

SUCCESS AND FAILURE IN ADULT PROBATION

An Exploratory Survey of Adult Male Probationers and a  
Comparative Study Relating Outcome of Probation  
Period to Selected Social Characteristics:  
British Columbia, 1955-1956

by

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ABSTRACT

Probation is only one of the alternative dispositions available to the court in sentencing an offender. The present study has two major parts. (a) It examined in detail the personal, social, and environmental characteristics of all adult males placed under the supervision of the British Columbia Provincial Probation Branch in the fiscal year 1955-56. (b) The relation of a group of selected characteristics to the outcome of the cases is explored, (i.e. whether or not they successfully completed the time period of probation prescribed by the court).

Definition and description of probation introduces the study. The Canadian, and more specifically the British Columbia history and current picture of adult probation services is given. The present limited supply of probation facilities and the need to use this limited resource to best advantage is highly relevant.

Material drawn upon for the survey of the 1955-56 probationers, (223 in all), included probation branch files, (particularly the social histories contained therein), correspondence with probation officers throughout the province and correspondence with the Royal Canadian Mounted Police. The variables selected for further analysis were: age at start of probation; marital status and number of dependents; nature of the instant offence; number of previous convictions and extent of incarceration; type of investigation carried out by the officer and the assessment of the offender's suitability for probation; and steadiness of employment while on probation. A short follow-up check on the offenders' post-probation success was carried out.

The first product of the study is a descriptive profile of the probation clientele, giving a clearer picture of those who the service is set up to serve. Second, the relating of selected characteristics to outcome of case is a first step toward providing some limited predictive guides to assist the officer who is attempting to foresee how the offender will do on probation. The follow-up check served to balance what otherwise might be an unrealistically high success rate.

The "profile" of probation clientele reveals that the group investigated appears not markedly different from the general population of British Columbia judged by place of birth, level of education, physical health, work habits and number of siblings. Some possible variations from the general British Columbia populace are noted in that the group may have contained a higher proportion of young people, persons with no dependents, single persons, unskilled workers, persons with a background of broken parental relationships, and in that all the group were males. The variables related to outcome of case that seem to be of greatest significance include: steadiness of employment while on probation, extent of previous criminal record, marital status, and nature of the instant offence. Of the 221 cases ending their probation period either successfully or unsuccessfully 185, (83.7 per cent), were successful. Of these 185 cases 77.3 per cent still had no new record of convictions when the follow-up check was completed in February, 1959.

Several implications of the study are discussed. The need for adequate presentence investigation is stressed. The expansion of adult probation services in Canada is urged, with a cautionary note that geographical and numerical expansion must not be substituted for quality in the services. The Federal Government can perhaps facilitate expansion of the service by intervening into the area of adult probation as a standard setting body. There is a need for a closer working relationship between the courts and welfare agencies, public and private.

In presenting this thesis in partial fulfilment of the requirements for an advanced degree at the University of British Columbia, I agree that the Library shall make it freely available for reference and study. I further agree that permission for extensive copying of this thesis for scholarly purposes may be granted by the Head of my Department or by his representatives. It is understood that copying or publication of this thesis for financial gain shall not be allowed without my written permission.

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My most sincere appreciation is, of course, expressed for the continuing effort and encouragement maintained throughout the entire study by my wife, who also served as critic, sub-editor, and typist.

SUCCESS AND FAILURE IN ADULT PROBATION

## CHAPTER ONE

### PROBATION DEFINED: ITS USE IN CANADA AND BRITISH COLUMBIA

#### 1. Probation Defined

Probation, as a method of treatment of the criminal offender, is often confused with other types of disposition. In order to remove this common confusion the definition used here will be the summary description of probation prepared by the United Nations. It reads:

"By way of summary, it may be said that probation is a method of dealing with specially selected offenders, and that it consists of the conditional suspension of punishment while the offender is placed under personal supervision and is given individual guidance or 'treatment'".<sup>1</sup>

This definition contains four separate aspects which we will consider in turn.

Probation is a method of dealing with specially selected offenders. This implies that only a certain segment of the offender group can benefit from the opportunity to "prove themselves in open society", and secondly, reminds us that probation represents only one method of treatment of the offender and therefore is to be used differentially along with other treatment resources. It has been suggested that probation is only part of a broader stream of thought and practice in the correctional field, the stream stemming from the increased utilization of knowledge derived from the behaviour sciences.<sup>2</sup> Turning to a Canadian source, we get the perspective in which our current tendency to use probation as only one method

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<sup>1</sup> United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. p.4

<sup>2</sup> Pansegrouw, N.J. de W. "Probation and its Place in a Rational and Humane Programme for the Treatment of Offenders". European Seminar on Probation, London, 20-30 October 1952. United Nations, 1954. p.14

in the correctional field is set, as described in the Fauteux Report:

"A well ordered system of corrections is the product of the work of the legislature, the police and prosecuting authorities, the courts, penal institutions, parole authority and the State, by which the prerogative of mercy is exercised. Each of these parts of the correctional system has an important, and sometimes vital, role to play. Each should play its part in the light of the fundamental purpose of corrections, namely, correction of the individual. Each will fulfil its function better if it acts in co-operation with and with an understanding of the others".<sup>1</sup>

One finds considerable evolution of thought and practice when turning to the question of whether or not only certain offenders should be permitted to receive the alternative disposition of probation. The trend is toward a lessening of the legal restrictions which automatically make it impossible for the court to award probation to an offender because he committed a certain type of offence, or a certain number of offences previously, thereby categorically being considered a poor risk. The restriction should not be categorical but rather a consideration of effective protection for the public only.<sup>2</sup> The 1925 law pertaining to federal offenders in the United States permitted the discretionary granting of probation to all offenders except those convicted of an offence punishable by death or life imprisonment.<sup>3</sup> The Canadian law is much more limiting in its provision for the use of probation, automatically excluding those offenders with more than one previous conviction.<sup>4</sup> The United Nation's discussion on "Probation and Related Measures" suggests that the decision as to an offender's suitability for probation be left at the

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1 Canada, Department of Justice, Committee Appointed to Inquire Into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. Report... Queen's Printer, Ottawa, 1956. p.5

2 Fry, M. "The Scope for the Use of Probation". European Seminar on Probation, London 20-30 October 1952. United Nations, 1954. p.75

3 Cavan, R.S. Criminology. 2nd edition. Thomas Y. Crowell Co., New York, 1955. pp.529-530

4 Criminal Code of Canada. Cartwright & Sons, Ltd. Toronto, 1955. Section 638 ss(5)

discretion of the court, and not categorically predetermined. It adds that this decision can be positively accomplished only if adequate pre-sentence investigations are carried out and put at the disposal of the court.<sup>1</sup> Inadequate selection procedures undermines effective probation and results in weakened public acceptance of the correctional system as a whole.<sup>2</sup>

Probation entails the conditional suspension of punishment. This can mean either the suspension of the imposition of sentence, or, suspension of the carrying out of the imposed sentence. The former is the more frequently used method in the North American nations. Under this system the offender is placed on probation and if returned as an unsuccessful probationer, the court then decides the sentence to be imposed for the original offence. In the case in which the carrying out of prescribed sentence is suspended, any unsatisfactory probationer returned to court would receive the previously determined suspended sentence. The advantage of suspension of proceeding to conviction, a third possibility, is that the successful probationer does not have a conviction recorded against him.

There is a trend toward "the elimination of unnecessary or unduly restrictive conditions and the substitution of those conditions essential to good citizenship"<sup>3</sup>, when considering the imposition of conditions by which the probationer must govern his life while under supervision.

Probation places the offender under personal supervision. This is one of the ways in which probation differs from straight suspended

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1 United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. pp.223 ff

2 Pansegrouw, N.J. de W. "Probation and its Place in a Rational and Humane Programme for the Treatment of Offenders". European Seminar on Probation, London, 20-30 October 1952. United Nations, 1954. p.12

3 American Correctional Association. A Manual of Correctional Standards. New York, 1954. p.40

sentence, whereby the offender is released by the court unsupervised. Probation differs from parole in the respect that parole consists of supervised conditional release of the offender after a period of incarceration. In British Columbia and increasingly so in other provinces of Canada, the offender is placed under the supervision of a skilled probation officer who is a paid employee of the court, at the expense of either the local or provincial government. Highly qualified supervising officers are essential to effective probation. The National Probation and Parole Association expresses the belief that one selected for the position of probation officer should "have a knowledge of the principles and skill in the practice of social casework".<sup>1</sup>

Probation implies that the offender is given individual guidance or 'treatment'. Assuming we have an adequately qualified probation officer, then if he does not have extra jobs such as numerous presentence reports to prepare and frequent visits that have to be made to court, he should be able to handle up to fifty probationers and provide adequate supervision falling within the category of treatment.<sup>2</sup> Inasmuch as the aim of probation is treatment of the offender then it is essential that the supervising officer have sufficient time available to do his job adequately. One can often think of probation as a form of leniency toward the offender, but true probation involves a rehabilitative focus.<sup>3</sup> The integration of the professional social caseworker into the field of corrections is slowly advancing.\*

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1 National Probation and Parole Association. Standards for Selection of Probation and Parole Personnel. New York, n.d. p.4

2 Glueck, S. Crime and Correction. Addison-Wesley Press, Inc., Cambridge, Mass., 1952. p.188

3 Cavan, R.S. Criminology. 2nd ed. T.Y. Crowell Co., New York, 1955. p.522

\* See bibliography for references on the relationship between Social Work and the Field of Corrections.

The first instance of probation as outlined above was in 1841 in the state of Massachusetts when John Augustus, a Boston shoemaker, supervised an offender released to his care by the court. The origins of various aspects of probation other than supervision go back much further.\* The essential elements required to have probation function adequately are listed by the American Correctional Association.<sup>1</sup>

### An Area of Social Welfare

Rehabilitation of the offender is a serious area of social welfare. One only needs to think of the suffering caused the family of an incarcerated offender, and the endless repercussions on the community the family resides in, to recognize that the welfare of the offender is the concern of society. If the offender is not helped to utilize his capacity for growth and development then the society of which he is a part will feel the detrimental effects directly.

Rehabilitative service to the offender represents only one of the facets of the social welfare field. The willingness of the public to place this service high on the priority list will depend partly on the success with which the current programs meet, and on the ability of those involved in administering these programs to explain their purpose and function clearly.

The concepts of social work referring to the interdependence of man; to man's uniqueness; to man's capacity for growth and change; to the

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\* The evolution of probation in countries in which it evolved out of common law, and in those countries in which it was introduced by statute is discussed in the United Nations publication, Probation and Related Measures. New York, 1951. pp.28-29. A short review of the evolution of treatment methods as related to the offenders throughout the centuries, and a review of the philosophy behind this treatment is given in Crime, Courts and Probation by C.L. Chute and M. Bell. Macmillan Co., New York, 1956. Chapter 1.

<sup>1</sup> American Correctional Association. A Manual of Correctional Standards. New York, 1954. p.41

meaning of man's behaviour; and to the need of man to have his basic needs met, refer equally to the offender as to the law-abiding member of society, and only upon a basis re-inforced by such concepts can our correctional treatment advance rather than prove inadequate.

### The Value of Probation

Probation should be valued both by the individual offender, and by the community. For the offenders it represents a chance to prove themselves, or, to "effect their own reformation under the guidance, assistance and authority of an officer of the court".<sup>1</sup>

The community can value probation from at least two viewpoints. First, it too has been given another chance, a chance to provide the offender with what he may have lacked the first time around. This represents the community's ethical opportunity to gain. Second, financially, probation is a much less expensive way to deal with offenders. In Canada, in 1953, it cost approximately \$1,500 a year to keep a person in penitentiary with a prognosis of successful rehabilitation at most 40 per cent. It cost \$50 to keep a man on probation for the same period of one year and the success rate is quoted as at least 70 per cent.<sup>2</sup> Furthermore, this saving in maintenance costs is not the whole story for:

"On the credit side must be considered the continuation of the offender's productive occupation, his ability to honour his financial liabilities, facilitated, if not encouraged by the very fact of probation, and finally, any effects in the prevention of further criminal depredations on other peoples' property. From a financial point of view, probation distinguishes itself

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1 Canada, Royal Commission to Investigate the Penal System of Canada. Report ... King's Printer, Ottawa, 1938. p.225

2 Coughlan, Daniel. "The Case for Probation". Canadian Welfare; Treatment of the Criminal in Canada. Vol. XXIX, no. 3-4, September 15, 1953. Canadian Welfare Council, Ottawa, 1953. p.45

favourably from detention in prison and other forms of institutional treatment."<sup>1</sup>

The above has served as an introduction to the field of probation, and some of the current issues surrounding use of this method of handling the offender. Let us now look more specifically at the Canadian scene.

## 2. Adult Probation in Canada.....

In 1889 a statute (Act number 44 of 1889) was enacted in Canada that marked the beginning of probation legislation for adults.<sup>2</sup> This statute was later incorporated into the Criminal Code of Canada (section 1081) in 1892. In 1901 for the first time in Canada over 10 per cent of the adult offenders were "held responsible to the court".<sup>3</sup> This was the same year that the provision for this so termed probation was extended to include "conditional release of the offender" under 63-64 Victoria, ch.46, s.3. In 1921 the federal government made statutory provision for probation "supervision", and the following year saw the introduction of enabling legislation for the provision of probation facilities for adults in the province of Ontario.<sup>4</sup> By the year 1924 up to 20 per cent of adult offenders appearing were "held responsible to the court".<sup>5</sup> The law passed in 1927 in Canada marked a milestone in probation history in this country for it consolidated the previous provisions respecting suspended sentence and probation services into a whole in the Criminal Code of Canada,

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1 United Nations, Department of Social Affairs, Division of Social Welfare. Practical Results and Financial Aspects of Adult Probation in Selected Countries. New York, 1954. p.107

2 United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. p.57

3 Topping, C.W. Canadian Penal Institutions. Revised edition. Ryerson Press, Toronto, 1943. p.71

4 United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. pp. 57-59

5 Topping, C.W. Canadian Penal Institutions. Revised edition. Ryerson Press, Toronto, 1943. p.71

sections 1081 to 1083.<sup>1</sup>

The 1938 Report of the Royal Commission to Investigate the Penal System of Canada, hereinafter called the Archambault Report<sup>2</sup> recommended federal intervention into the field of adult probation. It suggested that a probation system, modelled on the contemporary probation system in force in England be initiated for adults and young offenders. The Commission elaborated however, that it felt Canada should not make provision for the suspension of procedure to conviction in the case of adult offenders as was the British practice. The use of trained social service workers, the necessity of the presentence investigation, the supervision of federally granted ticket-of-leave releasees (early release from incarceration), by probation officers, and a basis for standardization of salary scales of probation officers all appeared desirable to the 1938 Commission.<sup>3</sup>

After several years of relative quiet on the scene of probation legislative activity, British Columbia enacted enabling legislation in 1946.<sup>4</sup> One year later Canada was provided with no more than one dozen probation officers and these were concentrated in only two provinces, Ontario and British Columbia.<sup>5</sup> This brings us quickly into perspective when we realize that this number of officers, 10, represented our total adult probation service for the entire country little more than ten years

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1 United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. p.57

2 Canada, Royal Commission to Investigate the Penal System of Canada. Report... King's Printer, Ottawa, 1938.

3 Ibid., pp. 227 and 360

4 United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. p.59

5 MacLeod, A.J. "Corrections in Canada - 1947 and Today". Proceedings of the Canadian Congress of Corrections, 1957, Montreal, May 26-29. Canadian Corrections Association of the Canadian Welfare Council, Ottawa. p.27

ago.

In the next few years discussions and queries appeared in the professional journals about the broader issues involved in this method of handling the offender. Canada's inability to advance in the field of adult probation was partly explained as the result of difficulties presented by the geographical vastness of the country and the legislative division of powers between the federal and provincial levels of government. Three factors further retard the advancement of probation services to adults: the lack of dominion-provincial agreement regarding financing programs; the lack of uniformity as to administrative and organizational practices between provinces; and the lack of trained staff.<sup>1</sup> In 1953 the problem of inadequate numbers of probation officers was again echoed for in that year Canada, with a population of over 14,000,000 people, had fewer than 50 full time adult probation officers. It was estimated that with that population an adequate number of full time probation officers for adults would be between 650 and 700.<sup>2</sup> While addressing the Canadian Penal Association in October of 1953, the Director of the Ontario Probation Services (D. Coughlan) expressed the belief that this inadequacy of sufficient adult probation facilities marked the biggest gap in the Canadian penal program.<sup>3</sup>

A quick look at the crime statistics for Canada in 1955, a year partly covering the time period under study, reveals that only 8.7 per cent of all offenders over the age of 16 years convicted of indictable offences,

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1 Mitchell, E. "Probation Work in Canada". Fortnightly Law Journal, Vol. 17, part 16, March 15, 1948. Fortnightly Law Journal Ltd., Toronto. p.250

2 Coughlan, D. "The Case for Probation". Canadian Welfare; Treatment of the Criminal in Canada. Vol. XXIX, no. 304, September 15, 1953. Canadian Welfare Council, Ottawa. pp. 41-45

3 Coughlan, D.W.F. "At the Court Level". Proceedings of the Canadian Penal Association Held in Conjunction with the American Prison Association, Toronto, October 15 and 16, 1953. Canadian Penal Association, Toronto. p.2

received suspended sentence with probation. An additional 11.6 per cent were granted suspended sentence without probation, that is without supervision. Another 32.9 per cent received fines, 0.1 per cent the death penalty, and 46.7 per cent were committed to institutions of one form or another. Roughly then, nine times as many offenders were institutionalized as were given probation. Further review shows that of all such offenders between the ages of 16 and 24 years, 14.1 per cent of the males received probation, while 27.0 per cent of the females received probation, thus indicating firstly that a majority of the probation orders awarded went to the younger offender, and secondly that a proportionally higher percentage of young females received probation than young males. Of the males between 16 and 24 years cited above, 48.3 per cent were incarcerated in either a reformatory, gaol or penitentiary, indicating that the increased proportion of probation orders awarded the younger offender does not represent a decrease in the percentage thus incarcerated, but rather a decrease in the number formerly fined for similar offenses.<sup>1</sup>

Continuing to 1956, we see in the Report of the Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada, (hereinafter called the Fauteux Report), of that year, that the number of probation officers slowly increased. Ontario had 80 officers; British Columbia 18; Alberta 7, (probation departments of these three provinces were under the control of the Department of the Attorney General); Nova Scotia reported 5; Saskatchewan had their probation program under the Department of Social Welfare and Rehabilitation and therefore their officers who supervised adult

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<sup>1</sup> Canada, Dominion Bureau of Statistics, Health and Welfare Division, Judicial Section. Eighteenth annual Report of Statistics of Criminal and Other Offences, for the Period January 1, 1955 to December 31, 1955. Queen's Printer, Ottawa, 1957. pp. 17 and 20

offenders also had a variety of other welfare clientele. Quebec handled such offenders through their voluntary after-care agencies. Manitoba was soon to incorporate a program; no services existed in Newfoundland and Prince-Edward Island; New Brunswick was not mentioned.<sup>1</sup> The Fauteux Report suggested that consideration be given to the "enactment of legislation to authorize probation without conviction". Also recommended was that consideration be given to "abolition of a number of the restrictions on the courts to suspend the passing of sentence". Recommendation 3 of the same report reads that "each of the provinces should establish full-scale systems of adult probation".<sup>2</sup> The Report further suggests that the Criminal Code be amended to allow for the inclusion of a list of conditions that may or may not be imposed upon the probationer, at the discretion of the court.<sup>3</sup>

#### The Current Picture

A review of the adult probation services in Canada in 1958 reveals the following picture. The three leading provinces are Ontario, British Columbia, and Alberta. Size of staff for Ontario is 3 administrative and 103 probation officers; for British Columbia, 3 administrative and 24 probation officers; for Alberta, 3 senior probation officers and 15 probation officers; for Nova Scotia, 4 probation officers; for Manitoba, 1 administrative and 2 probation officers; for New Brunswick, 1 probation officer. All these six provinces have their service under the direction of the Attorney General's Department, and a total count reveals 149 probation officers and 10 administrative staff.\* Saskatchewan continues their

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1 Canada, Department of Justice, Committee Appointed to Inquire Into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. Report... Queen's Printer, 1956. pp. 13 and 14

2 Ibid. p.87

3 Ibid. p.12

\* Alberta Senior Probation Officers are considered administrative in function.

program under the Department of Social Welfare and Rehabilitation and therefore a count is not possible. In Quebec voluntary after care agencies still carry on the role of providing adult probation services. Newfoundland and Prince Edward Island are still without probation officers.<sup>1</sup>

### The Legislative Framework

The Criminal Code of Canada is the basic document of Canadian corrections. The first Criminal Code of Canada came into force in 1893 and after numerous amendments was fully revised and the "New Code" came into force on April 1, 1955.<sup>2</sup> This first day of April, 1955 also marked the beginning of the time period under review in this present study and therefore probationers placed under supervision of the British Columbia Provincial Probation Officers were so placed through the authority granted the court under sections 638 to 640 of the "New Code".<sup>3</sup>

Section 638 stipulates that if the offender has no previous convictions, and it appears to the court that "having regard to his age, character and antecedents, to the nature of the offence and to any extenuating circumstance surrounding the commission of the offence" that the accused may be released and awarded probation. Several conditions are broadly outlined for the offender to adhere to, and a requirement is included for the accused to report to an officer designated by the court. This designated officer shall report back to the court if the probationer fails to carry out the terms of his probation. The last part of section

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<sup>1</sup> Canadian Welfare Council, Canadian Corrections Association Division. Directory of Correctional Services in Canada. Ottawa, 1958.

<sup>2</sup> MacLeod, A.J. "Corrections in Canada - 1947 and Today". Proceedings of the Canadian Congress of Corrections, 1957, Montreal, May 26-29. Canadian Corrections Association of the Canadian Welfare Council, Ottawa. pp. 25-26.

<sup>3</sup> Criminal Code of Canada, sections 638 to 640 are reproduced in appendix.

638 provides that probation may be awarded an offender with one previous conviction if the previous offence is different in nature from the current one, or preceded the present offence by at least 5 years. Section 639 sets down the procedure for returning an unsatisfactory probationer to the court and Section 640 lists the courts authorized to award probation.<sup>1</sup>

Enabling legislation enacted by the provinces of Ontario and British Columbia currently provides for:

"... the appointment and remuneration of probation officers by the provincial governments, while local authorities are required to provide office accommodation. Probation officers appointed under the Acts are officers of all courts within the areas for which they are appointed. The duties of probation officers include the carrying out of preliminary investigations into the social and personal circumstances of convicted offenders."<sup>2</sup>

Ontario and British Columbia have led in the field of adult probation in Canada. However, because our study is set in British Columbia only, let us consider that province's service in more detail.

### 3. Adult Probation in British Columbia

Adult probation began in British Columbia in 1942. Mr. E.G.B.

Stevens, Chief Probation Officer for the province, records:

"The present Provincial Probation Branch has developed from the appointment of a Follow-up Officer on May 1st, 1942. This appointment followed a modification in Government policy occasioned by the stresses and changes brought about by the war. New Haven, the training-school for young offenders, was closed at the end of April, 1942, as a sufficiently large number of young offenders suitable for training in this institution was not being received at Oakalla Prison Farm. With the closing of New Haven, the Star Class at Oakalla was strengthened, and one of the main functions of the Follow-up Officer was to assist time-expired releasees to become readjusted to society.

It had long been realized that the provisions of sections, 1081, 1082, and 1083 of the Criminal Code could not be completely

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<sup>1</sup> Criminal Code of Canada 1955, ss 638-640

<sup>2</sup> United Nations, Department of Social Affairs. Probation and Related Measures. New York, 1951. p.59

implemented until the Courts had available an officer to whom they could turn for pre-sentence investigations and under whose supervision they might place offenders to whom a suspended sentence was granted. The Follow-up Officer assumed these two responsibilities for the Courts of the Greater Vancouver area, but concentrated primarily on the Vancouver Police Court, as probation facilities were available to the Judge of the Vancouver Juvenile Court.

The Follow-up Officer has always been responsible to the individual Magistrates and Judges, but he was initially responsible to the Inspector of Gaols for administrative purposes, and reports concerning his activities were sent to that Department.

As time passed, the Follow-up Officer came to be known as the Probation Officer, and with the passing of the Provincial "Probation Act" in 1946 the duties and responsibilities of the Provincial Probation Officer and his assistants were clearly defined."<sup>1</sup>

In 1945 the first assistant to the Probation Officer was appointed.<sup>2</sup> Then in 1946 the "Probation Act" was enacted and gave the legal framework to the role of the probation officer, and implemented the provisions of section 1081 of the Old Code, and what was then Section 72 of the Summary Convictions Act.<sup>3</sup>\* Under summary convictions the court is restricted to a six month maximum period of probation, otherwise the same provisions are provided under it as under the new Criminal Code sections 638-640.<sup>4</sup>

The year 1947 saw the addition of two more assistant probation officers bringing the total to one probation officer and 3 assistants,<sup>5</sup> and the service spread to cover the Greater Vancouver area, the lower Mainland,

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1 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1952. Queen's Printer, Victoria, B.C. pp. 25-26

2 Ibid. p. 26

3 British Columbia, Provincial Probation Branch, Staff. "Provincial Probation Services". British Columbia's Welfare. December 1947. B.C. Department of Health and Welfare, Social Welfare Branch, Victoria. p. 9

\* This section of the Summary Convictions Act given effect by the 1946 Probation Act has since been revised and contained in section 62 of the 1955 Act, Chapter 57.

4 An Act Respecting Summary Proceedings, Chapter 71, 1955. Section 62 ss. (3) (b). Statutes of British Columbia. Reproduced in Appendix.

5 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1952. Queen's Printer, Victoria, B.C. pp. 26-27

and up the Fraser Valley as far as Hope.<sup>1</sup> Then another officer was added in 1948 and service was extended to Vancouver Island; two more added in 1949 and another in 1950. On March 31, 1951, the Provincial Probation Officer was appointed Inspector of Gaols. Mr. C.D. Davidson was appointed Chief Assistant Probation Officer and addition of two more officers brought the total staff to 2 administrative personnel and 8 probation officers.<sup>2</sup> Bill number 34, 1951, amended the 1946 "Probation Act" by adding Courts of Appeal, Justice of the Peace, and Juvenile Courts to those to be served by the provincial probation staff.<sup>3</sup> In 1952 another officer was added. The year 1954 saw a total staff of 13 and in 1955 a total of 15, including the first woman probation officer. Mr. Stevens remarked in the Annual Report of that fiscal year:

"Recommendations

(4) The use of probation as a means of treatment in this Province has long since passed the experimental stage. The provision of additional staff and the opening of other branch offices will enable increasingly more people to be rehabilitated through this method, and the additional cost is far less than that entailed in the construction of new institutions or the extension of present facilities. I strongly urge that as requests for this service come in from other areas of the Province, they be given favourable consideration."

The following year saw the total staff rise to 18.<sup>4</sup>

Recapitulating for a moment we see that in the fiscal year April,

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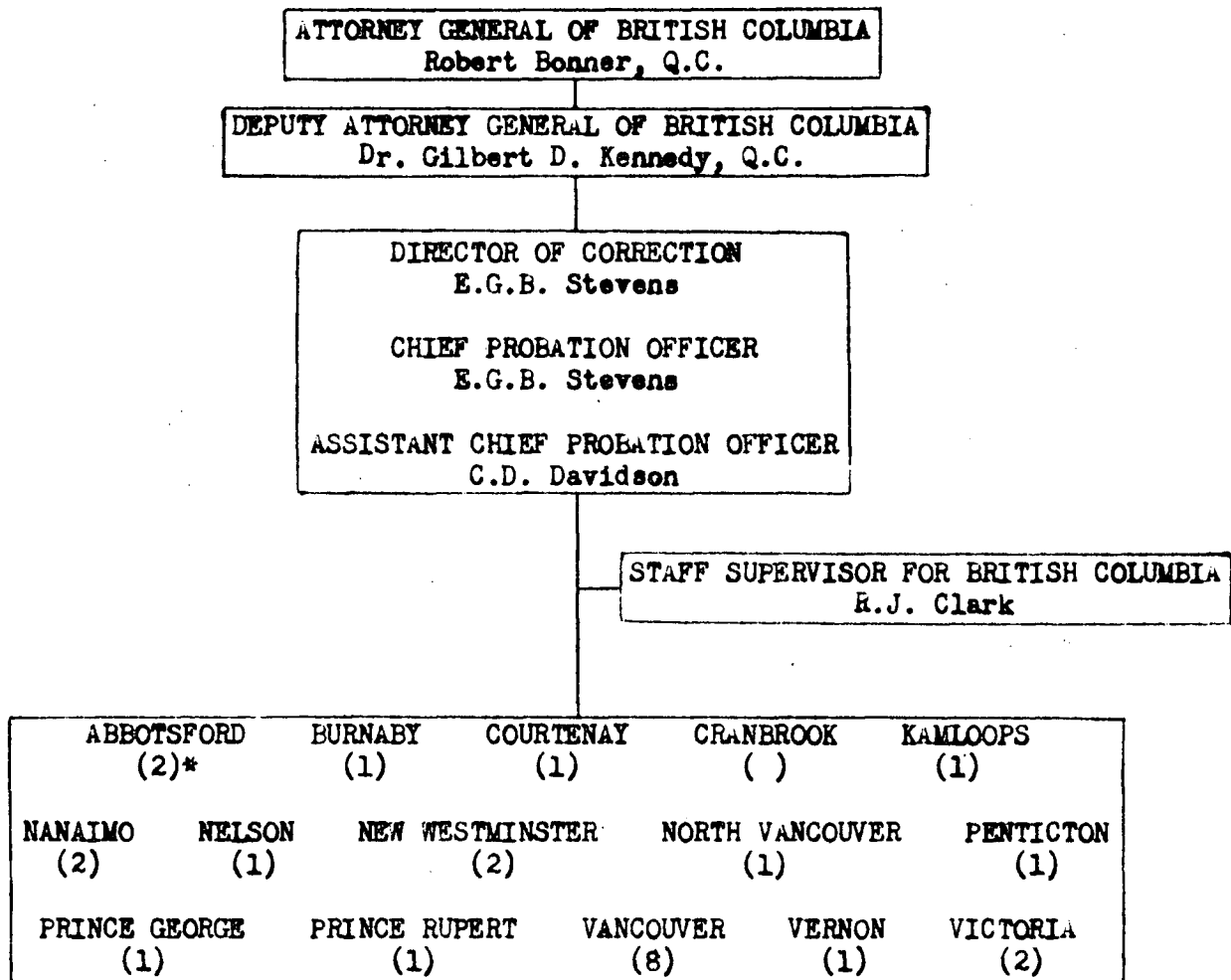
1 British Columbia, Provincial Probation Branch, Staff. "Provincial Probation Services". British Columbia's Welfare. December 1947. B.C. Department of Health and Welfare, Social Welfare Branch, Victoria. p.10

2 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1952. Queen's Printer, Victoria, B.C. pp. 26-27

3 British Columbia "Probation Act" Amendment Act. Bill number 34, 1951. Certified April, 1951. Currently Revised Statutes of British Columbia 268, 1948 plus amendment 1951.

4 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1952-1956. Queen's Printer, Victoria.

ADMINISTRATIVE CHART OF THE PROVINCIAL PROBATION SERVICE, JANUARY 1959



\* The numbers bracketed below the name of the regional offices indicate the number of probation officers located at that center. Those empty brackets indicate the office is currently unmanned pending appointment of officer.

The Vancouver office, located at 1075 Melville Street, serves both as the central administrative unit for the province and also houses the eight probation officers who serve the Vancouver area. In addition this office houses the headquarters staff of the Corrections Branch.

Figure 1. Administrative Chart of the Provincial Probation Service, British Columbia, January 1959.

1955 to March 31, 1956, the staff of the service included two administrative personnel, one female officer, and 15 probation officers. This is the time period in which the group studied in this paper were first placed on probation.

Mr. Stevens again urged expansion of services in his 1957 report, and on October 1, 1956 Mr. R.J. Clark was appointed staff supervisor, as the staff quickly grew to 3 administrative and 22 court officers.<sup>1</sup>

### The Present Service

The year 1958 sees the service with a total of 3 administrative and 24 court officers serving all except the northernmost reaches of the province.<sup>2</sup> The present staff arrangements, and the distribution of service throughout the province is illustrated in Figure 1, on page 16. Administration and communication is centralized in the Vancouver office. From one member of staff in 1944 to 28 staff members in 1958 represents the dynamic spreading of the use of adult probation as a method of handling the offender in British Columbia. Turning again to the annual reports we find that between the years 1942 and March 31, 1957 the Provincial Probation Service received 6,631 new probation cases for supervision. It is also interesting to note that a total of 6,482 pre-sentence investigations were prepared for the court in which the offender subsequently received some sentence other than probation.<sup>3</sup> This shows, approximately, that for every report an officer prepares and in connection with which subsequently receives a man under his

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1 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1957; Queen's Printer, Victoria, B.C. pp. 8, 64-65.

2 Canadian Welfare Council, Canadian Corrections Association Division. Directory of Correctional Services in Canada. Ottawa, 1958.

3 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1957. Queen's Printer, Victoria, B.C. Derived from Table, p.66

supervision, he prepares one on an offender who does not receive probation.

#### The Probation Officer; Duties and Qualifications

Sections 4 and 5 of the "Probation Act" outline the officer's duties as: responsibility for preparation of presentence reports for the various courts; to supervise probationers; to see restitution is paid by the offender if so ordered by the court; to report back to the court if the probationer is unsatisfactory; to see that the offender provides for his wife and family; and other duties prescribed by the court.<sup>1</sup> A typical case handled by a Vancouver Court probation officer could evolve as follows. He would likely be in court when the defendant appears. The probation officer would receive the referral from the magistrate, then check police records and details of the offence, also checking with the police to see if the man has any previous convictions. Then he would see the man in the city lock-up or at Oakalla Prison Farm, carry out the presentence investigation and in the process likely contact family, and collateral sources of information. He would likely give his opinion as to whether or not he felt the man could profit from probation service. The court would then decide the disposition, guided by the probation officer's report and within the limits set in the Criminal Code. If continued service is awarded then the officer would meet regularly with the offender until the expiration of his period of probation. The case would either be successfully or unsuccessfully closed until such time as the man again appears, perhaps as a parolee, or if he is no longer involved with the law the case is permanently closed. In addition the officer would have his share of juvenile cases to handle, and

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<sup>1</sup> An Act Respecting Probation Officers. Revised Statutes of British Columbia, 1948, Chapter 268. Amended 1951. Short title - Probation Act.

in the outlying areas, female cases, as well as parolees.

Qualifications of the present staff to perform these duties are relatively high. In a brief presented by the officers in 1958, it appears that 23 out of the 24 officers have some University training. Of the 24 officers, 7 have their Master of Social Work degree; 4 have an incomplete Master of Social Work degree (thesis incomplete); 4 have the degree of Bachelor of Social Work; 4 have Diplomas in Social Work or other social science; one has a Master of Arts (thesis incomplete); one has a Bachelor of Arts; 2 have undergraduate credits, and one records no formal university training. Eighteen have at least 3 years experience, 10 have more than 5 years experience in probation work, while the average number of years experience in both probation and other fields of social welfare comes to 10 years.<sup>1</sup>

4. Probation: A Differential Disposition  
to be Used Discriminately

The aim of adequate probation service is the effective rehabilitation of the selected offender through individualized, intensive supervision, involving the use of social casework methods. Probation services for adults in Canada and in British Columbia are a limited resource, and therefore, one must ask how this limited resource can be best used at present.

In the time period reviewed (April 1, 1955 to March 31, 1956), the 16 officers of the British Columbia Provincial Probation Branch handled 962

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<sup>1</sup> British Columbia, Committee on Behalf of Provincial Probation Officers. Brief of July 1958 to the British Columbia Government Employees' Association on the Re-classification of the Provincial Probation Officer, Provincial Probation Branch, Department of Attorney General, British Columbia. O. Walling, Chairman. Mimeographed, 1958.

new juvenile and adult cases.<sup>1</sup> This means that during this one year period they handled an approximate average of 59 new cases each, plus cases carried over from previous years, and carried over parole cases, in addition to preparing numerous presentence investigations that did not result in the offender receiving probation. A study of the early 1958 picture reveals an average case load of 81 cases per officer.<sup>2</sup> The relatively high qualifications of the staff cited earlier would suggest that attempts to improve the effectiveness of the service by obtaining adequate personnel are being carried out. Secondly, although the service is expanding numerically, the officers are still overloaded, as the demand for service exceeds the present capacity of the Branch. Therefore, it appears that another avenue presently open that will permit maintenance of as high a level of service as possible is the adequate screening of offenders at the time of presentence investigation so only the most promising rehabilitation prospects are awarded probation. One should be fully aware that adequate selection will always be necessary to probation, but in times when facilities are limited, one will often have to recommend that an offender be refused probation because sufficient time could not be spent with him even though under ideal service circumstances he could be classed as a fair prospect.

#### Purpose of the Study

Bennett Mead, statistician for the United States Department of

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1 British Columbia, Department of the Attorney General. Annual Report of the Inspector of Gaols, ending March 31, 1956. Queen's Printer, Victoria, B.C. pp. 55-57

2 British Columbia, Committee on Behalf of Provincial Probation Officers. Brief of July 1958 to the British Columbia Government Employees' Association on the Re-classification of the Provincial Probation Officer, Provincial Probation Branch, Department of Attorney General, British Columbia. O. Walling, Chairman. Mimeographed, 1958. p.4

Justice, points out that evaluation of probation is needed:

"(1) To speed the growth of the movement by providing further evidence of the value of probation; (2) To furnish probation departments with scientific tests of their actual efficiency, and thus show the way toward improvement of probation methods; and (3) To bring about a better public understanding of the preventable causes of crime and delinquency, with the hope of eliminating such causes."<sup>1</sup>

The present study has a threefold purpose. First, it is hoped that a descriptive survey of the entire adult male probation clientele of a one year period will present a clearer picture of the actual individuals this service is set up to serve initially, thus enabling a surer footing to advance upon when planning future expansion within the department. Secondly, although it is doubted if a study of such a small sample will provide the public with much information that would assist them to prevent crime, it is felt that the information forthcoming will provide the public relations men of the branch (usually the individual officers) with some factual material to buttress their discussions. Finally, some small indications of predictive value may emerge from the statistical analysis of chosen factors as related to success or failure on probation.

#### Similar Studies

Monachesi's Minnesota study<sup>2</sup> of 1,515 adult and juvenile probation cases terminating probation in the time period 1923-1925, found that 34.7 per cent of the adult cases had recorded violations. Many factors were cross-related and prediction tables constructed. The United States

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<sup>1</sup> Mead, B. "Evaluating the Results of Probation". National Probation Association Yearbook, 1932-33. New York. p.273

<sup>2</sup> Monachesi, E.D. Prediction Factors in Probation; A Study of 1,515 Probation Cases of Ramsey County, Minnesota, 1923-1925. Sociological Press, Hanover, N.H., 1932.

Attorney General's study<sub>1</sub> followed in 1939 and included a review of 19,256 cases; federal offenders whose probation was terminated in years 1933-1935 inclusive. This is the study that will be used for purposes of comparison. It was found that 31 per cent violated and 19 per cent were revoked among the group. Factors extensively analysed were race and nativity, age, marital status, recidivism, nature of instant offence, and steadiness of employment. In 1940, Gillin and Hill<sub>2</sub> published their findings of a study of 2,819 cases under the supervision of 36 full time probation officers in Wisconsin. In 1943 Holton<sub>3</sub> described 25 factors that were subjectively weighted by qualified personnel as pertinent to outcome of probation. Glaser and Hangren<sub>4</sub> followed with their study in 1955 which entailed review of 190 cases containing every second male coming under the supervision of an Illinois probation service in the time period 1947-1948. They found success rates of 76 per cent among these offenders and that objective factors which appeared to have a bearing on the outcome of the cases included previous convictions, total previous detention, prior work record, residential stability, age at first arrest, and economic dependency. Subjective factors related as important were predominant values, social development patterns, and "purposeness".

Turning now to post-probation recidivism studies we find a report

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1 United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939.

2 Gillin, J.L. and Hill, R.L. "Success and Failure of Adult Probationers in Wisconsin". Journal of Criminal Law and Criminology, Vol. 30, no.6, 1940. North Western University, School of Law, Chicago, Illinois.

3 Holton, K. "A Yardstick for Measuring Probation". Federal Probation, January - March 1943. Administrative Office of the United States Courts, Washington, D.C.

4 Glaser, D. and Hangren, R.F. "Predicting the Adjustment of Federal Offenders". NPPA Journal, Vol. 4, no. 3, July 1958. National Probation and Parole Association, New York.

by Caldwell appearing in 1951.<sup>1</sup> In his Alabama study of a sample of 403 cases chosen from a universe of 1,826 federal cases terminated successfully between July 1, 1937 and December 31, 1942, he reports 83.6 per cent recorded no more convictions. The median follow-up time period was 7½ years after the expiry of probation. England<sup>2</sup> selected 500 federal offenders from the universe of successfully terminated cases between January 1, 1939 and December 31, 1944. Of the 490 cases finally used 17.7 per cent evidenced recidivism. In this Pennsylvania study England felt the important factors suggesting poor prognosis were previous record, youthfulness, personal instability and lower level urban socio-economic background.\*

#### Time, Setting and Scope of the Present Study

Between the dates April 1, 1955 and March 31, 1956\*\*, a total of 223 adult male offenders\*\*\* were referred by various courts throughout the province to the British Columbia Provincial Probation Branch for supervision for the first time as adults. The first case was placed under supervision in April, 1955. The last case to terminate probation was closed March 6, 1958. This total of 223 individuals does not include those cases that were placed

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1 Caldwell, M.G. "Review of a New Type of Probation Study Made in Alabama". Federal Probation, June 1951. Administrative Office of the United States Courts, Washington, D.C.

2 England, R.W. "A Study of Postprobation Recidivism Among Five Hundred Federal Offenders". Federal Probation, September 1955.

\* A review of American and European prediction and success studies in the field of probation and parole (juvenile and adult) is found in: Prediction Methods in Relation to Borstal Training, by H. Mannheim and L.T. Wilkins; Chapter 1. Her Majesty's Stationary Office, London, 1955.

\*\* The time period April 1 of one year to March 31 of the following year represents the fiscal period of the department under study.

\*\*\* Adult offender is here taken to refer to an offender, over age 14 years who appears and whose case is disposed of in adult court. Also included are those adults sentenced in juvenile court on a charge of contributing to juvenile delinquency.

under supervision of this department pending disposition of their case only - the so called remand supervision cases - unless they were subsequently placed on definite probation to the department within the above prescribed time period. Cases referred in from out-of-province courts for supervision were also excluded, but those referred by British Columbia courts, who later left the province, were included, since the officers of the Branch have a legal obligation to maintain contact with these offenders through the local probation service in the region to which they have migrated.

#### Method of Investigation

The method of investigation includes a descriptive survey of numerous social history factors drawn from the probation files, and a more detailed statistical analysis of six selected factors as related to outcome of the case. These factors are: prediction of the probation officer at time of presentence investigation and the nature of the report prepared; age at time of being placed on probation; nature of instant offence; marital status and number of dependents of the offender at time of initiation of probation; previous adult criminal record and incarcerations; and steadiness of employment while on probation. Most of the necessary information was gathered from the duplicate files kept in the central Vancouver office, but numerous contacts were made with outlying offices to fill in missing details. Correspondence with the Identification Branch of The Royal Canadian Mounted Police, Ottawa, made it possible to verify somewhat the previous major convictions registered against the probationers, provided a limited follow-up check as to new offences recorded against

members of the group under study\*, and served as a double-check on the success some probationers had in completing their period of probation in other provinces and reported only by mail.

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\* This follow-up information is briefly described in the Appendix to this study, but because of the short follow-up period it was not expanded further.

## CHAPTER TWO

### A PROFILE OF ADULT MALE PROBATIONERS

Information was gathered concerning various social history characteristics of the 223 cases under investigation. The court from which the referral was made, the various conditions of release imposed upon the offender, personal characteristics, family background, and factors related to the outcome of the offenders' periods of probation were studied and are now described.

The 223 cases finally isolated for study were referred by various courts throughout the province of British Columbia. The number of cases referred by the Vancouver Magistrates' Courts, 110, make up almost half of the total number of referrals. A total of eight cases were tried in the higher courts, (county and appeal courts), and four cases were disposed of at the juvenile court level. The number of cases recorded as being sent up to adult court after first appearing in juvenile court totaled thirteen. Thirty-two courts referred one or more cases. (See Table 1, below). The large number of cases referred by the Vancouver Magistrates' Courts reflect the large volume of cases handled in these courts as compared to other courts throughout the province. This large number of referrals is also partly explained as a result of probation first being introduced to the Vancouver courts as a method of disposition before spreading to other areas throughout the province. In some of the interior areas probation services have only recently been available.

Table 1. Courts Referring Offenders to the British Columbia Provincial Probation Service

(Study Group, British Columbia; 1955-56)

Name of Court	Number Referred	P.C. of Total Referred
Appeal Court	4	1.8
County Court - Vancouver	3	1.3
County Court - Victoria	1	0.4
Magistrates' Courts		
Burnaby	7	3.1
Chilliwack	9 (3)*	4.0
Cloverdale	8 (1)	3.6
Colwood	8	3.6
Cranbrook	2	0.9
Duncan	1	0.4
Fernie	1	0.4
Hope	1 (1)	0.4
Kamloops	3	1.3
Kelowna	4	1.8
Kimberly	2	0.9
Matsqui	1	0.4
Millairdville	1	0.4
Nanaimo	9	4.0
New Westminster	5	2.2
North Vancouver	7	3.1
Oak Bay	1	0.4
Oliver	1	0.4
Osoyoos	1	0.4
Penticton	1	0.4
Prince Rupert	1	0.4
Saanich	4	1.8
Vancouver	110 (3)	49.3
Vernon	9 (5)	4.0
Victoria	13	5.8
West Vancouver	1	0.4
Cloverdale Juvenile	1	0.4
Saanich Juvenile	3	1.3
Total	223 (13)	100. **

\* Numbers in brackets indicate the number of cases referred up from juvenile court to adult court.

Source: From material collected from files of the Provincial Probation Branch.\*\*\*

\*\* The total of 100 has been inserted at the bottom of the percentage columns even though a small margin of error may be present because the calculations of the figures above are only taken to one decimal place. This procedure will be followed throughout the study.

\*\*\* Information in subsequent tables comes from the same original material unless otherwise indicated.

### 1. Conditions of Release

The length of the period of probation imposed by the court, the frequency of reporting prescribed, the size of the bond required, and extra conditions imposed by the court will now be reviewed. Also in this section will be considered the frequency with which offenders received probation orders during the various months of the year. The conditions imposed by the court would be expected to have some relation to the outcome of the individual case as this is the rationale for imposing them, but such analysis will not be attempted with regard to these factors.

#### Length of Probation Period

The length of time the probationer was required to remain under the supervision of the British Columbia Provincial Probation Branch varied from as short a time as three months to the maximum time permitted under provisions of the Criminal Code, namely two years.

Table 2. Length of Probation Order Imposed by the Court  
(Study Group, British Columbia; 1955-56)

Length of Probation (in months)	Number of Probationers	P.C. of Total Referred
3	1	0.4
4	1	0.4
6	49	22.0
9	4	1.8
12	130	58.3
15	2	0.9
18	14	6.3
24	19	8.5
Unspecified	3	1.3
Total	223	100.

A total of 130, (58.3 per cent), of the offenders were placed on probation for a period of twelve months. Another 49, (22.0 per cent), of the group were awarded probation orders of six months in length. Many of those receiving six month probation orders were probably sentenced under the Summary Convictions Act which does not permit sentences over six months in length to be imposed. Eighteen month and 24 month probation periods were awarded to a total of 33 more offenders, accounting for another 14.8 per cent of the total group. (See Table 2, above). The one year time length on probation supervision was the preferred disposition handed down by the courts in the time period under study, while less than 10 per cent received the maximum allowable length of probation, two years.

In addition to the lengths of supervision mentioned above, 6 of these cases were on remand supervision previous to their receiving the disposition of probation. Of these remand supervision cases, one was supervised for 1 month prior to probation, two for  $1\frac{1}{2}$  months, one for 2 months, one for  $2\frac{1}{2}$  months, and one for 7 months.

Four offenders received probation after appealing former sentences. Two of them had former 18 months prison sentences reduced to 12 months on probation; one had an 18 month prison sentence reduced to 2 years probation; and one had a  $2\frac{1}{2}$  year penitentiary sentence plus 6 strokes reduced to 2 years probation.

#### Frequency of Reporting Prescribed by Court

When probation is awarded to an offender the magistrate or judge giving the disposition usually sets down the frequency with which the probationer shall report to his probation officer. This prescribed frequency is taken as the minimum legal frequency of reporting, although the probationer may report more often, either of his own volition or at the

request of the supervising officer, who, because he is in more continuous contact with the offender may feel that the situation warrants closer observation, or more intensive treatment. In some cases the magistrate makes no reference to the expected frequency of reporting, or may refer to it only in saying that it will be as directed by the supervising officer.

Table 3. Frequency of Reporting Prescribed by the Court  
(Study Group, British Columbia; 1955-56)

Frequency Prescribed	Number of Probationers	P.C. of Total Group
Once per. month	70	31.4
Twice per. month	43	19.3
As directed	8	3.6
Not recorded	102	45.7
Total	223	100.

A total of 70, (31.4 per cent), of the group were ordered to report at least once per. month. An additional 43, (19.3 per cent), of the group were ordered to report at least twice per. month, while 8, (3.6 per cent), were ordered to report as directed by the supervising officer. No record of frequency of reporting prescribed was made in 102, (45.7 per cent), of the cases. Once per month appears to be the favoured frequency of reporting contained in the disposition handed down by the magistrate or judge. (See Table 3, above)

#### Size of Bond Posted

The offender is required to enter into a bond as one of the conditions of his release on suspended sentence. Frequently other individuals are required to co-sign the bond thus acting as sureties that

the offender will keep the peace and be of good behaviour. In some cases the length of time the bond is in force may exceed the length of the probation order.

Table 4. Size of Bond Posted by Probationer  
(Study Group, British Columbia; 1955-56)

Size of Bond (In dollars)	Number of Probationers	P.C. of Total Group
50	3	1.3
100	25	11.2
150	2	0.9
200	10	4.5
250	20	9.0
500	100	44.8
1000	9	4.0
Unknown	54	24.2
Total	223	100.

Five-hundred dollar bonds were most frequently posted by the group under study. One-hundred dollar bonds were second in frequency. In almost 25 per cent of the cases the size of bond was not recorded. Few instances were recorded in which the size of bond was as small as 50 dollars or as large as 1000 dollars. (See Table 4, above).

#### Extra Conditions Imposed

In addition to the conditions usually accompanying the release of an offender on probation, such as the posting of a bond, the stated frequency of reporting, and the length of the probation period, the magistrate may impose extra conditions he feels will be necessary to facilitate treatment of, or curtail the activities of, the offender. In 129 of the cases studied no such extra conditions were recorded, while in

the remaining 94 cases one or more such extra conditions were imposed.

The extra conditions imposed included that the offender pay restitution to the aggrieved party of the offence; that he abide by a certain curfew imposed; that he provide maintenance for dependents; that he return to a certain location, which in some cases was the home of his parents; that he keep out of beer parlors or other establishments where liquor is sold; that he abstain from use of intoxicants (sometimes the individual was placed on the interdict list); that he keep away from a certain location which might be a certain neighbourhood of the city, or in some instances the entire city itself; that he leave for a certain destination within a prescribed time period; that he volunteer to contact some additional social agency such as the Alcoholism Foundation or a mental health clinic; that he stop associating with certain individuals; that he remain on his present job; that he dispose of his car in the case of a youthful offender; or, in the case of military personnel, that he report to his commanding officer at regular intervals. Various combinations of the above listed conditions were imposed on the 94 cases in the group. The most frequently imposed condition, (imposed alone or in combination with other conditions), was that of ordering restitution, which appeared in 35 of the cases. The variety of conditions listed displays the wide scope of power the court has in regulating the daily life of the offender released on probation.

#### Month Probation Started

The number of new referrals to the probation service varies throughout the year. Study of the month by month addition of new cases gives some indication of the relation between the number of referrals and the seasons of the year.

Table 5. Month of Year Probation Awarded to Adult Males  
(Study Group, British Columbia; 1955-56)

Year and Month	Number of Probationers	P.C. of Total Group
1955, April	16	7.2
May	14	6.3
June	22	9.9
July	20	9.0
August	20	9.0
September	14	6.3
October	15	6.7
November	18	8.1
December	8	3.6
1956, January	36	16.1
February	23	10.3
March	17	7.6
Total	223	100

The month of December saw only 3.6 per cent of the total group referred for service. During January 16.1 per cent of the total group were referred, while in February another 10.3 per cent were referred. Thus, in the three central months of winter the greatest fluctuation in number of referrals occurred. All other months saw the number of referrals averaging between 6.3 per cent and 9.9 per cent of the total number referred. (See Table 5, above).

## 2. Personal Characteristics

The personal characteristics of the group investigated for purposes of this study included age, place of birth, educational level, health, occupation, work habits, steadiness of employment while on probation, marital status, number of dependents, nature of the instant offence, extent of juvenile record, extent of previous adult criminal record, and finally, the

amount of previous institutionalization experienced by the offender. Recording on some of these factors was incomplete but as complete a survey as possible was made with the available information.

#### Age at Start of Probation Period

The age of the offender at time of commencement of probation ranged from 14 years to 69 years in the group surveyed. Twenty-one, (9.4 per cent), of the total group were aged 14 years to 17 years inclusive. In British Columbia this would mean that they are still within the age range of the juvenile delinquent, and therefore would have appeared in Juvenile Court on the instant offence and would have been subsequently transferred up to adult court. In the age grouping 18 years to 20 years there were 98, (43.9 per cent), of the total group. Another 41 offenders fell within the age grouping of from 21 years to 24 years, representing 18.4 per cent of the total group. In the 25 year to 29 year age grouping 23, (10.3 per cent), were found, while 17, (7.6 per cent), fell within the group ranging from age 30 years to 34 years. The age grouping 35 years to 39 years contained 9, (4.0 per cent), of the total group, and 5, (2.2 per cent), of the total group fell within the age range 40 years to 44 years inclusive. Those offenders older than 44 years comprised 9, (4.0 per cent) of the group.

Further grouping by age reveals that 160, (71.7 per cent), of the total group were less than 25 years of age; 40, (17.9 per cent), were ages 25 years to 34 years inclusive; while 23, (10.3 per cent), were age 35 years or older. The high proportion of the younger offender, 71.7 per cent, becomes very evident. (See Table 6, on page 35). This would suggest that the court uses probation as an expression of judicial clemency awarded with regard to the extenuating circumstance of the offender's youth. Such exercising of judicial clemency may or may not coincide with the selection of

Table 6. Age of Offender at Time Probation Started  
(Study Group, British Columbia; 1955-56)

Age*	No.	Age-1st Grouping	No.	P.C. of Total	Age-2nd Grouping	No.	P.C. of Total
14	1	14-17	21	9.4	Below 25	160	71.7
15	4						
16	6						
17	10						
18	44	18-20	98	43.9			
19	33						
20	21						
21	9	21-24	41	18.4			
22	22						
23	4						
24	6						
25	7	25-29	23	10.3	25-34	40	17.9
26	4						
27	3						
28	4						
29	5						
30	2	30-34	17	7.6			
31	6						
32	2						
33	5						
34	2						
35	4	35-39	9	4.0	35 and Above	23	10.3
36	1						
37	1						
39	3						
40	2	40-44	5	2.2			
43	2						
44	1						
45	1	45 and Above	9	4.0			
46	1						
50	1						
52	1						
53	1						
58	1						
63	1						
66	1						
69	1						
Total	223	223		100	223		100

\* Age at time of last birthday

offenders to receive probation according to the degree to which they represent good treatment prospects.

### Place of Birth

Individuals composing the total group showed considerable variation in relation to the place of their birth. The offenders were born in nine of

Table 7. Birth Place of Probationers

(Study Group, British Columbia; 1955-56)

Place of Birth	Number of Probationers	P.C. of Total Group
Canada		
British Columbia	87	39.0
Saskatchewan	36	16.1
Alberta	21	9.4
Ontario	18	8.1
Manitoba	7	3.1
Quebec	7	3.1
Nova Scotia	4	1.8
New Brunswick	3	1.3
Prince Edward Island	1	0.4
Newfoundland	-	-
Canada - unspecified	5	2.2
Canada - Total	189	84.7
England	5	2.2
United States	5	2.2
China	3	1.3
Roumania	3	1.3
Scotland	3	1.3
Germany	2	0.9
Italy	2	0.9
Denmark	1	0.4
Hungary	1	0.4
Russia	1	0.4
Unspecified	8	3.6
Total	223	100

Canada's ten provinces, and in ten countries outside Canada. Only 87, (39.0 per cent), of the group were born in British Columbia. In comparison the 1951 Census of Canada reported that 39.5 per cent of all males within the province of British Columbia were born in that province. Fifty-two point three per cent of males between the ages 15 to 24 years living in British Columbia in 1951 were born within that province.<sup>1</sup>

The next heaviest representation came from Saskatchewan with 36, (16.1 per cent), of the group being born in that province. Then comes Alberta with 21, (9.4 per cent), offenders born within its borders, and Ontario follows with 18, (8.1 per cent), born in that province. The total born in Canada, 189, represents 84.7 per cent of the total group, while the remaining 15.3 per cent were born in other countries. (See Table 7, above). The three western-most provinces, British Columbia, Alberta, and Saskatchewan, combined to represent the birthplace of 144, (64.6 per cent) of the group.

#### Level of Education

In this section the level of education recorded is taken to mean the number of years formal schooling the offender has successfully completed. The extent of such education ranged from no formal schooling in some cases to completed undergraduate university degree in others. Extra vocational training is recorded in some cases but does not appear in the following table. This training for various individuals included one instance of an offender completing a diesel course; one held a first-aid certificate; one an artist's degree; one offender had one year banking and one year accounting training; while one reported one year vocational training, and another reported 6 months technical training.

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<sup>1</sup> Canada, Dominion Bureau of Statistics. Census of Canada, 1951. Volume 2. Queen's Printer, Ottawa. Derived from Table 11-45

Table 8. Number of Years of Schooling Successfully Completed  
(Study Group, British Columbia; 1955-56)

Number of Years Completed	Number of Probationers	P.C. of Total Group
None	4	1.8
4	1	0.4
5	6	2.7
6	12	5.4
7	28	12.6
8	48	21.5
9	51	22.9
10	25	11.2
11	17	7.6
12	18	8.1
University		
1 (grade 13)	3	1.3
2	1	0.4
3	1	0.4
Degree	1	0.4
Unspecified	7	3.1
Total	223	100

Twenty-three, (10.3 per cent), of the group completed 6 grades of schooling or less. Another 127, (56.9 per cent), completed from 7 to 9 years of schooling, while another 63, (28.2 per cent), completed from 10 to 13 years of schooling successfully. By far the largest percentage of offenders completed from 7 to 10 years schooling inclusive, (152 or 68.2 per cent). Only 48, (21.5 per cent), of the group were known to have achieved more than 10 years of schooling at the time of their being placed on probation. (See Table 8, above).

#### Health of Probationers

When information was originally drawn from the files of the group

investigated, the assessment of the offender's health was fitted to a five point rating starting with very poor, and continuing with the ratings poor, fair, good and excellent. This rating was discarded and the three point scale, poor, fair, and good, replaced it. Determination of the suitable ratings was based on the general impressions recorded by the probation officer, as well as the offender's own assessment. Good health included those cases with only casual complaints of physical illness. Fair health applied to those offenders who periodically lost time from work because of illness. Poor health described the condition of those offenders who were chronically ill, or whose functioning in the vocational field was frequently upset by preoccupation with bodily complaints. Actual physical disabilities were considered separately, as were reported cases of emotional disturbances.

Table 9. Health of Probationers

(Study Group, British Columbia; 1955-56)

Rating Of Health	Number of Probationers	P.C. of Total Group
Poor	8	3.6
Fair	36 *	16.1
Good	179 **	80.3
Total	223	100

\* Five of these 36 cases had some physical disability.

\*\* Six of these 179 cases reported strong emotional disturbances.

Eighty per cent of the group were recorded as in good health, but six of those composing this 80 per cent recorded emotional disturbances. Another 16.1 per cent were recorded as in only fair health and five of these cases had some physical handicap. Poor health was only recorded in 3.6 per cent of the cases, (one of these cases suffered from a terminal illness). (See Table 9, above). Caution must be exercised in interpreting the above

data because a description of the emotional health of the probationer was often not included in the reports prepared by the probation officer, or if included was often incomplete.

#### Chief Occupation of Probationers

Considerable variation was noticed between the chief occupation of different members of the group. The largest occupational representation

Table 10. Chief Occupation of Probationer  
(Study Group, British Columbia; 1955-56)

Occupation	Number of Probationers	P.C. of Total Group
Agriculture	4	1.8
Armed Services	9	4.0
Clerical	6	2.7
Fishing, Lumbering, and Mining	23	10.3
Labour	92	41.3
Management	2	0.9
Manufacturing and Construction (Factory and plant work)	13	5.8
Pianist	1	0.4
Salesman	7	3.1
Semi-skilled (Roofer, etc.)	10	4.5
Service (to public)	7	3.1
Students and Apprentices	22	9.9
Tradesman (Electrician, etc.)	8	3.6
Transportation (Chauffeurs)	17	7.6
Retired or Unemployed	2	0.9
Total	223	100

was from the labour grouping which included 92, (41.3 per cent), of the total group. The fishing, logging, mining group, and the student and apprentice group showed approximately another 10 per cent of the members each. Transportation workers, including private chauffeurs as well as truckers, made up 7.6 per cent of the group. The remaining 31.1 per cent

of the total group were engaged in a wide variety of other skilled and unskilled occupations. The high proportion of unskilled workers means that many of these probationers are the first affected directly by periods of regional or seasonal unemployment. (See Table 10, above).

#### Work Habits of Probationers

As part of the presentence investigation the probation officer usually checks on the offender's more current work history in order to assess the relative steadiness with which the man has been employed. The probation officer records this information in his report to the court.

Table 11. Work Habits of Probationers  
(Study Group, British Columbia; 1955-56)

Work Habits	Number of Probationers	P.C. of Total Group
Steady	138	61.9
Seasonal	29	13.0
Sporadic	51	22.9
Part time	2	0.9
Inexperienced	3	1.3
Total	223	100

One-hundred and thirty-eight, (61.9 per cent), of the group were recorded as steadily employed during their recent work history. Students attending school full time were considered as part of this fully employed group. Seasonal employment, that is working the full season of the industry one is engaged in, was reported in 29, (13.0 per cent), of the group. Adding together those offenders with work habits recorded as steady, and those recorded as seasonal gives a total of 167 offenders or 74.9 per cent of the total group. Three offenders were inexperienced in the work field;

two had a record of only part time employment; while 51, (22.9 per cent), of the group had very sporadic work records which were interspersed with frequent changes of employment and periods of unemployment. (See Table 11, above).

#### Steadiness of Employment While on Probation

Steadiness of employment of the offender while on probation is one of the factors to be more fully analysed in the next chapter. The question of whether or not the probationer was motivated to seek employment while on probation is also an important one but one that could not be investigated because of the lack of information in this regard. The following table, (Table 12), discloses only the objective proportion of time the probationer was employed, not his attitude toward his ability or inability to obtain employment.

Table 12. Steadiness of Employment While Under Supervision  
(Study Group, British Columbia; 1955-56)

Steadiness of Employment	Number of Probationers	P.C. of Total Group
Fully employed* (80% of time or more)	118	52.9
Seasonal**	4	1.8
Part-time (20-79% of the time)	77	34.5
Little or none (less than 20%)	22	9.9
Unrecorded	2	0.9
Total	223	100

\* Includes full-time students.

\*\* Refers to those engaged for full length of season.

The steadiness of employment refers to the proportion of time the probationer was employed while under the supervision of the probation officer. Thus, for example, if an offender's probation was terminated prematurely, say only two months after starting, and he was fully employed during these two months, then he is considered as fully employed, during the duration of his period of supervision.

One-hundred and twenty-two, (54.7 per cent), of the group were either fully employed, (over 80 per cent of the time), or seasonally employed. Another 77, (34.5 per cent), were employed part time, (between 20 and 79 per cent of the time); while 22, (9.9 per cent), were employed for 19 per cent of the time or less. (See Table 12, above).

#### Marital Status of Probationer

The marital status of the probationer at the time he was placed on probation was recorded under the headings single, married, divorced, legally separated, widowed, living apart or deserted, and living in common-law. No attempt was made to record previously dissolved marriages if the

Table 13. Marital Situation of the Probationer  
(Study Group, British Columbia; 1955-56)

Marital Status	Number of Probationers	P.C. of Total Group
Single	158	70.8
Married	41	18.4
Divorced	5	2.2
Legally Separated	1	0.4
Widowed	-	-
Living Apart or deserted	12	5.4
Common-law Union	6	2.7
Total	223	100

individual had subsequently remarried.

One-hundred and fifty-eight, (70.8 per cent), of the group were recorded as single. Forty one, (18.4 per cent), were married, while the remaining 24, (10.8 per cent), of the group reported a broken marriage or that they were living in a common-law union at time probation began. (See Table 13, above). In addition to this information it was recorded that 6 members of the group married during their period of probation, one remarried while on probation, and one divorced his spouse during his probationary period.

At first the percentage of the group that were recorded as single, 70.8 per cent, may seem quite high, but it does not seem too out of proportion when placed beside the statistic formerly calculated which showed that 71.9 per cent of the group investigated were under the age of twenty-five years.

#### Number of Dependents

A numerical recording of the number of dependents each probationer had at the time his period of probation began was carried out. The spouse counted as a dependent in the case of those who were supporting their wife or common-law partner.

One-hundred and sixty-eight, (75.3 per cent), of the group reported no dependents. Forty-one, (18.4 per cent), of the group reported having one, two, or three dependents. Only 12, (5.4 per cent), reported over three dependents. In addition to this listing of number of dependents it was recorded that two probationers increased their number of dependents by one as a result of the birth of a child during the period the probationer was supervised, while 6 added a dependent by getting married during their period on probation, and one added a dependent by getting remarried. One lost one

dependent through divorce. (See Table 14, below).

Table 14. Number of Dependents Supported by Probationer  
(Study Group, British Columbia; 1955-56)

Number of Dependents*	Number of Probationers	P.C. of Total P.C. Group
None	168	75.3
1	10	4.5
2	18	8.1
3	13	5.8
4	6	2.7
5	3	1.3
6	1	0.4
7	2	0.9
Unknown	1	0.4
Total	223	100

\* Dependents refer to those persons the probationer is responsible for the support of.

#### Nature of Instant Offence\*

Crimes against the person accounted for 11.2 per cent of the instant offences. Crimes against property accounted for 74.9 per cent\*\*, and in the case of 50, (22.4 per cent of the total group), of these offenders

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\* Instant offence refers to that offence for which the offender has been currently placed on probation. In the event that the offender was convicted of two or more identical charges, (e.g. 2 charges of fraud), then his instant offence was considered as that charge, (fraud). If he was convicted of two charges of a different nature, (e.g. auto theft and fraud), the charge which carried the heavier maximum penalty under the Criminal Code of Canada was considered the instant offence. If the two dissimilar charges carried the same maximum penalty, then the offence which was primarily the reason for the resulting crimes was selected as the instant offence. (For example, if an offender stole a car in order to commit a breaking and entering, the breaking and entering would be considered the instant offence.)

\*\* In British Columbia, January 1 to December 31, 1956, 74.7 per cent of all adult convictions for indictable offences took the nature of crimes against the person. Canada, Dominion Bureau of Statistics, Health and Welfare Division, Judicial Section. Annual Report of Statistics of Criminal and Other Offences, for the period January 1, 1956 to December 31, 1956. Queen's Printer, Ottawa, 1958.

Table 15. Offence for Which Offender Was Placed on Probation  
(Study Group, British Columbia; 1955-56)

Offence	No. of Prob's.	P.C. of Total Gp.
(a) Crimes against the person		
Assault, common (includes ass. on wife & unspec.)	10	
Assault, causing bodily harm	10	
Assault, grievous	1	
Assault, other (on female, on peace officer)	2	
Rape	1	
Threatening	1	
	<hr/> 25	11.2
(b) Crimes against property		
Breaking and Entering	1	
B & E and indictable offence, and attempts	49	
False pretences	16	
Forgery and Conversion	10	
Conspiracy	3	
Fraud and attempted Fraud	3	
Loitering, prowling, trespassing	3	
Theft, unspecified and attempted	6	
Theft, over \$50.	17	
Theft, over \$50., auto and attempted auto	19	
Taking auto without owner's consent	4	
Theft, under \$50. (incl. 1 auto value under \$50)	25	
Possession, retaining, and receiving stolen goods	7	
Robbery	3	
Wilful damage	1	
	<hr/> 167	74.9
(c) Crimes against public morals and decency		
Bigamy	1	
Contributing to juvenile delinquency	12	
Gross indecency	1	
Indecent act and indecent exposure	3	
Non-support	2	
	<hr/> 19	8.5
(d) Crimes against public order and peace and misc.		
Bootlegging	1	
Creating a disturbance	1	
Altering birth certificate	1	
Impersonating peace officer	1	
Possession of offensive weapon & concealed weapon	5	
Possession of unregistered firearms	1	
Vagrancy	2	
	<hr/> 12	5.4
Total	223	100

the crime against property was more specifically, that of breaking and entering, or breaking and entering and an indictable offence. Forgery, false pretences, conversion, conspiracy, and fraud accounted for another 32, (14.3 per cent of the total group), of the offenders' instant offences falling in the category of crimes against property. Thefts account for 71, (31.8 per cent of the total group), more of the instant offences against property. (See Table 15, on page 46).

Crimes against public morals and decency accounted for another 8.5 per cent of the total group of instant offences. Crimes against public order and peace and miscellaneous crimes accounted for another 5.4 per cent of the total group of instant offences. (See Table, on page 46).

A more detailed analysis of the nature of instant offence as related to outcome of probation period will be carried out in the next chapter.

Twenty of the probationers were convicted of two or more offences of the same nature at time of being awarded probation, while 14 of them had two or more offences of a different nature recorded at this time.

#### Known Juvenile Record

An attempt was made to investigate the extent of previous legal difficulties the study group members experienced as juveniles. However, the amount of information gathered was limited because of the confidentiality of such juvenile reports. If the offender had a juvenile record in the greater Vancouver area then in all probability this would be mentioned in the pre-sentence report prepared by the probation officer, as the probation officers usually make a check with the nearby juvenile court officials. However, unless this limited check reveals a juvenile court record the only other source of this information is the offender himself, and many of them are reluctant to admit to such a record. For these reasons the investigation

was limited to the extent of juvenile record known to the Provincial Probation Branch.

Table 16. Known Juvenile Record of Offenders -  
Number of Adjudged Delinquencies  
(Study Group, British Columbia; 1955-56)

Number of Adjudged Delinquencies	Number of Probationers	P.C. of Total Group
None recorded	179	80.3
1	26	11.7
2	8	3.6
3	2	0.9
Unknown	1	0.4
Extensive but not specified	7	3.1
Total	223	100

Over 80 per cent of the total group, (80.3 per cent), had no previous juvenile record that was known to the Provincial Probation Branch. Only 17, (7.6 per cent), were known to have been adjudged juvenile delinquents because of involvement in more than one crime. (See Table 16, above).

An attempt was made to collect information about the results of the above known delinquencies but the amount recorded in the files was very limited. Of the 43 offenders with juvenile records known to the probation branch, 10 were fined, 13 experienced probation, 7 were incarcerated, and one was placed on a peace bond, as the most serious disposition they received as a result of their delinquencies. The results in the remaining 13 cases was unknown. In considering the results of juvenile records, as when considering the extent of known juvenile records, the above findings are unreliable because of the difficulty involved in obtaining information regarding juvenile court records.

### Previous Adult Criminal Record

When reviewing the extent of previous adult criminal record existing in the case of each probationer it was arbitrarily decided to restrict the investigation to those charges laid under a federal, as opposed to a provincial or municipal, statute. This was done because of the lack of central registration of the provincial and municipal charges, particularly in the case of the offender who has changed his place of residence frequently. The record contained in the probation branch file was verified through inquiries made to the central registry of criminal offences in Ottawa, Identification Branch, Royal Canadian Mounted Police.\*

Table 17. Number of Previous Adult Convictions  
(Study Group, British Columbia; 1955-56)

Number of Convictions	Number of Probationers	P.C. of Total Group
None	192	86.1
1	22	9.9
2	8	3.6
3	1	0.4
Total	223	100

In 192 cases, (86.1 per cent), no previous convictions were registered against the probationer at time of disposition. Twenty-two, (9.9 per cent), of the group had one previous conviction registered against them, while 8, (3.6 per cent), had 2 previous convictions registered against them. Only one probationer had 3 previous convictions recorded against him. The

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\* It is possible that there could be a discrepancy between the extent of previous adult criminal record known to the probation branch and the extent of record revealed in the report from Ottawa, as often the offender is awarded probation before the routine police check with Ottawa is completed, and if the offender gave false information about previous record this would not necessarily become known to the probation service.

tendency of the court to award probation primarily to the first time offender is reflected by the high number of such cases, (192), receiving such a disposition. In only 9.9 per cent of the cases probation was awarded under the special provisions of the Criminal Code of Canada that permits awarding such an order to a man with one previous conviction. In 9, (4.0 per cent), of the cases the offender receiving the probation order was actually legally ineligible to receive such a disposition. This probably meant that the court was not aware of the extent of the man's previous record before handing down a disposition. (See Table 17, above).

#### Previous Incarceration in Adult Correctional Institutions

As with the previous section, this section was composed on the basis of information received in checking with the Identification Branch, Royal Canadian Mounted Police, Ottawa, as well as material taken from probation branch records. This will not include short stays in gaols or prisons pending the pronouncement of sentence, or short term sentences as a result of conviction on municipal or provincial offences.

Two of the group were incarcerated for a period of one month or less. Two were incarcerated for a period of longer than one month but not more than 2 months. One was incarcerated for a period of over 5 months, but not more than 6 months. Two were incarcerated for a period of more than 8 months, but not more than 9 months. One was incarcerated for a period of over 11 months, but not more than 12 months. Two-hundred and fifteen of the group, (96.4 per cent), had no record of incarceration known to either the probation service, or the Identification Branch, Royal Canadian Mounted Police, Ottawa.

In 96.4 per cent of the cases the probationer was given an opportunity to prove himself to the community without having to experience the

emotionally strenuous experience of institutionalization in a correctional setting. Success rates of the probation group as related to extent of previous incarceration will be given in the next chapter. In the section immediately before this one, it was noted how the courts seem reluctant to award probation to an offender with a known previous criminal record. It appears they are even more reluctant to award such an order if the man has at any time been incarcerated in a correctional institution.

### 3. Family Background

The two factors investigated under the heading of family background of the probationers were the number of siblings the probationer had, and the marital status of the offenders' parents, at the time the court awarded the probation order.

#### Number of Siblings

Step-siblings, half-siblings, and foster-siblings, were added to

Table 19. Number of Siblings of Probationer  
(Study Group, British Columbia; 1955-56)

Number of Siblings	Number of Probationers	P.C. of Total Group
None	21	9.4
1	44	19.7
2	40	17.9
3	24	10.8
4	21	9.4
5	24	10.8
6	9	4.0
7	7	3.1
8	8	3.6
9	3	1.3
10	2	0.9
11	2	0.9
12	1	0.4
Not recorded	17	7.6
Total	223	100

the total of natural siblings of the probationers.

Twenty-one of the total group, (9.4 per cent), were recorded as the only child of a family. Eighty-four, (37.7 per cent), of the group were known to have either one or two siblings. Sixty-nine, (30.9 per cent); of the group reported having 3, 4, or 5 siblings. Thirty-two, (14.3 per cent), reported having more than five siblings, while in the remaining 17 cases the number of siblings was not recorded. (See Table 19, above). Over half of the group, (150 or 67.3 per cent), came from families in which they were one of five or less children.

#### Marital Status of Parents

When considering the marital status of the offender's parents at the time when the offender was awarded probation it should be remembered that the older the offender is at the time of such an offence the less the influence of the parents and their living arrangements. To elaborate, if the offender is, say, 40 years old and has been out of his parents home for the last twenty years, studying the marital status of the parents will be less meaningful, than would such study in the case of a fifteen year old still living at home. Insufficient material was available to determine the age of the offender at the time of various marital upsets in the parental history.

Over 50 per cent of the group, (114 or 51.1 per cent), reported that they came from homes in which both parents still lived together. This, of course, tells us little about the emotional relationships between these 114 sets of parents. Eight, (3.6 per cent), of the group did not record the marital arrangements of their parents. The remaining 101 cases showed some history of disruption in the area of parental marital status. In 48 of these cases, (21.5 per cent), one or both parents were deceased. The remaining 53 cases had a variety of living arrangements which resulted in the probationer

having either a step-parent in the home, a person who was living in a common-law arrangement with his one parent, or the absence of one of the natural parents through legal separation, divorce, or desertion. The high incidence of marital disruption in the lives of the probationers' parents is quite noticeable. (See Table 20, below).

Table 20. Marital Status of Probationer's Parents  
(Study Group, British Columbia, 1955-56)

Marital Arrangement	Number of Probationers	P.C. of Total Group
Living together (includes natural, foster, and adoptive parents)	114	51.1
Living apart (legal or by desertion)	27	12.1
Mother deceased (no remarriage)	10	4.5
Father deceased (no remarriage)	27	12.1
Step-father in home	17	7.6
Step-mother in home	4	1.8
Both parents deceased, or deserted home	11	4.9
Father or mother living common-law	3	1.3
One parent or step-parent institutionalized	2	0.9
Unknown	8	3.6
Total	223	100

Additional note was made that three of the probationers were foster children, two were adopted children, and four were illegitimate.

#### 4. Outcome of Probation Period

In this section on the outcome of the probation period will be included a description of the frequency with which presentence reports were prepared, a review of the probation officer's impressions as to the suitability of the offender for the disposition of probation, and a review of the outcome of the various cases. These three factors will be analysed

more extensively in the following chapter. The time period elapsing between start and termination of probation will be considered in the cases which were prematurely terminated.

#### Presentence Reports

Presentence reports were prepared in 173, (77.6 per cent), of the cases. Post-sentence reports were completed in 26 cases, (11.7 per cent), after the offender was awarded probation. In 24 of the cases, (10.8 per cent), no report was prepared before or after sentence. This means that in the case of these 24 probationers supervision was being carried out without the supervising officer acquainting himself with the social history of the offender. (See Table 21, below)

Table 21. Nature of Reports Prepared Concerning Probationers  
(Study Group, British Columbia, 1955-56)

Nature of Report Prepared	Number of Probationers	P.C. of Total Group
Presentence report	173	77.6
Post-sentence report	26	11.7
No report prepared	24	10.8
Total	223	100

#### Assessment by the Probation Officer

The probation officer usually included in his presentence report his assessment of the offender's suitability as a prospective probationer. In a few instances in which no report was prepared previous to sentence, the officer gave this assessment orally after meeting with the offender.

In 166, (74.4 per cent), of the cases the officer expressed the belief that the offender warranted an opportunity to make use of the probation service. This included instances when the officer had some

reservations, as well as when he was relatively sure the offender would make good use of the service. In one case the officer felt that supervision was not necessary. In 12 cases, (5.4 per cent), the officer assessed that the offender was "poor probation material". In 44 cases, (19.7 per cent), the offender was placed on probation without investigation first being carried out by the probation officer.

#### Outcome of Probation Period - Successful and Unsuccessful Cases

A case was considered as successful if the individual completed his full term of probation as required by the court. If he was taken back before the court on a breach of probation, (resulting from either a technical or new offence violation), he was still considered a successful case if he was permitted to continue on probation and completed his prescribed time limit.

A case was considered as unsuccessfully terminated if the term of probation was prematurely ended: either because the probationer was brought back before the court as an unsatisfactory probationer, (technical breach); or because he committed a new offence that resulted in his incarceration, or otherwise caused his removal from probation supervision, (new offence breach). Finally, if the offender absconded he was considered an unsuccessful case.

One-hundred and eighty-five, (83.0 per cent), of the total group of 223 probationers completed the full time on probation that was prescribed by the court. Of these 185 successful cases, 6 were taken back before the court on a breach of probation but allowed to continue on probation, while 13 violated the conditions of their probation in some way but were not taken back before the court. It is of course possible that more violations took place and were either undetected by the supervising officer, or he may have failed to record them.

Thirty-six (16.1 per cent), of the total group of 223 probationers failed to complete their full prescribed period of probation. Twenty-six of these unsuccessful cases were prematurely terminated because the probationer committed a new offence, while 6 of the cases were prematurely terminated because of technical violation of the conditions of probation. Another 4 of the group classed as unsuccessful absconded.

Table 22. Outcome of Probation Cases  
(Study Group, British Columbia; 1955-56)

Outcome of Case	No. of Prob's.	P.C. of Total Gp.
Successful Cases		
Completed full period, no recorded violations, no breach	166	
Completed full period, breach laid at some point	6	
Completed full period, violated conditions, no breach	13	
	<u>185</u>	83.0
Unsuccessful Cases		
Probation prematurely terminated, new offence	26	
Probation prematurely terminated, technical violation	6	
Probation prematurely terminated, probationer absconded	4	
	<u>36</u>	16.1
Other		
Suicide	1	
Deported	1	
	<u>2</u>	0.9
Total	223	100

Two members of the total group of 223 probationers were classed as neither successful or unsuccessful cases. The one committed suicide, the other was deported. These two cases will be dropped from the sample group for the balance of this discussion which will be concerned with only the unsuccessful and successful cases. Therefore the sample group is now reduced to 221. (See Table 22, above).

An attempt was made to discover if the courts followed any set procedure when a probationer was brought before them and his probation was

prematurely terminated. However, the information contained in the files reviewed was not complete enough. Generally there appeared a tendency to sentence the probationer on the original (instant) offence, as well as the new one, if he had committed a new offence. This sentence ran either concurrently, or consecutively with the sentence imposed for the new offence.

Time Elapsed Before Case Prematurely Terminated

A study was made of the amount of time elapsing between the start and the early termination of the unsuccessful cases in order that the period in which the probationer is most likely to run into difficulty could be assessed. This "critical period" appears to be concentrated in the first six months of the probation period. Twenty-three, (63.9 per cent), of the 36 unsuccessful probationers had their probation terminated within this time period of six months. Another 11 cases, (30.6 per cent), had their probation terminated within the first year. The remaining 2 cases failed one year to 2 years after starting probation. The fact that many of the probationers, (51 or 22.9 per cent), of the total group of 223 received probation orders of six months in length or less must be remembered when considering the above figures. (See Table 23, below).

Table 23. Time Elapsed Before Case Prematurely Terminated  
(Study Group, British Columbia; 1955-56)

Time Elapsed (in months)	Number of Probationers	P.C. of Total Group (36)
3 months or less	13	36.1
3.1 to 6 months	10	27.8
6.1 to 9 months	5	13.9
9.1 to 12 months	6	16.7
More than 12 months	2	5.6
Total	36	100

The fact that a higher percentage of cases end up unsuccessfully in the first six months, than in later months, would point up the need for more intensive supervision in the early periods of probation.

#### Offences Committed Subsequent to Probation Period

A quick review of any subsequent criminal convictions registered against those offenders who completed their period of probation successfully was carried out and is included in the appendix of this report. The termination date of the successful probationer supervised most recently was March 6, 1958. This means that the follow-up period of this check on new criminal records is as short as 11 months in some cases and therefore the value of the check is limited, and for that reason it is not considered in detail.

#### Selection of Factors for More Detailed Analysis

The age of the offender upon starting probation, the marital status and number of dependents of the offender, the nature of the instant offence, and the extent of previous adult criminal convictions and institutionalization, were selected as four factors which can usually be determined at time of presentence investigation that may bear some relation to the individual offender's relative suitability as a probationer. Whether or not a presentence investigation was carried out, and if so, the assessment made by the probation officer of the offender's suitability as probation material were also selected as factors worthy of further investigation. Finally, the steadiness of employment the probationer exhibited during his probation period was selected for further analysis. All the above mentioned factors were selected because of the influence they appear to bear on the outcome of the individual case. Many of them were found to be significantly related to successful completion of probation in similar studies done previously. The selected factors will be related to the success or failure of the group under investigation. This group now totals 221.

## CHAPTER THREE

### THE OUTCOME OF PROBATION: THE IMPORTANCE OF SELECTED SOCIAL AND ENVIRONMENTAL FACTORS

After the factors for further investigation were selected, they were analysed in more detail. In each case the factor, (for example age), was divided into categories such as - to continue with the example given - under 25 years, age 25 to 30, and age 35 and over. The success rate for each category was then calculated to show what percentage of the total number of cases in each category were successful. Obtaining this information made it possible to gain some impression as to what categories of the chosen factor appeared related to a better prognosis. The success rates thus obtained were compared to the over-all success rate for the whole group in relation to the factor being examined. It was felt of value to determine also what proportion of the total successful or unsuccessful group of cases fell within each of the categories constructed. Such calculations made it possible, for example, to determine quickly what proportion of the successful group were contained in each of the age categories.

It is realized that the wide variation in the number of cases falling within one particular category will affect the statistical interpretation of those data, and because only elementary statistical calculations have been made, caution was exercised in interpreting them.

#### Age of the Offender Related to Outcome of Probation Period

The age categories, below 25 years, 25 to 34 years, and 35 years and above, were related to the outcome of the probation period.

Of the 160 probationers below the age of 25 years, 134, (83.8 per

cent), were successful. Of the 39 probationers aged between 25 and 34 years, 34, (87.2 per cent), were successful. Of the 22 probationers aged 35 years and older, 17, (77.3 per cent), were successful.

Table 24a. Age of Probationer Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Age in Years	Number of Probationers			P.C. of Total in Age Category			P.C. of All Cases As By Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
Below 25	134	26	160	83.8	16.2	100	72.4	72.2	72.4
25 to 34	34	5	39	87.2	12.8	100	18.4	13.9	17.6
35 and Above	17	5	22	77.3	22.7	100	9.2	13.9	10.0
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

Of the total group of 221 cases, 83.7 per cent were classified as successful. Successful cases made up 83.8 per cent of all the cases in the below 25 years age category; while in the 25 to 34 year old category, 87.2 per cent of the cases were successful; and in the 35 years of age and above category, 77.3 per cent of the cases were successful. (See Table 24a, above). A span of 9.9 per cent exists between the lowest and highest success rates noted in the age categories. At first glance these figures might give the impression that the older offender is less likely to succeed on probation. The age categories used above were further divided to determine if greater fluctuation in success rates as related to age actually existed, inasmuch as the small variation from the over-all success rate of 83.7 per cent was felt to be of doubtful significance.

When the former three age categories were further divided to give a total of eight sub-categories the findings were not notably different from the pattern appearing in the original categories.

Table 24b. Age of Probationer Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Age in Years	Number of Probationers			P.C. of Total in Age Category			P.C. of All Cases As by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
14-17	17	4	21	81.0	19.0	100	9.2	11.1	9.5
18-20	82	16	98	83.7	16.3	100	44.3	44.4	44.3
21-24	35	6	41	85.4	14.6	100	18.9	16.7	18.6
25-29	20	3	23	87.0	13.0	100	10.8	8.3	10.4
30-34	14	2	16	87.5	12.5	100	7.6	5.6	7.2
35-39	7	2	9	77.8	22.2	100	3.8	5.6	4.1
40-44	4	1	5	80.0	20.0	100	2.2	2.8	2.3
45 & up	6	2	8	75.0	25.0	100	3.2	5.6	3.6
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

In the below 25 years of age category the success rates of the three sub-divisions show little variation from the over-all success rate of 83.7 per cent noted for the entire group of 221 cases. In the sub-category 14 to 17 years of age the success rate was 81.0 per cent. In the sub-category 18 to 20 years the success rate was 83.7 per cent, while a success rate of 85.4 per cent was noted for the age grouping 21 to 24 years. Success rates of 87.0 per cent for the group aged 25 to 29 years, and 87.5 per cent for the group 30 to 34 years of age were noted when the age group 25 to 34 years was sub-divided. Cases included in the sub-categories of the 35 years of age and above category showed some variations in success rates. Success rates for the three sub-categories of from 35 to 39 years, 40 to 44 years, and 45 years and

up, were noted as 77.8 per cent, 80.0 per cent, and 75.0 per cent respectively. It appears that the success rate noted for the category 35 years and above, (77.3 per cent), was lowered to this level primarily through the low success rate of these cases in the sub-category 45 years and up. However, the small number in this sub-category, 8, limits the value of the findings. The highest success rate noted, 87.5 per cent, came from the sub-category 30 to 34 years of age; while the lowest success rate, 75.0 per cent, was noted in the sub-category 45 years and up. (See Table 24b, above).

When the success rates of the sub-categories are shown on a profile it is easy to notice a tendency for the success rate to rise, reaching a high

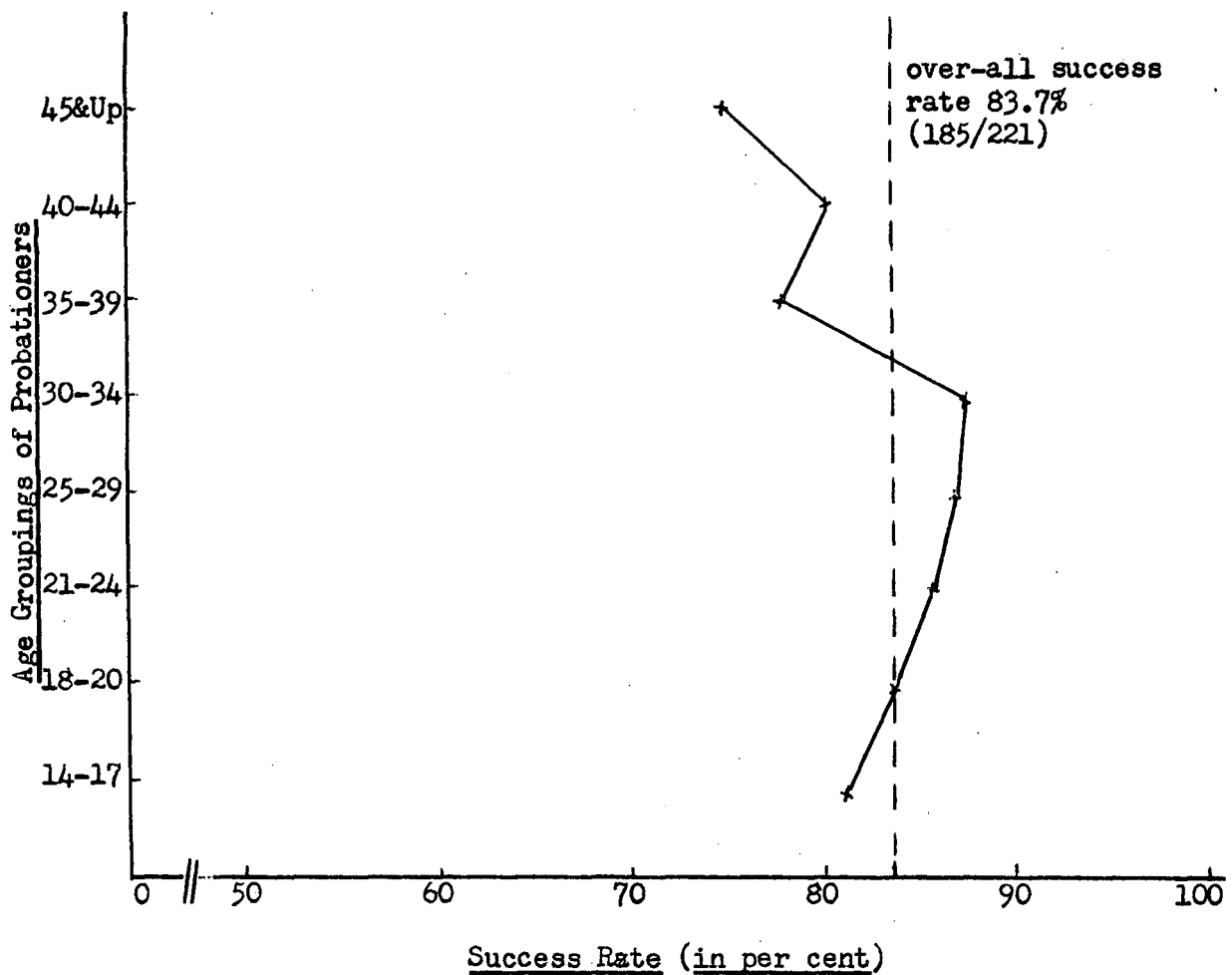


Figure 2. Success Rates by Age of Probationer  
(Study Group, British Columbia; 1955-56)

point in the age grouping 30 to 34 years, and to drop in the three following sub-categories. (See Figure 2, above). The range of success rates from 87.5 per cent to 75.0 per cent, gives a 12.5 per cent span between the highest and lowest rate. The lack of marked variation between success rates noted for various sub-categories would suggest that the age of the probationer at the time he was awarded probation was of questionable significance as a factor determining the eventual outcome of his case.

Marital Status and Number of Dependents Related to Outcome of Probation

Single, married, common-law union, and living apart (legally or by mutual consent or desertion), were the categories used to describe the marital status of the probationers at the start of their period of probation. The marital status of the offender was related to the outcome of the probation period.

It was expected that the success rate for the group of married probationers would be considerably higher than that of the single group because of the stabilizing influence that seems to result from accepting

Table 25. Marital Status of Probationer Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Marital Status	Number of Probationers			P.C. of Total in Status Category			P.C. of All Cases As by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
Single	134	24	158	84.8	15.2	100	72.4	66.7	71.5
Married	33	6	39	84.6	15.4	100	17.8	16.7	17.6
Living Apart	12	6	18	66.7	33.3	100	6.5	16.7	8.1
Common-Law	6	-	6	100.0	---	100	3.2	---	2.7
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful    U - Unsuccessful

the responsibilities attached to marriage. However, such was not found to be the case. Of the 158 single probationers 134, (84.8 per cent), were classed as successful. Thirty-three, (84.6 per cent), of the married probationers were successful. Both the married and single groups had success rates very close to the over-all success rate of 83.7 per cent. The success rate of the group of probationers who were either temporarily or permanently living apart from their wives was 66.7 per cent, which represented 12 out of the 18 cases so classified. Rather surprising is the fact that all 6 of the probationers recorded as living in a common-law arrangement were successful. (See Table 25, above).

A profile presentation of these findings shows the tendency for separated probationers to have a proportionately lower success rate. (See

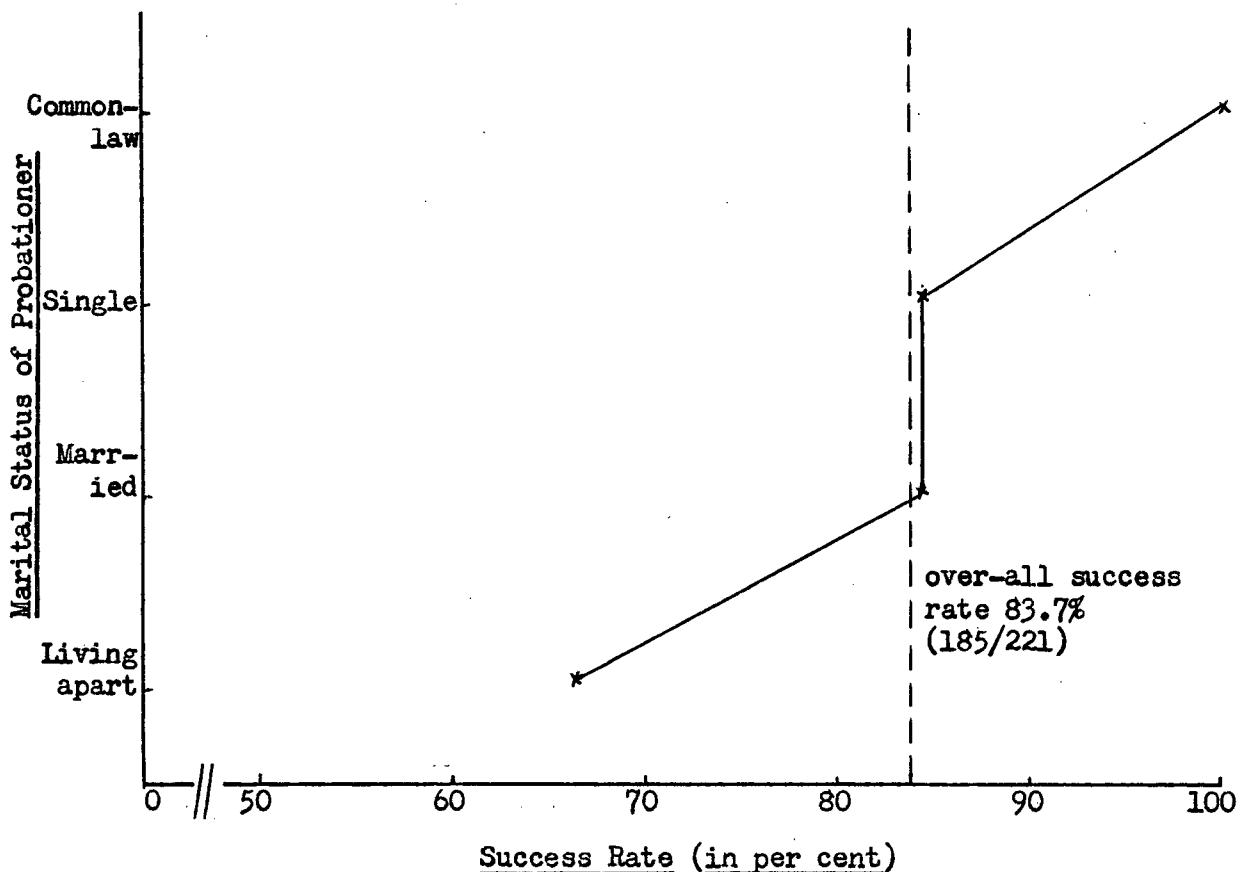


Figure 3. Success Rates by Marital Status of Probationer  
(Study Group, British Columbia; 1955-56)

Figure 3, above).

Of the 185 successful cases 72.4 per cent were single probationers, 17.8 per cent were married probationers, 6.5 per cent were living apart from their wives, and 3.2 per cent were living in a common-law union. Of the 36 unsuccessful cases 66.7 per cent were single probationers, 16.7 per cent were married, 16.7 per cent were living apart from their wives, and none of the probationers were living in common-law arrangements. The total group of 221 cases was composed of 71.5 per cent single probationers, 17.6 per cent married probationers, 8.1 per cent living apart from their wives, and 2.7 per cent living in a common-law arrangement. About the same percentage of successful cases and unsuccessful cases were married, while a smaller percentage of successful cases were living apart as compared to the percentage of unsuccessful cases living under such arrangements.

It would appear that the marital status of the probationer does relate to the probability of his completing his period of probation successfully. Ignoring group size, and disregarding the percentage success rate for the 6 probationers living in a common-law arrangement, it appears that the married or single probationer is more likely to succeed than the probationer living apart from his wife. These findings will be further discussed in the light of other studies at a later point. Excluding the common-law arrangements category a span of 18.1 per cent exists between the highest and the lowest success rate noted in the above categories.

In Chapter Two it was pointed out that the large proportion of single probationers, (70.8 per cent), contained in the total group of 223 cases was partially explained by referring to the finding that 71.7 per cent of the total group were under 25 years of age. The high success rate for the single probationers just noted, (84.8 per cent), is perhaps as reflective of the positive prognosis attached to the below 25 years age category, (83.8 per

cent), as it is to the marital status category. There appears an inter-relationship between the two factors of age and marital status as related to outcome of the probation period.

The categories, none, 1, 2, 3, 4 or more, and unknown were used to describe the number of dependents reported by each probationer. A dependent was taken to mean a child or adult the probationer was responsible for the support of. For example, a married man with one child was considered as having 2 dependents, his wife and the child. The number of dependents supported by the probationer was related to the outcome of the probation period.

Table 26. Number of Dependents Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Number of Dependents	Number of Probationers			P.C. of Total in Status Category			P.C. of All Cases As by Outcome		
	* S	* U	All	S	U	All	S (185)	U (36)	All (221)
None	142	26	168	84.5	15.5	100	76.6	72.2	76.0
1	8	2	10	80.0	20.0	100	4.3	5.6	4.5
2	13	4	17	76.5	23.5	100	7.0	11.1	7.7
3	13	—	13	100.0	—	100	7.0	—	5.9
4 or more	8	3	11	72.7	27.3	100	4.3	8.3	5.0
Unknown	1	1	2	50.0	50.0	100	0.5	2.8	0.9
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

Omitting the success rate of the category of unknown number of dependents we find the following success rates starting with the highest. Of the 13 probationers who reported 3 dependents, 13, (100 per cent), were successful. Of the 168 probationers who reported no dependents, 142, (84.5 per cent), were successful. Of the 10 cases reporting 1 dependent, 8, (80.0 per cent), were successful. Of the 17 cases reporting 2 dependents 13, (76.5

per cent), were successful. Of the 11 cases reporting 4 or more dependents, 8, (72.7 per cent), were successful. Categories of number of dependents placed in order of success rates, from highest to lowest, are 3, none, 1, 2, and 4 or more dependents. (See Table 26, above). Schematic presentation of success rates illustrate the relationship between number of dependents and outcome on probation. (See Figure 4, below).

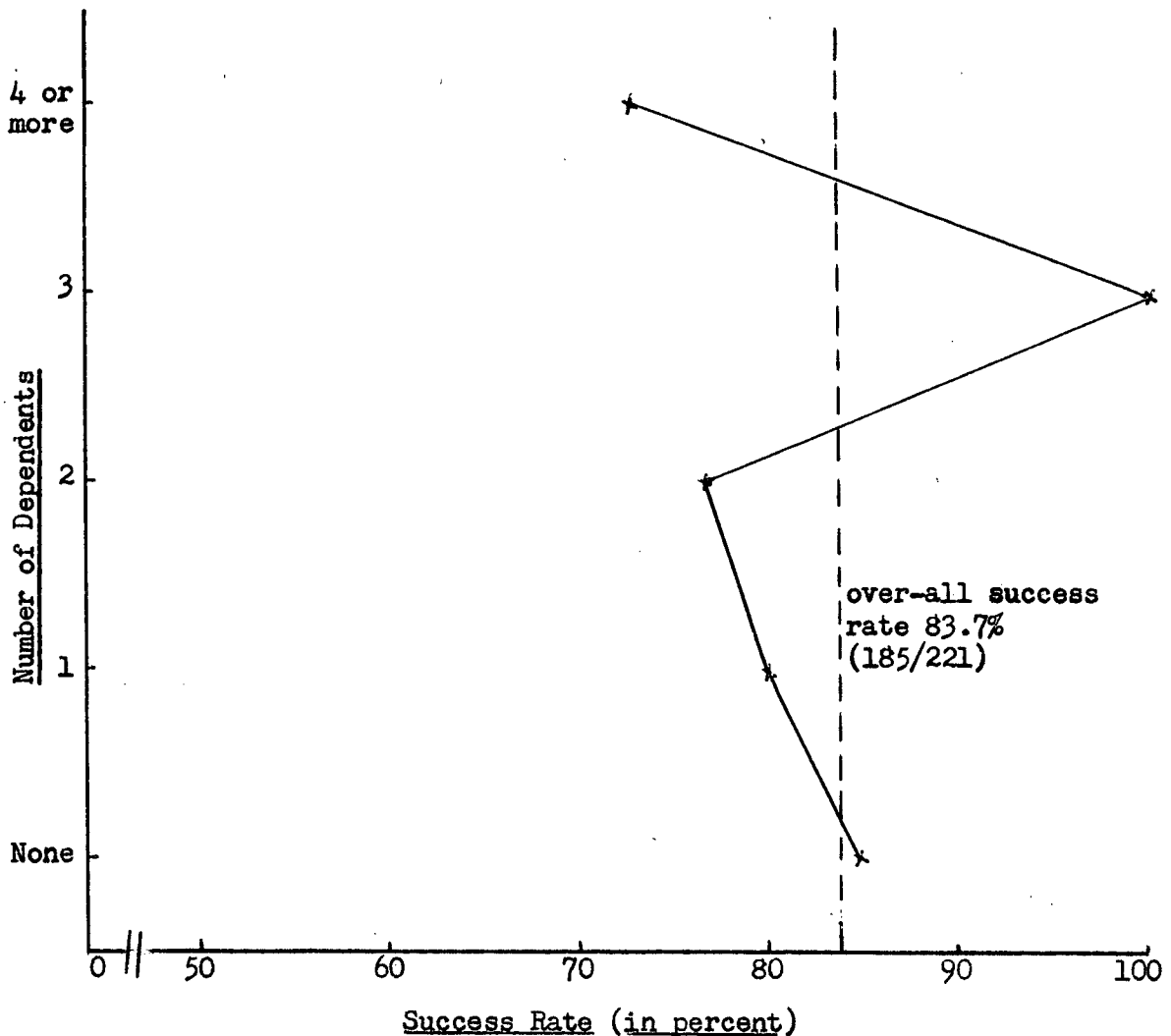


Figure 4. Success Rates of Probationers by Number of Dependents  
(Study Group, British Columbia; 1955-56)

With the exception of the category, 3 dependents, there appears a tendency for success on probation to vary inversely with the number of

dependents reported by the probationer. However, the absence of any marked variation in success rates would suggest that the number of dependents the probationer supports is a factor of questionable importance in determining the outcome of the case. The high success rate for the 3 dependent category would appear fortuitous. (See Figure 4, above). Omission of the success rates of the unknown number of dependents category and the 3 dependents category finds the success rates ranging from as low as 72.7 per cent to as high as 84.5 per cent, a span of only 11.8 per cent.

#### Nature of Instant Offence Related to Outcome of Case

Offences against the person, offences against property, offences against public morals and decency, and offences against public order and peace (including miscellaneous offences), were the classification categories

Table 27. Nature of Instant Offence Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Nature of Instant Offence	Number of Probationers			P.C. of Total in Offence Category			P.C. of All Cases As by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
Against Person	22	2	24	91.7	8.3	100	11.9	5.6	10.9
Against Property	137	30	167	82.0	18.0	100	74.1	83.3	75.6
Against Morals	17	1	18	94.4	5.6	100	9.2	2.8	8.1
Against Peace & Order & Misc.	9	3	12	75.0	25.0	100	4.9	8.3	5.4
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

used in Chapter 2 of this study. This classification is retained in this

chapter and the nature of the instant offence is related to outcome of the case.

Arranging the nature of instant offence categories according to the success rate within each category, from highest to lowest, gives the following picture. Of the 18 cases committing crimes against public morals and decency 17, (94.4 per cent), were successful probationers. Of the 24 cases committing crimes against the person 22, (91.7 per cent), were successful. Of the 167 cases committing crimes against property 137, (82.0 per cent), were successful. Of the 12 cases committing offences against public peace and order (and miscellaneous offences), 9, (75.0 per cent), were successful. (See Table 27, above).

Profile presentation of the success rates related to nature of instant offence illustrates the tendency for rates to vary according to nature of instant offence. (See Figure 5, on page 70). The tendency illustrated suggests that a probationer is more likely to successfully complete his period of probation if the instant offence he committed was against public morals and decency; next most likely to succeed if it was an offence against the person, next most likely if an offence against property, and least likely to succeed if it was a crime against public peace and order. A span of 19.4 per cent exists between the highest success rate (94.4 per cent), reported in the offence against public morals and decency category, and the lowest success rate (75.0 per cent) reported in the offence against public peace and order (or miscellaneous) offence category. The extent of this span suggests that the nature of the instant offence is related to the probability of the offender ending his probationary period successfully or unsuccessfully. Further study of the influence of this factor is warranted.

Of the 185 successful cases 74.1 per cent committed offences against property, 11.9 per cent committed offences against the person, 9.2

per cent committed offences against public morals and decency, and 4.9 per cent committed offences against public peace and order (or miscellaneous offences). Of the 36 unsuccessful cases 83.3 per cent committed offences against property, 8.3 per cent offences against public peace and order (or miscellaneous offences), 5.6 per cent offences against the person, and 2.8 per cent crimes against public morals and decency. Of the total group of 221 cases 75.6 per cent committed crimes against property, 10.9 per cent crimes against the person, 8.1 per cent crimes against public morals and decency, and 5.4 per cent crimes against public peace and order (or miscellaneous crimes). (See Table 27, above).

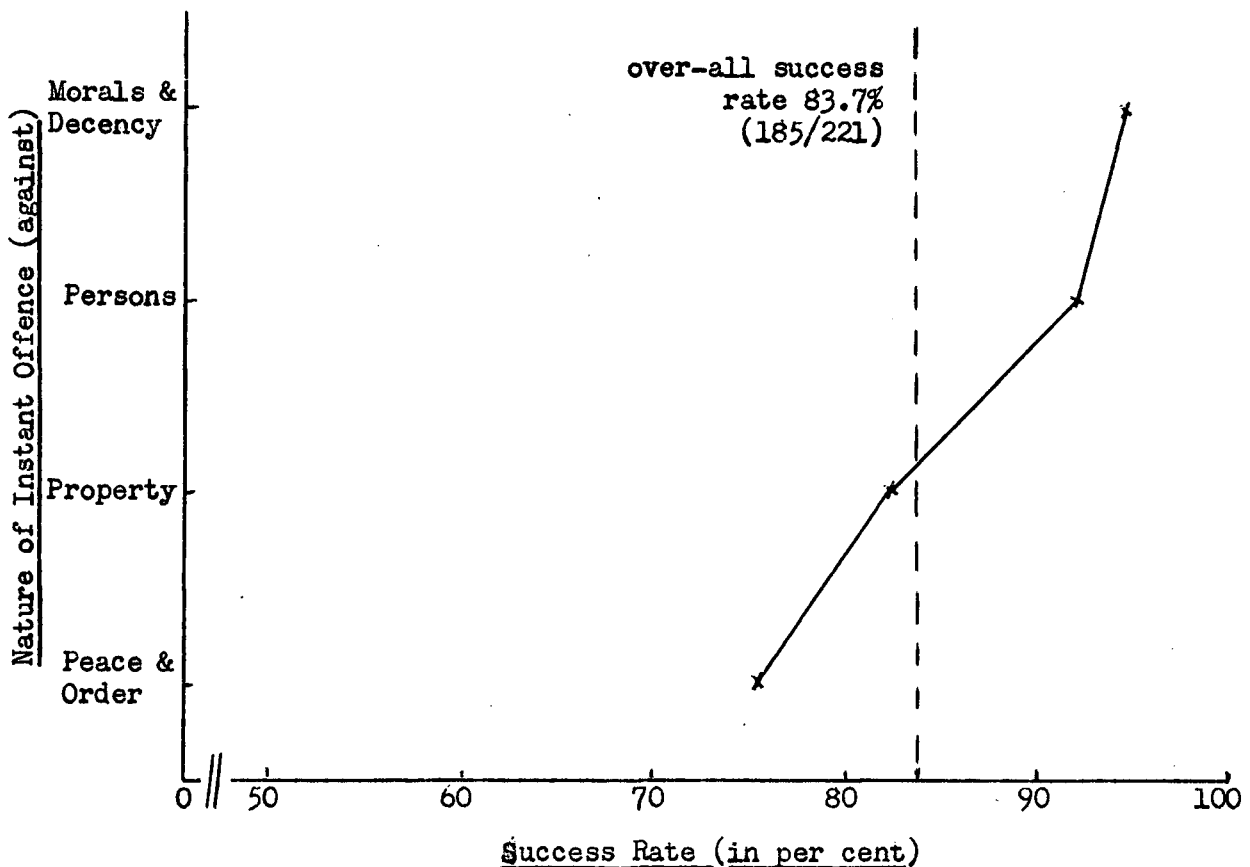


Figure 5. Success Rates by Nature of Instant Offence Committed by Probationer

(Study Group, British Columbia; 1955-56)

The category, offences against property, contained over 75 per cent of the total number of cases. The success rate for the category, 82.0 per cent, was quite close to the over-all success rate of 83.7 per cent. It was felt that such a large number of cases falling within one category could contain some variation within them and for that reason the category was further sub-divided and the three sub-categories related to outcome of case. The three sub-categories including some 160 or the original 167 offences against property were entitled; false pretences and related offences, breaking and enterings, and thefts and related offences. The sub-category false pretences and related offences contained the offences; false pretences, forgery and conversion, conspiracy, fraud and attempted fraud. The sub-category breaking and entering and related offences contained the offences;

Table 28. Instant Offences Against Property Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Nature of Instant Offence	Number of Probationers			P.C. of Total in Offence Category			P.C. of All Cases As by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
False Pretences & Related	23	9	32	71.9	28.1	100	12.4	25.0	14.5
Breaking & Entering & Related	41	9	50	82.0	18.0	100	22.7	22.2	22.6
Thefts & Related	66	12	78	84.6	15.4	100	35.7	33.3	35.3
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

breaking and entering, and breaking and entering and indictable offences and attempts. The sub-category thefts and related offences contained the offences;

thefts over and thefts under \$50. and attempts, thefts unspecified, auto thefts and taking auto without the owner's consent, and retaining, possession, and receiving stolen goods. Omitted from any of the above categories were the offences loitering, prowling, trespassing, willful damage, and robbery.

Of the 32 cases committing false pretences and related offences 23, (71.9 per cent), were successful. Of the 50 cases committing breaking and enterings and related offences 41, (82.0 per cent), were successful. Of the 78 cases committing thefts and related offences, 66, (84.6 per cent), were successful. (See Table 28, above). A span of 12.7 per cent exists between the lowest and highest success rates noted in the sub-categories. Profile presentation of the above success rates shows more readily how the tendency from lowest to highest rates goes from false pretences and related offences, to breaking and enterings and related offences, to thefts and related offences.

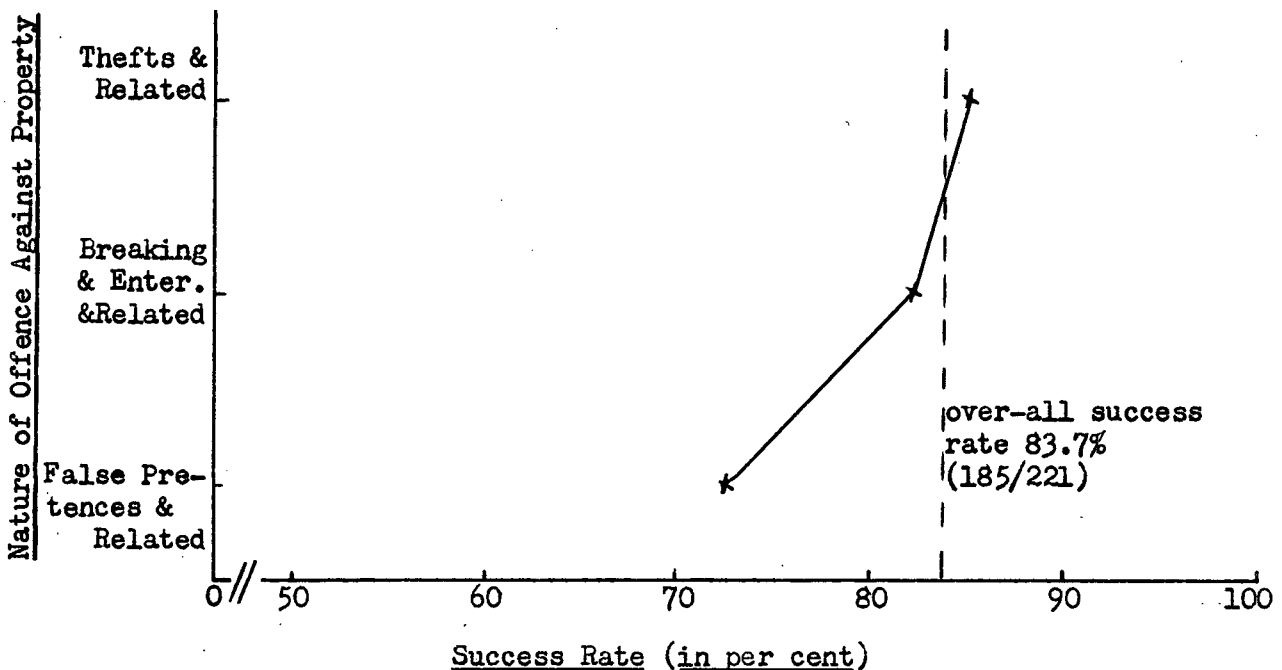


Figure 6. Success Rates as by Nature of Offence Against Property Committed by Probationer

(Study Group, British Columbia; 1955-56)

(See Figure 6, above). However, the limited span within this breakdown of offences against property, (12.7 per cent), would caution one against interpreting the data as anything other than of questionable significance.

Of the 221 cases composing the entire study group, 14.5 per cent recorded instant offences falling in the sub-category false pretences and related offences, 22.6 per cent reported instant offences falling within the sub-category breaking and entering and related offences, while 35.3 per cent reported instant offences falling within the sub-category thefts and related offences. Of the 185 successful cases 12.4 per cent reported instant offences falling within the sub-category false pretences and related offences, 22.7 per cent reported instant offences falling within the sub-category breaking and entering and related offences, while 35.7 per cent reported instant offences falling within the sub-category thefts and related offences. Of the 36 unsuccessful cases 25.0 per cent recorded instant offences falling within the sub-category false pretences and related offences, 22.2 per cent reported instant offences falling within the sub-category breaking and entering and related offences, while 33.3 per cent reported instant offences falling within the sub-category thefts and related offences. (See Table 28, above).

The nature of the instant offence appears to be an important factor for consideration when the disposition of probation is a possibility. Further study of the influence it has on the eventual outcome of the case would appear warranted.

#### Extent of Previous Convictions and Incarceration Related to Outcome of Case

None, 1, and 2 or more, were the categories chosen to include the number of convictions registered against an offender previous to his being placed on probation. The extent of this previous record was related to

outcome of the case.

Table 29. Extent of Previous Record Related to Outcome of Case\*  
(Study Group, British Columbia; 1955-56)

Number of Previous Convictions	Number of Probationers			P.C. of Total in Conviction Category			P.C. of All Cases as by Outcome		
	S**	U**	All	S	U	All	S (185)	U (36)	All (221)
None	162	28	190	85.3	14.7	100	87.6	77.8	86.0
1	17	5	22	77.3	22.7	100	9.2	13.9	10.0
2 or more	6	3	9	66.7	33.3	100	3.2	8.3	4.1
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* Includes Registered Adult Convictions Only

\*\* S - Successful U - Unsuccessful

Of the 190 cases with no previous convictions 162, (85.3 per cent), were successful. Of the 22 cases with one previous conviction 17, (77.3 per cent), were successful. Of the 9 cases reporting two or more previous convictions 6, (66.7 per cent), were successful. (See Table 29, above). A span of 18.6 per cent exists between the lowest and the highest success rates noted in the conviction categories. It appears that as the number of previous convictions rises the success rate falls. This tendency was expected and is shown in profile form in Figure 7, below. The influence the factor, extent of previous record, has on the outcome of probation appears sufficiently related to warrant further investigation.

Of the 185 successful cases 87.6 per cent had no previous convictions, 9.2 per cent had 1 previous conviction, and 3.2 per cent had 2 or more previous convictions registered against them. Of the 36 unsuccessful cases 77.8 per cent had no previous convictions, 13.9 per cent had one previous conviction, while 8.3 per cent had 2 or more previous convictions

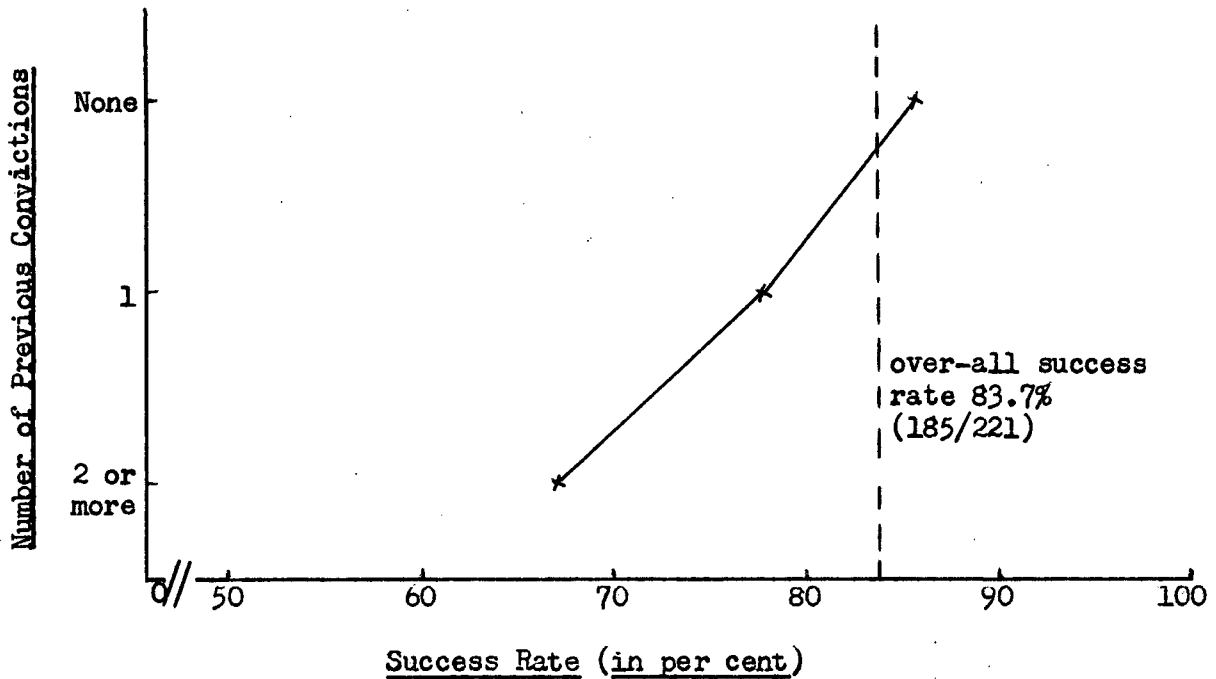


Figure 7. Success Rates of Probationers by Number of Previous Convictions  
(Study Group, British Columbia; 1955-56)

registered against them. Of the total group of 221 cases 86.0 per cent had no previous convictions, 10.0 per cent had 1 previous convictions, while 4.1 per cent had 2 or more previous convictions registered against them. (See Table 29, above).

In Chapter 2 it was noted that 8 cases reported having experienced a period of incarceration in a correctional institution. Of these 8 cases 6, (75.0 per cent), were successful. While 75.0 per cent is considerably below the over-all success rate of 83.7 per cent, the success rate noted for those cases experiencing incarceration must be interpreted with caution because of the small number within the group, (8).

#### Type of Report Prepared Related to Outcome of Case

Presentence report, post-sentence report, and no report were the categories chosen to describe the type of report prepared in the case of

each probationer. The type of report prepared was related to outcome of the case.

Table 30. Type of Report Prepared Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Type of Report Prepared	Number of Probationers			P.C. of Total in Report Category			P.C. of All Cases as by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
Pre-sentence Report	144	27	171	84.2	15.8	100	77.8	75.0	77.4
Post-sentence Report	22	4	26	84.6	15.4	100	11.9	11.1	11.8
No Report	19	5	24	79.2	20.8	100	10.3	13.9	10.9
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

Of the 171 cases in which presentence reports were prepared 144, (84.2 per cent), were successful. Of the 26 cases in which post-sentence reports were prepared 22, (84.6 per cent), were successful. Both the success rate for the cases in which presentence reports were prepared and in the cases in which post-sentence reports were prepared were very close to the over-all success rate of 83.7 per cent. Of the 24 cases in which no report was prepared 19, (79.2 per cent), were successful. The span between the highest and lowest success rates reported in the above categories was 5.4 per cent. (See Table 30, above). There is a small indication that preparation of a social history report either before or after sentencing is more likely to relate positively to successful termination of a case than is the failure to prepare any report at all. However, the lack of variation between success rates noted for the different categories, (5.4 per cent),

would suggest such fluctuations could be just fortuitous and therefore excessive interpretation is not justified. The tendency for the success rate to increase as one passes from the no report category, to the presentence report category, and then to the post-sentence report category is illustrated in profile. (See Figure 8, below).

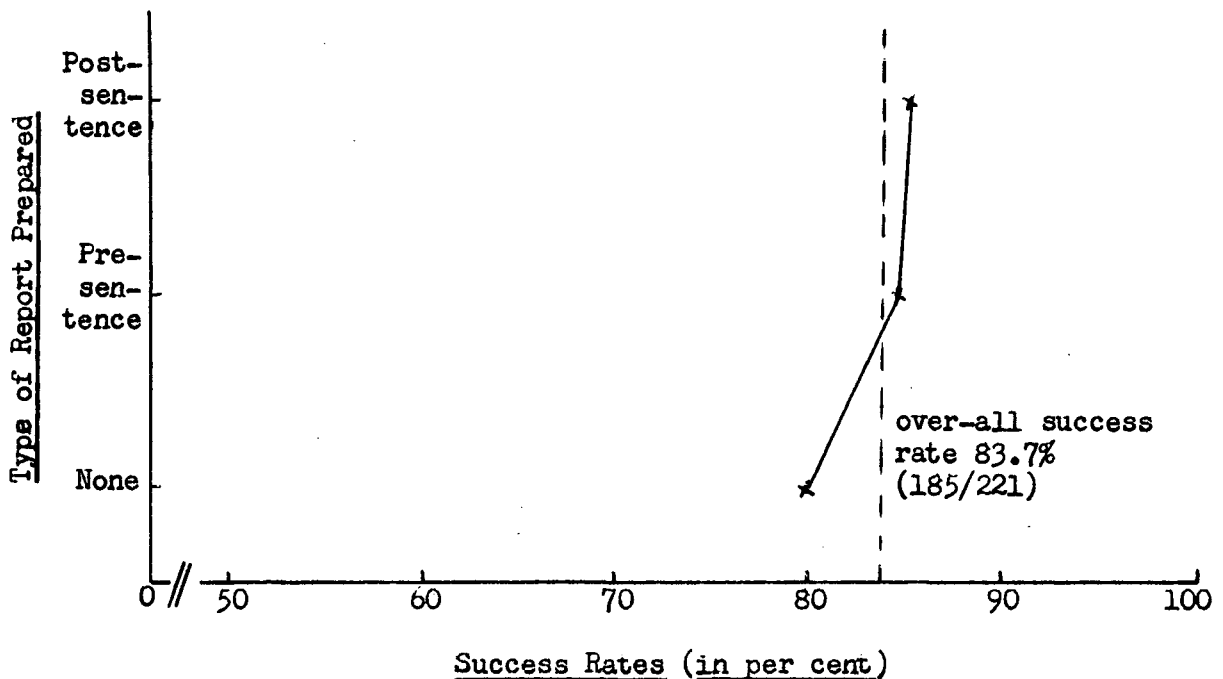


Figure 8. Success Rates of Probationers by Type of Social History Report Prepared  
( Study Group, British Columbia; 1955-56)

Of the total group of 221 cases 77.4 per cent had presentence reports prepared, 11.8 per cent had post-sentence reports prepared, while 10.9 per cent had no report prepared. Of the 185 successful cases 77.8 per cent had presentence reports prepared, 11.9 per cent had post-sentence reports prepared, while 10.3 per cent had no report prepared. Of the 36 unsuccessful cases 75.0 per cent had presentence reports prepared, 11.1 per cent had post-sentence reports prepared, while 13.9 per cent had no report prepared. (See Table 30, above).

Assessment Made by Probation Officer Related to Outcome of Case

"Warrants opportunity", "does not warrant opportunity", and no presentence report prepared were the three categories used to describe the assessment made by the probation officer of the offender's suitability for being awarded the disposition of probation. The assessment made by the probation officer was related to outcome of case.

Table 31. Assessment Made by Probation Officer Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Assessment by Probation Officer	Number of Probationers			P.C. or Total in Assessment Category			P.C. of All Cases as by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
"Warrants opportunity"	137	28	165	83.0	17.0	100	74.1	77.9	74.7
"Does not warrant opportunity"	10	1	11	90.9	9.1	100	5.4	2.8	5.0
No pre- sentence report prepared	37	7	44	84.1	15.9	100	20.0	19.4	19.9
Other**	1	--	1	100	--	100	0.5	--	0.5
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

\*\* In one case officer felt probation was not necessary.

Of the 165 cases in which the probation officer felt the offender "warranted the opportunity" to prove himself on probation 137, (83.0 per cent), were successful. Of the 11 cases in which the probation officer felt the offender "did not warrant" the opportunity afforded by probation 10, (90.9 per cent), were successful. Of the 44 cases in which no presentence report was prepared and therefore the probation officer had no opportunity to make an assessment of the offender's suitability as probation material, 37,

(84.1 per cent), were successful. The one case in which the probation officer felt probation supervision was unnecessary was successful. (See Table 31, above). Omitting the one case where it was felt probation was not necessary it is noted that a span of 7.9 per cent exists between the lowest and the highest success rates noted within the assessment categories. The highest success rate was found in the category containing cases the probation officer felt were unsuitable for probation, the next highest success rate is found in the category containing cases in which no presentence report was prepared, while the lowest success rate is found in the category containing cases the probation officers felt warranted an opportunity to prove themselves on probation. The limited span between success rates, (7.9 per cent), makes further speculation regarding findings unwarranted. Profile presentation of the data is given below. (See Figure 9, below).

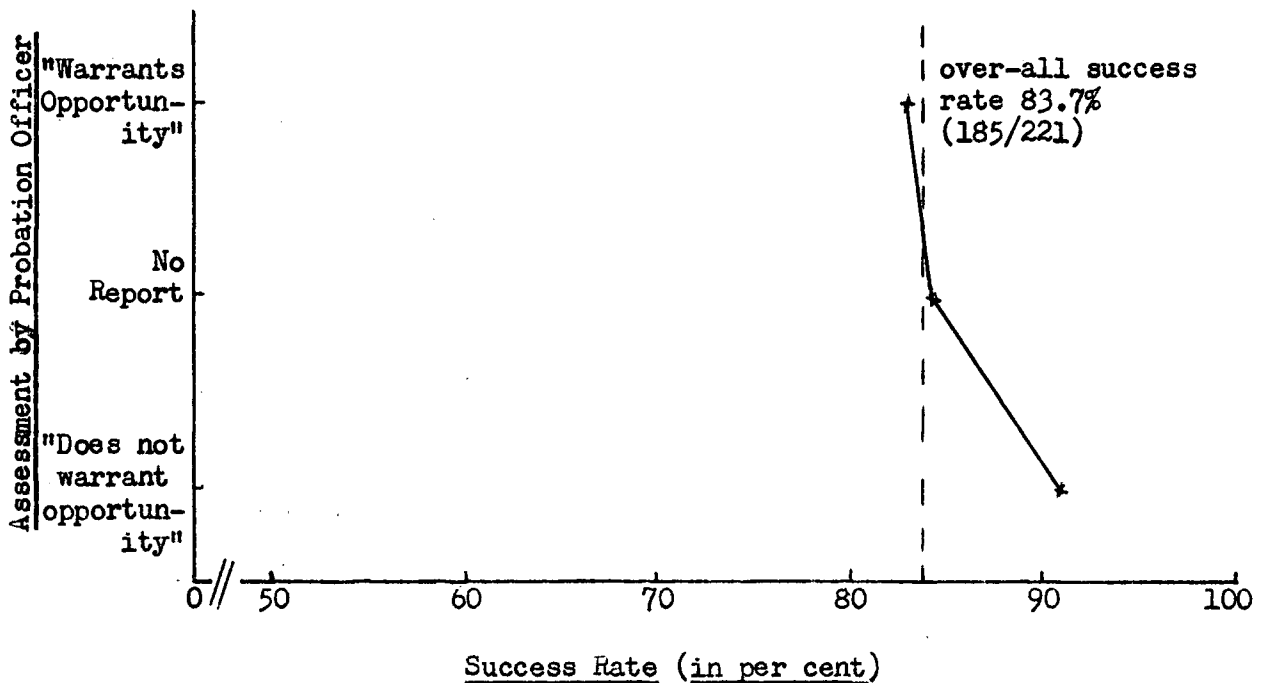


Figure 9. Success Rates of Probationers by Assessment Made by Probation Officers

(Study Group, British Columbia; 1955-56)

Of the total group of 221 cases 74.7 per cent were assessed as "warranting an opportunity" to prove themselves on probation, 5.0 per cent were assessed as "not warranting" such an opportunity, 19.9 per cent had no presentence report prepared, while 0.5 per cent were assessed as not requiring probation supervision. Of the 185 successful cases 74.1 per cent were assessed as "warranting the opportunity", 5.4 per cent were assessed as "not warranting" the opportunity, 20.0 per cent had no presentence report prepared, while 0.5 per cent were assessed as not requiring probation supervision. Of the 36 unsuccessful cases 77.9 per cent were assessed as "warranting the opportunity", 2.8 per cent were assessed as "not warranting the opportunity", while 20.0 per cent had no presentence report prepared. (See Table 31, above).

#### Steadiness of Employment While on Probation Related to Outcome of Case

Fully employed, (80 per cent of the time or more or employed in seasonal employment for the full length of the season), part-time, (20-to 79 per cent of the time), and little or none (less than 20 per cent of the time), were the three categories used to describe the steadiness with which the probationer worked during his period of probation. The steadiness of employment while on probation was related to outcome of case.

Of the 120 cases in which the probationer was considered as fully employed during his period of probation 111, (92.5 per cent), were successful. Of the 77 cases considered as employed part-time 61, (79.2 per cent), were successful. Of the 22 cases considered as employed only little or none of the time they were on probation 12, (54.5 per cent), were successful. One of the 2 cases in which steadiness of work was not recorded was successful. (See Table 32, below). With the exception of the not recorded category a span of 38.0 per cent exists between the lowest and highest success rates

Table 32. Steadiness of Employment Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Steadiness of Employment	Number of Probationers			P.C. of Total in Steadiness Category			P.C. of All Cases as by Outcome		
	S*	U*	All	S	U	All	S (185)	U (36)	All (221)
Fully ** employed	111	9	120	92.5	7.5	100	60.0	25.0	54.3
Part-time	61	16	77	79.2	20.8	100	33.0	44.4	34.8
Little or none	12	10	22	54.5	45.5	100	6.5	27.8	10.0
Not recorded	1	1	2	50.0	50.0	100	0.5	2.8	0.8
All Cases	185	36	221	83.7	16.3	100	100	100	100

\* S - Successful U - Unsuccessful

\*\* Fully employed successful group includes 4 cases in which the probationer was employed for the full duration of a seasonal occupation.

noted in the above categories. It appears that there is a marked positive relationship between steadiness of employment while on probation and the outcome of the case, and that further study of the influence of the factor of steadiness of employment while on probation is called for. Diagramatic illustration of the above noted success rate clearly shows a tendency for the success rate of the group to increase as the steadiness of employment increases. (See Figure 10, below).

Of the total group of 221 cases 54.3 per cent were fully employed, 34.8 per cent were employed part time, 10.0 per cent were employed little or none, while in 0.8 per cent of the cases the information about steadiness of employment was not recorded. Of the 185 successful cases 60.0 per cent were fully employed, 33.0 per cent were employed part time, 6.5 per cent were employed little or none, while in 0.5 per cent of the cases the information about steadiness of employment was not recorded. Of the 36 unsuccessful

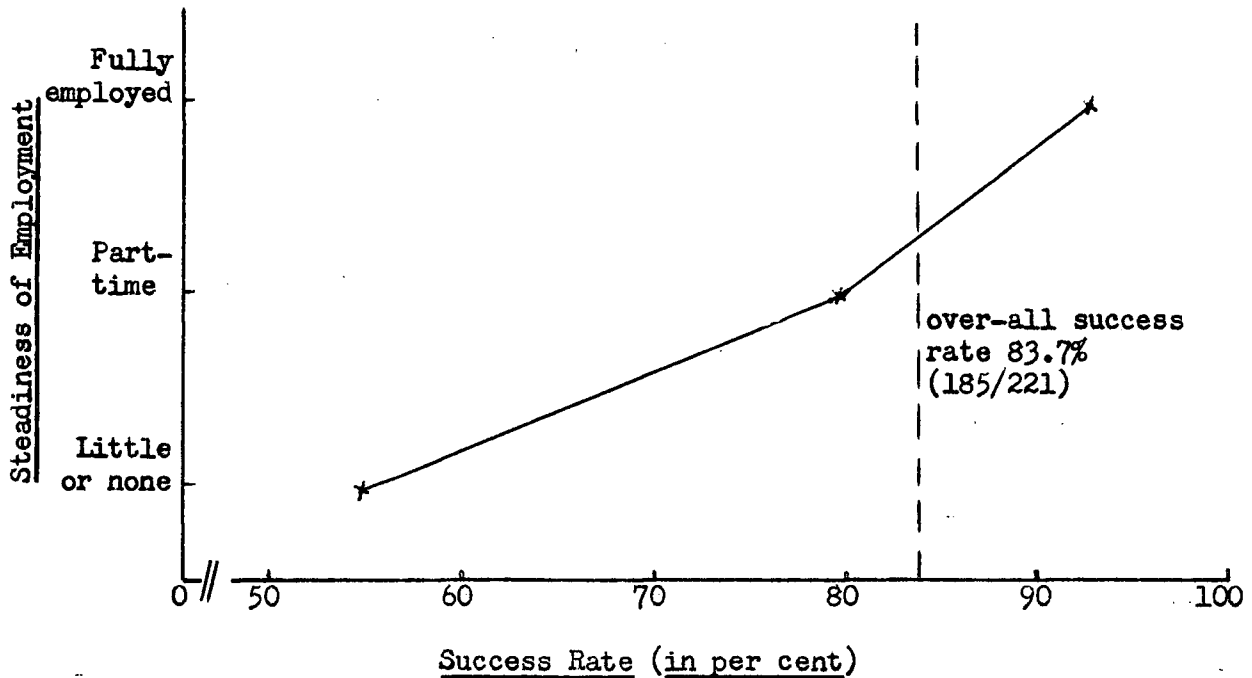


Figure 10. Success Rates of Probationers by Steadiness of Employment While on Probation.

cases 25.0 per cent were fully employed, 44.4 per cent were employed part time, 27.8 per cent were employed little or none, while in 2.8 per cent of the cases the information about steadiness of employment was not recorded. (See Table 32, above). Unsuccessful probationers who worked little or none of the time while on probation accounted for a considerably larger percentage, (27.8 per cent), of the total group of unsuccessful cases than did successful probationers who worked little or not at all, expressed as a percentage of the total number of successful cases, (6.5 per cent).

#### Review of Findings Relating Success Rates to Selected Variables

In an attempt to estimate the relative importance of the selected variables in the successful completion of the period of probation, an elementary system of "weighting" was used. The variables were arranged and weighted according to the span between the highest and lowest success rate noted in the categories of each variable. Categories which showed extreme

variation in success rate and only had a few cases falling within them were not included in calculating the span. Also not included were the categories containing the unknown or unrecorded cases.

A span of 10 per cent and below received a rating of 1, a span of 11 to 15 per cent received a "weight" of 2, and a "weight" of 3 was applied to variables showing a span between the highest and lowest success rate that exceeded 15 per cent. A weighting of 3 was interpreted as suggesting that the variable was an important factor in the outcome of the case and that further investigation of the relationship between the factor and the outcome of the case might be a valuable area for further study. A weighting of 2 was interpreted as suggesting that the factor might or might not be significantly related to the outcome of the case. A weighting of 1 suggested little apparent relationship between the variable and the outcome of the case. It is recognized that such elementary weighting of variables according to the span between success rates is not a fully acceptable statistical technique but this procedure was followed as a guide for interpretation of data discussed throughout this chapter.

"Steadiness of employment while on probation", "nature of the instant offence", "extent of previous criminal record", and "marital status of the probationer" were weighted 3 as variables which seem to be important in determining the outcome of a case. A weighting of 2 was given to the variables "age when awarded probation" and "number of dependents". It was felt these factors might or might not be significantly related to the outcome of the case. "Assessment made by the probation officer" and "nature of report prepared" received a weighting of 1, while the extent of previous incarceration could not be rated because cases reporting a record of previous incarceration were too few in number to allow a valid comparison to be made. (See Table 33, below).

Table 33. Review of Findings Relating Success Rates to Selected Variables

(Study Group, British Columbia; 1955-56)

Selected Factor	Findings	No. of Categories*	Percentage Span Between Success Rates **	"Weight" ***
Steadiness of Employment	A consistent tendency was found suggesting that as the steadiness of employment decreased the success rate declined.	3	38.0 (54.5-92.5)	3
Nature of Instant Offence	Highest success rate noted for offence against morals, then against the person, then against property, and lowest for against peace and order, (75.0%). Of offences against property the frauds and related offences ranked lowest, (71.9 per cent).	4 then 3	18.6 (75.0-94.4) then 12.7 (71.9-84.6)	3
Extent of Previous Record	As number of previous convictions increased success rates declined. No previous convictions near average success rate.	3	18.6 (66.7-85.3)	3
Marital Status	Single and married cases had about average success rate. Separated probationers had lower success rate.	4	18.1 (66.7-84.6) common-law group excluded	3
Age When Awarded Probation	Middle aged sub-categories, (25-29 and 30-34) showed higher success rate than either older or younger groups, but findings of questionable significance.	8	12.5 (75.0-87.5)	2
Number of Dependents	Success rate declined as number of dependents increased, but findings of questionable significance.	5	11.8 (72.7-84.5) 3 dependent category excluded	2
Assessment by Officer	Variation in success rates too limited to warrant expansion of findings.	3	7.9 (83.0-90.9)	1

Continued on next page...

Table 33. Review of Findings Relating Success Rates to Selected Variables - Continued

Selected Factor	Findings	No. of Categories*	Percentage Span Between Success Rates **	"Weight" ***
Nature of Report Prepared	Variation in success rates too limited to warrant expansion of findings.	3	5.4 (79.2-84.6)	1
Extent of Previous Incarceration	(Cases with previous record of confinement too few for a valid comparison. Success rate for all 8 cases 75.0 per cent.)			

\* Means number of categories or sub-categories factor is divided into, excluding category containing the unknown cases.

\*\* Percentage span between highest and lowest success rates within the various categories of a factor. Extreme variation is excluded when only a small number of cases fall within the category causing the excessive variation.

\*\*\* Importance of factors to success of case "weighted" according to extent of percentage span between success rates. 0-10 per cent span rated 1, 11-15 per cent span rated 2, 15 per cent and above span rated 3.

#### Findings Compared With Findings of Similar Studies

The success rate of 83.7 per cent found in this study was compared to the success rate found in other studies. Monachesi reported that 65.3 per cent of the adult and juvenile cases he studied had recorded violations,<sup>1</sup> but all of these would not have been revoked. The Attorney General's Survey reported that 81 per cent of the probationers studied were not revoked.<sup>2</sup> This success rate is quite close to the one found in this

1 Monachesi, Elio D. Prediction Factors in Probation. Sociological Press, Hanover, N.H., 1932.

2 United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939. p. 337

report. Glaser and Hangren reported that 76 per cent of the 190 cases they studied were successful cases.<sup>1</sup> It must be remembered that there was variation between authors in the above studies concerning their definition of a successful and an unsuccessful case. If anything, the success rate reported in the current study is higher than that reported in similar studies conducted previously.

In the current investigation a consistent tendency was found for the success rate to increase as the steadiness of employment while on probation increased. Gillin and Hill felt that steadiness of employment while on probation was the most important factor relating to successful completion of probation revealed in their study.<sup>2</sup> The Attorney General's Survey also reported that of the factors investigated steadiness of employment while on probation was the most important one tending to produce favourable results on probation.<sup>3</sup> It appears, therefore, that the findings of this current study are consistent with the findings of these other studies. If a probationer has a sporadic work record during his time on probation the supervising officer would do well to not only consider this as a poor prognostic sign but also take it as a warning sign to start looking for the reasons. It is realized that sometimes regional employment conditions may limit the chance of a probationer maintaining employment but even then an extra close watch should be kept and extra support for the probationer offered because of the

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1 Glaser, D. & Hangren, R.F. "Predicting the Adjustment of Federal Offenders". NPPA Journal, July 1958. National Probation and Parole Association, New York.

2 Gillin, J.L. & Hill, R.L. "Success and Failure of Adult Probationers in Wisconsin". Journal of Criminal Law and Criminology, Vol. 30, no.6, 1940. North Western University, School of Law, Chicago, Illinois. p. 811

3 United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939. pp. 340 ff

two aspects of the factor of sporadic employment. First it could indicate that the probationer is unable to hold a job because of character difficulties, but secondly the very fact of unemployment may produce, as well as reflect, emotional inadequacy and demoralization.

When nature of instant offence was related to outcome of case the highest success rates were noted for probationers committing instant offences against public morals and decency, the next highest success rates for those committing offences against the person, then for offences against property, and the lowest success rate for offences against public peace and order. Of the offences against property cases, those falling within the fraud and related offences category had the lowest success rate. The Attorney General's Survey reported that; "the crimes which seem to show the most unfavorable outcome on probation are larceny, auto theft, and embezzlement and fraud".<sup>1</sup> However, no statistically significant difference was found in the survey in that regard. The tendency found in the current study is quite similar to that reported in the Attorney General's Survey, only in the current study nature of instant offence was rated as the second most important factor related to outcome of case.

As the number of previous convictions registered against an offender increased the success rate declined. No previous convictions cases were near the over-all success rate of 83.7 per cent. The Attorney General's Survey reported finding a significant relationship between no previous record and success and previous record and failure. They found an 86 per cent success rate for first offenders and only a 68 per cent success rate for recidivists.<sup>2</sup>

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<sup>1</sup> United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939. pp. 396 ff

<sup>2</sup> Ibid. pp. 340 ff

The current study found a success rate of 85.3 per cent for first offenders and success rates of 77.3 per cent and 66.7 per cent for probationers with one previous conviction and two or more previous convictions respectively. (See Table 29, Chapter 3). The findings of this study are very similar to those reported in the Attorney General's Survey. Glaser and Hangren also reported that extent of previous record was an important factor relating to outcome of case.<sup>1</sup> There is definite suggesting that the recidivist is a poorer prospect for the disposition of probation than the first offender. However, for the approximately two-thirds of the recidivists who did succeed on probation the opportunity was well worth while. The probation officer should keep in mind that previous record is an important factor to consider when assessing an offender's suitability for probation, but it is not a predetermining bar to being awarded such a disposition. Even a success rate as low as two-thirds of all recidivists urges one to question the validity of the categorical exclusiveness against offenders with more than one previous conviction which is set down in Canadian probation legislation.

Single and married cases had close to the over-all success rate of 83.7 per cent reported in the current study. Probationers separated from their wives had considerably lower success rates. The Attorney General's Survey reports that the married probationer evidenced a higher success rate than the single probationers, but that divorced and separated probationers tended to show still less favourable results.<sup>2</sup> Gillin and Hill found in their study that married probationers succeed "in relatively larger proportions,

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1 Glaser, D. and Hangren, R.F. "Predicting the Adjustment of Federal Offenders". NPPA Journal, July 1958. National Probation and Parole Association, New York.

2 United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939. p.383.

than single, divorced, and separated probationers".<sup>1</sup> There appears basic agreement between all three studies that the separated probationer is relatively less successful. The current study differs in that little difference was found between the success rate of the single and married probationers. Upset marital status is often symptomatic of general personality instability or immaturity on the part of one or both partners and therefore it is understandable that the separated probationer would be less likely to succeed on probation. Ascertaining the marital status of the offender at time of presentence investigation may serve as one guide for assessment of the over-all personality of the offender.

Age sub-categories 25 to 29 years and 30 to 34 years reported higher success rates than either younger or older age groupings. Both the Attorney General's Survey<sup>2</sup> and the study by Gillin and Hill<sup>3</sup> found that the younger offender tended to succeed less often on probation. The findings of the current study are not consistent with the findings of these other two studies, and the questionable status of the current findings relating to the variable of age would suggest the variation in success rates noted is fortuitous.

In the current study the success rate of the groups declined as the number of dependents increased but the findings were felt to be of questionable significance. The Attorney General's Survey reported that the effect the number of dependents the probationer had had on the outcome of

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1 Gillin, J.L. and Hill, R.L. "Success and Failure of Adult Probationers in Wisconsin". Journal of Criminal Law and Criminology, Vol. 30, no.6, 1940. North Western University, School of Law, Chicago, Illinois. p. 811

2 United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939. p. 375

3 Gillin, J.L. and Hill, R.L. "Success and Failure of Adult Probationers in Wisconsin". Journal of Criminal Law and Criminology, Vol. 30, no.6, 1940. North Western University, School of Law, Chicago, Illinois. p. 811

the case was immaterial.<sup>1</sup>

In considering the relationship between the "assessment made by the probation officer" and the outcome of the case it was found in the current study that in the cases where no report was prepared or in cases where the probation officer felt the offender "warranted an opportunity" to prove himself on probation the success rates were near the over-all average success rate of 83.7 per cent. The "did not warrant probation" cases showed a slightly higher rate. No examples were found in similar studies where the factor of the probation officer's assessment was related to outcome of case.

The presentence and post-sentence report categories showed success rates near the over-all average. The no report category had a lower success rate. Again no comparable factor was related to outcome of probation in similar studies.

Cases with previous record of confinement were too few to make comparisons worth while.

Factors considered as most important in the success or failure of probation were steadiness of employment while on probation, nature of instant offence, extent of previous record, and marital status of the probationer. The findings of this study were generally consistent with findings of the similar studies used for comparison in relation to all the above factors except that a variation was noted in the findings related to marital status.

Factors that may or may not be considered important to the success or failure of the case in the current study include age when probation awarded and number of dependents. The findings of this study disagreed slightly with the findings of other studies about the age groupings least likely to succeed

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<sup>1</sup> United States of America, Department of Justice. The Attorney General's Survey of Release Procedures. Volume II; Probation. Government Printing Office, Washington, D.C., 1939. p. 384

on probation. Other studies did not consider the number of dependents as an important factor.

The assessment made by the probation officer of the offender's suitability for probation and the nature of the report prepared on the offender were two factors that did not seem to relate very significantly to the success or failure of the case. Similar studies did not consider these factors and therefore comparisons were not possible.

It appears that for the group under investigation in this study the most important factors relating to outcome of the case were steadiness of employment, nature of instant offence, extent of previous adult record, and marital status of the offender. All these factors should be investigated as thoroughly as possible as part of the probation officer's function.

## CHAPTER FOUR

### IMPLICATIONS FOR POLICY AND PRACTICE IN PROBATION

This study was carried out with a threefold purpose. First, it was intended to provide a clearer picture of the clientele the British Columbia Provincial Probation Branch is serving. A second aim was to document further evidence for or against the value of probation as a method of treatment of the adult offender. Third, the intention was to discover material of limited predictive value through the study of the relationship between selected personal, social, and environmental characteristics and the success or failure of the probationer on probation. Chapter Two of this study supplied the profile of the actual probation clientele and served as the ground from which certain variables could be selected which seemed likely to be of importance in the outcome of the case.

The profile of probation clientele given in Chapter Two revealed that the group under investigation did not appear markedly different from the general British Columbia population with regard to distribution according to the personal and family characteristics of place of birth, level of education, physical health, work habits, and number of siblings. Some possible variations from the general populace were noted in that the group may have contained; a higher proportion of young persons (71.7 per cent below age 25), a higher proportion of single persons (70.8 per cent), a higher proportion with no dependents (75.3 per cent), a large proportion came from "broken homes" (only 51.1 per cent reported that their parents were still both living together), many of the group were unskilled workers, and all were male. It was found that the proportion of the group committing

offences against property was comparable to the proportion of offenders committing offences against property in all of Canada. (See footnote, p.45, Chapter 2).

Further documentation of the value of probation as a method of treatment of the adult offender was provided, particularly through the success rates noted at the end of Chapter Two and in the appendix study. Public relations includes contacts the probation officers have with the police, the magistrates, and other court officials, and the soundness of the information they relay can determine to some extent what effect it will have in the future on the policy formation in the area of probation.

Variables found to be of limited predictive value when determining the prognosis of the case either before disposition or during the period of probation which at least warrant further investigation included; steadiness of employment while on probation, extent of previous adult criminal record, marital status, and nature of instant offence. There was a suggestion that the more steadily the probationer is employed the more likely he will be to succeed on probation; that the greater the extent of previous criminal record the less favourable the prognosis; that married and single probationers had a better prognosis than those reporting broken marriages; and that instant offences committed against morals, persons, or property had better prognostic significance than offences committed against public peace and order. Within the offences against property the offences within the sub-category frauds and related offences had lower prognostic prospects than other offences falling within the category.

#### Limitations of the Study

The selection of factors for survey and analysis was restricted to those that could be readily drawn from the main source of information, the

files of the Provincial Probation Service. A need for standardized recording in relation to such factors as mental health, nature and extent of social contacts, level of maturity and similar factors was noticed. Future research in this area could be more meaningful if the researcher selected his cases for study at the time they first came to the attention of the branch rather than after they have been closed. This of course would mean that a period of years would be required to follow the cases through to their termination but the researcher would be in a position to standardize what material was required in the recording before rather than after the record was completed. This would permit inclusion of the study of more inter-personal characteristics, such as the ability of the offender to form social relationships. It was felt that the present study was perhaps a necessary prerequisite to a study of the less clearly defined human characteristics.

A statistical approach has the unfortunate aspect of presenting a picture of the more common case and the extremes occurring in some individual cases are submerged in the mass of the whole group. For this reason a combination of the statistical and the case-description approach would seem a more solid base for future research to advance upon. Inclusion of case illustrations and analysis of a small number of cases along with the larger statistical analysis would reveal some of the more dynamic inter-personal influences which may shape the eventual outcome of the case.

There is no single trait or characteristic of a probationer which as yet has been conclusively linked with success or failure of the case. It should be possible, however, to discover certain characteristics that seem to have closer relationship with success or failure and these various characteristics can serve as guides only, not as a categorical basis for refusing to award probation to an offender. The liberality of the probation

legislation, the personality of the offender, the adequacy of the actual probation service in carrying out its function, and the personality and ability of the supervising officer are at least some of the variables which will affect the possibility of the probationer ending successfully.

#### The Need for Adequate Presentence Investigation

It was pointed out earlier that probation services for adults in Canada is at present a limited resource. For this reason, among others, adequate presentence investigation is an essential condition of adequate probation service. Presentence investigations were carried out in 77.6 per cent of the cases investigated, which indicates the tendency of the British Columbia courts to sentence only after a knowledge of the offender's background is gained. A difficulty arises in the British Columbia service and probably in most other services. The question must be asked as to whether presentence investigation should be carried out in such detail that it consumes so much of the officer's time that he must neglect the supervision of other cases previously placed under his supervision. Ideally of course, he should be in a position to give the necessary time to both facets of his job but unfortunately such is not always the case. The hurried nature with which presentence reports must sometimes be prepared, or in some instances not prepared at all, is reflected by the fact that in 9 of the cases under investigation the probationer was awarded probation even though he was legally ineligible for it. Presentence investigation must be adequate and thorough but should not detract from the officer's opportunity to give his current caseload the attention it needs. Presentence investigation is an essential condition of good probation but without adequate supervision following it is of little value, except of course, the considerable value it contains as a guide in assisting the court to award the most suitable disposition.

In the future use of probation the day may arrive when the presentence investigation is carried out in preparation for the predictive conference attended by various team members such as the probation officer, the psychiatrist, and the psychologist. The predictive conference has not been utilized in British Columbia adult probation work but as facilities in the corrections and mental health area increase such a device may prove most effective. Until that day the challenge is to make the most use of the presentence investigation which generally is carried out by the probation officer only.

#### The Need for Expansion of Present Adult Probation Services

It was noted that 83.7 per cent of the 221 cases examined successfully completed their prescribed period of probation. It was further noted that 77.3 per cent of these 185 successful cases still had no new record of convictions when a follow-up check was carried out in February, 1959. The moral superiority and the financial savings reflected in these figures suggest that probation, as one method of handling the criminal offender, is well worth while. It would appear, therefore, that there is a case for the expansion of present probation facilities in British Columbia and in Canada as a whole. Caution must be exercised, however, that the expansion in quantity of cases handled does not occur at the expense of the quality of service offered. In other words, not expansion by increasing the number of cases handled by each probation officer but rather expansion through the increase in size of staff and insistence on maintaining a certain minimum quality of personnel. While the success rates lend support to the belief that probation is a good system for handling offenders, it is equally important to know whether or not the success rates could be still higher through the improvement of the quality of probation service offered. One way in which expansion of probation will

likely take place is that the courts who have only recently starting using the facilities of the probation branch will increase the volume and proportion of cases they send their way once it is felt probation has proved its value in that area.

Another aspect of expansion of probation services is the liberalizing of the legislative provisions set down in the Criminal Code of Canada. Six out of the nine cases accidentally placed on probation when they had a record of more than one previous criminal conviction successfully completed their period of probation. The category only included 9 cases, but even so this arouses enough curiosity at least to make one question the validity of the restrictive nature of the legislative framework surrounding probation in this country. For the six offenders who made good on probation the value receiving probation meant to them would be difficult to measure. For the society the value can be measured in financial terms as an estimated saving of \$1500. per man, or a total of \$9000.. The original group of 223 cases consisted of 86.1 per cent cases that recorded no previous convictions and 9.9 per cent cases that recorded one previous conviction. Obviously there is not only a need for the legislative framework of the Criminal Code to be expanded in relation to probation but also a need for the courts to make fuller use of the provisions already contained in the Code relating to the offender with one previous conviction. Adequate protection of the public should be the primary consideration when the decision to award or not to award probation has to be made, counter-balanced by an assessment of the offender's ability to respond to this type of correctional treatment.

The findings reported in the third chapter of this study suggest that the greater the extent of previous adult criminal record the lower the success rate. In spite of this the success rates noted for the cases reporting some previous record are still high enough to warrant that the decision to

award probation be left at the discretion of the court rather than categorically predetermined.

### The Aim of Probation is "Treatment"

In reflecting upon some of the findings recorded in Chapter Two of this study it appears in order to re-iterate that the aim of probation should be "treatment of the offender". It is felt that this reminder is in order because in review it is noticed that the courts award probation primarily to the first offender and to the youthful offender; suggest the frequency of reporting be once a month in the majority of cases (if casework is to be properly carried out the probationer would have to be seen more frequently); place over 80 per cent of the cases on probation for one year or less. All this leads one to believe that the court sees probation not as an opportunity for treatment of the offender but rather as an opportunity to express judicial clemency. The focus of probation should be proper treatment of the offender and until such time as all of the personnel connected with the probation and court system realize this - and indeed until the general public gains an understanding of this - the full and proper use of probation as a correctional technique will be somewhat retarded.

### Implications of Findings for the British Columbia Provincial Probation Branch

The British Columbia Provincial Probation service has been expanding ever since its inception in 1943. Along with geographical expansion came many problems such as the need for adequate supervisory contact between the branch offices throughout the province and the central administration. This link is necessary for two reasons. In adult probation, as in any area of casework service, it is necessary that the individual officer have a second staff person to whom he can turn for consultative guidance on the more

difficult aspects of carrying out social casework. Secondly, there must exist a channel through which day to day administrative decisions can be relayed. The reciprocal aspect of this is that a channel must exist through which the various officers can communicate their views and opinions on how specific matters of policy are affecting their service, and this would also be the channel through which staff members could participate in forming future branch policy. It has long been recognized that in order to feel truly a member of a service one must have some avenue through which his ideas for improvement of service can be sent. It has been suggested that the proper span of control for any one staff supervisor is from five to seven caseworkers or officers. Under the present British Columbia administrative arrangements one staff supervisor is provided for all twenty-four officers throughout the entire province.

A second very serious implication brought to the fore by the relatively high success rate noted in this study is the suggestion that this high success rate may be considerably related to the relatively high qualifications of the present staff, and it will be the responsibility of the administration to maintain this level, if not to improve it. Basically the implication is that if any service is expanding geographically and numerically then one must be sure that such expansion does not take place at the expense of the quality of service currently offered.

#### The Role of the Federal Government in Facilitating Expansion of Probation Facilities

The optimism engendered when one reflects upon the spread of probation facilities across Canada, albeit slow, is rather quickly converted into realism when one is confronted with the finding in a recent United Nation's survey. Canada's penal system was ranked fiftieth in the world, when measured on a fairly simple form of "enlightenment rating". This puts

Canada "somewhere amongst the Middle East countries and the dictatorships of South America in our treatment of offenders".<sup>1</sup>

The Archambault and Fauteux Reports have been two indications of the interest of the Federal Government in the area of corrections. With the snail's pace progress of corrections in Canada today it would appear in order to suggest that if the Federal Government is taking on the responsibility for providing leadership in the area of corrections they have not fully succeeded.

Of the 223 cases reviewed in Chapter Two, 84.7 per cent were born in Canada, while only 39.0 per cent were born in British Columbia. The mobility suggested by this last figure is equally true for the entire populace of British Columbia. (See Chapter 2, page 37). If the criminal populace is so mobile there would appear a case for federal intervention into at least some aspects of the area of adult probation in Canada. A central registry of all probationers so that referrals between provinces could be affected with less difficulty, and standard-setting in the matters of size of caseloads backed up by conditional grant-in-aid programs are only two possibilities worthy of thought if not action. The standardizing of salary scales for probation officers would limit somewhat the mobility of staff which presently represents a continual disruption for probation services. The question of division of powers between federal and provincial governments has been circumvented before and if the mutual advantages of centralizing some aspects of the adult probation services were great enough the question of division of powers could again be circumvented. There would

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<sup>1</sup> Saturday Night; Canada's Magazine of Business and Contemporary Affairs. Edited, Toronto, Canada. Published by Consolidated Press Ltd., Montreal. Vol. 74, no. 4, February 14, 1959. p. 48

be no need, in fact no advantage, in the basic administration of the program remaining as anything but a provincial matter.

### The Professional Social Worker and Corrections

Professional social workers have a contribution to make in many aspects of the correctional scene. Their training and basic philosophy make them particularly adept at working with individuals who manifest various levels of social and emotional malfunctioning. Exactly what aspects of the area of corrections they will eventually find their way into is not yet fully known.

From the point of view of the corrections personnel, who are moving toward the day of professional recognition, three possible avenues lie open. First, they can claim separate identity from all other professions outside the field and attempt to gather around them a distinct body of knowledge, principles, and techniques embracing all members of the field from guard to warden. Second, they may seek professional recognition through identifying themselves as one area of the profession of social work, even as there is psychiatric and medical social work. Third, there may arise a professional group of correctional management who would draw from the various professional fields around them such staff and services as they may need. Thus, in the latter setting, a social worker would be in a similar position to that of the prison doctor or dentist. That is, he would be a professional person working within a second profession's jurisdiction. Donald R. Cressey, (Chairman, Department of Anthropology and Sociology, University of California),<sup>1</sup> speculates that this third alternative path is the one which the corrections

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1 Cressey, D.R. "Professional Correctional Work and Professional Work in Correction." NPPA Journal, January 1959. New York, National Probation and Parole Association.

field is now following.

One can only speculate which will be the eventual path by which the field of corrections receives professional recognition or which is the preferable path, but whatever path is taken there will always be many of the treatment and policy making areas within the field which can best be filled by personnel with a philosophy and orientation and code of ethics consistent with that of the profession of social work.

There is a need for a closer tie between corrections and social work, whether it be on the public or private basis. Both fields represent part of the over-all welfare program in Canada and increasing integration of the fields is desirable and possible if leaders in each area strive toward such a goal. This closer tie or integration will be desirable regardless of the path by which corrections eventually achieves professional recognition.

Probation perhaps represents one of the areas in which the integration of corrections and professional social work is most advanced. It is the responsibility of the corrections administrator to provide an atmosphere in which the professional social worker, if employed, can function efficiently. It is the responsibility of the professional social worker to prove to his administrators that the profession does have a contribution to make. Adult probation in Canada is a geographically and numerically expanding service. However, the goal of establishing an effective adult probation system across Canada will require that the quality of the service be maintained and increased throughout and after the numerical and geographical expansion of the service.

APPENDIX A

POST-PROBATION INQUIRY REGARDING SUBSEQUENT CRIMINAL RECORD

Information received from the Identification Branch, Royal Canadian Mounted Police, Ottawa, giving a record of any known subsequent criminal convictions registered against the probationers in the group under investigation gave the date of follow-up check as February 17, 1959. A few convictions were recorded in the Provincial Probation Branch files that were not recorded by the Identification Branch and these were also used in the following explanation. It is possible that some other convictions were not recorded by either of the two above sources of information. The minor municipal and provincial offences were not considered as subsequent convictions for the purpose of this study because they are not usually recorded by the Identification Branch and therefore a uniformity of recording between cases would not be possible. A few border violations and other offences against immigration laws were included as these are centrally registered with the Identification Branch. The extent of subsequent record was related to the former successful or unsuccessful termination of the probation case.

Of the total group of 221 probationers 143, (64.7 per cent), both completed their prescribed time period of probation successfully and also had no record of subsequent conviction when the check was made February 17, 1959. This post-probation success rate of 64.7 per cent is considerably lower than the success rate of 83.7 per cent which represented the proportion of all probationers who successfully completed their prescribed period of probation. (See Table 34, below).

Table 34. Post-probation Recidivism Related to Outcome of Case  
(Study Group, British Columbia; 1955-56)

Number of Subsequent Convictions	Successful Cases		Unsuccessful Cases		All Cases
	Number	P.C. of All Cases (221)	Number	P.C. of All Cases (221)	
None	143	64.7	9	4.1	152
1	28	12.2	11	5.0	39
2	7	3.2	8	3.6	15
3	5	2.3	6	2.7	11
4	1	0.5	2	0.9	3
5	1	0.5	-	-	1
Total	185	83.7	36	16.3	221

Of the 185 successful cases reported in this current study 143, (77.3 per cent), had no record of subsequent convictions. Caldwell found a success rate of 83.6 per cent in a similar study of 1,826 cases, (with a median follow-up period of 7½ years after the end of the offender's probation period).<sup>1</sup> England reports that 82.3 per cent of the 490 successful probationers he studied had no subsequent convictions.<sup>2</sup> The post-probation success rate for the former successful probationers in the current study is lower than that noted in the two comparative studies and also had a shorter follow-up period of time elapsing. In the current study the follow-up period ranged from 3 years 9 months in one case to as short as 11 months in another.\* Even so it is quite encouraging that 77.3 per cent of the successful cases maintained a record clean of new convictions.

As the number of subsequent convictions increased it was noticed that those cases showing a greater rate of recidivism represented an increasingly larger proportion of the former unsuccessful cases and an increasingly smaller proportion of the former successful cases. This suggested that the formerly poor probation risks also represented poorer post-probation risks. Only 9, (25 per cent), of the original unsuccessful cases reported no further record. (See Table 34, above)

Further interpretation of this follow-up check will not be attempted because the short time period elapsing between the date of the check and the termination dates of the probation cases limits the value of the findings.

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1 Caldwell, M.G. "Review of a New Type of Probation Study Made in Alabama". Federal Probation, June 1951. Administrative Office of the United States Courts, Washington, D.C.

2 England, R.W. "A Study of Postprobation Recidivism Among Five Hundred Federal Offenders". Federal Probation, September 1955. Washington, D.C.

\* In the current study the termination date of the successful probationer supervised most recently was March 6, 1958, approximately 11 months before the date of the follow-up check. The first case terminated in the group investigated was closed May, 1955, approximately 3 years 9 months from the date of the follow-up check. Therefore the follow-up period ranged from as long as 3 years 9 months, in one case, to as short as 11 months in another.

APPENDIX B

PROBATION LEGISLATION

CRIMINAL CODE OF CANADA

638. (1) SUSPENSION OF SENTENCE. Where an accused is convicted of an offence and no previous conviction is proved against him, and it appears to the court that convicts him or that hears an appeal that, having regard to his age, character and antecedents, to the nature of the offence and to any extenuating circumstances surrounding the commission of the offence, it is expedient that the accused be released on probation, the court may, except where a minimum punishment is prescribed by law, instead of sentencing him to punishment, suspend the passing of sentence and direct that he be released upon entering into a recognizance in Form 28, with or without sureties,

(a) to keep the peace and be of good behaviour during any period that is fixed by the court, and

(b) to appear and to receive sentence when called upon to do so during the period fixed under paragraph (a), upon breach of his recognizance.

(2) CONDITIONS. A court that suspends the passing of sentence may prescribe as conditions of the recognizance that

(a) the accused shall make restitution and reparation to any person aggrieved or injured for the actual loss or damage caused by the commission of the offence, and

(b) the accused shall provide for the support of his wife and any other dependents whom he is liable to support,

and the court may impose such further conditions as it considers desirable in the circumstances and may from time to time change the conditions and increase or decrease the period of the recognizance, but no such recognizance shall be kept in force for more than two years.

(3) REQUIRING PERSON TO REPORT. A court that suspends the passing of sentence may require as a condition of the recognizance that the accused shall report from time to time, as it may prescribe, to a person designated by the court, and the accused shall be under the supervision of that person during the prescribed period.

(4) REPORT BY DESIGNATED PERSON. The person designated by the court under subsection (3) shall report to the court if the accused does not carry out the terms on which the passing of sentence was suspended, and the court may order that the accused be brought before it to be sentenced.

(5) SUSPENDING SENTENCE OF PERSON PREVIOUSLY CONVICTED. Where one previous conviction and no more is proved against an accused who is convicted, but the previous conviction took place more than five years before the time of the commission of the offence of which he is convicted, or was for an offence that is not related in character to the offence of which he is convicted, the court may, notwithstanding subsection (1), suspend the passing of sentence and make the direction mentioned in subsection (1)

639. (1) SUMMONS OR WARRANT WHEN RECOGNIZANCE NOT OBSERVED. A court that has suspended the passing of sentence or a justice having jurisdiction in the territorial division in which a recognizance was taken under section 638 may, upon being satisfied by information on oath that the accused has failed to observe a condition of the recognizance, issue a summons to compel his appearance or a warrant for his arrest.

(2) RETURN. A summons under subsection (1) is returnable before the court and an accused who is arrested under a warrant issued under subsection (1) shall be brought before the court or a justice.

(3) REMAND FOR JUDGEMENT. A justice before whom a warrant under subsection (1) is returned may remand the accused to appear before the court or admit him to bail upon recognizance, with or without sureties, conditioned upon such appearance.

(4) SENTENCE. The court may, upon the appearance of the accused pursuant to this section or subsection (4) of section 638 and upon being satisfied that the accused has failed to observe a condition of his recognizance, sentence him for the offence of which he was convicted.

(5) MAGISTRATE, UNABLE TO ACT. Where the passing of sentence is suspended by a magistrate acting under Part XVI or Part XXIV or by a judge, and thereafter he dies or is for any reason unable to act, his powers under this section may be exercised by any other magistrate or judge, as the case may be, who has equivalent jurisdiction in the same territorial division.

640. COURT. For the purpose of sections 638 and 639, "court" means

- (a) a superior court of criminal jurisdiction,
- (b) a court of criminal jurisdiction,
- (c) a magistrate acting as a summary conviction court under Part XXIV,
- or (d) a court that hears an appeal.

STATUTES OF BRITISH COLUMBIA - AN ACT RESPECTING SUMMARY PROCEEDINGS, 1955

Suspended Sentence

62. (1) In this section, "Justice" includes the Court before which an appeal is heard in respect of a conviction or order made under this Act.
- (2) Where a defendant is convicted of an offence and no previous conviction is proved against him, and it appears to the Justice that, having regard to his age, character, and antecedents, to the nature of the offence, and to any extenuating circumstances surrounding the commission of the offence, it is expedient that the defendant be released on probation, the Justice may, except where a minimum punishment is prescribed by law, instead of sentencing him to punishment, suspend the passing of sentence and direct that he be released upon entering into a recognizance, in Form 28, with or without sureties: -
- (a) to keep the peace and be of good behaviour during any period that is fixed by the Justice; and
- (b) to appear and to receive sentence when called upon to do so during the period fixed under clause (a), upon breach of his recognizance.
- (3) A Justice who suspends the passing of sentence may prescribe as conditions of the recognizance that: -
- (a) the defendant shall make restitution and reparation to any person aggrieved or injured for the actual loss or damage caused by the commission of the offence; and
- (b) the defendant shall provide for the support of his wife and any other dependents whom he is liable to support;
- and the Justice may impose such further conditions as he considers desirable in the circumstances, and may from time to time change the conditions and increase or decrease the period of the recognizance, but no such recognizance shall be kept in force for more than six months.
- (4) A Justice who suspends the passing of sentence may require as a condition of the recognizance that the defendant shall report from time to time, as he may prescribe, to a person designated by the Justice, and the defendant shall be under the supervision of that person during the prescribed period.
- (5) The person designated by the Justice under subsection (4) shall report to the Justice if the accused does not carry out the terms on which the passing of sentence was suspended, and the Justice may order that the accused be brought before him to be sentenced.
- (6) Where one previous conviction and no more is proved against a defendant who is convicted, but the previous conviction took place more than five years before the time of the commission of the offence of which he is convicted, or was for an offence that is not related in character to the offence of which he is convicted, the Justice may, notwithstanding subsection (2), suspend the passing of sentence and make the direction mentioned in subsection (2). ((Code, s. 638)); RS 1948, c. 317, s.72.

63. (1) A Justice who has suspended the passing of sentence or a Justice having jurisdiction in the territorial division in which a recognizance was taken under section 48 may, upon being satisfied by information on oath that the defendant has failed to observe a condition of the recognizance, issue a summons to compel his appearance or a warrant for his arrest.
- (2) A summons under subsection (1) is returnable before the Justice, and a defendant who is arrested under a warrant issued under subsection (1) shall be brought before the Justice.
- (3) A Justice before who a warrant under subsection (1) is returned may remand the defendant to appear before the Justice or admit him to bail upon recognizance, with or without sureties, conditioned upon such appearance.
- (4) The Justice may, upon the appearance of the defendant pursuant to this section or subsection (5) of section 62, and upon being satisfied that the defendant has failed to observe a condition of his recognizance sentence him for the offence of which he was convicted.
- (5) Where the passing of sentence is suspended by a Justice, and thereafter he dies or is for any reason unable to act, his powers under this section may be exercised by any other Justice who has equivalent jurisdiction in the same territorial division. ((Code, s. 639)).

APPENDIX C

SAMPLE

INFORMATION SHEET APPLIED TO FILES UNDER STUDY FOR M.S.W. THESIS

A.  
File No. 1000 Probation Officer A.G.W. F.P.S. No. 673269  
Court Vancouver Pre-S.R. Prepared ☒ No P.S.R. ☐ Post S.R. ☐  
Offence Auto Theft  
Disposition: Bond \$500. Length of Prob. 12 mos. twice/month Starting January 7/56  
Successful ☒ Violation but no Breach ☐ Breach Laid ☐ Result ☐  
How long a period of probation was completed before breach?   
B.  
Birthdate Oct 7/34 Place of Birth Victoria, B.C. Age at start of probationary period 21  
Education Completed Grade 8  
Health: very poor ☐ poor ☐ fair ☐ good ☒ excellent ☐  
Employment: Main occupation Truck driver  
Work Habits: steady ☒ seasonal ☐ sporadic ☐  
Was the client employed during his period of probation?  
Fully employed ☒ part time ☐ seasonal ☐ little or none ☐  
Marital Status: single ☐ married ☒ common-law ☐ widowed ☐  
living apart ☐ divorced ☐ separated (legal) ☐  
Number of Dependents (including wife) 3  
Marital Status of Parents: living together ☐ living apart ☒ father deceased ☐  
step-father in home ☐ step-mother in home ☐ mother deceased ☐  
Number of siblings 6 Religion of Client B.C.

C.  
Previous Record  
Juvenile  
Offence Willful Damage Date Jan 6/50 Court Van. J.C. Disposition Fined \$25.  
Adult  
N/A

Remarks (Rating Scale)

Very Poor	Poor	Fair	Good	Very Good
Few strengths;	P.O. expresses	Borderline case;	Suggest prob.;	Suggests prob.;
Poor attitude;	doubt as to client's	No opinion given;	appears to have	feasible treat-
poor associates;	ability to use	Not sure of how	considerable	ment plan; usually
suggests no	probation construc-	client would	strengths;	first offender;
probation.	tively.	respond to period	attitude	attitude
		of probation.	favourable.	favourable.

D.  
New Offences Since Period of Probation Under Study  
Offence Breaking and Entering Date Feb 26/58 Court Van. P.C. Disposition 6 mos. definite sentence.

Additional Information

APPENDIX D

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