic institution. Under its aegis, the section of the Criminal Code requiring men to support their families was actively enforced. Dissolute parents usually lost their children until they established themselves as sober and industrious citizens. The impact on boys who came before the court was even more direct. They were required either to attend school faithfully or to work regularly at a job procured or approved by the C.P.O. Only the most regular types of employment were acceptable to him, for example, factory or department store jobs, and boys were not allowed to work in any marginal areas such as hotels or as messengers or newsboys. Unusual work, such as prize fighting, was completely out of the question. Nor were wards of the court allowed to complain about their levels of pay or working conditions.

The court also played a significant role in legally extending the length of childhood. During this period, the school system was developing high school programs to deal with older children and the government was passing regulations to govern young people in the workplace. The court picked up the slack and controlled children during other times and situations. Its new restrictions, which applied equally to seven-year olds and sixteen-year olds, made explicit the new position that adult status was no longer freely obtainable.

There is no doubt that the Vancouver Juvenile Court did not function as those who had framed the legislation had intended. The judge did not
accept his responsibility; the C.P.O. misused his wide powers; and lay involvement in the process was systematically limited and eliminated. The secrecy surrounding court proceedings may have kept their true nature from the public, but the general lack of interest in the court's operation suggests that fuller information would not have altered the degree of public acceptance. The rhetoric of promoters such as Scott and Kelso regarding protection of the child was clearly seen as just that - rhetoric that had little to do with its true function.

The Vancouver case may have been an isolated example. Certainly, the local Protestant C.A.S., with its tendency to hold its wards in a large group home for lengthy periods of time instead of placing them in foster homes, was broadly criticized for its deviation from the national, or Ontario norm. The very concept of a national norm in regard to child welfare work in a country with regions as varied as Canada may itself be specious. General statements about the impact of the juvenile court in Canada thus cannot be made until case studies of other courts have been completed. Based on the Vancouver experience, however, it is clear that while the Juvenile Court could have an enormous impact on the lives of those who came before it, that impact was entirely in keeping with community expectations. As such, the court affirmed, rather than led public opinion.

This does not mean that the juvenile court was insignificant, but rather as Durkheim and Erickson suggested, that it must be seen as a barometer or focal point for the elucidation of community standards. Through the Vancouver court, the community demonstrated that above all, it wanted its property safe; secondly, that it wanted all citizens to do their share in assisting the material advancement of the nation; and
thirdly, that it considered that young people required a lengthier period of training under restraint than had previously been the practice before they would be ready to assume adult responsibilities. The Vancouver Juvenile Court was thus a stern wet-nurse to the modern concept of childhood.
Footnotes to Chapter VI


3 Neil Sutherland, Children in English-Canadian Society: Framing the Twentieth Century Consensus, (Toronto: University of Toronto Press, 1976), pp. 91-151.


5 Ibid., pp. 218-219.


BIBLIOGRAPHIC NOTE

The records of the Vancouver Juvenile Court from its establishment in May, 1910, until January, 1915, were the most important primary source for this thesis. The unprocessed records are stored in the Vancouver City Archives in minute books temporarily marked as numbers 1-5 and 8. They are in three sets: the Judge's Book, which deals almost exclusively with cases committed to the B.I.S., although it does not include all such cases; the Minutes of the Juvenile Court Advisory Committee, which contains the minutes of meetings of the full committee; and the Day Book of the Chief Probation Officer, which is a detailed diary of his daily activities, including court cases. All records are arranged chronologically.

Correspondence of the B.C. Attorney-General, which is stored in the Provincial Archives on microfilm reels 20-72, 74-78, and 298-324 was another valuable primary source, particularly for the chapter dealing with the Boys' Industrial School. The materials, which are arranged topically in files, include records of the provincial industrial schools; moving picture censor; factories inspector; Assize Courts; Grand Juries; and parole requests. Letters inward and outward are included in the same set.

The files of the Juvenile Protection Association are in the records of the Wade Family in the Vancouver City Archives (MSS 44, Vol. 5B). These are primarily an assortment of correspondence and newspaper clippings from the period prior to and during establishment of the court. They also contain several printed items, such as copies of annual reports of children's protection officers from other provinces.

The minutes of the Vancouver Local Council of Women, which are held in Special Collections at the University of British Columbia (Box 4), were scanned for references to juvenile delinquency. Most of their
relevant concerns, however, were with female offenders.

Senate Debates from 1907 and 1908 during discussion of the Juvenile Delinquents Act demonstrate the few reservations senators had about the legislation. British Columbia newspapers, most notably the Victoria Times and the Vancouver Province and Daily News-Advertiser, were consulted for provincial legislative debates and general discussion of juvenile delinquents and the children’s court movement. The reports of three Royal Commissions - Board of Inquiry into the Cost of Living (1915); Royal Commission on Industrial Training and Technical Education (1913); and B.C. Survey of the School System (1925) - provided information on social conditions and aspirations. The 1911 Census was used for general background information.

A selected bibliography follows:

SELECTED BIBLIOGRAPHY

Books:


Articles:


Unpublished Papers:


APPENDIX I

METHODOLOGY FOR CHAPTER IV

The unprocessed records of the Vancouver Juvenile Court are in storage at the Vancouver City Archives in Vancouver, B.C. Those from the period June, 1910, to January, 1915, are in Minute Books, temporarily numbered 1-5, and 8. They are in three groups: the Judge's Book; the Minutes of the Juvenile Court Advisory Committee (J.C.A.C.); and the Day Book of the Chief Probation Officer (C.P.O.). The judge's book deals almost exclusively with cases committed to the Boys' Industrial School (B.I.S.), but does not include all such cases. The J.C.A.C. records contain only the minutes of meetings of the full committee. The C.P.O.'s books list his daily activities in great detail, and are the most valuable sources in the collection.

Since the contemporary files of the children have been lost, I recreated them with combined references from the three groups of records. Files were assembled for 1397 cases, 567 of which were studied in detail. The cases studied included almost all cases of male delinquents who came before the court charged with any offence during the period under study. Fewer than 10 such cases were omitted and these were for boys who committed their first offence immediately before the end of the time period and whose first charge had not yet been dealt with. Another 199 cases were eliminated because they were female offenders, who are not being considered in this study. Also discarded were 94 child welfare cases which were handled through the juvenile court even though they did not deal with delinquency. Another twelve cases were eliminated because they dealt with adult offenders, mostly those charged with contributing to delinquency,
during the period before such cases began to be handled by the Police Court.

The largest single category of files to be eliminated was the 325 cases for which the records contained usually only a single reference. This grouping included boys whose names may have been recorded because the C.P.O. found them loitering in the company of a court ward, with a boy who was smoking, or even with a drunken adult. They had committed no offence themselves and were not brought to the Detention Home for any reason. This category also included those boys whose parents brought them to the Detention Home on a single occasion to be admonished by the C.P.O. for their behaviour at home. Their misbehaviours were not serious and the parents did not want or expect them to be detained. Files were kept on these children only in the event of offences being committed by them at a future date.

I developed the following codebook to analyze the cases:

**Analyze Juvenile Court Data**

<table>
<thead>
<tr>
<th>Field</th>
<th>Column</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1-3</td>
<td>Identity number (001-56?)</td>
</tr>
<tr>
<td>2</td>
<td>4-7</td>
<td>Date of birth (year)</td>
</tr>
</tbody>
</table>
| 3     | 8-9    | Originator of initial contact with court:  
|       |        | 1=parent or stepparent  
|       |        | 2=C.A.S. official  
|       |        | 3=guardian  
|       |        | 4=policeman  
|       |        | 5=school official  
|       |        | 6=probation staff  
|       |        | 7=neighbour  
|       |        | 8=plaintiff  
|       |        | 9=other (includes other boys involved and other relatives)  
|       |        | 99=unknown |
Field | Column  | Code |
--- | --- | --- |
4 | 10-11 | First charge or contact with court:  
1 = breaking and entering (includes B, E & S, and burglary)  
2 = receiving stolen goods  
3 = wilful damage  
4 = incorrigible  
5 = curfew  
6 = vagrancy  
7 = wandering abroad (includes runaways)  
8 = breach in conditions of probation  
9 = forgery  
10 = indecent act  
11 = assault (includes wounding)  
12 = bylaw violation  
13 = escaping custody  
14 = gambling  
15 = to be paroled from B.I.S.  
16 = minor theft  
17 = truancy  
18 = major theft (includes highway robbery)  
19 = false pretences  
20 = other (includes offences in the order of discharging firearms, drunkenness and Tobacco Act violations)  
21 = arson  
99 = unknown |
5 | 12-13 | Disposition of first charge or contact:  
1 = dismissed or withdrawn  
2 = suspended sentence  
3 = suspended sentence, to attend D.H. school  
4 = sent home  
5 = spanked and sent home  
6 = school to punish  
7 = parent and child cautioned  
8 = probation, no conditions specified  
9 = probation, to report weekly  
10 = probation, to report monthly  
11 = probation, to report by mail  
12 = to leave city  
13 = to leave country (includes formal deportation)  
14 = to B.I.S.  
15 = to C.A.S.  
16 = to care of other guardian or institution  
17 = parents to pay fine  
18 = detained until parents improve home  
19 = to make restitution  
20 = child cautioned  
21 = flogged or whipped  
22 = settled out of court  
23 = found job  
(cont'd)
<table>
<thead>
<tr>
<th>Field</th>
<th>Column</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>(cont'd)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 24=remand indefinitely  
25=to Police Court  
26=escaped, not recaptured |
| 6 | 14-15 | As for Field 4. |
| 7 | 16-17 | As for Field 5. |
| 8 | 18-19 | Total number of reported new offences during period. |
| 9 | 20-21 | Ultimate disposition of boy:  
1=B.I.S.  
2=C.A.S. or other guardian  
3=left city  
4=left country  
5=continued probation  
6=Police Court  
7=escaped, not recaptured  
8=beyond time frame  
9=penal institution elsewhere  
10=got job  
11=died  
99=unknown |
| 10 | 22-23 | Total number of court appearances. |
| 11 | 24-26 | Total number of days in detention for all charges. |
| 12 | 27-28 | Average number of days in detention for all charges. |
| 13 | 29-31 | Total number of weeks spent reporting. |
| 14 | 32-33 | Occupation:  
1=student  
2=working  
3=changed from student to working during period  
4=neither work nor school  
5=unknown |
| 15 | 34-37 | Year of first contact. |
| 16 | 38-39 | Home situation:  
1=mother and father (natural parents as far as is known)  
2=father, no mother  
3=mother, no father  
4=at least one parent is stepparent  
5=adoptive parents  
6=with other relatives  
(cont'd)
In developing the codebook I decided to ignore modern classifications of offences even though it would mean that data could not easily be compared from period to period. I did this because modern classifications such as "theft under $50" or the classifying of all firearms offences as serious would have distorted the situation as it existed during 1910-1915.

I decided that the values assigned to most variables in the original codebook had been broken down in far too discrete a manner and recoded many variables as follows:

<table>
<thead>
<tr>
<th>Field</th>
<th>Column</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>8-9</td>
<td>3 = guardian (includes C.A.S. official)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 = probation staff (includes school officials)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>9 = other (includes neighbour and plaintiff)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- all other categories as in original codebook</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>10-11</td>
<td>1 = victimless (includes incorrigible; curfew; vagrancy; wandering abroad; breach in conditions of probation; and truancy)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 = most minor (includes bylaw offences; gambling; paroled from B.I.S.; and other)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 = minor (includes minor theft and wilful damage)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 = relatively serious (includes breaking and entering; receiving stolen goods; and forgery)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5 = serious (includes assault; indecent act; escaping custody; major theft; false pretences; and arson)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>12-13</td>
<td>1 = dismissed (includes dismissed or withdrawn; and settled out of court)</td>
<td></td>
</tr>
</tbody>
</table>
|       |        | 2 = suspended sentence (includes suspended sentence; (cont'd)
<table>
<thead>
<tr>
<th>Field</th>
<th>Column</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>(cont'd)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>attend D.H. school; sent home; spanked and sent home; school to punish; parents to pay fine; restitution; child cautioned; flogged; found job; remand indefinitely; and parent and child cautioned)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3=guardian (Includes C.A.S.; other guardian or institution; detained until parents improve home)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4=probation (includes all categories of probation)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5=sent out of jurisdiction (includes leave city; and leave country)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6=beyond jurisdiction (includes Police Court; and escaped)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7=B.I.S.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 14-15</td>
<td>As for Field 4.</td>
<td></td>
</tr>
<tr>
<td>7 16-17</td>
<td>As for Field 5.</td>
<td></td>
</tr>
<tr>
<td>8 18-19 Total number of reported new offences during period:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1=1-3 3=6-9 5=13-15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2=4-5 4=10-12 6=16-20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 20-21 Ultimate disposition of boy:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3=left city (includes left city and left country)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7=left jurisdiction (includes escaped, not recaptured; to Police Court; penal institution elsewhere; got job; and died)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>99=unknown (includes unknown; beyond time frame; and continued probation)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-all other categories as in original codebook</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 22-23 Total number of court appearances:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1=1-2 4=8-10 7=17-20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2=3-4 5=11-12 8=21-24</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3=5-7 6=13-16 9=25-28</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 24-25 Total number of days in Detention Home for all charges:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1=1-3 8=43-55 15=201-250</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2=4-6 9=56-65 16=251-300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3=7-14 10=66-75 17=301-350</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4=15-21 11=76-100 18=351-400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5=22-28 12=101-125 19=401-450</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6=29-35 13=126-150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7=36-42 14=151-200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 38-39 Home situation:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1=two parents (includes father and mother; stepparents; orphaned during period; reference to mother only; and reference to father only)</td>
<td></td>
<td></td>
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<tr>
<td>(cont'd)</td>
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</tr>
<tr>
<td>Field</td>
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<td>Code</td>
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<tr>
<td>-------</td>
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<td>---------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2=father, no mother</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3=mother, no father</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5=guardian (includes adopted; relatives; guardian; and institutional origin)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9=alone (includes alone and out of town)</td>
</tr>
</tbody>
</table>

The programmed package known as S.P.S.S. (Statistical Package for the Social Sciences) was used to analyze the data. Both codebooks were used in the process.