

SOCIAL AND FAMILY BACKGROUNDS AS AN ASPECT
OF RECIDIVISM AMONG JUVENILE DELINQUENTS

A Compilation and Review for a Group of Juvenile
Delinquents Who Failed to Respond to
Programmes Provided for Their Rehabilitation

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ABSTRACT

The subject under study is the social and family backgrounds of a group of juvenile delinquents who failed in rehabilitation in spite of services provided by the community.

As a background, public concern with regard to the attitudes of professionals and the programmes provided for youthful offenders is discussed. A review is made of contrasting philosophies in relation to these offenders. Canadian programmes are shown to have evolved from both English and American systems.

The detailed personal data was assembled for a sample group of boys (23), all under eighteen at the time of committal (Oakalla, November 1953). Material used included court and institutional records, social histories and case records, and summaries of other agency contacts. These were secured from the files of Oakalla Prison, the Boys Industrial School, and the Provincial Probation Branch.

The study throws light on one aspect of the crucial and obstinate problem of recidivism. The ineffectiveness of the preventive and treatment programmes in reaching the 'hard-core' group of juvenile delinquents can be attributed at least in part to the fact that the existing programmes were not oriented to meet the needs of the emotionally disorganized individuals who were often further damaged through their experiences in treatment.

Some of the implications of the study are (a) the need for early detection and diagnosis, (b) the development of diverse community and institutional programmes, (c) rational and consistent sentencing policies. It is also shown that there is a need for better coordination of services for delinquent and disturbed children.

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SOCIAL AND FAMILY BACKGROUNDS AS AN ASPECT
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CHAPTER I

JUVENILE DELINQUENCY - PUBLIC CONCERN

"'Get tough with young thugs.'" This is a headline in a February 1957 copy of the Vancouver Sun in which J. Edgar Hoover, Director of the American F.B.I., is reported as saying that "'recent happenings in juvenile crime shatter the illusion that soft-hearted molly-coddling is the answer to this problem.'"¹ Provoked by such statements, public concern is stirred from almost complete apathy to a pre-Christian attitude sometimes resembling that of the Lex Talionis.² The implication that there is a crime wave for which youth is responsible, usually has its origin in sensational cases which arouse both fear and hostility on the part of the public. Very little is said about the thousands of children who do not get into trouble, nor is there much recognition of those whose serious disturbances are successfully treated by courts, clinics, social agencies, etc.

Statistics to validate the impression that there is a crime wave among youth are frequently unreliable and sometimes lacking. Methods of reporting statistics vary from court to court, area to area, country to country, and although efforts

1. 'Get Tough with Young Thugs', The Vancouver Sun, February 5, 1957, p.8.

2. Exodus 21: 23-25.

are being made to unify procedure, results are still subject to question. In Canada the actual definition of juvenile delinquency takes into consideration the infraction of the most minor by-laws, as well as the most serious charges under the Criminal Code. In the last report (1954) of the Dominion Bureau of Statistics concerning juvenile delinquents for the year 1952, the total of 7,213 indicated a decrease of more than 300 children for the whole of Canada. This was the lowest number in a 25 year period but there was in fact an increase in the four Western Provinces and Newfoundland.¹ In U.S.A. an increase of 29 per cent between 1949 and 1952 evinces some cause for concern.² Nevertheless, increases or decreases must be considered in the light of various influences, such as relationship to the number of births over a given period, shifts in population, changes in procedures of reporting statistics, etc.

Growing awareness of the fact that the etiology of delinquency is as diversified as the number of individuals who become delinquent has led to a liberalisation of opinion and a questioning of the condemnatory "get tough" attitudes. But some answer to the need for protecting society and preventing the problem is demanded by a confused public. The methods by which each community answers the current outcry is dependent upon the

1. Canada, Dominion Bureau of Statistics, Juvenile Delinquents, 1952, 1954, pp.7-9, p.15.

2. KVARACEUS, W.C., The Community and the Delinquent, World Book Company, New York, 1954. pp.1-2, pp.7-8.

leadership within the community and the philosophy behind that leadership. As a result of pressure, many organizations for youth have developed - municipal, state-wide, public and private, some aimed at prevention, others at cures. The United Nations points out in the survey of the Bureau of Social Affairs, that there are "formidable difficulties in proving the effectiveness of any single measure in reducing the delinquency rate"¹ because of the complexity of the problem, and a multi-disciplinary approach is recommended.

Contrasting Philosophies and Programmes

It is of interest here to mention some of the various methods and philosophies which other countries have evolved to deal with the problem of juvenile delinquency. In Scandinavia programmes have an underlying philosophy that "children and young persons who show particularly serious maladjustment, including delinquency, and who are in need of corrective educational measures"² are the responsibility of a child welfare committee. Such a committee may take action even against a parent's will and children may be so treated up to 16 years of age in Finland, Iceland and Sweden, or to 18 in Denmark and Norway. In Sweden this may be extended to 21 or even older. Actually no child below 15 (14 in Norway) can be tried in a court for a crime. Thus the

1. United Nations, Bureau of Social Affairs, The Prevention of Juvenile Delinquency, p.146.

2. Freedom and Welfare, Social Patterns in the Northern Countries of Europe, Edited by George R. Nelson, et al, Sponsored by the Ministries of Social Affairs of Denmark, Finland, Iceland, Norway, Sweden, 1953. pp.475-478.

family welfare, health and housing programmes, extensively developed as preventive as well as remedial measures, have influenced attitudes toward delinquency and a state-wide control is maintained through the child welfare committee established in each community under the various Children Acts. (These committees are comprised of priests, teachers, physicians - volunteers acting for government coordination of programmes.) No differentiation is made between the child who manifests delinquent behaviour and the child who is in need of protection. With delinquents between 15 and 21, court action will be taken only after the prosecutor and the child welfare authorities have consulted together.

In contrast, in California, U.S.A., as a result of the influence of the American Law Institute, a Youth Authority has been developed whose primary concern is the treatment of the delinquent under state control, although a public education programme provides advice concerning preventive measures. This plan will be discussed in more detail later in this chapter.

In New York the approach has been toward the prevention of delinquency in the establishment of a Youth Commission as a state organization. As a result of research, Youth Bureaux were established to coordinate all public and private agencies in order to meet youth needs and prevent duplication of services, while at the same time establishing necessary new programmes (including education, clinics, law enforcement, recreation,

health, etc.), in an effort to discover early delinquency and forestall its development. As a result of this coordination of effort the Commission believes that evidence is available to show that all but a very few delinquents could have been detected and that remedial action by schools would decrease delinquency. Out of this has developed the New York City Youth Board with teams in high delinquency areas using the "aggressive casework" approach.

The United States Children's Bureau in 1952 undertook a special programme of research concerning delinquent behaviour. Out of this evolved the recommendation for a single public agency in each state to take responsibility for the development of teamwork among the various services for delinquent children.

In Canada, the Saskatchewan Government has coordinated all correctional services under the Corrections Branch of the Department of Social Welfare and Rehabilitation. This Branch has a consultative relationship to the Public Welfare Branch who are responsible for case decisions. Every case of delinquency is reported to the chief probation officer and an inquiry is conducted before any court proceedings may be commenced.

1956 saw grave concern in British Columbia among lay and professional persons. Spearheaded by the John Howard Society, who recognized through their work that "the limitations in our present system of handling juveniles are, in many cases, aiding development

of case-hardened criminals",¹ an attempt has been made to organize a British Columbia Youth Council. The objects of this organization are to include, among other important aims, the promotion and co-ordination of activities and research with a view to helping prevent youth behaviour problems and to secure efficient treatment, rehabilitation and education of young offenders.

At the same time the Board of Directors have planned to submit a report to the Provincial Government to arrange for a Royal Commission to conduct a systematic study of youth problems and to consider the development of a Youth Authority.

Historical Background to Canadian Programmes

In order to understand the basis upon which the present Canadian programmes have developed we must review the historical background of our laws concerning children who are delinquent. Looking back over the centuries we are aware that special treatment programmes and legal provisions for juvenile delinquents apart from adults have been the concern of people from very early times. Provision for dealing with the "wild, depraved, wayward or headstrong"² child was first made by determining the age below which a child could not be said to have insight into his behaviour.

The Romans set the age of 7 as "the age of discernment"³ and from

1. (Proceedings) Juvenile Delinquency Conference, Hotel Georgia, Vancouver, B.C., October 20-21, 1956. p.1 and p.17.

2. BARNES, H.E., and TEETERS, N.K., New Horizons in Criminology, 2nd Edition, New York, Prentice-Hall, Inc., 1953. p.318.

3. TEETERS, N.K., and REINEMANN, J.O., The Challenge of Delinquency, New York, Prentice-Hall, Inc., 1950. p.41.

7 to puberty as the period within which the child could be punished if some insight was proved to have been present. From puberty to 25, age was weighed against punishment.¹ The Napoleonic Code determined the age of discernment as 16 years; the English Common Law established the age of 7 as that below which no responsibility could be ascribed.² These early practices have become basic to the laws of America and Canada, notwithstanding the many variations from state to state and province to province. The effect of these variations is such that a child of 16 years of age who runs away from home in British Columbia to Alberta and who commits a delinquency, will be treated as an adult, held in jail, charged in Police Court and may serve a sentence in Fort Saskatchewan Jail. The Canadian Juvenile Delinquents Act establishes the age of a "child" as 16 years or "such other age as may be directed in any province pursuant to sub-section 2"; viz.: 'The Governor-in-Council may.....by proclamation

- (a) Direct that in any province the expression "child" in this Act means any boy or girl apparently or actually under the age of 18 years.....³

A second development in beginning to treat children differently from adults was the gradual infiltration of the

1. YOUNG, Pauline V., Social Treatment in Probation and Delinquency, 2nd Edition, McGraw-Hill Book Company, Inc., New York, 1952. p.15.

2. BARNES and TEETERS, op.cit., p.318.

3. Revised Statutes of Canada, Chapter 46, 19-20 George V, An Act Respecting Juvenile Delinquents, 1929, as amended etc., Section 2(1)(a) and Section 2(2)(a).

principles of equity proceedings from the British courts of chancery in which the state assumed parental responsibilities in providing guardianship and protection for the child in need, as well as for the delinquent child. In addition, the informality of the equity proceedings was carried over to the courts dealing with delinquents. Thus the philosophy of our Juvenile Courts of today is based upon these ideals of informality, protection, justice and inquiry into the needs of the offender, rather than upon punitive measures. This same philosophy is carried through to services connected with the Juvenile Court programme so that the spirit of the law is, at least in theory, to provide "measures of social and educational treatment" in place of punishment.¹ The result, then, is that once a child has been found to be a delinquent, he must be treated as an individual in his total psycho-social situation.²

This philosophy in the treatment of the delinquent has progressed very slowly in the institutions in which juveniles who have committed offences are detained. In England in 1816, the main idea seems to have been either to hang the culprit or transport him to the colonies. There was no segregation of children from adults either in prison or in the methods of punishment. The first half of the nineteenth century saw the development of

1. SUTHERLAND, Edwin H., Principles of Criminology, 4th Edition, J.B. Lippincott Company, Chicago, 1949. pp.307-308.

2. Cf. Juvenile Delinquents Act, 1929, section 3(2):
".....he shall be dealt with not as an offender, but as one in a condition of delinquency and therefore requiring help and guidance and proper supervision."

schools for "waifs and strays" in order to get young persons out of the prisons and at the same time to effect reformation and deterrence. Offenders were sent to prison for not less than fourteen days and then transferred to reformatories for from two to five years if they were under 16 years of age. Industrial schools were established to train children under 14 who were in need of protection and also children under 12 who had committed offences.¹ Discipline and hardships in these early schools were often worse than in the prisons. Moreover, there were, in spite of these reforms, many children still in prisons, and in 1865 the Prisons Act made it mandatory for children under 16 "to be kept separate and given special treatment".² A century previously John Howard had written: "Boys confined for correction should always be separate from other prisoners, and indeed from one another....."³

By 1908 the "Juvenile-Adult" class of boys (16 to 21) was formed and through the efforts of Sir Evelyn Ruggles-Brise was finally developed into the Borstal System. Its aim was to provide for ".....'the young hooligan advanced in crime, perhaps with many previous convictions, and who appeared to be inevitably doomed to a life of habitual crime.'"⁴

1. FOX, Lionel W., The English Prison and Borstal Systems, Routledge & Kegan Paul Limited, London, 1952. p.328.

2. Ibid., p.328.

3. HOWARD, John, The State of the Prisons, J.M. Dent & Sons Ltd., London, 1929 Edition. p.39n.

4. RUGGLES-BRISE, Sir Evelyn, The English Prison System, MacMillan, 1921, Ch. 8, as quoted in FOX, op.cit., p.333.

The treatment of the young offender outside of an institution began as an outgrowth of the practice known as the benefit of clergy or judicial reprieve. The important elements of probation - supervision and suspended sentence - were introduced in court practice in Birmingham and Portsmouth before they became law. In 1820 the individual was imprisoned for one day and then released to the supervision of a "parent or guardian". By 1879 the use of suspended sentence became law but it was not until the year 1907 that probation legally prescribed supervision.¹

The Children's Act of 1908 provided for the hearing of cases involving children under 16 in a juvenile court, and the Prevention of Crime Act of the same year removed offenders under 21 from prison. The Children and Young Persons Act of 1933 raised the age of discernment from 7 to 8 years, defined a "young person" as an individual over 14 and under 17 years of age, and provided that all children and young persons should be under the jurisdiction of the juvenile court. This act also renamed the old industrial schools and reformatories as "Approved Schools" to admit children and young persons of from 10 to 17 years of age. Thus the 16 to 17 year olds were to be provided for in either an Approved School or Borstal. Committal of any child to the care of a "fit person" (which can be a local authority) was made possible under this Act.

1. United Nations, Probation and Related Measures, Department of Social Affairs, New York, 1951. pp.42-43.

The Criminal Justice Act of 1948 provides that individuals from 8 to 17 years may be discharged absolutely or conditionally, or be placed on probation (though when over 14, consent must be given). These same Children and Young Persons may also be detained in a remand home for a period of not more than one month if no other plan is advisable. There is also provision in the Act for Special Remand Centres which do not yet exist. The intention is to provide for persons under 17 years who may be too unruly for remand homes or approved schools as well as for the 17 to 21 year olds. In such a Centre facilities for observation will eventually be set up and special observation where necessary of the person 14 years and up will be possible. The Criminal Justice Act therefore prohibits the imprisonment of any child under 15 and restricts imprisonment for the 17 to 21 group.

In summary, then, the law in Britain provides for a variety of methods of treating the young offender from 8 to 21 years. These are as follows:

1. cautions, binding over, or fines.
2. absolute discharge.
3. conditional discharge (discharged if individual commits no offence during a period not to exceed twelve months).
4. probation for from one to three years, with consent of those over 14 years,
 - (a) in the community.
 - (b) with residence in a probation hostel for not more than twelve months, with freedom to go out to school or work.
 - (c) with residence in a protection home wherein the individual lives and works for not more than twelve months.

5. fit person order (child usually potentially delinquent).
6. for minor offences - attendance at an Attendance Centre for those 12 to under 21 years for a few hours daily to a total of twelve hours in order to restrict leisure time and to give "appropriate occupation or instruction".¹
7. detention in a remand home for not more than one month for those up to 17 years.
8. detention in Detention Centres for 14 to 21 year olds, for normally from three to six months if the individual has not previously been in a Detention Centre or Borstal and when other methods are not suitable. If the offender is of compulsory school age he may be sent for not less than one month.
9. committal to an Approved School if under 17 or to Borstal training if 16 to 21 years.
10. for those under 21 who cannot be provided for and who are left in prison, the Young Prisoners Class (Borstal failures and those unsuitable for Borstal). Special wings in certain prisons have been set aside for these persons with sentences of three months or over.
11. release on license is provided under the supervision of the Central After-Care Association for individuals who have served nine months to three years in a Borstal or who have served two-thirds of the sentence in a Young Prisoners Centre.

The ultimate aim is to provide methods of treatment to prevent imprisonment of any 17 to 21 year old person.²

In the United States the programmes for treatment of children who were delinquent and those who were in need of protection were at first closely interwoven. In spite of the use of alms-houses, foster homes, and orphanages, many children were to be found in the county jails without segregation from adult

1. HINDE, R.S.E., The British Penal System 1773-1950, Gerald Duckworth and Co. Ltd., London, 1951, p.175.

2. FOX, op.cit., pp.65-66 and pp.327-343.

criminals. In 1822 the Society for the Prevention of Pauperism urged the development of reformatories to which children might be sent instead of to prison.¹ In 1825 in New York the first House of Refuge for juvenile delinquents was established. A part of the House of Correction was set aside in 1826 in Boston for the segregation of youthful offenders. Early institutions were juvenile prisons with discipline and labour modelled upon the adult programmes.²

Ohio established a school for juveniles in 1854 with a changed philosophy in that the child was not to be disciplined as an adult criminal. The institution was built with school buildings and the emphasis was on education and the learning of skills for earning a living as a decent citizen. Modelled upon the French Mettray Cottage System, Ohio built log cabins housing forty boys and "elder Brothers". The programme included farming, religion and stern discipline. At the same time the use of indenture to farmers was used for younger children.³

By 1861 Illinois had begun to treat children from 6 to 17 years by the use of probation, committal to reform school or any other method which might be satisfactory. Massachusetts in 1872 provided separate hearings for children who were delinquent and in 1899 Chicago, Illinois, began what is considered the first

1. GILLIN, J.L., Criminology and Penology, 3rd Edition, D. Appleton-Century Company Inc., New York, 1945. pp.498-502.

2. McKELVEY, B., American Prisons, The University of Chicago Press, Chicago, 1936. pp.14-15.

3. BARNES and TEETERS, op.cit., pp.608-610.

Juvenile Court for children under 16 who were considered then as delinquents and not criminals. From that time the juvenile court movement spread throughout the United States to include the age of discernment, maximum age limits, equity procedure, segregation from adults, probation, the use of child guidance techniques, etc.

In 1914 a special section developed in the courts of Chicago known as the Boys' Court to provide hearings for boys of 17 to 21 years who had committed "misdemeanors and quasi-criminal offences".¹ Pre-hearing settlements were made and "modern case work methods" used. Similar courts have developed in New York and other parts of the country. California has pioneered in developing a Youth Authority which is modelled upon the American Law Institute's plan outlined in 1940. This programme is influencing the programmes in Canada as well as in other parts of the United States. California adopted the system in 1943 and extended the age limit to 23 years though the provision to include probation in the authority was not made and remains under the power of the courts. The Institutes' model act suggests the use of all "law enforcement, detention, probation, parole, medical, educational, correctional, segregative, and other existing facilities, institutions, and agencies.....to create and operate plans for detention,.....and other facilities, for the expeditious treatment of offenders coming before its jurisdiction."² An outstanding feature in California has been the Forestry Camp plan as well as

1. BARNES and TEETERS, op.cit., p.331.

2. Ibid., p.801.

the use of the diagnostic centre for complete study of each case prior to allocation of the boy to an institution.

Canadian programmes are based upon developments in both Great Britain and the United States. Between 1840 and 1908 reformatory schools were developing in Canada and through the efforts of the Ontario Children's Aid Societies in 1893 the practise was instituted of notifying the Society in every case where a child of 13 or under was brought before a court, so that a study of the environment and the needs of the child were made before the court could deal with the case. In 1894 children under 16 were brought before the courts only in private hearings and all children were removed from prison when awaiting trial.¹

The development of Canadian legislation has been rather uneven, largely because the British North America Act provides that legislation on criminal matters shall be in the power of the Federal Government, whereas the establishment of courts both civil and criminal is left to the provinces. The Juvenile Courts Acts provide for special courts for juvenile offenders as well as for certain problems which may lead to delinquency. The term "delinquency" is an act under the Canadian Criminal Code which is in reality contrary to the intent of the Juvenile Delinquents Act. In order not to contravene the British North America Act, which would have to be amended to define delinquency as a state (such an interpretation would bring this under the property and civil

1. Canadian Welfare Council, Ottawa, 1952, The Juvenile Court in Law, p.1.

rights clause which then would make delinquency the responsibility of the provincial governments), delinquency has been declared an act and therefore becomes an offence. After the first Juvenile Delinquents Act became law under federal legislation in 1908, it had to be proclaimed in each province, city, town, etc., in order to be acted upon. Thus it happened that in 1925 in Quebec the Act had been proclaimed only in the area of the Island of Montreal so that a juvenile Court under a Juvenile Court Act was provided only in that area. An amendment in 1950 to the Courts of Justice Act of Quebec¹ through the proclamation of the Federal legislation provided social welfare courts for all juveniles in Quebec.

In Saskatchewan a corrections Act became law in 1950 to establish the Corrections Branch and the Juvenile Court to deal with every facet of juvenile delinquency and treatment programmes.

In British Columbia in 1918 a provincial enactment instituted juvenile courts through proclamation throughout the province and in 1948 the Juvenile Courts Act made provision for Family Courts as well as courts for delinquent children.

The Archambault Report outlined the essential features of the Canadian Juvenile Delinquents Act as follows:

- "1. A child over seven is capable of committing a crime but should not be held as accountable as an adult.
2. Incarceration of a child in a detention home while awaiting trial.
3. Probation is more effective than prison.

1. R.S. Quebec 1941, ch.15.

4. Where probation fails detention in an industrial school should take place, wherein education, training and reformation should be provided rather than punishment in prison.
5. Probation should be provided by specially trained officers."¹

Prior to Confederation separate institutions were established for children under 16 who were found guilty in Criminal Courts but their aim was punishment, not reformation. By 1943 there were over twenty institutions for juveniles set up as training schools with various standards of treatment. Those which were in any way successful based their programmes upon the importance of highly qualified and personally suitable staff.² The difference in these new schools was the stress laid upon such activities as work, school and play.

Probation was almost unknown in Canada until 1906 when without legislation, the Ottawa Children's Aid Society appointed two probation officers. This proved unsatisfactory until the Juvenile Delinquents Act provided statutory authority for the practice in 1908. The use of probation has been related closely to the establishment of Juvenile Courts which have evolved slowly and to a greater degree in certain areas. Thus probation has not been extensively developed. Ontario and British Columbia began the expansion of this service which now is being introduced in all provinces.

1. Canada, Report of the Royal Commission to Investigate the Penal System of Canada, King's Printer, Ottawa, 1938, (Archambault), pp.185-186.

2. TOPPING, C.W., Canadian Penal Institutions, Ryerson Press, Toronto, revised ed. 1943. pp.51-63 and p.116.

In many parts of Canada, as in the United States, family and child welfare programmes have extended their preventive and remedial programmes to assist delinquent children. In British Columbia these include the services of public and private welfare agencies, child guidance clinics, public health clinics, etc. Where no probation staff have been appointed, staff of the Social Welfare Branch have assisted Juvenile Courts in supervision of some delinquent children and their families. The use of the foster home programme throughout the province has been available to courts, as well as the use of private institutions.

There are two industrial schools which were established under Provincial Acts in 1937 for juveniles under 18 years of age, since the Juvenile Delinquents Act had been extended by proclamation to include any child apparently or actually under 18 years of age. The Boys' Industrial School provides a treatment plan including health, vocational, educational, recreational and counselling services.

Under the Prisons and Reformatories Act, New Haven and the Young Offenders' Unit have been established. The former is an open institution for offenders 16 to 23 years and is modelled upon the British training plan. The latter is located at Oakalla Prison Farm as a separate building to house 16 to 23 year olds in a more secure environment. Both institutions provide treatment programmes with a determinate and indeterminate sentence involving the use of release on license directed by the B.C. Parole Board.

It is to be noted that the boy under 16 who has proven beyond the control of the Industrial School or who is transferred from Juvenile to Police Court cannot qualify for either New Haven or Y.O.U. because of the age limit set by the Prisons and Reformatories Act.

In spite of the existence of rehabilitative programmes for juvenile delinquents in British Columbia, recidivism has continued and is of grave concern to all who believe in the spirit and philosophy of the law. This study grew out of this grave concern for a group of youths who, in rather a dramatic way, perhaps represent the failure of our programmes to rehabilitate or reach them. The subjects chosen for this study were all juvenile delinquents under 18 years of age at the time of their committal to the adult jail at Oakalla Prison Farm. The fact that they were not in other programmes established for their care raised certain questions. Why did they persist in such serious delinquency if they had been treated in other programmes? What programmes were available to them? What help had been offered, and is help possible for them now? What were their social and family backgrounds, and how might these relate to their use of available help? What can be done for similar cases in the future? The object of this study is to seek the answers to these questions.

The second chapter of the study will consist of a discussion of the method and procedure. The facts concerning the

cases as shown in the tabulations will be presented and summarized sketches of the cases will explain the findings in the tabulations. The subsequent chapters will give a more detailed account of the cases, showing their family and personal histories, their court records and social and correctional agency contacts. An assessment of the diagnosis and the community resources as related to the cases will be included. The findings will then be summarized in order to show the conclusions drawn from the study and the recommendations and suggestions for further research.

CHAPTER II

THE TWENTY-THREE DELINQUENT BOYS

Available Records, Sources of Information

Of 44 offenders under 21 in the West Wing of Oakalla Prison Farm on November 1, 1953, 23 were found to have been under the age of 18 at the time of their present admission to prison. They were serving sentences in the West Wing as it had been found impossible, because of their behaviour, to include them in programmes provided for youthful and more reformable individuals. This group were chosen for study because they were juveniles within the meaning of the Juvenile Delinquents Act¹ and it seemed obvious that the programme established for treatment of such delinquents had either failed with them or, through some aberration in the law or its administration, had not been made available to them. It is also possible that the necessary treatment did not exist in British Columbia. The remaining 21 offenders, at the time of their sentences, were either over 18 years and therefore adults under the laws of Canada, or were under 18 but were awaiting screening for transfer to the Young Offenders Unit or to New Haven. Since this study is focussed upon juveniles these cases were not con-

1. R.S.C., Ch.46, loc.cit.

sidered, though it is highly probable that their social and family backgrounds would have indicated similar factors had they been included.

This study was initially undertaken when the Oakalla Prison Farm records were somewhat incomplete. The records available varied as to content, some including full social histories from other institutions and others being no more than face sheets with annotations concerning such details as name, institutional number, age, offences, sentences, possible date of discharge, prison crimes and punishments, etc. It was apparent, however, that the administration was in the process of developing a more complete system of obtaining records from other agencies and institutions for use in Oakalla. Because 17 of the boys had been in the Boys Industrial School their social histories were obtained directly from the School. The remaining 6 cases were found to have records with the Provincial Probation Branch.

The Vancouver Social Service Index revealed registrations of many social agencies on the 23 boys and their families. It was found that there were, on the Boys Industrial School files and the Probation Branch records, summaries of the contacts of most of the agencies which were pertinent to this study.

On the Boys School records the actual recording on each varied widely and frequently the treatment and progress

of the boy would be located in letters to other agencies or institutions or in final summaries to Courts. In addition there were social histories attached to the records which had been prepared by Probation Officers, Social Workers with the Social Welfare Branch or Children's Aid Societies, etc. In one case, the boy had arrived at the School without any material being forwarded, except the committal papers from the court and for considerable time the only information was what the boy was able to supply himself. Interviews with boys were not always recorded by the caseworkers of the School, though it was apparent that they did take place. The social diagnosis of the individual boys' problems was indicated in the Child Guidance Clinic reports which were found on 14 of the boys' files. Although it was not specifically stated on the School records, it was apparent that the Child Guidance report was the basis upon which the treatment plan was established.

The Provincial Probation Branch records were of three types:

- (a) pre-sentence reports which were case histories including social as well as court background information,
- (b) probation files which included the information from
 - (a) as well as detail of the boys' adjustment while on probation,

(c) follow-up reports prepared for the boy who was released on license from the Y.O.U. This also included reports submitted by the prison staff to the B. C. Parole Board.

Analysis of Material

Having obtained social and family backgrounds on the 23 boys from the sources outlined above, the second step in the study involved the drawing up of schemes of tabulation (see Appendix A, Tables 1 and 2).

Table 1 indicates the contacts of the boys with school services (health and teachers), social agencies (before or after first court appearance), juvenile courts, probation service, correctional institutions (Boys Industrial School, New Haven, Young Offenders Unit), use of foster home placement prior to appearance in juvenile court or after such appearance, use of Child Guidance Clinic before or after juvenile court appearance, appearance in Police Court, probation after appearance in adult court. This Table serves to point out that there were treatment processes used by certain social and correctional agencies in the Province to help these boys. In Chapter III an attempt will be made to discuss the reasons that the boys broke down in spite of these programmes being available for them.

There were 15 boys in the group who had no contact

with any social agency prior to their first appearance in the Juvenile Court, although it is known from their histories that 11 of the 15 had been problem children in the early grades of school. For 3 of the group of 15 there were no statements concerning their adjustment in the early years of school and only one of this group was definitely not considered a school problem. There were 8 of the total group of 23 who were known to a social agency prior to the Juvenile Court; of these 8, 2 histories had no statement concerning their school adjustment and 2 of the boys were not considered problem children at school.

All of the boys had, of course, at least one appearance in the juvenile courts of the Province and Table 1 indicates the number of new times that each boy was brought before these courts (this Table does not account for the number of separate charges that were considered by the courts on each new occasion). This column brought to light the possibility of differing attitudes in practice in handling delinquents before the courts of the Province and this point will be discussed more fully in subsequent chapters.

Of the 23 boys, 9 were never on probation from the juvenile court (Table 1, column 4). Comparing columns 4 and 5 it can readily be seen that 3 of the boys who were never on juvenile probation were also never sent to the Boys Industrial School. A total of 17 of the boys had varying periods at the

Boys School.

New Haven was used as a resource for 5 boys, of whom 3 had been in the Boys Industrial School. Three of the five had never been on probation and two had been on probation more than once.

Fifteen of the boys were in the Young Offenders Unit and 9 of this group had been in the Boys Industrial School.

Five of the 23 boys had been placed in foster homes prior to appearing in juvenile court; 9 were placed in foster homes after appearance in juvenile court and in comparing columns 8 and 9 it can be noted that 5 of the 9 boys had not previously been in a foster home.

The Child Guidance Clinic was used as a resource for 6 of the boys before they were charged in the juvenile court and for 11 after they were in juvenile court. This represents a duplication of only 3 boys who were thus examined both before and after appearing in the juvenile courts, and indicates that 9 boys never were seen by the Clinic.

Twenty of the boys appeared in police courts a varying number of times; however, 3 of the boys had no record with a police court but were in the adult jail. The use of probation following adult court was made for one boy (from an Appeal Court).

The facts elicited from Table 1 are summarized as follows:

- 15 boys were school behaviour problems prior to appearing in juvenile court,
- 8 boys were known to social agencies prior to appearing in juvenile court,
- 15 boys were unknown to social agencies prior to appearing in juvenile court,
- 23 boys appeared in juvenile court from one to seven times,
- 14 boys were placed on probation from juvenile court from one to three times,
- 17 boys spent from one to five terms in the Boys Industrial School,
- 5 boys had been in New Haven,
- 15 boys had been in Young Offenders Unit,
- 5 boys were in foster homes prior to first appearance in juvenile court,
- 9 boys were in foster homes following first appearance in juvenile court,
- 6 boys were examined by the Child Guidance Clinic before being in juvenile court,
- 11 boys were examined by the Child Guidance Clinic after being in juvenile court,
- 20 boys were charged in the police court,
- 1 boy was placed on probation from an Appeal Court.

The use of detention homes has not been included in the Table, since there were no indications that the period in detention, other than the use of Child Guidance Clinic studies, had any bearing on the treatment used thereafter. It should be noted here that there are only two detention homes in British Columbia, one in Vancouver and one in Victoria. Boys who are

in need of detention in other parts of British Columbia are held in local lock-ups, or detained in private homes. In this study only one boy had been held in the Victoria detention home, but no record of his adjustment there was made other than a very terse statement by the Superintendent of that home. It is of importance that one boy from Vancouver showed positive reactions to his treatment in the Vancouver Home.

Table 2, (a) and (b), of Appendix A is a summary of the important factors concerning the boys' social and family backgrounds, with particular reference to the following:

- (a) Family Background: parents' ages (at birth of delinquent), racial origin, religion, educational standard, employment, health (physical and mental), marital status, criminal record, use of alcohol or drugs, any additional factors affecting the boy's problem (stability of home life, etc.).
- (b) Personal Background: age (at committal to Oakalla Prison Farm), religion, education, employment (date of first employment and type), health (physical and mental), age at first problem, age at first offence, use of alcohol or drugs, intelligence, siblings also problems.

The material in each history varied in content to the extent that on almost each case one or more of the items was not recorded. There was, however, sufficient information from which to draw some definite conclusions. Facts concerning the grandparents of the boys in almost all cases were non-existent or only implied.

Family Background

Age of parents (at birth of delinquent): in 7 of the families concerned there was no record of either parent's age. In the remainder, there was no great difference in the age of the parents of 11 boys but a disparity of ten years or more in that of the parents of 5 boys.

Racial origin: this item is used loosely to cover significant differences of race or nationality. The importance of this factor will rest in its relationship to prejudices within the family unit or within the community in which the family unit resided.

One boy's mother was Indian (Canadian) and his father was Irish. A second boy's parents were East Indian (Sikh), and a third boy's mother was Swedish, his father being Chinese. In the remaining cases there were no difficult patterns of race or nationality.

Religion: this factor is of importance to the boy's adjustment, whenever there is conflict established through differing religious views. In only one case was it clear that this was a negative factor and an additional source of conflict for the boy within the home. This boy's father was Roman Catholic and the mother had been a convert at her marriage. Shortly thereafter she had renounced the faith. There was continuous controversy which added to an already unhappy marital situation.

Education: in 8 cases there was no information recorded. In 2 cases both parents had completed elementary school and in one case the parents had some high school. The remaining parents had only the first few grades of formal education.

Employment: for the few parents on whom there is any indication of the nature of their employment, it is clear that they were in the laboring and skilled or semi-skilled trades (mill-workers, carpenters, linemen, etc.). The economic condition of the boys' parents will therefore be indicated in the case discussion insofar as it was a factor in affecting the boys' adjustment.

Health: in most of the cases studied the health of the parents is poor.

Marital status: 13 of the parents were legally married. Four of the boys were born of unmarried parents. The remainder of the parents were either separated or living in common law relationships.

Criminal record: in 2 boys' cases both parents had criminal records. On one mother there are criminal charges of frequent assaults by her. In the remainder of the cases the facts are unknown.

Use of alcohol or drugs: in 8 families it is noted that one or both parents were either using alcohol to excess

or were drug addicts. In the remaining cases the parents were known to be either temperate or non-users of alcoholic beverages.

Additional factors: the Table indicates a hopelessly disturbed home life as far as the parents of the boys are concerned. The problems range from old-world attitudes towards children of today, private foster home placements, alcoholism, temper tantrums, etc., to immorality, prostitution and paranoia.

Personal Background

Age (at committal to Oakalla Prison Farm): 7 of the boys were 15 years of age, 5 of the boys were 16 years of age, and the remainder were 17.

Religion: there is no significant factor except in one case already mentioned, and this will be discussed later in the summary of the particular boy's case.

Education: one boy, who was Indian, reached only Grade 3; one boy reached Grade 5; 2 reached Grade 6; 6 reached Grade 7; 6 reached Grade 8; and the remainder completed Grade 9.

Age at first employment: on 7 of the boys there is no information; on 14 of the boys it is indicated that they began work from 11 to 16 years of age on their first jobs; in one case the boy began work at 11 years but the nature of his work was unknown or unreported; one boy had a variety of jobs from the age of 15.

Health: in 5 of the cases health was given as a factor which contributed to the poor adjustment of the boy.

Age at first problem: in 6 cases there was no information. Difficult behaviour problems appeared for most of the boys in the early years of life, from 5 to 8 years, again at 10, 12, and 13. It is interesting to note that the case histories did not record significant information on developmental history which would have given a clearer picture in this area.

Age at first offence: one boy began his depredations against the law at the age of nine; two more at eleven, and the remainder were spread over 12, 13, 14, 15 and 17 years of age.

Use of alcohol or drugs: 5 boys were intemperate in their use of alcoholic beverages; 4 boys had become drug users, and on the remainder of the group it was stated that they were abstainers.

Intelligence: on 4 of the boys there was no record; 2 of the boys were noted to be of superior or bright normal intelligence; 11 of the boys were of borderline to low average intelligence, and the remainder were average.

Siblings who were also problems: 9 of the boys had siblings who were also problem or delinquent children.

To illustrate the relationship of the factors tabulated in Table 2 (concerning the social and family backgrounds of the

boys in this study) to the use of existing programmes, as tabulated in Table 1, two case histories will be briefly presented. In so doing it is of importance to note the implications from the use or non-use of programmes as well as from the lack of resources to meet the needs of these young people.

Case "A"

Family Background

	<u>Mother</u>	<u>Father</u>
Age (at birth of "A"):	26 years	55 years
Nationality:	Irish	Irish
Religion:	Convert to Roman Catholic, but subsequently renounced this faith.	Roman Catholic
Marital status:	Living in common law with another man. Parents separated, 1945.	Living in a hospital.
Health:	Diagnosed by psychiatric examination as verging on paranoia (ungovernable temper, unstable, irrational behaviour toward children).	Invalid, result of injury.
Economic status:	Always poor; often on social allowance.	Now on Old Age Pension.
Housing:	Poor	-
Education:	"Limited"	Unknown
Court Record:	Mother charged in court on more than one occasion with assault.	Nil
"Step"-Father: very little known concerning him - lived with mother since 1950. "A" says, "I guess he just doesn't want us around."		

Personal Background

Health: reasonably normal early development, but all indications suggest he was exposed to an extremely immature mother. It has been said that "A's problem began the day he was born." Good physical condition except teeth which were poor; food fussy; bites nails; difficulty with sleeping.

Education: failed Grade 6 at 15 years. Attended Catholic schools with frequent changes of location. Education "a dead loss" as he truanted frequently and was a problem in the earliest grades. In Grade 3, when 8 years of age, he had a tendency to "interfere" with other children, was unable to concentrate and was generally difficult. "A" says he "hated school" and blamed it on "religion" but also added "seemed like I was dumb - I thought that anyway."

Interests: movies (frequently attended two on Saturdays); fond of games when at school.

Personality: small, nervous, "innocuous little creature all dressed up in the zootiest of zoot pants". Thoroughly mixed up, bewildered and confused. Feels sorry for himself and is pre-occupied to the extent of not remembering important events. Has average intelligence (Child Guidance Clinic).

Foster Home: recommended by Child Guidance Clinic in 1946 but lack of suitable homes at the time caused delay (see

Court record). Numerous placements after discharge from Boys Industrial School - all of which were wrecked by the mother's persistent interference.

Court Record:

1. Juvenile: Sept. 1945. Escaped from Juvenile Detention Home. Mother failed to lay information. Charge dropped. - 9 years of age.
Mar. 1946. 10 years of age - incorrigibility (C.G.C. recommended "Wardship" - delay finding foster home.) Boys Industrial School.
Oct. 1947. (Truancy - beyond control of guardian) Incorrigibility - Boys Industrial School
Oct. 1949. Incorrigible - Boys Industrial School
Feb. 1950. Incorrigible - Boys Industrial School
Dec. 1951. Transferred to Police Court - three charges Breaking and Entering, etc. See below.
2. Police Court and Adult Correctional Institutional record:
Dec. 1951. 3 charges Breaking and Entering and possession of an offensive weapon and public mischief - 6 months definite (New Haven), plus 12 months indeterminate.
Jan. 1952. Escape legal custody - 9 months consecutive at Oakalla Prison Farm (Y.O.U.)
Apr. 1953. Revoked license (had been released on license 26/2/53). Admitted taking drugs.
Oct. 1953. Creating a disturbance in a public place - fine \$50, in default, 30 days.
Nov. 1953. Revoked license (had been released second time on license 29/9/53). Y.O.U. could no longer cope with his aggressive episodes so he was kept in the West Wing of Oakalla.

The use of a foster home was not made until after "A's" first sojourn in the Boys School, and as the C.G.C. had recommended wardship with placement far enough away to prevent the

easy return to his mother, it is possible that the availability of a suitable foster home at that time might have proven the turning point in this boy's life. However, he was able to adjust fairly well in the Boys Industrial School, so that the need for a longer period in some type of treatment institution or home for emotionally disturbed children might have been a necessary preliminary to a future foster home placement. This boy's intolerable family background as indicated in Table 2 precluded the likelihood of success of any of the programmes. At no point were his basic problems able to be treated with the mother remaining constantly in the picture.¹

Case "B"

Family Background

	<u>Mother</u>	<u>Father</u>
Health:	Deceased of a lung injury	Drug addict
Marital status:	Unmarried	Putative
Education:	Unknown	Unknown
Racial origin:	Indian	Irish
Religion:	Roman Catholic	Protestant

Nothing further is known of this boy's father, but his mother was known to have been promiscuous and to have continued to live with various men after the child's birth. "B" was left with various people including his maternal grandmother

1. Since this study was completed it is of interest to note that "A" has been charged with murder!

who was an alcoholic. "B" spent most of his early years on the Indian Reserve leading a nomadic existence, although he did not have Indian Rights.

It is clear from the very meagre information we have in this case that the mother was an immature, deprived person, very ill equipped to take on the up-bringing of a child, and that those to whom she left the responsibility were equally emotionally corrupt.

Personal Background

"B" was 17 years of age when this study was undertaken.

Education: Grade 3. He had seldom attended school, yet there is no record that the school or anyone concerned with the care of children knew of this situation until he came before the Juvenile Court when he was already in his teens. Then, it was learned that he had spent most of his school years "with the horses and the men on the Reserve" !

Employment: it is recorded that "B" went to work at 11 years of age but the nature of this work is unknown or unrecorded and it is indicated that he spent the time playing cards, gambling, drinking, or at picture shows.

Court Record: "B" appeared in the Juvenile Court in 1950 for the first time, when he had been apprehended while

stealing various articles. He obviously needed money for his entertainment, but the way of life that he led provided him with little that he could come by honestly.

Because of his deprived upbringing the probation officer recommended that "B" be given the opportunity of a decent home life and suggested that he be placed in a foster home under the supervision of the Superintendent of Child Welfare. A home was found on another Reserve; however, he continued to steal and shortly thereafter came before the Juvenile Court. Since nothing further could be offered in the community to help this boy, he was committed to the Boys Industrial School.

Boys Industrial School record indicated very little of a treatment plan but "B" was examined at the Child Guidance Clinic, who considered it was possible that in a more stimulating environment his low average intelligence might rate higher. It was pointed out that he had inadequate feelings and low affect in environmental and personal relationships, but no plan was recommended.

"B" went "A.W.O.L." within a few months and committed other depredations. He again came before the Juvenile Court. At this time there was considerable feeling on the part of law enforcement authorities concerning runaways from the School and particularly concerning those who committed offences while

"A.W.O.L.". He was therefore transferred to the police court and sentenced to Oakalla.

He was, at that time, transferred to the Young Offenders' Unit, but failed to fit into the group and was subsequently transferred to the West Wing of Oakalla proper.

This second case illustrates the dearth of resources for the Indian or part Indian population. Until the boy committed an offence his existence remained undetected in spite of the fact that he had left school. He was a serious custody risk at the Industrial School who were, at that time, having serious difficulties maintaining safe detention long enough to establish a treatment relationship with inmates. Pressure from the nearby community was effective in influencing court procedure so that more severe measures were used by the Judge.

Summary of the Findings

This chapter has provided the factual data on the 23 delinquent adolescents. Table 1 indicates the following factors: there were symptoms of future delinquent behaviour among many boys in their early school years; the referral by school services to social agencies or other resources was limited; the use of foster homes, while unsuccessful in rehabilitating those boys

for whom the service was used, was not part of the treatment plan for a proportionately large number of the cases; Child Guidance Clinic is not too readily used as a diagnostic tool by school teachers, health services, social agencies or courts; transfers of boys to police courts without recourse to the use of other preliminary services is fairly frequent.

Table 2 indicates the variety of background factors contributing to the behaviour of these delinquents. The most outstanding factor is distorted upbringing of the boys. A number of attempts were made to rehabilitate them through the use of certain programmes. That the treatment failed cannot necessarily be attributed to the programmes themselves but rather to the inability of the boys to avail themselves of the treatment provided because of their severely disturbed emotions.

Chapter III will provide a more detailed account of one case in an attempt to assess the use made of certain available programmes in relation to the diagnosis of the boy's problem. The findings in this case will then be discussed in relation to their bearing on the other cases in the study.

CHAPTER III

AN ASPECT OF RECIDIVISM

"All those who attempt to help delinquents or their parents must take into account the prominence of the factor of deprivation that appears so strikingly in the history of delinquents. The reading of case after case of unbelievable starvation at many levels - the emotional, the cultural, the educational, and the economic - tempts the worker figuratively to approach all delinquents with an armload of gifts as if their difficulties could somehow be resolved by the appeasement of their many hungers".¹ The inter-relatedness of these levels of starvation must be thoroughly understood if an attempt at treatment is to be made because the delinquent is meeting his needs in his aggressive behaviour or character disorder. Gordon Hamilton states that "if the personality continues to carry a load of aggression well on into adolescence, it seems to be like having a too-prolonged high blood pressure, when actual bodily changes take place. If aggression becomes habitual, there is no known way of remaking the character in which the changes have occurred. Prevention in early childhood seems

1. PECK, H.B., and BELLSMITH, V., Treatment of the Delinquent Adolescent, Family Association of America, New York, 1954. p.20.

the only hopeful approach!"¹

The recidivism of the 23 boys in this study would indicate the apparent development of habitual aggression to the danger point wherein little can now be done for them. To understand more clearly the needs of these delinquents a more detailed account of a case history of one of these juveniles is now presented. It was not at first easy to identify the areas of starvation in this particular case but as the family background became better known to one of the last institutions to handle this boy, it became clear that the same background of deprivation in parent-child relationships was present as in all the other cases of this study. The fact that it was slightly more subtle made it difficult to detect.

Family and Social Background of Peter

Mother was 24 years of age when Peter was born. She, herself, was an adopted child, being placed with her adoptive parents at 2 months of age.

Education: she completed Grade 10 at school and apparently did well in her studies.

Health: her health was good.

Personality: she was somewhat ~~anxious~~ but otherwise unemotional; more easy-going than the father. She preferred to

"talk it out" rather than use the harsher methods of the father; however her disciplinary techniques fell far short of her intentions because she usually "gave in".

Father was exactly the same age as the mother. He had had an unhappy childhood particularly as his parents separated when he was 15 years of age. (His father was alcoholic and ended his own life as a suicide when he was 80 years old.)

Education: completed Grade 8 but appeared intelligent and capable of having gone further.

Health: good.

Personality: he is somewhat overbearing and dominant. He is a severe disciplinarian but sincere.

Employment: a railway tie inspector who is away from home all week and earns a good income. These parents own their own home and living standards are good.

Marital situation - is said to be excellent and both parents exhibited intense interest in cooperating in a plan to help Peter.

Siblings: Peter has one brother who is two years younger and who is regarded as the direct opposite of the subject. Peter exhibited early jealousy of this brother but later developed a good relationship.

His one sister is 15 years younger than himself. Nothing has been recorded concerning the relationship between Peter and this small child.

Peter - personal history:

Developmental: The mother's pregnancy had been normal but was concluded by a long and arduous labour and the natural birth of this boy. Peter weighed about 8 pounds when he was born; he was breast fed for one month and abruptly weaned to a bottle with which he continued for one year. Other developmental factors appeared normal. Nothing is known of the mother's attitude to having this child.

Health: Never seriously ill; was proud of his physical prowess and had a good attitude to health.

Habits: Appeared to be exceedingly normal but at about 10 years of age began to develop a slight stammer. No signs of masturbation noted. Began stealing at 9 years and was severely "belted" for it by his father.

Education: Began school at 5 years and 10 months. Was interested for 3 years, then his interest lagged. His classroom work deteriorated steadily, necessitating more attention from teachers. He became extremely active and restless and disturbing in the classroom. He was suspected of petty thefts but never caught. He completed Grade 8 but was twice expelled

for being involved in the telling of a "sex story" and drinking at a school party. Among students his reputation became that of "a bad egg". His companions were other pre-delinquents.

Personality: Gay and carefree as a young boy but bullied his brother. Sometimes pushes others violently for no apparent reason. Has been known to "spit in a youngster's face" and "throw dirt in a baby's face". Impulsive, defiant, but sensitive underneath; to adults he is courteous and gives a first impression of honesty and dependability. He is an habitual and accomplished liar; an extrovert and extremely active physically, but slack in regard to school work - "aims to get by", and puts on an air of having a good opinion of himself.

Interests: While at school he played all the games but did not join any club; liked hunting and fishing; reading comics was an obsession; given a fair amount of pocket money; liked mechanics (but didn't think it paid enough).

Employment: After leaving school he worked in a mill and later in a garage but ran away. Upon his return home he got a job in a wholesale grocery but slept on the job and got fired. Then he was caught stealing a car.

Child Guidance Clinic: This boy was referred by his school when he was 12 years of age to a travelling clinic. He had been untruthful and was stealing at school. Tests revealed a boy of superior general intelligence but who exhibited

feelings of insecurity, anxiety and difficulty in relationships with others, particularly lack of affection from his mother. A recommendation was made that his father take a more active role in the boy's life and that fair and consistent discipline both at home and at school be established.

Court Record:

Juvenile Court

Dec. 20, 1952. Theft of an auto. Committed to Boys Industrial School. (His father concurred with court officials and requested this.)

Escaped from B.I.S. on Dec. 25, 1952, with another boy and they met a third juvenile, and this started a round of delinquencies.

Jan./1953. Transferred on 20 complaints of car theft and 8 breaking and entering charges to Police Court. (He was held prior to the transfer in the Vancouver Detention Home where he broke windows and chairs in an almost frenzied state with little cause for provocation.)

Police Court

Jan./1953. 20 charges of theft of automobiles,
8 charges of breaking and entering -
Sentenced to 3 years (Penitentiary)

Appeal Court

March/1953. Reduced above sentence to 2 years less 1 day with recommendation for sentence to be served in the Young Offenders' Unit.

Young Offenders Unit: This lad exhibited such uncontrollable temper in this institution that he was transferred at least temporarily after 6 months to the West Wing of Oakalla.

Summary: This boy was a severe behaviour problem in the early years of school. Recognition that he needed help was apparent in the referral, by the school, to the Child Guidance (Travelling) Clinic for assessment. Shortly thereafter he was expelled from school. His parents sent him to a private school where he attended to the following January when he was again expelled - this time for theft - and was returned home. He then went to work but after periodic absences from home and after being fired from his job, he was charged for the first time in a juvenile court and sent to the Boys Industrial School.

This juvenile has good intellectual endowment but is of a very sensitive, restless nature. He is anxious, and feels unloved and rejected by both of his parents.

His mother who is not a warm nor affectionate person, tried to use reasoning as a disciplinary measure but always "gave in". The father, who was only home on weekends, was harsh, demanding and impressed the boy with the unfairness of disciplinary measures. At school his acting-out aggressive behaviour brought a variety of disciplinary measures. We do not know what happened between the Child Guidance Clinic study and his' expulsion from the public school but it would appear that matters went from bad to worse.

His appearance in the Juvenile Court resulted in further feelings of rejection when his father requested he be

sent to the Boys School and the concurrence of the Court heightened his hostility toward his parents and all authority.

Diagnosis: From the history it is evident that the mother was not a person who was able to show warmth and affection and it would appear that the feelings of rejection were initially in response to very subtle, unconscious attitudes of rejection on the part of the mother. Later, these were reinforced by the harsh, unjust discipline of the father, coupled with the ambivalent discipline of the mother. The boy's only method of response would be on an aggressive level which would bring forth more erratic discipline on the part of the parents. This was further reinforced by his teachers who tended to let small things slide so that the boy was not under the impression of "being picked on". There followed major misbehaviour which resulted in drastic action.

Deprived emotional development: Thus this boy's problems lie in his family relationships and his frustration in not being able to work out his infantile identifications through socially acceptable behaviour. It is obvious that he could not work it out at home as his anti-social behaviour had brought about community resentment. His school had to enforce discipline and protect other children. The attitudes at home apparently could not be changed enough to bring about change at school. Therefore it did not seem possible to treat this boy in the community.

Community Programmes for Treatment

Here we must examine the community resources near his home. He lived in a small town in Northern British Columbia. The Child Guidance Clinic for that area is a travelling one and therefore its resources would be limited to diagnostic assessment. It is unlikely that private psychiatry would be available even if it were considered.

This boy was not referred to the Social Welfare Branch covering the area, until after he had been in the Boys Industrial School and at that time there was no probation officer serving his home town. Perhaps casework services in the home might have helped these parents to face their own inadequacies and provided individual and supportive treatment for the boy.

The question remains, therefore, would he have adjusted had he been tried in a foster home? At the time when this service would have been requested it was unlikely that the boy could have accepted the normal home life of a foster home, since his difficulties already were reinforced in the area of parent-child relationships. Thus his needs were for a re-learning experience in trust and love with some one parent person.

The period in the Boys Industrial School was negligible as far as treatment was concerned (5 days). His depredations in the community were considered more serious than his

own needs and the courts deemed it wise to use police court procedures. Perhaps he could have adjusted in the Boys School had they been able to provide the custody necessary to retain this boy and others like him, so that he could be exposed to treatment.

From this history and the failure of the resources used to help Peter, it is clear that the boy needed "individualized treatment.....as well as.....a controlled environment"¹ and that none of these was available to him.

The Other Cases

The problems in the cases of the other boys in this study vary as indicated in the summary of Table 2 in Chapter II. Each individual had developmental needs which were unmet and which resulted in emotional immaturity. Each successive attempt to rehabilitate the boy resulted in failure. The programme used merely reinforced the pattern of hostility. Some of these disturbances in growth were achieved by more obvious family upheavals than the subtly hidden attitudes in the case discussed in this chapter; nevertheless they remained unresolved in spite of various programmes being used to effect a change in the problems of the child and his family.

The remaining cases (20) which have not been discussed in detail thus far illustrate homes which have pathological

1. HAMILTON, Gordon, op.cit., p.159.

histories involving alcoholism; use of drugs; immorality; mental illness; lack of warmth in familial relationships; domineering, rigid parents. Such are the homes that the Gluecks' study¹ measured and identified as the family settings from which the delinquents developed. To give examples of this pathology from the other cases the following are briefly summarized. Case Number 4 - the record states, "The boy was violently rejected and cruelly treated from birth"; in Case Number 8, the history is that of a "child of an unmarried mother who lived with various men, kept a disorderly house, finally became an addict and spent much time in jail!" The mother of Case Number 11 died of an illegal abortion when the boy was $4\frac{1}{2}$ years old; the father remarried almost immediately to a rigid and cruel woman who became the child's only source of discipline. Case Number 13 indicates a child who witnessed "the alcoholic and sexual orgies" of his step-mother and the putative father with whom he had been left.

The available community resources could not hope to be successful with these severely disturbed children. Foster homes were tried with Cases 4, 8, 9, 12 and 13 prior to their appearance in juvenile court. They had never experienced normal home life and were at once suspicious, more hostile and unaccepting and could not recognize the desire of others to love and help them. These cases illustrate the need for a treatment

1. GLUECK, Sheldon and Eleanor, Unraveling Juvenile Delinquency, Harvard University Press, Cambridge, Mass., 1951. p.107.

centre within an institutional setting that would help them to learn to relate socially to other persons in the hope of preparing them to live in a foster home or elsewhere, later on in their lives.

In 3 cases, the Child Guidance Clinic recommendations to use a foster home or to remove a child from the difficult home surroundings were not carried out. The reason given in the records was that there was not the particular foster home for these children available at that time. In one case of child protection, it appeared that legal evidence was very difficult to obtain.

Three boys were transferred to Oakalla Prison from the Boys Industrial School because they were too obstreperous to handle and too upsetting to the other boys in the School. This procedure has since been abandoned, as it was found to be not technically legal. (A habeas corpus action concerning a girl from the Girls Industrial School brought to light the procedure that a child must be transferred from the Juvenile Court to the police Court on an indictable offence if treatment in an adult institution is to be used.)

One boy did not attend school after Grade 3 and yet his very existence seemed unknown until he was apprehended by police years later.

The reasons that the programmes of the Boys School and other correctional institutions failed with these boys can be assessed only in the light of the resources used in the treatment plan for such emotionally damaged individuals. Overcrowded institutions, schools, and correctional institutions cannot provide individualized treatment. The qualifications and capabilities of staff members employed to provide treatment for severely rejected children must not only be of the highest calibre, but must be located in a setting where individualized treatment is possible. These boys could not be handled in the ordinary school settings without expert assistance. When the aggressive behaviour became too great for the community to stand, treatment in an institution was inevitable. Skilled personnel experienced in working with delinquents are in short supply but are needed along with all the programmes established to prevent the more normal individual from drifting into delinquent behaviour. The social agencies and correctional institutions who cared for these children were all overburdened with heavy caseloads and with the non-existence in the communities involved of personnel or institutions who specialize in reaching these unreached youths.

Chapter IV will summarize the findings of this study and will provide suggestions for future research and recommendations for solving the many problems in the field of treatment of the young offender and his return to a full and more satisfying way of life in the community.

CHAPTER IV

PREVENTIVE MEASURES

Crucial and Obstinate Problem

Concern over the crucial and obstinate problem of recidivism, dramatically exemplified by a particular group of juveniles, has provided the animus for this study. No attempt has been made to analyze the programmes with which each boy had contact as this would constitute material for further research.

Ineffective Prevention and Treatment Programmes

The 23 boys in this study illustrate through their treatment in a variety of services and their continued recidivism, the ineffectuality of preventive and treatment programmes for severely disturbed individuals.

Early Detection and Diagnosis

The outstanding indication in the study points to the damaged personalities of the boys. Their childhood experiences were so traumatic that they could not readjust without treatment focused on the easing of the anxiety, frustration and rejection from those early experiences. The treatment of each

boy at any stage of his career should have been based upon a sound diagnosis derived from the comprehensive study of the individual in his sociopsychological setting because "...the predisposition to delinquency is not a finished product at birth but is determined by the emotional relationships, that is, by the first experiences which the environment forces upon the child.....factors which are not the underlying causes of delinquency but the direct or indirect provocation, also play a part".¹ Many of the boys in the study were detected early in their delinquent careers but at the first warning signals comprehensive studies were not conducted. For those cases where detailed studies were carried out, the resources to treat the individual were not readily available.

The data presented by the boys in this study were not inconsistent with the results of many other scientific studies of delinquent children.² Detection at a very early age is rapidly becoming a practical possibility. If this had happened in the cases of the boys studied here, the importance of treatment programmes within the province based on the need of severely disturbed children would have been even more apparent. There are indications for the development of diagnostic services at the pre-school level and, for those families who refused

1. AICHORN, August, Wayward Youth, Meridian Books, Noonday Press, New York, 1955 (reprinted by arrangement with The Viking Press, Inc., New York, 1955), pp.30-31.

2. GLUECK, op.cit., pp.272-282.

help for their children, there is need for an aggressive approach, perhaps even an authoritative, compulsory approach, to bring help to them.

Co-ordination of Services to Delinquent and Disturbed Children.

Some of these children might have been turned from criminal careers had their schools been able to develop increased facilities for counselling and individualized educational programmes. Referrals to social agencies were not always made even when this resource was available. This might have reduced the number of delinquents since many children with serious problems are helped by social agencies. Many of the boys were members of neighbourhood gangs but never took part in organized leisure time activities.¹ The value of the aggressive approach from the various community centres and neighbourhood houses might have contributed through socialization techniques with the gang in preventing overt delinquency on the part of the members. Some experimentation with good results has taken place in New York in the approach through the gang.²

1. GLUECK, op.cit., pp.277-278.

2. WITMER, Helen and TUFTS, Edith, the effectiveness of Delinquency Prevention Programs, Children's Bureau Publication Number 350 - 1954, p.48. cf. HAMILTON, Glen, The 'Teen-Age' Gang in the Community, Master of Social Work Thesis, University of British Columbia, 1949.

Development of a Variety of Resources.

There is a challenge for communities to develop other varieties of services which would provide resources in addition to those of the courts and the limited number of social agencies. Such measures would include treatment centres and institutions for emotionally disturbed children, hostels for children whose homes are unsuitable and for whom a foster home would be too emotionally challenging (if available), and additional treatment facilities attached to Child Guidance Clinics, especially for the rural areas of the province. It is of interest here to mention the Mersham Experiment in England, where 500 children from Kent were studied and treated between October 1947 and July 1950 with modern psychiatric and related techniques with exceedingly favorable results even for the typically aggressive delinquents. In the study abnormal behaviour and certain adverse background conditions of home life were identified and related.¹

Development of Services in British Columbia's Rural Areas

In British Columbia, it must be remembered that in many districts frontier conditions still prevail. Children who show signs of becoming delinquent have not always had the opportunity of being exposed to some of the programmes already avail-

1. LEWIS, Hilda, Deprived Children, The Mersham Experiment, A Social and Clinical Study, Oxford University Press, London, 1954. p.vii.

able in the larger urban areas of the province. Their communities tend to turn quickly to juvenile court action. The court, when other forms of treatment are exhausted, sees the need to remove the child from the community, hence the more frequent use of committal to the Industrial School from the rural areas.

Evidence of Inconsistent and Irrational Sentencing Policies

Throughout this study it has been observed that court officials are frequently guilty of inconsistent sentencing policies. This seems partly related to the lack of resources already mentioned in the more rural areas, but also is related to the attitude of the judge of the juvenile court, who may believe in more severe measures of punishment of juveniles. The situation in regard to a crime wave at any given time will also influence the judiciary to be more severe. One boy, in particular, was sent to the School on a first offence "as a lesson to the others in the gang", though the offence was not particularly serious. Committal of several of the boys on first offences to the School was noted from their point of view to have constituted additional rejection.

This kind of thing would seem to indicate the need for some method of individualized treatment processes throughout British Columbia rather than a perpetuation of the attitude of punishment to deter. One might suggest the need for specialized

training for judges of juvenile courts as well as for probation staffs. The problem of the attitudes of members of police forces raises the question of the need for good relations between the police and the social and correctional agencies as well as educational programmes for special staff of police forces to deal with the pre-delinquent and delinquent child.

Need for Diversification and Improvement of Institutional Resources

The present programmes in correctional institutions do not offer the maximum potentials for treatment which would meet the needs of these severely disturbed boys and, at the same time, protect society while the process is underway. As individuals they need a situation of considerable security with the application of various diagnostic and treatment techniques to provide them with some new feelings of acceptance, support and control to lessen their anxiety and hostility. Such treatment might be necessary over a long period of time and under the guidance of psychiatrically trained staff. A programme of after-care and compulsory supervision would involve changes in our criminal law but this would seem only common sense in the light of the cost to the community of a group of delinquents such as these.

A re-evaluation of our existing services in relation

to the staff qualifications both personally and academically is of great importance where the staff are working with children who are serious behaviour problems. It is the responsibility of the communities to seek methods to provide training to increase the skills of suitable staff and to attract qualified personnel.

Extension of Probation Services

The more extensive use of probation was indicated in several of the cases in the study. This service was not attempted in some cases where there was no clear indication against the advisability of using it.

Many areas concerning the field of delinquency remain without our full understanding and there is need for further research. Because the problems continue to disturb and concern us to the point that irrational action is sometimes taken to ameliorate public feeling, it is suggested that before further mistakes are made, a Royal Commission should conduct a study focused upon juvenile delinquents and treatment programmes for them.

Study and coordination of policies and programmes by the Canadian Corrections Association of the Canadian Welfare Council to reinforce the findings of the Fauteux Committee¹ in

1. Canada, Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada, Ottawa, 1956. pp.87-90.

bringing about change in Canadian Law will provide hope for the future of our youth. The recommendations of the conference on juvenile delinquency held in Vancouver¹ to coordinate programmes indicates progress toward leadership in handling the difficult problem of recidivism.

1. Juvenile Delinquency Conference, op.cit.

APPENDIX A

Table 1: Treatment of the 23 boys prior to incarceration
in the West Wing of Oakalla Prison Farm,
November 1, 1953.

CODE

- Column 1. school problem prior to Juvenile Court appearance.
- Column 2. social agency contact with the family prior to
Juvenile Court appearance.
- Column 3. number of Juvenile Court appearances (new charges).
- Column 4. number of times on probation from a Juvenile Court.
- Column 5. number of times committed to the Boys Industrial School.
- Column 6. number of times committed to New Haven.
- Column 7. number of times committed to the Young Offenders Unit
at Oakalla Prison Farm.
- Column 8. placement in foster home(s) prior to appearance in
Juvenile Court.
- Column 9. placement in foster home(s) after appearance in
Juvenile Court.
- Column 10. Child Guidance Clinic examination before Juvenile
Court appearance.
- Column 11. Child Guidance Clinic examination after Juvenile Court
appearance.
- Column 12. number of Police Court appearances prior to this
detention in the West Wing.
- Column 13. number of times on probation (adult) from a Police
Court or Court of Appeal prior to this detention
in West Wing.
- Column 14. Total.

Table 1: Treatment Prior to Incarceration in West Wing
of Oakalla, November 1, 1953

Case No.	Sch. Prob. (1)	Social Agency (2)	Juv. Court (3)	Juv. Prob. (4)	B.I. School (5)	New Haven (6)	Y.O. Unit (7)	F.H. P.ct (8)	F.H. A.ct (9)	CGC P.ct (10)	CGC A.ct (11)	Police Court (12)	Probation fr. Ad. Ct. (13)	Totals (14)
1			x(3)	x(1)	x(1)		x		x		x	x(3)		7
2	x	x	x(5)		x(4)	x	x		x	x	x	x(3)		10
3	x		x(7)	x(1)	x(5)		x				x	x(2)	x(1)	8
4		x	x(3)		x(1)		x	x	x	x	x	x(1)		9
5	No		x(4)	x(2)	x(1)	x					x	x(1)		6
6	x		x(1)		x(1)		x			x		x(1)		6
7	x		x(3)		x(2)	x			x		x	x(2)		7
8	No	x	x(3)	x(1)	x(2)		x	x	x	x		x(2)		9
9	x		x(3)	x(1)	x(1)			x	x					6
10	x		x(2)	x(1)	x(1)						x	x(2)		6
11	x	x	x(3)	x(1)	x(1)		x		x		x	x(2)		9
12	x	x	x(5)		x(4)		x	x			x	x(1)		8
13		x	x(2)		x(2)			x	x		x			6
14	x		x(6)	x(1)	x(1)							x(2)		5
15	x		x(6)	x(3)	x(2)					x	x			6
16	x		x(4)	x(2)	x(1)		x					x(1)		6
17	x	x	x(5)	x(1)	x(2)				x	x		x(2)		8
18			x(2)	x(1)			x					x(1)		4
19	No	x	x(1)	x(1)			x					x(1)		5
20	x		x(4)	x(3)		x	x					x(2)		6
21			x(1)			x	x					x(4)		4
22	x		x(2)				x					x(1)		4
23	x		x(2)				x					x(1)		4
Total	15	8	23	14	17	5	15	5	9	6	11	20	1	149

Table 2: Social and Family Factors

CODE

(a)

Column 1.	Age of parents at birth of boy.		
Column 2.	Racial or nationality factors:		
	A - American	EI - East Indian	Ir - Irish
	C - Chinese	FC - French	N - Norwegian
	D - Dutch	Canadian	Sc - Scottish
	E - English	G - German	Sw - Swedish
		I - Indian	
Column 3.	Religion:	P - Protestant	
		RC - Roman Catholic	
		GO - Greek Orthodox	
		S - Sikh	
Column 4.	Education:	P - Poor.	
		A - Average - completed elementary.	
		G - Good - high school or better.	
Column 5.	Employment:	U - Unemployed	L - Labourer
		C - Clerical	S - Skilled
		D - Domestic	SS - Semi-skilled
		F - Farmer	
Column 6.	Health:	P - Poor	F - Fair G - Good
Column 7.	Marital Status:		
		UM - Unmarried mother	
		CL - Common law union	
		M - Married	
		M ² - Second marriage involving step-parent	
		for boy.	
		S - Separated	
		S ² - Separated and second marriage	
Column 8.	Criminal Record.		
Column 9.	Additional (Problem) Factors in the family relationship:		
	A - Alcoholic	C - Cruelty	
	M - Mental illness	I - Immorality	
	DM - Dull mentally	Im - Immaturity	
	Dp - Depressed	Ill - Ill health	
	D - Drug addict	N-S - Non-support	
	FP - Foster parent	MD - Marital discord	
	E - Employment away		
	from home.		

(b)

- Column 1. Age of boy at committal to Oakalla.
- Column 2. Religion of boy.
- Column 3. Education completed.
- Column 4. Age at first employment.
- Column 5. Health (code as for (a) Column 6).
- Column 6. Age at appearance of first behaviour problem.
- Column 7. Age of first criminal offence.
- Column 8. Use of alcohol or drugs.
- Column 9. Intelligence (ratings of C.G.C. or schools).
L-A - Low average AA - Above average
A - Average S - Superior
B - Borderline
- Column 10. Siblings who are also problems.

Table 2 (a): Social and Family Factors, November 1953.

F A M I L Y																	
Case No.	Age		Race		Religion		Education		Employment		Health		Marital Status	Criminal Record		Additional Factors	
	M	F	M	F	M	F	M	F	M	F	M	F		M	F	M	F
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)								
1			I	Ir	RC	P					P(dd)		UM				A
2	26	55	Ir	Ir	RC	RC	P	P		U	P	P	CL	x			M
3	27	29	G	G	P		P	P		L	G	P	M				DM
4	30	35		U	RC	RC	P	P		L			M				Dp
5	26	34	E	E	P	P	A	A					M				
6	24	24		E	P	P	G	A		S	G	G	M				
7	24	32	N	Sw	P	P	A	A	D	SS	G	F	S(2)				A
8	20				P								UM	x	x		D
9													M				FP
10	32	36	G	E	RC	RC	P	P	D		G	P	M ₂				
11	20	23	E	E	P	P		P		L	P(dd)		M				M
12	37	50	Sc	E	P	P			U	U	P		M				C
13	21	35	FC	Ir	P	P							UM	x	x		I
14			EI	EI	S	S				L	G	G	M				Culture
15			A	Sc	P	P	P	G			G	G	M				Im
16	29	33	Sc	Sc	P	P				SS	G	G	M				I
17			Sw	C	P						P(dd)		UM				I
18			E	E													
19	23	33	U	U	GO	GO	P	P		F	G	P	M				Ill
20	22	25	E	E	P	P	A	A	C	SS		P	M				N-S
21					RC								S				M
22	25	38	E	E	P	P	P	P	D	SS	G	G	M				E
23	37	40	G	D	P8	P	P	P	D	L	G	F	M				C

Table 2 (b): Social and Family Factors, November 1953

J U V E N I L E D E L I N Q U E N T										
Case No.	Age of Com.to O.P.F.	Religion	Education	Age at First Employment	Health	Age at App'ce. of 1st. Problem	Age of First Offence	Alcohol or Drugs	Intel-ligence	Siblings Problems
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	17	P	Gr. 3	11	G		15	A	L-A	
2	17	RC	6		G	8	9	D	A	x
3	15	P	6		G	11-	11		B	x
4	15	RC	7		P	5	13		L-A	
5	16	P	8		G	13	13		AA	
6	16	P	8		G	3-4	15		S	
7	15	P	9	16	F		14		A	
8	17	P	9		G	10	14		AA	
9	17	P	9		G	13	17	A	A	
10	17	P	7		G	12	12		L-A	
11	15	P	8		F	4	11	D	A	
12	17	P	9		P		15	D	B	
13	16	P	7		P	14	15		A	
14	17	S	7		G	14	14		B	
15	15	P	9		G	13	15		L-A	
16	17	P	9		G		14		A	
17	17	P	5		G		14		B	
18	17	P	7							
19	17	P	8	14	G	14	15	D		x
20	16	P	7	14	G		12		B	
21	16	RC	9	15	G			A		
22	15	None	8	15	P	13	15	A		
23	15	P	8	14	G	14	15	A	L-A	x

APPENDIX B

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