Studies on Diversion

East York Community Law Reform Project

Studies
on
Diversion

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NOTICE

This book contains two sections. The first consists of a research report prepared for the Law Reform Commission of Canada. It contains a summary of the East York Community Law Reform project and the accompanying papers that make up that study.

The second part consists of a Working Paper of the Law Reform Commission of Canada. This includes the philosophy of the Commission and recommendations for changes in the law. The proposals in this section represent the views of the Commission.

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FOREWORD

In formulating its research program, the Law Reform Commission of Canada was conscious of the need to develop projects that would provide a living laboratory for the purpose of gaining first-hand information on the actual working of the criminal process, as well as for testing out new ideas. The accounts presented in this volume have grown out of what is already widely known as "The East York Study". The Commission was fortunate that Dr. John Hogarth, who was then a professor at Osgoode Hall Law School of York University, had developed an interest in a framework for studying the criminal process in relation to community needs and resources.

Those familiar with action research know the amount of organizational talent necessary for securing trust, cooperation and the kind of information which would provide a basis for the kind of law reform to which this Commission is committed: reform of the working of law and not only its wording.

This project has provided many insights, but as with any live and living situation it is not sufficient to gather facts and experiences: they also have to be interpreted. An account of the theoretical framework has already been given by Dr. Hogarth in our volume on Studies in Sentencing. The present volume carries the title Studies on Diversion since the papers presented form a background to our working paper on diversion. The volume attempts to describe the major facets of the project and the kind of inferences that might be drawn. The papers have been developed in various degrees by the project staff in conjunction with Commission staff, and inevitably some of the material had to be condensed from extensive working notes. The accuracy of the accounts and adequacy of interpretation rest with the contributors and they do not necessarily represent the Commission's views; our views are expressed in the working paper on diversion.

Any account which attempts innovative solutions faces problems in presentation. The papers in this volume are no exception. Some accounts are straightforward; some are complex because of new or unfamiliar reasoning. We should point out, however, that the concept of diversion has now become a catchword with vast and dangerous oversimplifications. There is no question that we have to arrive at new solutions to the problems of crime. Experience has shown, however, that if these solutions are not well thought through, they may exacerbate rather than alleviate problems in the

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traditional process. Nevertheless, we do attempt in our working paper to give a simplified and consistent account of the meaning of diversion.

ACKNOWLEDGEMENTS

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SYNOPSIS

I. AIMS AND PURPOSES

The East York Community Law Reform Project, funded under the auspices of the Law Reform Commission of Canada, represented a novel experiment in legal research. It was the product of a conscious attempt to extend the process of law reform, traditionally an undertaking reserved to legal professionals, to those most directly affected by the administration of criminal justice—victims, offenders and police officers. Moreover, the format of a community-based law reform project opened the province of law reform to participation by the community itself, both individually and through the various organizations which represent and service it.

By locating the East York Project at the community level, it was possible to integrate the process of law reform with local concerns, to monitor conflict within the community and to observe the consequences of its definition, management and resolution. By connecting the research vehicle to a specific and identifiable community base, it was possible to commence an inquiry into the situations which give rise to the use of the criminal process, to evaluate the effectiveness of existing methods of crime prevention and control, and to explore the potential for alternative modes of dispute resolution.

II. FACILITIES

The project was located in an area of East York which corresponded to the Metropolitan Toronto Police patrol area of 5411, a twelve by eight block area bounded by Main Street on the west, Danforth Avenue on the south, Victoria Park Avenue on the east, and the Massey Creek Ravine on the north. Its population of approximately 8,100 might fairly be described as primarily working class, with an average family income of $9,300.00 and an average individual income of $4,300.00. Until recently a relatively stable, Anglo-Saxon, Protestant community, its ethnic and religious composition is now changing, chiefly through the assimilation of southern and central European immigrants. As of the 1971 census, the area's population was 64% of British origin, 15% southern European, 10% central European, 3% eastern European, 3% Asian and 2% of West Indian origin, with Greeks, Italians and West Indians predominant among the new arrivals to the area. This transition has been accompanied by the construction of a range of apartment

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accommodation, from Ontario Housing Corporation townhouses to privately-financed highrises, in a neighbourhood that was previously predominantly comprised of modest, single-family dwellings.

Although the area's prior homogeneity is being changed by a measure of ethnic and religious diversity, it seems nevertheless to retain many of the same social characteristics which previously described its Anglo-Saxon residents. It was this feature of gradual transition, together with an absence of extreme variations in socio-economic status, which commended this area to an analysis of its social relationships and its patterns of conflict resolution.

Following selection of the project area, contacts were made with the Metropolitan Toronto Police, the local Neighbourhood Information Centre, the executive of the local ratepayers' association, and a number of the social agencies which service the community to apprise them of the purposes of the project and to solicit their advice and assistance. After several months of such preparation, the project headquarters were opened at 570 Main Street on May 15, 1972. Although on the western fringes of the project area, the location of the project offices provided convenient access to the project by the community, their police and the project personnel.

During the initial three and one-half months of the project, the offices were open on a 24-hour, seven-day-a-week basis. The police officers selected at the divisional level to patrol the district were familiarized with the project and arrangements were made to ensure that each officer reported in to the project as part of his shift responsibilities. All matters involving intervention by the police during the course of an individual police officer's shift were thus recorded at the project headquarters. As a further control on the self-reporting by the police, arrangements were made at the divisional level to ensure that the project was provided with all information pertaining to matters of a criminal nature within the patrol district. These latter arrangements ultimately involved a working arrangement which permitted a member of the project staff to have virtually unrestricted access to all relevant records both at 54 Division and at the Metropolitan Toronto Police central records department at 590 Jarvis Street. It thus became possible, in addition to the other aspects of the project, to monitor the procedures by which the police assembled their records of criminal activity within the patrol district of 5411 for the one-year period in which the project was in operation, May 15, 1972 to May 14, 1973.

III. PROJECTS

A. Service

To assure the project of a viable working relationship within the community, it was felt necessary to include a conspicuous service component, particularly during the initial phases of the programme. Personnel

were accordingly engaged to inform the area residents of the purposes of the project and to encourage their participation, individually and collectively, in the process of legal reform.

1. Community Organization

One project member assumed responsibility for developing a constituency within the community which would be able to identify with and make use of the facilities available through the project. To this end, he developed close working arrangements with the local Neighbourhood Information Centre and the Metropolitan Toronto Police Community Service Officers assigned to the area, eventually building up a clientele to whom he was available for assistance in individual and community problem-solving. Over a period of time, as he came to be seen in the community as a problem-solver or a "facilitator", he was able to develop and share with other project personnel considerable insights about the range and efficacy of the mechanisms available at the community level for localized problem solving.

2. Neighbourhood Information Centre

A second project member, associated both with the East York Project and the University of Toronto's Centre for Urban and Community Studies, worked directly with the Neighbourhood Information Centre, assisting in the referral of people with problems to resource agencies. In the process, she was able to provide a sociologically informed analysis of the experience of trouble in the south-east area of East York. By conducting an examination into the nature of trouble, the ways in which trouble was perceived and defined, and the types and routes of help-seeking that formed part of the trouble experience, it was possible to develop a sociological profile of the kinds of problems experienced by people in the community at large. Problems involving the police were investigated, but were not the primary focus of the analysis, which itself was aimed at establishing a general context for examination of the process of having problems and seeking help.

3. Police Support and Resource Assistance

The major portion of the responsibility for securing the participation and cooperation of the local police was undertaken by a third member of the project. This project member was in effect attached to the police, working closely with police officers at all levels, from patrolman to community service officer to inspector to the Deputy-Chief and Chief of Police themselves. During the initial stages of her work, no attempts were made to effect direct changes in police procedures; rather, her function was confined to monitoring and documenting the characteristics of the performance of the police function. In the monitoring operation, however, it was possible to acquire an

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appreciation of the potential for implementation of changes in police practice, offering resource assistance and support for such changes when they were undertaken spontaneously by individual police officers or as a consequence of interaction with the project personnel. Specifically, her contribution involved advice to police officers about the alternatives to laying criminal charges in the event that referral to a social agency appeared appropriate—impressing, in other words, the idea upon the police that disposition by routes other than charge merited consideration by them in appropriate circumstances, and performing something of a switchboard role in apprising them of the availability of community resources to receive such referrals.

As a consequence of this close association with the police, the project was assured of a full and free range of information sharing between police officers and project personnel, permitting a unique opportunity for the analysis of all phases of police operations. This analysis extended to an examination of the differential between social expectations of the police and the policeman's appreciation of his role, the need for additional resources to support the police in the performance of their function, and of the police perceptions of the other sectors of the criminal process. As a result, it was possible to develop a comprehensive assessment of the police perspective of their relationship to the community and the other hierarchies in the legal system.

B. Research

Having established the viability of the East York Project through its service components, the members of the project were then able to undertake a series of studies to fulfil its research programme. The themes around which the research programme was organized were as follows: (1) to describe the criminal law in action in a typical urban setting, commencing with the complainant's or victim's initiation of the process, and concluding with the trial of the accused person; (2) to identify problems in the law and its administration at each stage of the criminal process; and (3) to explore the potential for developing alternative methods of handling the problems which might arise and, whenever possible, to test such alternatives in terms of specified criteria.

1. *Public Attitude Survey*

A public opinion survey was undertaken during the early stages of the project to assess local attitudes to crime, victims, offenders and law enforcement. This provided a basis for comparison with other communities in which similar analyses had been conducted. The results of a random sampling of 100 households in the patrol area were for the most part consistent with those which emerged from an earlier study by Malcolm Courtis (*Attitudes to Crime and the Police in Toronto: A Report on Some Survey*

Findings, Centre of Criminology: University of Toronto, 1970) and, to a lesser extent, by André Normandeau (*Les Québécois s'interrogent sur la Criminalité et les Mesures correctionnelles*, Département de Criminologie: Université de Montréal, 1969).

Of particular significance for the purposes of the East York Project was the confirmation of previous findings indicating the presence of a differential between the level of abstract concern about problems of crime and the subjective apprehension of personal victimization, either in the home or in the street. The Courtis study indicated, for example, that approximately 89% of its sample rated the problem of crime a serious one, with 29% of the responses classifying it as a *very* serious problem and 60% designating it a moderately serious problem. Moreover, 74% of the Courtis sample expressed the view that crime, and particularly crimes of violence, were on the increase. Similarly, the opinion survey conducted in the East York area suggested that 91% of the respondents believed that crime was a serious problem, 65% expressing the belief that "crime is one of the most serious problems facing us today". Approximately 78% of the East York sample expressed the opinion that criminal activity had increased over the past ten years. In general, therefore, there appeared to be a fairly broad consensus that crime represented a substantial, though not overwhelming, problem, and that the dimensions of the problem were becoming increasingly more extended.

If the indicia of subjective apprehension of vulnerability to personal attack or property loss are examined, however, the conformation of the responses suggests that most of the respondents have managed to reconcile themselves to whatever level of danger they perceive. Thus, in the Courtis survey fewer than 10% of the sample admitted to being worried about the possibility of their home or apartment being broken into. Some 28% indicated that they worried about their personal safety, but, again, the proportion of those who expressed serious concern was less than 10%. It would appear, therefore, that the respondents were more concerned about the abstract threat of criminal activity than they were about the prospect of themselves being victimized.

The East York study found a marked attitudinal differential between victims and non-victims. Although conventional wisdom might suggest that those having personal experience as victims of criminal activity would be more inclined to a rigid attitude to crime, this proved not to be the case. In fact, victims were generally less harsh in their judgment of the criminal process, more sympathetic to offenders, and generally less impressed with the concept of retribution as a rationale for criminal punishment.

Although far from conclusive, given the scope of the questionnaire and the limited size of the sample, the results of the East York public attitude survey appear to suggest that there are interesting differences, contrary to

conventional wisdom, between those who have been victims of crime and those who have only experienced crime symbolically, as observers of media attention to crime and law enforcement. The results tend to support the suggestion that victims of crime are not the most vocal supporters of the law and order contingent; that non-victims are perhaps more frightened of crime because they have the opportunity to dramatize it, to see the atypical as typical; and that victims with direct experience of crime will conform to the role traditionally assigned to them only when they have experienced a very serious crime which fits their expectations of the typical. If, however, their experience of crime has been what might roughly be termed typical, they discover that the offender was a neighbourhood child or some similarly manageable, essentially harmless individual, and they tend as a consequence to feel less threatened by the prospect of victimization.

There is, moreover, some suggestion in the survey results that victims with direct experience of crime not only have a less rigid set of expectations of the criminal justice system, but also that they were inclined to be resentful of that system as a consequence of their contact with one or the other of the sectors of the criminal apparatus.

2. People with Problems: Help-seeking in East York

The study of problems and help-seeking in East York was itself part of two research projects: the East York Community Law Reform Project and the Community Ties and Support Systems Project, the latter directed by Barry Wellman of the Centre for Urban and Community Studies, University of Toronto. The "Yorklea data set", on which the community ties project was based, was collected in 1968 by the Community Studies Section of the Clarke Institute of Psychiatry, directed by D. B. Coates. This data set provided a rich information base on a number of respondent characteristics, including material dealing with relationships with close "intimates", problems and life events, and the people turned to for help with these problems. In addition to the information available through the Yorklea data set, this project also included material drawn from fifteen in-depth interviews with people who had been in contact with the East York Project or the Neighbourhood Information Centre, informal conversations with the East York Project and Neighbourhood Information Centre personnel and the area's community service officers. Although problems located within or peripheral to the criminal justice system were examined, the criminal process was not the primary focus; rather, the research was directed to establishing a more general analytical context into which police-related problems could be placed.

Although the criminal justice system, with its police, courts and corrections apparatus, is the most formal and perhaps the most visible element of the total social defence system, there are nevertheless a host of other, more informal mechanisms directed to the purposes of conflict resolution and

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problem management. While it must be acknowledged that there has been a substantial dimunition of the role of the home and the community, informal networks of affiliation continue to play the major role in interpersonal problem-solving and conflict resolution. Despite the pressures of increased urbanization and geographic occupational mobility, most people are part of a close-knit network of relatives, neighbours and co-workers, and these primary groups remain an important source of sociability and support.

Further, there would appear to be comparatively little reliance upon secondary support sources within the formal helping system. The Yorklea data set indicated low rates of resident contact with such agencies as counselling services, clergymen, social workers and psychiatrists. The respondents in the Yorklea sample, moreover, were rarely in contact with the family court or the welfare department. The survey results further indicated that only 6.3% of the sample had been in touch with the police, a figure which comprises both help-seeking and police-initiated contacts. In short, the manner in which the respondents defined their problems and preferences among helpers indicated that the formal helping system did not play a significant role in the lives of most of the people in the community under study. Indeed, the frequency of use of the formal system, including the criminal justice system, was to a large extent determined by the availability and efficacy of informal problem-solving through primary networks of affiliation.

One of the major anomalies revealed by this examination of community problem-solving and conflict resolution patterns is that there are formidable restraints operating to inhibit access by those without primary networks. On the other hand, there are proportionately intensive demands on formal agency capacity by those who are socially isolated but are nevertheless able to establish and maintain agency contacts. The result is that some of those who are without primary support systems monopolize formal agency capacity with their problems; others, because they are without primary support networks, may be deprived of the information and assistance necessary to secure access to intermediate, but more formalized, levels of help. In their search for an agency capable of applying its definition of an appropriate solution to the client's perception of his problem, the socially isolated may well precipitate intervention by the ultimate agency of social control, the criminal justice system.

As a corollary, to the extent that problems can be channelled through primary social networks or through the substitute networks made available through community resource and referral centres, they can be identified, managed and resolved in ways which discourage their intake into the formal social defence system. Problem management and conflict resolution can thus proceed through routes which avoid the labelling tendencies of the formal agencies of social control. Such routes, moreover, serve to neutralize and

normalize problems; their resolution enhances the level of identification with and sense of responsibility within the community.

With specific reference to the criminal justice system, the consequence of intensifying the reliance upon informal social support systems would hopefully be a curtailment in the demands on the social service capacity of the police, and, to the extent that the police control intake into the other sectors of the criminal process, on the courts and corrections apparatus as well.

3. Conflict Management by the Metropolitan Toronto Police

The police may fairly be described as the focal point of a range of social and criminal problems, for it is in large measure their responsibility to absorb and channel these problems through the various networks which make up the social defence system. Not only is theirs the primary responsibility for determining the uses to which the criminal justice system is put, but the way in which they exercise that responsibility will necessarily be a significant factor in shaping the patterns and routes for problem-solving and conflict resolution within the social defense system as a whole. Any attempt to understand the dynamics of conflict and its resolution within a community must therefore include within its scope of inquiry the police perception of their social role, their relationship to the community and to the other hierarchies in the legal system.

The most advantageous point from which to conduct such an inquiry is of course from within the police organization itself. This aspect of the research programme was accordingly undertaken by Anne Scace, a former mental health worker with an extensive range of prior experience with the police in the context of mental health problems. Her relationship with the Metropolitan Toronto Police permitted her to work directly with police officers at all levels of authority, participating with them in short-term crisis intervention, intermediate-range casework and police-community relations programmes. In the process, she was able to acquire an insider's appreciation of the police and their resources for managing the range of problems, conflicts and crimes presented to them.

The profile of the police which emerged from this inquiry emphasizes their role as overseers of the public order—a role in which their institutional commitment to law enforcement and order maintenance has been transformed into an operational mandate for conflict management. The police accordingly tend to assess the other agencies almost exclusively in terms of their willingness to support the police in their conflict management role. In this light, the police perceive a wholesale abdication of responsibility by the community and its service agencies: parents decline their responsibilities for maintaining discipline within the home; children's aid societies are reluctant

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to provide aid to children in need of care and protection; psychiatric hospitals deny admission to all but the patently deranged; crisis referral centres respond to crises at their convenience, and then only to those which occur between 9 a.m. and 5 p.m. As a consequence, the police, as the most visible, mobile, 24-hour service agency, are forced to accept responsibility for a range of social problems which they are ill-equipped to handle and which detract substantially from their law enforcement and order maintenance capabilities.

A more acute concern than the community's abdication of its social responsibilities and the consequent overload on the police service capacity, however, is the threat to their management of problems within the criminal justice system itself. The police attribute to the other professionals in the criminal justice system a massive indifference, even contempt, for their efforts to manage the conflicts and solve the problems thrust upon them by the community: defense counsel impugn their credibility and their integrity; prosecutors compromise their prosecutions; judges employ their prerogatives of adjudication and sentencing with a capriciousness that defies rational explanation; the corrections apparatus undermines the collective judgments of police, prosecution and judiciary alike with its premature and erratic release programmes; and law reformers ignore the operational needs of the police in their preoccupation with due process and the rights of the offender.

As a result, the community's expectations of the police require them to be peace-keepers and conflict managers across a broad spectrum of social problems, both criminal and non-criminal. Although claims on the social service capacity of the police have been variously estimated to constitute between 40% and 80% of their workload, the police are uneasy in their social service role. They believe this role to be a substantial impediment to the effective performance of their primary responsibilities, both because it consumes an inordinate amount of their institutional capacity and because it compromises the authoritative status they require to fulfil their law enforcement and order maintenance commitments. Moreover, because no tangible criteria exist with which to assess their success or failure in the social service role, the police can neither evaluate their performance nor claim the credit to which they feel entitled for assuming these responsibilities. As a consequence, police performance indices remain primarily geared to criteria—clearance, arrest and conviction rates—which bear no meaningful relationship to the realities of their function.

The Metropolitan Toronto Police have attempted to resolve the competing claims on their capabilities by developing a number of specialized units within the force. Specially selected policemen are assigned to duties as youth bureau officers, community service officers and crime prevention officers. These units are designed to accommodate the spectrum of social problems

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which converge on the police without committing them to a permanent social service role as caseworkers. Thus, the officers assigned to these units bring with them the traditional crisis intervention skills of the police, but they tend to go outside the criminal justice system for their solutions, linking those in need of assistance to the community agencies designed to provide that assistance. In the process, the police hope to resolve the dilemma between their express commitment to provide service and the absence of available support systems, skills and resources within the police organization itself. By confining their social service response to short-term crisis intervention and referral, the police hope to encourage community resource agencies to be both more accessible and more responsive, while at the same time facilitating problem management and conflict resolution without overloading the institutional capacity of the police.

4. *Diversionary Dispositions for Juvenile Offenders*

The Youth Bureau was one of the specialized units developed by the Metropolitan Toronto Police to effect an accommodation between police capabilities and the community's needs and expectations. Created to handle a broad spectrum of juvenile-related problems, delinquencies and total family crises, the Bureau's mandate is one which emphasizes the use of referral options outside the criminal justice system. In the expectation that the Bureau's emphasis on discretionary or non-charging dispositions could provide valuable insights for application at the adult level, a joint study, involving East York Project personnel and Youth Bureau officers, was undertaken to examine the community's use of the police as conflict managers and problem solvers in the juvenile context. Indeed, the initiative for this section of the research programme came from the Bureau's commanding officer, Inspector Ferne Alexander.

In general terms, the aims of this inquiry were: (1) to assess the relative frequency of discretionary dispositions (police cautions and agency referrals) and court referrals at the juvenile level; (2) to assess the relative efficacy of discretionary dispositions in terms of recidivism rates; (3) to determine whether variations in socio-economic characteristics from one community to another influenced the frequency of discretionary dispositions by the police; and (4) to measure the level of cooperation between and among the various agencies dealing with juveniles and their families.

Four specific patrol divisions were selected, each with its own distinctive socio-economic characteristics. Within each area 100 juveniles were selected, each of whom had at least one contact with the police during the six-month period of July 1 to December 31, 1970. A longitudinal information file was then assembled on each of the juveniles identified, describing their contacts with the juvenile justice system both prior to and subsequent to the six-month period, in terms of police contacts, agency referrals, juvenile court appearances, probation and training school records, adult police contacts and

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adult arrest records. In addition, 25 juveniles from each of the areas were selected for a more intensive follow-up study, involving family interviews and compilation of socio-economic background data.

One of the most significant—and equivocal—findings to emerge was the magnitude of police interventions for what might be termed "non-specific deviance". Approximately 43% of the juvenile events in which the police intervened involved behaviour for which the juvenile could not have been prosecuted for delinquency. Whether the magnitude of police interventions for non-specific deviancy represents a confirmation of police complaints that the community has abdicated its responsibility for controlling its children, or whether it represents a police-initiated appropriation of responsibility is of course impossible to determine from such a study. In either event, however, whether by delegation or appropriation, the police are intervening to a considerable extent to manage problems and conflicts associated with juveniles.

In those types of juvenile behaviour which did qualify for prosecution as delinquencies, discretionary or non-charging dispositions were observed in slightly more than one-half the police contacts with juveniles. In approximately 10% of these contacts the intervention extended only to a brief investigation of the juvenile as part of a routine check or a suspicion that the juvenile had committed an offence; the contact, in other words, did not disclose sufficient evidence to warrant either a caution or a charge. Approximately 45% of the contacts concluded with a caution, a disposition in which the juvenile was presumably identified as responsible for a specific delinquency, admonished and released. An almost negligible proportion of such contacts (less than 1%) resulted in a social agency referral, suggesting either that the police are denied direct access to such facilities or, alternatively, that the police doubt their utility for managing juvenile offenders.

Again, however, the significance of the data is somewhat equivocal. The proportion of contacts resulting in prosecution for delinquency would appear to be roughly equivalent to the proportion of cautions administered. Given the Youth Bureau's explicit commitment to discretionary dispositions and referrals, the frequency of charging options would appear to be rather high. One reason for the apparently high rate of prosecutions is that court referrals have proved the most effective means of linking juvenile offenders to service resources specifically suited to their needs. Because of the constellation of social service agencies grouped around the juvenile courts, the police may be employing charging options to secure access to these facilities. In any event, this is currently under study.

Other aspects of the Youth Bureau research programme are similarly continuing. Preliminary indications are that there is an absence of correlation between the frequency of discretionary juvenile dispositions and adult offences. Nor is there presently any indication that discretionary dispositions

lead to a diminution in juvenile deviant behaviour. In short, further analysis of the data will be required before it will be possible to assess the efficacy of discretionary dispositions directly with subsequent increases or decreases in deviancy.

Further analysis will also be required to determine whether variations in socio-economic characteristics from one community to another influence the frequency of discretionary dispositions. Although higher rates of cautioning were observed in certain of the divisions, a detailed examination of the types of offences for which cautions were being employed indicates the presence of substantially different offence patterns from one division to another. Whether these variations represent a genuine reflection of divisional variations in offence patterns or merely differences in police reporting procedures, it is not presently possible to determine; nor, as a consequence, is it possible to assign significance to the apparent differentials in discretionary dispositions.

5. *Criminal Occurrences and Relationships between Victim and Offender*

The assimilation and analysis of criminal occurrences within the 5411 patrol district also disclosed the presence of another type of claim on police social service capacity. In this connection, the term "social service capacity" bears a somewhat extended meaning. The definition includes, of course, those requests traditionally made to the police for assistance in the event of illness or accident, lost children and marooned pets. The more important element in the definition, however, is that presented by demands upon the police to act as a form of controlling medium. Such interventions tend to arise out of some form of interpersonal conflict, generally in the context of a relationship between parent and child, husband and wife, boyfriend and girlfriend, neighbours or other continuing associations, and are, when presented to the police, often eligible for application of a criminal charge.

The East York Community Law Reform Project data indicates that a significant proportion of the occurrences reported to the police involved victims and offenders whose relationships with each other preceded the criminal event and their contact with the criminal process. Whether arising out of a matrimonial dispute, an argument with neighbours or some such similar occurrence, the problem initially presented to the police is ambiguous and equivocal in its dimensions. Moreover, the problem is tendered to the police not so much because the complainant seeks to have criminal sanctions applied to the offender, but rather because the complainant has a vague expectation that the offending party or his conduct will somehow thereby be contained. In the absence of alternative support systems or appropriate agencies to which the matter could be referred, the police not unnaturally tend to locate the problem within the repertoire of options available to them. The consequence may then be that the problem is redefined by the police in terms of its criminal offence potential and the conflict will be submitted

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to resolution by way of a criminal proceeding. An inappropriately formulated claim on the social service capacity of the police can thus propel the disputants into the criminal process in their search for a controlling medium.

Those who seek police assistance in renegotiating or terminating their relationships with others tend not to appreciate the limits of police authority in extra-law enforcement situations. The police-citizen contact in such situations accordingly involves interaction within a context of ambiguous definitions and expectations. On their part, the police are confronted with a dilemma between their express commitment to provide service and the absence of available support systems, skills and resources, either within the community or within the police organization itself. The consequence is often a high level of frustration for all concerned—the complainant because he sought vindication of his position over the history of the relationship, the offender because he feels it manifestly unjust that the criminal process should focus exclusively on an isolated, though legally relevant, event extracted from the continuum of the relationship, and the police because the parties are liable to unite in their mutual resentment of the process and its representatives. Accordingly, rather than viewing the criminal event as an isolated phenomenon involving only the offender and his specific criminal act, it is helpful to approach such events as the culmination or continuation of a process of social interaction between victim and offender. This perspective suggests an approach in which the contribution of the victim is assessed as a necessarily relevant factor to the understanding of the criminal event.

As one proceeds along the continuum of possible relationships from strangers to intimates, a distinction emerges between cases in which the event constitutes and defines the relationship, i.e., criminal events involving what are essentially strangers, and those in which the relationship generates the criminal event, an event grounded in but representing but one facet of that prior association. It is within this latter type of case that one finds the paradigm of intimates engaged in some form of strategic interaction which escalates to the point where one or the other of the parties to the conflict invokes the assistance of the police as part of a search for a controlling medium to assist in the renegotiation or termination of that relationship.

Between the extremes of strangers and intimates, there is an intermediate range on the continuum in which the criminal event, though not generated by the prior relationship, nevertheless can be said to arise out of the context of that association. Although these relationships lack the intensity which characterizes intimacy, they do demonstrate a sufficient measure of reciprocity and interdependence to suggest that the parties may be using the criminal process for interpersonal conflict resolution.

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While it is not possible to attribute a specific motivation to those who sought assistance from the police in the East York sample, it is possible to suggest that a significant portion of the clientele of the criminal justice system is made up of victims and offenders engaged in mutual conflict; that they are ingested by the criminal justice system in the course of their attempts to renegotiate or terminate their relationships, and that this clientele can be located within the categories of offences against the person and offences against property.

Accordingly, with a view to determining what portion of the criminal justice system's capacity is directed to management of interpersonal conflict, the occurrences reported to the East York Project were divided into six categories:

(1) offences against the person;
(2) offences against property;
(3) offences against public order;
(4) victimless offences;
(5) criminal motor vehicle offences; and
(6) juvenile status offences.

This organization was imposed primarily with a view to isolating those offence types which by definition would involve offenders and specifically identifiable victims other than the state or its representatives (such as the police). By separating the categories which preclude the possibility of victim-offender interaction, either prior to or as part of the criminal event, and restricting the inquiry to offences against the person and offences against property, it becomes possible to interpret the data in terms of the relationship, if any, between victim and offender.

The examination of criminal occurrence patterns in the patrol district of 5411 suggests the presence of significant proportions of previously-associated victims and offenders. Among the occurrences reported to and cleared by the police over all categories of offence, pre-existing relationships between victim and offender were noted in 31.7% of the cases. When the focus was confined to offences against the person and property offences—thereby excluding victimless crimes, motor vehicle offences, juvenile status crimes and what were termed offences against public order—the proportion of pre-existing relationships among the occurrences cleared by police was 55.2%. It was also observed that although the frequency of such relationships was considerably higher among offences against the person than property offences (84.9% and 43.0% respectively), the relatively larger number of property offences meant that a significant portion of the police workload was made up of offences involving prior associations between victim and offender.

When the occurrence patterns were organized to permit an examination of the frequency of pre-existing relationships at the court-intake level, it was

noted that 23.3% of the occurrences which culminated in adult prosecutions over all offence categories involved previously-associated victims and offenders. Within the categories of offences against the person and property offences, 41.7% of the adult occurrences consigned to the courts by way of charge involved victims and offenders whose relationships with each other preceded the criminal event.

It is within this 41.7% that one could expect to find the phenomenon of strategic interaction between previously-associated victims and offenders culminating in the invocation of the judicial process. As the conflict escalates, one or the other of the parties to the dispute requests assistance from the police, with a view either to limiting or extending the dimensions of the conflict. The request for police intervention, in other words, is itself part of the process of strategic interaction. The complainant is more anxious to contain the offending party in his conduct than to ensure that he is appropriately punished. In the result, the search for an authoritative third-party intervention culminates in a demand upon the criminal justice system for assistance in the renegotiation or termination of the relationship between victim and offender.

An inverse ratio was observed between the intensity of the prior relationship and the use of charging options. This suggests the efficacy of short-term interventions by the police as an adjunct to interpersonal conflict resolution. The frequency of occurrences resulting in criminal charges declined as one moved along the continuum from "strangers" to "commercial" to "other friends and relatives" to "neighbours" to "family". Thus, none of the reported occurrences involving members of an immediate family proceeded to prosecution; all such occurrences were in fact vented out of the criminal justice system through some form of non-charging option. That the criminal conflict generated within family relationships could be defused at the police level without laying criminal charges suggests that the motivation for seeking police intervention was to secure the assistance of an authoritative third party for interpersonal conflict resolution and, moreover, that that end was achieved without the need for further penetration into the criminal justice system.

When the relationship categories were collapsed in order to determine whether the presence of a prior association between victim and offender affected police charging practices, it was observed that there was no gross correlation between the presence of such relationships and the police use of charging options. Further, it appeared that the decision to prosecute was more a function of the location of the responsibility for initiating the prosecution, whether with the police or the complainant, than the presence of a pre-existing relationship between victim and offender. It was also noted that when the prosecutorial initiative resided with private complainants (as in cases of common assault), they tended to proceed to prosecution less often than did the police when the decision to prosecute was primarily within

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police control (as in property offences and offences against the person other than common assault).

The examination of criminal occurrence patterns in the 5411 patrol district also demonstrates that relatively few of the occurrences otherwise eligible for prosecution are in fact disposed by way of charge. Although the majority of occurrences reported were vented out of the criminal justice system at the police level, the decision to screen a case out of the system or consign it to the courts appears not to depend on the presence of a pre-existing relationship between victim and offender. Accordingly, it would appear worthwhile to examine police charging practices somewhat more closely to determine whether the factors which influence their decision to charge derive from characteristics inherent in the criminal event and its participants or from concerns peculiar to police organizational and operational needs. If, in other words, police charging practices should prove to be largely a function of their own institutional concerns, consignment to the judicial sector may not be the most appropriate disposition for those whose presence in the criminal justice system is largely a consequence of their efforts at renegotiating or terminating their relationships with each other.

6. Discretionary Clearances: Observations on Police Screening Strategies

When the East York Project was initially designed, it was anticipated that the structure would provide for a complete monitoring of all police activity within the patrol district of 5411. That is, the project was staffed at the outset on a 24-hour basis with a view to faciliating the reporting by individual police officers within the patrol district at the end of their respective 8-hour shifts. As a further control, arrangements were made at the divisional level to ensure that police activity which resulted in the production of occurrence reports from 5411 would be delivered to the project headquarters as a check on the self-reporting by the individual police officers within the patrol division.

By way of elaboration, it might be mentioned that during the first three and one-half months of project intake, from May 15 to August 31, 1972, a total of 362 occurrence reports were written up at project headquarters, representing a complete inventory of police interventions for that period of time. The project files thus provided an accurate record of police responses to claims on their resources, not only in their law enforcement and order maintenance capacities, but also in what might be termed their "social service capacity". Within this latter category would be recorded such matters as reports of missing persons, sudden deaths, mental health problems, etc.—matters which, strictly speaking, did not call for a law enforcement response. During that same period, only 228 general occurrence

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reports were written up at the divisional level. There were thus 134 matters in which the police were involved where their intervention was not recorded, or, in any event, in which the description of the intervention did not reach the stage of being translated from the police officer's notebook into a divisional occurrence report. The category of interventions which tended not to be written up in general occurrence form was, as might be expected, that involving claims on the police in their social service capacity. These interventions were not given extensive analysis.

A further qualification on the range of police activity examined for the purposes of this study was that it was limited to matters involving offences against the *Criminal Code,* the *Narcotic Control Act,* the *Food and Drugs Act,* and the *Juvenile Delinquents Act.* Excluded from the scope of the study were police interventions involving such quasi-criminal provincial statutes as the *Highway Traffic Act* and the *Liquor Control Act.* The inquiry, in other words, was focused exclusively on police interventions of a criminal nature. In the end, there were some 789 such interventions over the one-year period in which the project was in operation.

Of the 789 occurrences reported to and recorded by the police in the patrol district of 5411 as criminal events during the project's intake period of May 15, 1972 to May 14, 1973, only 315 or 39.9% were cleared, and of that number only 100 or 12.7% were processed through the courts. The remainder were cleared by a variety of ways, all of them involving some measure of police discretion, whether by recording thefts as "cleared" upon recovery of the stolen property, by declining to record charges against offenders prosecuted in other divisions of the city, or by concurring in or encouraging a decision by the complainant to refrain from pressing formal charges against an offender.

It is important to emphasize, however, that these figures do not necessarily reflect a shortfall in police efficiency in the performance of their law enforcement and order maintenance functions. Rather, the inclusion of such a large proportion of discretionary clearances in the police performance index might well be viewed as an operational response to an extraneous standard (the clearance rate) which does not fit comfortably with the realities of the police function. In this sense, the "cleared otherwise" category represents a creative accommodation to an operational reality which merges the dual responsibilities of law enforcement and order maintenance into a concern for conflict management.

The significance of the magnitude of the discretionary clearances, however, lies in the fact that it produces an exaggerated clearance rate than in the fact that it emphasizes the relative insignificance of the other sectors of the criminal process—the courts and the correctional institutions—in the management of crime by the police. The occupational demands of the police function have produced a large-scale system of discretionary justice in which the

other sectors of the criminal apparatus are relegated to performing a back-up role, invoked only when the police find it inappropriate, impolitic or inconvenient to manage conflict through the exercise of discretion.

The corollary to this observation is of course that there is no direct relationship between reported criminal activity, apprehension of offenders and invocation of the judicial process. The responsibility for law enforcement and maintenance of order, in theory a responsibility shared by all sectors of the criminal process, has in reality devolved upon the police, whether by arrogation or delegation. As a consequence, the alternative of invoking the judicial process through the "cleared by charge" route becomes but one technique in the repertoire of options available to the police for processing their clientele. The articulated responsibility of the police, that of investigation and presentation of the evidentiary base for prosecution, has evolved into an unarticulated responsibility for disposition of its clientele of offenders. The fact that the "cleared by charge" category (12.7%) represents less than half the proportion of occurrences "cleared otherwise" (27.2%) would appear to indicate comparatively little reliance upon the judicial process in the selection of an appropriate disposition. In other words, the relatively high proportion of discretionary clearances to occurrences cleared by charge suggests that the police have acquired the major responsibility for designating what portion of their clientele will be admitted to the other sectors; more specifically, the intake and hence the function of the other sectors of the criminal process appear to be determinations largely within the control of the police.

A further corollary is that because clearance rates tend to be relied upon as the primary index of police performance, there is a considerable potential for modification of the rates to enhance the appearance of police efficiency. It is, moreover, plausible to suggest that the police are unlikely to be immune from the general tendency of all work organizations which are subject to assessment by clearance rates or similar evaluative criteria: the worker always tries to perform according to his most concrete and specific understanding of the control system. That is, apart altogether from the potential for manipulation of the performance indicators to cover a range of discretionary clearances, it is undoubtedly true that the performance criteria have a reciprocal effect on the nature of the performance itself. The features which characterize the occupational environment of the police—consistent pressure for rate production, a considerable scope for low-visibility initiatives, and an arbitrary but malleable performance index—are conductive to the development of a managerial perspective in which the nature of the function to assessment will be adjusted to enhance the institutional image of efficiency.

Although there would appear to be no immediate incentive to inhibit the reported levels of known criminal activity, there are nevertheless

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pressures to modify the clearance rates within those levels. These pressures vary from division to division and derive to a considerable extent from characteristics peculiar to the communities which they service.

Indeed, there appeared to be so little pressure for enhancing clearance rates in downtown divisions that the police in those areas could afford the relative luxury of refraining from clearing, either by charge or otherwise, offences which in other divisions would automatically receive a "cleared" designation. If, for example, an offender were apprehended on a series of credit card frauds, it was likely that the only offence to be cleared would be that for which he was prosecuted. The others, although otherwise eligible for further processing, would neither be prosecuted, nor included in the offender's charge file, nor marked "cleared" for police purposes, even though the designation would obviously enhance the division's clearance rates. The indication was that the collateral offences, i.e., those for which the offender was known or believed to be responsible but for which he was not prosecuted, were included within the general occurrence reports as supplementary information, but were not submitted to the central records system. Only if the offender were considered a "rounder", i.e., a more or less permanent and professional object of police attention, or if there were a need for the expedience of "processing tolerance", i.e., a requirement that additional bargaining units be made available to encourage a negotiated plea of guilty, would these collateral offences be included within the charges submitted for prosecution.

In the suburban divisions, on the other hand, the nature of the criminal activity generated by the community makes for substantially different police practices. The preponderance of housebreakings, apartment locker thefts, stolen automobiles, the presence of economically marginal shopkeepers without the resources for prosecution of shoplifters, etc.—offences which pose obvious difficulties for a successful conclusion by investigation, apprehension and prosecution—creates considerable pressures for clearances. The police workload in such divisions tends to be more intensively oriented to satisfying clearance expectations through follow-up of citizen-reported events rather than through police-initiated activities in which there is a close correlation between event, apprehension and prosecution. The pressure for clearances accordingly appears to translate itself into manipulation of occurrences into clearance categories which are not, strictly speaking, appropriate. Thus, while the "cleared otherwise" category is expressly directed to occurrences which do not permit of a clearance by charge for reasons "outside the police control", it tends to be used, particularly in suburban divisions, almost exclusively to accommodate one form or another of police discretion. The result of such wide variations in reporting practices is of course to produce a decidedly unreliable picture of the level of criminal activity in a given division *and* of the level of police intervention in and control of that activity.

The perspective which emerges from this emphasis on rate production entails, to some extent at least, the subordination of the goals of law enforcement to the needs of the managerial function; that is, law enforcement, defined in terms of detection of crime, identification of offenders and consignment of those believed responsible to the judicial process, becomes an instrumentality for achieving those results by which the institution is to be scrutinized and judged. Prosecution, or routing the "cleared by charge" category of offenders through the courts, is accordingly useful primarily to the extent that it contributes to the support of the managerial role.

Of the features indicated as characterizing the occupational environment of the police, most are more or less immutable. The factor most amenable to variation, it is suggested, is that of the performance criteria by which the police are scrutinized and assessed. If the police productivity indices were to be altered to conform more closely with the realities of their function, such a conversion would have a corresponding effect on the police perception of their organizational goals and hence upon the manner in which their discretion is exercised. If they were to receive credit, both personally and institutionally, for restricting the nature and extent of official interventions, for conflict management and resolution at the discretionary level, such a redefinition of organizational incentives could have a profound effect on court intake patterns in terms of the kind of occurrences presented to it.

An analysis of the cases police chose to forward to the courts for prosecution further emphasizes the importance of police discretion in dealing with trouble through a variety of options. Of the 100 occurrences referred to the judicial sector for prosecution, 67 (or 67% of the occurrences cleared by charge) resulted in conviction at the adult level; an additional 14 (14%) resulted in some form of juvenile court disposition. In short, if one approaches the criminal process from the point of view of occurrences and their judicial consequences, rather than from a perspective involving individual offenders and their specific charges, it would appear that police charging decisions are ratified in the judicial sector to the extent of 81%. By contrast the "leakage" from the criminal process at the court level is relatively small: in 7% of the occurrences, the charges were withdrawn by the complainant or the prosecutor before trial; in 5% of the occurrences, the charges were dismissed during or after trial by the prosecutor or judge; in 1%, the prosecution resulted in a verdict of not guilty; and in 6% of the occurrences submitted for prosecution, the results were either pending (3%) or unknown (3%) when the project was concluded.

Persons designated as deviant for purposes of the criminal process tend to share a good many characteristics, for their identification is at least as dependent upon the operational perspectives of the agencies of social control as it is upon the deviants themselves. Although the police constitute only one of the agencies of social control, they are delegated a considerable portion

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of this responsibility, for it is they who control the selection of offenders from the population at large and determine which among them will be tendered for prosecution.

The routing of occurrences clearly suggests the presence of social forces other than the criminal process in the management and resolution of conflict. Of the total number of occurrences reported to the police as criminal events, only 39.9% were accessible to some form of intervention by the criminal process. The residue of 60.1% was left for resolution (or non-resolution) within the community.

Of the 39.9% of occurrences which yielded to official intervention, some 27.2% were sorted out at the police level and disqualified from making further demands upon the criminal system. In the result only 12.7% of the occurrences were deemed eligible for further processing by remission to the judicial sector. On consignment to the courts, approximately 8.5% (or 81% of those whose eligibility was established by charge) fulfilled their administrative prophesy of guilt and resulted in the imposition of a judicial sanction. A further 1.6% (or 13% of those eligible) were rejected through withdrawals, dismissals or not guilty verdicts, with the remaining .8% unknown or still awaiting disposition. Of the 8.5% of occurrences which resulted in the application of criminal penalties, a mere 2.4% were appropriated by the correction systems, with the remaining 6.5% being transferred back to the community through sentences involving conditional or absolute discharges, suspended sentences, probation or monetary sanctions. In short, an extensive system of formal and informal vents operates to screen out all but 2.4% of those occurrences which have the potential for engaging the full range of institutional controls available for the management and resolution of conflict.

A decision to increase or improve the capabilities of the courts or correction systems would have relatively little impact on the quality of criminal justice. Although the gross intake might be increased, diminished, accelerated or retarded, the primary responsibility for determination of the qualitative features of the intake resides with the police. Not only do the police have the major responsibility for governing admission to the other sectors of the criminal process, but they have also acquired, as a consequence of the discretionary power which inheres in their function, a major portion of the responsibility for disposition of the criminal clientele. Accordingly, measures designed to influence the patterns of police discretion offer a relatively fruitful opportunity for effecting qualitative changes in the administration of criminal justice.

To that end, the presence of pre-existing relationships could be legitimated as a factor justifying the use of non-charging options or discretionary clearances by the police. Their institutional goals could be modified to place a premium on resolving such conflict through short-term crisis intervention or

referral to appropriate community networks or agencies, or by routing it to non-adjudicative dispute resolution forums. The relationship factor warrants legitimation as a criterion for diverting such occurrences from the criminal process because the structural characteristics of adjudication—the only legitimate conflict resolution forum within the criminal justice system—make it an inadequate mechanism for the resolution of conflict in the context of pre-existing relationships between victim and offender.

7. *Conflict and the Uses of Adjudication*

As the criminal justice system is presently structured there is only one procedure for settling disputes: adjudication. Any conflict capable of criminal definition which is not solved by negotiation or compromise by the parties must wind up in the courts. But our studies show that in a significantly large number of disputes the relationship between the parties is one for which adjudication does not provide the answer.

A criminal event arising out of a pre-existing relationship is just the last link in a varied chain of events. The parties relate to each other on many levels: they might be husband and wife, or businessman and client, or merely neighbours, but they interact socially on a continuing basis. When the relationship creates a conflict that leads to criminal action, this relationship is affected. What the parties want is a solution that will harmonize their difficulties, not necessarily a judgement that will crystallize their discord.

Yet, having invoked the criminal justice system, they must abide by its rules. And the process imposes on them a definition of the problem and a solution which do not correspond to their needs and wishes. Our criminal process, based on the adversarial techniques, focuses on conflict and forces each party to either win or lose a battle based on society's standards. In the process the individuals' characteristics, the nature of their relationship and the purely personal dimension of their dispute are lost. They have been subordinated to an external norm, the public interest.

The adjudication process can only work this way. It sets up an impartial arbiter of disputes, who must be given a set of guidelines. The guidelines cannot relate to the personal interests of disputants, therefore they must conform to an abstract notion of the common good. The result is our criminal law: rules regulating damage to property or persons in which one party is the victim and the other the offender. When parties submit to the criminal process, this framework must be imposed on their dispute in order for adjudication to work. And the framework will be imposed because we have no other mechanism for solving criminal-type disputes.

The dispute and the relationship thus change form. The invoker becomes "the victim", even though he might have contributed substantially to the event precipitating the crisis; the other party becomes "the offender", and is

immediately placed in a negative role where both the "victim" and the state join forces against him. The event itself may have been just one incident in the overall context of the relationship. Yet it is singled out and regarded as an isolated act. The machinery of criminal justice focuses on it, out of context, and provides solutions that might fit the isolated event but do not either take into account or accommodate the surrounding network of dependencies and interaction.

In a system which encourages—or creates—polarity, there is no chance of negotiating a mutually acceptable solution. Yet the parties are still locked into their bilateral relationship, and after the judgment they must continue to interact. The effect of the judgment can only create more tension and hostility, maybe even damaging the relationship to the point of breaking it. Thus no one wins, not even society.

An added anomaly is the fact that many disputes do eventually get settled in pre-trial negotiations between the lawyers. A plea of guilty usually means that the parties have agreed on a settlement and are asking the court merely to ratify it. It would be far better to provide some more formal mediation process at the pre-trial stage so that inappropriate cases can be diverted from the adversary system.

Our studies show that the adjudicative process simply cannot accommodate what are termed "polycentric" relationships—those which contain interacting elements on several different levels. The adjudicative process will force such problems into a mould which reduces them to a single dimension and will fit solutions to the newly-defined problems, without solving the actual conflict. Both the definition and the solution have been imposed by applying external and rigid norms and by disregarding the individual characteristics of the problem and its participants. This not only fails the individuals, and frustrates police, but in the long run it harms society and the public interest by sustaining a climate of hostility and discord which might lead to further criminal or antisocial acts. Any chance for compromise or settlement is eliminated by the system.

Adjudication plays an important role in the preservation of society's goals and standards, but it is predicated on the assumption that there are irreconcilable differences between the disputing parties.

What is needed is a system of conflict-solving mechanisms geared to continuing bilateral relationships. The terms of reference of such a system should extend beyond what is legally relevant in a criminal trial and permit the search for solutions on a wider basis—one which includes renegotiating and terminating relationships and taking account of social ramifications as well as mutual responsibility.

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People with Problems:

Help-Seeking in East York

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PREFACE

The concept of networks has become increasingly popular as a useful way of organizing perceptions of social reality. Within the context of the community or neighbourhood, network analysis can be applied to inter-personal relations as well as to institutions, professions and occupations, and other social aggregates.

The findings of Bott and others have indicated that most individuals are embedded in interpersonal networks, consisting of strong ties with a relatively small number of close, important people such as family and friends, and of weaker links with a larger number of persons such as acquaintances or co-workers. (See Craven and Wellman, 1973). The smaller, tightly-linked networks of "intimates" are seen to act positively for their individual members in a number of ways, such as a source of personal identification, as a source of familiar and comfortable intimate social relationships, and as a source of support and assistance in times of everyday need and unforeseen crisis. (Wellman *et al.*, 1972).

The availability of support through membership in a closeknit network has an important effect on how individuals cope with the problems of change and instability. The material, psychological and other kinds of support that interpersonal networks may provide influence the ways in which people perceive and experience problematic life situations.

If network membership is linked in a positive way with the capacity to deal with stress, it would follow that individuals who are socially isolated or whose network ties are loose and ineffective will have different kinds of experience in solving problems and seeking help than would people whose social context includes the availability of salient resources. Problems may be both perceived and experienced as qualitatively worse phenomena than is the case for people who know that they may call upon others in time of need. The reciprocity implied in close, intimate relationships means that, although demands may be made on an individual to provide assistance, that person in turn will be able to rely on another. People who are isolated or whose net-works are sparse or lacking in resources may find that the recurrence of trouble (which may be objectively worse for them than for others) will deplete their own resources, so that it becomes progressively more difficult to cope with stress.

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An important function of interpersonal networks is the sharing of information, giving of advice, and offering of sympathy and criticism. Some of this information may pertain to the availability and usefulness of other sources of help beyond the network, such as professionals and institutions. Other people's experiences with the police or with the school guidance counsellor can encourage (or discourage) help-seeking from these sources. Individuals outside networks may not know about possible formal helpers, and they may also be unaware of different behaviours and strategies that could be used in dealing with bureaucrats or professionals in order to receive assistance. Thus socially isolated individuals may be more dependent on formal help sources because informal support is not available, but it may also be more difficult for them to gain access to the formal support system than is the case for people in networks.

For people both with and without network support, dealing with trouble is probably never easy. Relevant institutional support systems may be inaccessible for a variety of reasons. Problems may not fit the criteria of different helping agencies, so that no resources are available. The links between the informal and formal helping systems may be very attenuated, so that the potential help in one system is not available to the other.

The possibility of various coordinating mechanisms to bridge the gap between organized and unorganized community resources has been suggested by Litwak and Meyer, and others. Such a mechanism, by assembling unorganized resources and information by passing information to different groups within the community, and by interpreting the formal and informal systems to each other, could promote greater mutual accessibility and thus enhance problem-solving capacity. The advantages of such linking mechanism would be particularly apparent for socially isolated individuals, who may be more removed from formal helping systems than others.

This analysis focuses on the kinds of trouble experienced by East York residents, and what kinds of help they sought and received. The Neighbourhood Information Centre will be analyzed in terms of its function in the southeast part of East York as a linkage point, between the professionals and agencies serving the area and the local residents, as well as among residents themselves. While the effect of the availability of informal network support *per se* on the ways of coping with trouble will not be dealt with primarily in this analysis, the notion of network membership provides an organizing principle to the discussion of problems and help-seeking.

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INTRODUCTION

This study of problems and help-seeking in East York is based on two sources of data: in-depth interviews with fifteen people who had been in touch with either the East York Community Law Reform Project or the Neighbourhood Information Centre (NIC), and the Yorklea random sample of 845 respondents drawn from the East York population. The Yorklea sample supplies information on a number of problems and life events and on the sources of help turned to in times of trouble, in addition to a variety of social and demographic factors.[1] While the study of this sample is valuable because it tells us about the occurrence of problems in the community generally, it does not give us much information about the process and implications of having trouble and getting help. In order to obtain a more complete picture of what it means to have trouble, a number of East Yorkers who had been in touch with one of two neighbourhood helpers, the Neighbourhood Information Centre (NIC) and the Community Law Reform Project, were interviewed in depth.

These interviews tell us not only about problems people have, but also about the process of getting help. The following section will deal with the use of formal and informal helpers by people in trouble. A detailed discussion of NIC, a locally-based, non-professional organization, will be the focal point for an examination of the linkages and the barriers between formal and informal networks in the community. The existence of a formal "neighbour" like NIC, acting as a kind of switchboard between organized and unorganized groups and resources in the community, may have some important implications for the help-seeking process, particularly for people who have little informal support available, or for people who have particular difficulty in dealing with institutions. These implications will be examined, with the aim of developing a broader sense of what it means to have trouble and look for help within the context of the community as a whole.

The problems that bring people into contact with the police and the system of criminal justice cannot be understood in isolation from the other kinds of trouble that occur in day-to-day living. The ways in which problems are defined and helping agents are perceived have implications for the role and function of police in the community. This study, therefore, looks at

problems and help-seeking which lie outside the realm of criminal justice as well as those within it. In this way a richer and more complete picture of the people in East York may emerge, with a better understanding of how different kinds of trouble are handled.

WHAT IS TROUBLE?

Trouble of one kind or another happens to just about everyone. For a few people, life is relatively trouble-free. If problems develop, they have the skills and resources necessary to deal effectively with the situation. For others, trouble is held off by various coping strategies. When something serious does occur, it likely depletes all available resources so that there is little if any protection against the next problem, which may happen at any time. Then there are people whose lives are steeped in trouble; for them, just getting from day to day poses a host of problems.

We all experience problems at various times in our lives; that is, we experience situations which may, for one reason or another, lead us to reach beyond ourselves in our search for a solution. Our problems vary from those which are straightforward and simply dealt with to those which are complex and with many ramifications, perhaps reaching the level of fullblown crisis. Factors beyond the immediate problem situation may influence the way in which we cope with making decisions and looking for a solution. Some of us thrive on problem-solving and can react efficiently and creatively in situations of considerable personal tension, while others of us may have difficulty handling events that are even slightly out of the ordinary. Obviously, problems can mean a number of things to people in different situations and contexts. Thus the same problem situation can elicit a variety of responses in terms of how the problem is defined, what kind of help is sought, and what kinds of expectations for resolution develop.

Some types of situations that generally require others' help are experienced by many people in the normal course of things and are considered to be known and familiar events. They may occur only once or twice, or perhaps several times during a lifetime, but they are nevertheless anticipated and possibly planned for. They may be associated with certain stages in the life cycle, so that we can predict when they will occur. The normative framework surrounding these events is fairly well defined, so that most people have an idea of what to expect and how to respond, according to these general rules.

The birth of a child is an example of this kind of general, familiar situation. Current technology enables people to enjoy parenthood by choice rather than by default. Births of children can now be carefully planned so that the actual occurrence of the event is no longer unpredictable. The social norms and expectations surrounding pregnancy and birth are quite well estab-

lished, although there are variations from one social or cultural context to another. But usually one is somewhat prepared for the event by general folklore and by the personal knowledge and experience of family, friends and neighbours. It is generally considered not only appropriate, but also necessary, to invoke the aid of a number of helpers: family members, close friends and neighbours, doctors, nurses, other medical specialists, and perhaps social workers or employers.

How Problems Develop

However, various circumstances can cause a familiar occurrence such as pregnancy and birth to change from an anticipated, planned, positive life event to a severe problem or crisis for which the usual social norms are no longer relevant. An unanticipated outcome of the event may demand a whole new set of responses, as when a problem develops in relation to the birth itself, such as a stillbirth or medical complications. The needed support and resources which are generally expected to be present may not be available, as may be the case for persons who are socially isolated, with no family or other informal supporters available to give advice, lend money, look after children, etc.

Similarly, the formal agents to whom one is supposed to turn for help and advice may not be available. For example, a mother receiving public assistance may be obliged to attend out-patient clinics, receiving only sporadic, occasional attention and being seen by a different doctor every time, while a wealthier patient with a private physician is given individual attention often and regularly. People who are labeled as deviants, or who become stigmatized within the context of a particular problem or situation, may find themselves deprived of the social and cultural supports normally available. In North America, only married women between about twenty and forty years of age are expected to give birth to children. Other women who complete their pregnancies and give birth may find themselves mildly censured and gossiped about, but without a significant loss of help (if perhaps a bit younger or older than is usual), or they may be virtually ostracized and punished rather than helped (such as an unmarried woman in a small community with a conservative value system).

Unrelated, unanticipated events may result in considerable difficulty. For example, sudden, unexpected job loss and subsequent decline in income can mean that a birth will exert severe economic pressure on a family that hasn't made special preparation. In this situation, a new set of responses and coping behaviour may have to be developed.

There are other types of events that may not be expected to occur, and if they should happen, the persons involved may find themselves unprepared and unable to cope. A middle class executive who never had reason

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to question his job security may suddenly find that his company has gone bankrupt and that he is out of work. The role of breadwinner may be very important to such a man, and being deprived of this function may have serious implications for how he and his family face the situation. In addition, he will have to learn new kinds of behaviours, such as having to sell his desirability as an employee and waiting in line with other unemployed people to be interviewed by an employment counsellor.

In some instances, a problem can be seen as a unique event, occurring perhaps once or twice in a lifetime. In other cases, a problem may be a recurrent one, stemming from a person's life situation.

While the shift from secure breadwinner to novice job hunter may be quite traumatic for someone like an executive or professional, losing one's job may be a usual and predictable circumstance for someone whose work background is that of casual and unskilled labour. Being out of work in this situation, while still a problem, might be a familiar course of events with a previously established coping response to fall back on, perhaps without the same traumatic effect as for the unemployed executive. A person who is often without work is likely to have to contend with so many additional things that are associated with being unemployed that it becomes just one of a number of problems to be somehow handled.

Asking For Help

Once an individual becomes aware of having a problem, acknowledging its existence privately to oneself or openly to others has certain implications for how one perceives one's place in the world. It can imply failure to carry out a role or function that is of particular importance. Admitting such a failure to oneself can be very difficult, and admitting it to others even harder. When illness prevents one from being an active, involved parent, or when prolonged unemployment threatens one's role as family provider and breadwinner, stress is placed on all who are affected by the problem. When salient social roles can no longer be successfully performed, the process of stigmatization may take place, so that various labels implying failure are self-imposed by the person in trouble, or are applied by others. Anticipation of being so labeled may prevent a person from acknowledging problems to himself or herself, let alone to friends and relatives or to formal helping agents. Within a normative context which emphasizes independence and self-help, admitting that there is a problem that cannot be coped with alone may be so threatening that denial or secrecy are resorted to, and no one is appealed to for help. (Landy, 1965).

If one blames oneself for a problem, or if another person is seen to be at fault, certain coping strategies including decisions about help-seeking may be preferred over others. A problem for which no particular person

may be blamed (such as illness) may lead to different helpers, or perhaps no helpers, than in a case where blame is assigned to someone. People experiencing severe or recurrent problems may develop a cynical, fatalistic attitude, and may not seek help at all. This outlook is particularly true of members of deprived social groups, such as people with low and unstable incomes.

The decision to seek help involves a number of judgments and choices about possible helpers and the kinds of help that are both necessary and available. Helpers vary in terms of the benefits provided and the social, psychological and other costs exacted. The consequences of borrowing money from one's parents may be somewhat different from those which result from receiving a loan from a more distant friend or relative; they may be considerably different if one obtains a bank loan, and if one borrows from a syndicate loan-shark, the implications are different still.

Our research has indicated that most people are socially located within close-knit networks of relatives, friends, neighbours and co-workers. (Wellman et al., 1972). Studies by Litwak and others have shown that primary groups continue to be an important source of sociability and support, despite pressures stemming from increased urbanization, geographic and occupational mobility. (Litwak, 1960a, 1960b; Litwak and Szelenyi, 1969). The continued predominance of kin as a source of help and support in day-to-day matters as well as in situations of serious trouble has been well documented. Studies have demonstrated the patterns of intergenerational help from parents to married children, with aid given in expectation of continued closeness and affection. (Sussman, 1953, 1954; Irving, 1972). In times of disasters such as floods and fires, close relatives were cited as the help source turned to first, followed by other informal helpers such as friends and neighbours, with formal community agencies, even those set up especially to deal with disasters, last on the list of choices. (Quarantelli, 1960). Most people have some degree of help available from their informal networks and they tend to see this source of support as the most desirable.

For certain types of problems, formal helpers such as professionals may be viewed as the most appropriate and skilled people to handle trouble. Thus one approaches a lawyer to deal with a law suit, a doctor to deal with sickness, an accountant to deal with tax intricacies. But both formal and informal helpers can exact costs which aren't always readily apparent. As a condition for receiving help, a person may be expected to modify her or his behaviour. A disapproving relative may demand some admission of personal failure before offering help. A professional may require a client to relinquish control over a situation before accepting a case.

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How a problem is defined and what kinds of expectations are held about the outcome will influence how the help-seeking process is initiated and how it proceeds. If a direct service is sought which does not involve self-image to any significant degree, or if there is a shared frame of reference between helper and help-seeker, then assistance may be provided with a minimum of pressure to redefine the problem, of shunting the help-seeker from helper to helper, or of threat of personal denigration because of implied failure. Problems may be defined in a way that does not coincide with the helper's perception of what is appropriate in terms of the available services and assistance.

In such a case, the help-seeker may have to accept others' interpretations of his or her problem so that he or she can receive some measure of aid. If the person refuses, he or she may be denied service and be compelled to search for help elsewhere. Studies of the clientele of social agencies indicate that middle class clients, who have the requisite verbal skills and value system to successfully use psychotherapeutic services, are more likely to get continued service than lower class people. (Cloward and Epstein, 1965). The problems of low income groups are often of a concrete and immediate nature, and are perceived as such by the people who experience them. Appropriate help, from their standpoint, would be the direct provision of resources, such as money or medical services. When persons who see themselves as having this sort of problem approach a family counselling agency for help, they may be able to receive the kind of assistance they expected only after they begin to redefine their difficulties so as to be more compatible with the casework technique, and to undergo a process of introspection and self-examination that may not have been what they had in mind at all. Middle class clients, for whom a lack of basic resources is less likely to be a serious problem, tend to seek help from counselling agencies for marital problems, difficulties with children, and other problems of an interpersonal or psychological nature. Since casework is best suited for this type of problem, middle class clients and agency workers are more likely to be in agreement about problems and solution than is true for the lower class or working class client.

People who are negatively labeled because of a particular problem or because of their general life situation are likely to experience difficulty in finding receptive and responsive helpers. In order to receive needed assistance, people may have to undergo humiliation and derogation, such as questioning of one's real motives in asking for help, impugning of low moral standards or personal failure for being in trouble, etc. All these factors may act in some way to keep people from publicly acknowledging trouble or actively seeking help, or they may encourage people to drop out of the help-seeking process before some solution is reached.

Some Positive Aspects

Acknowledging the existence of trouble and asking for help in coping with it does not necessarily have the negative implications discussed above. Dealing with problems can be indicative of strength in coming to terms with a difficult situation. For example, divorce is often viewed within a problematic context, so that divorced people are seen as being more troubled than married people. Studies have suggested that divorced people are less healthy than married people. (See Renne, 1970, 1971). However, Renne found that when happily and unhappily married people were considered separately, divorced people had better physical and psychological health, higher morale, were less socially isolated, and had fewer emotional problems than people who had remained in unhappy marriages. She suggests that unhappy marriage, which is more strongly correlated with ill health, neuroses, social isolation, etc. than happy marriage or divorce, can be viewed as a disability, regardless of whether these factors existed prior to the marriage breakdown, or whether they were a consequence of it. In this sense, divorce is seen as a remedy to the problems of disability associated with marital dissatisfaction. (Renne, 1970, 1971).

Similarly, asking for help can have important positive effects. Our personal relationships are usually bound by the norm of mutual reciprocity, with social rules governing situations such as being asked to do a favour for someone who cannot reciprocate in kind, or giving assistance without expectation of being paid back. (Muir and Weinstein, 1962). Help-giving is a very meaningful and important act for many people. Those close to us may offer help in times of need, out of a formal sense of obligation, or because of the personal satisfaction they derive from it. For example, the helping pattern of middle class parents towards their adult children at times of marriage and birth of grandchildren is based on the satisfaction of helping their childrens' families to get established and perhaps achieve upward economic mobility. In return for gifts of money, appliances, vacations, and so on, parents expect their children to reciprocate with continued affection and attention, and inclusion to some degree in their children's lives. (Sussman, 1953, 1954). Asking for assistance may allow the helper to pay off a social debt owed to the person in difficulty, so that the expected reciprocity can be fulfilled.

Having trouble and asking for help can thus be seen as a process with numerous possibilities for its development and outcome. How we respond to trouble depends not only on the type of problem itself but also on our own ability to cope. This in turn is very much related to our social context, which involves factors such as the implications for us as social beings of having trouble, the availability of people to help us, and the costs and benefits of getting help.

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PROBLEMS IN EAST YORK

Denial of Trouble

The first thing to note in a study of problems and help-seeking is that not everyone in fact experiences, or acknowledges, trouble. In the Yorklea sample, 18.7% (158) of the respondents had not experienced any of the eleven problems during their lives. Fifty-six percent (472) reported no problems within the past year. That is, they either had no problems or else they had problems other than the ones dealt with in the questionnaire. This is quite likely since some of the problems reported by the interviewed respondents, for example neighbour disputes, are not included in the Yorklea list. The eleven problems are heavily weighted towards areas of interpersonal and psychological functioning, without providing for problems which are rooted in a broader environmental context.

Men reported slightly fewer problems than women within the past year; sixty percent of men experienced no problems compared to fifty-three percent of women. Age also appears to be related to whether or not problems are experienced. Sixty-nine percent of the oldest age group, 70 and over, reported no problems within the past year, compared to only forty percent of those in the youngest group, 18-29.

Overall, our sample indicates that East York residents do not have more or fewer problems than one would expect for a community such as theirs. No demographic characteristics other than sex and age were consistently related to the likelihood of problems being experienced. The problems that were reported are not unusual in themselves, and they do not show unusual rates or patterns, especially when they can be compared to other studies (such as those dealing with medical problems).

It is quite likely that East Yorkers, older ones in particular, may feel uneasy about disclosing the incidence of trouble to strange interviewers. Thus there may have been a tendency towards a general under-reporting of problems by older respondents, contributing to the possibility that younger people, who may be more receptive to personal questions, were over-represented in the sample. Another difficulty in interpreting the data related to problems and life events is that respondents based their answers on a list of broad problem types, which could be understood in a number of ways. Thus what a husband might perceive as a child-related or sex-related problem, his wife might call a marriage problem. Also, differences in people's perceptions of how severe a situation has to be before calling it a problem are not accounted for. Thus not only may people have been hesitant to answer the questions about problems, they may also have been basing their replies on very different kinds of perceptions about what constitute problems.

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TABLE 1

Frequency rates for problems during lifetime, problems during past year, and most disturbing problems during past year

N = 845	No prob.	Health	Work	Income	Parents	Children	Marriage	Loneli-ness	Sex	Getting along with people	Self dissatis-faction	Suffering a great loss
Life Problems*	18.7	27.2	17.2	30.9	12.5	10.7	9.0	13.4	3.7	7.6	20.8	16.9
Year Problems†	55.7	14.6	7.3	10.3	5.4	4.7	3.0	5.1	1.5	1.9	6.4	3.9
Most disturbing Yr. Prob.	55.7	12.6	4.3	5.8	3.8	3.8	2.1	2.4	1.2	1.3	3.3	3.7

*There are 21 missing cases. The percentage of people with none of the life problems based on N = 824 is 19.2%.
†Three missing cases.

Problems which are painful to remember, particularly if they could be interpreted as some kind of personal failure, may be denied to outsiders, if not to oneself. Mr. H. had been in touch with the Law Reform Project during the summer of 1972; according to the notes of the staff member who dealt with him, Mr. H. had a drinking problem, was having trouble holding down a job, and during a period of despondency he called the police and threatened suicide. Mr. H. denied the problem at first; when the Law Reform staff member first phoned, Mr. H. answered but he pretended to be someone else. When Mrs. H. was contacted, the problem was acknowledged, and Mr. H. soon went back to Alcoholics Anonymous for help. He continued to deal positively with his drinking throughout the summer, when contact with the Law Reform Project was ended. When this family was contacted again a year later to be interviewed, an appointment was made through Mrs. H. She had some difficulty recalling what the Law Reform Project was, but she remembered the name of the staff member who had been to see them, and she agreed to the interview without any objections.

However, when it came time to conduct the interview, it was immediately apparent that Mr. H. was totally opposed to discussing his previous problem. He denied the entire matter, claiming that he had phoned the telephone operator because he thought he was having a heart attack, and that the operator then phoned the police. He never understood why the Law Reform Project had come around, he said, since there hadn't been anything for them to be concerned about. He was very nervous, and responded suspiciously even to questions that weren't related to his problem. When asked to name six individuals (relatives, neighbours or friends) that he felt closest to, he responded, "The only name I'll tell you is my lawyer." During the attempt to interview Mr. H., his wife (who had been very cordial over the phone) appeared to be quite anxious and barely said a word. It was the interviewer's impression that Mr. H. had probably strenuously objected to the interview when his wife informed him of it and that the interview would have been cancelled if that had been possible.

Problems which are in some way embarrassing or painful may be denied or minimized in retrospect, and the possibility of personal responsibility may not be acknowledged. On the other hand, trouble that is more concrete in nature may be admitted to more easily.

The Yorklea data reveal that problems which are concrete and impersonal rather than being necessarily linked to one's behaviour or ability to function are the ones which occur most often. Health, work and income were the three most frequent problems reported during the past year and over a lifetime.

Serious illness is a disturbing problem even for people who can call upon all the resources they require. But for people who are in some way deprived

of these resources, ill health can be a devastating experience. Miss S., who suffers from a heart condition and who eventually underwent a hysterectomy, is a very thin, fragile woman who appears to become exhausted at the slightest physical or psychological exertion. In her forties, she has lived in Toronto for twenty-three or twenty-four years. She has no close family or friends, except for an ill sister and a nephew, who Miss S. says, "has his own problems". Her first contact with NIC (through a social worker from East York Social Services) was related to problems concerning her living arrangements; she had been renting a room which was cold and dark and without the kitchen privileges she had been promised. Through its efforts to obtain a more suitable room for Miss S. while waiting for an Ontario Housing apartment to become available, NIC learned of Miss S.'s health problems and kept in regular contact with her. Then when Miss S. started to undergo medical tests and became distressed at the treatment she received, she called NIC.

While Miss S. was in need of help concerning concrete difficulties such as paying for taxis to and from the hospital, she was also clearly terrified of what was happening to her. Her illness, because of her poverty and social isolation, became almost impossible for her to cope with, and the impersonal and inconsistent treatment she received while in the hospital confused and frightened her even more. She was told by a doctor that her heart was fine, despite the fact that she had been taking medication for angina for years; his diagnosis was based on a cardiogram taken on a machine that she believed to be faulty because she had heard a nurse and two doctors complaining about it. When she was discharged from the hospital, she had no sooner returned home than received a telephone call saying that she had to be re-admitted because she had cancer of the blood cells. This turned out to be an error, but it had a devastating effect on Miss S., according to the staff at NIC. During the next phase of her illness, NIC accompanied her to doctor's appointments, made arrangements to have her admitted to a different hospital where she would feel more comfortable, waited for her to come out of surgery and sat with her in the recovery room, and so on. In addition, the NIC staff was able to obtain some furniture for Miss S.'s apartment.

Sex and age are quite strongly associated with health problems, as has been the case in previous findings (such as studies related to differential use of medical services). (See Anderson, 1963). In the Yorklea data, health was the most frequently occurring problem for women. Thirty and seven-tenths per cent of women compared to 23% of men reported health problems within their lifetimes. Women were twice as likely to say that health was the most disturbing problem experienced within the past year: 16.2% (75) of women compared to 8.2% (31) of men. (See Table 3).

Health problems increase with age, so that, among life problems, 19.2% of the 18-29 age group reported health problems, compared to 18.6% of

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people 30-39, 25.7% of those 40-49, 33.3% of people 50-59, 28.2% of those 60-69, and 48.2% of those 70 and over. Similarly, the severity increases with age along with the frequency, so that health increases as the most disturbing problem within the past year from 7.6% (14) for people 18-29 to 19.8% for people 70 and over.

Among the major changes or events occurring during the past year, events related to health were the most frequently reported. Twenty-three per cent (194) cited personal illness or injury as having happened to themselves or someone in their household, and 20% (169) reported a household member being in hospital. In addition, 12.1% (102) reported a change in the health of a household member. (See Table 2).

In addition to high frequencies being reported for health problems, work and income problems also seem to have occurred more often than other types of difficulties. Experiencing work and income problems is related to sex, with men reporting these problems more often than women. Thirty and nine-tenths per cent (261) of respondents cited income problems within their lifetimes, and 10.3% (87) experienced them during the past year. Of those who had income problems within the past year, half (56.3%) said that this was the most disturbing problem they had experienced within that time.

In our sample, men experience income and work problems more often than do women. Income problems are the most frequent ones for men over a lifetime, with 36.6% of men reporting such difficulties. Ten per cent fewer women (26.2%) have had income problems; these are second in frequency to health problems for women. Similarly, work problems over a lifetime occur twice as often for men as for women: 23.3% to 12%. Men were more likely than women to say that work and income problems were the most disturbing ones they had experienced during the past year.

TABLE 2

Frequency of major life events for respondents or household members

Birth	5.0% (42)	Death of close friend	14.0% (118)
Adoption	0.2% (2)	Began or ended school	7.6% (64)
New person in household	3.6% (30)	Major debt	12.7% (107)
Marriage	3.8% (32)	Change in leisure time	14.4% (122)
Divorce	0.4% (3)	Death of family friend	16.1% (136)
Separation	0.9% (8)	Change of religion	0.8% (7)
Arrest, court conviction	0.9% (8)	Change in health of house-	
Child leaving home	4.5% (38)	hold member	12.1% (102)
Retirement	2.5% (21)	Change in social activities	11.1% (94)
Personal illness, injury	23.0% (194)	Change in family get-	
Household member in hospi-		togethers	7.3% (62)
tal	20.0% (169)	Change in relations with in-	
Work promotion	15.6% (132)	laws	2.1% (18)
Demotion, job loss	3.6% (30)	Change in relations with	
Work change	12.2% (103)	household members	3.3% (28)

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TABLE 3

Frequency rates of women and men for problems during the past year, for the most disturbing problems

N=845	No prob.	Health	Work	Income	Parents	Children	Marriage	Loneliness	Sex	Getting along with people	Self dissatisfaction	Suffering a great loss
Women—N=463 Year Prob......	52.5	18.4	5.6	8.9	5.4	5.8	4.3	6.7	0.9	1.1	6.7	3.5
Most dist. yr. prob..........		16.2	3.5	4.3	3.9	4.8	3.2	3.5	0.6	0.6	3.7	3.2
% of women with prob.*....		34.1	7.3	9.1	8.2	10.0	6.8	7.3	1.4	1.4	7.7	6.8
Men N=382 Year Prob......	59.6	9.9	9.4	12.0	5.5	3.4	1.3	3.1	2.4	2.9	6.0	4.5
Most dist. yr. prob...........		8.2	5.3	7.7	3.7	2.6	0.8	1.1	1.8	2.1	2.9	4.2
% of men with prob.*....		20.3	13.1	19.0	9.2	6.5	2.0	2.6	4.6	5.2	7.2	6.5

*Percentages based on people who experienced a disturbing problem: Women: N=220, Men: N=153 (3 missing cases).

While the specific problems that people reported may not have been, strictly speaking, related to income or work troubles, an indirect link can often be inferred. Thus Mrs. R., whose specific difficulty had been with a neighbour whom she claimed hit her daughter, is a single parent receiving Mother's Allowance and living in an OHC highrise. Her financial dependence and subsequent reliance on public housing means that she had little control over her immediate environment so that she cannot remove herself and her children from a situation that she finds intolerable. Mrs. G., also without financial security, had difficulty coping with an illness because she could not obtain the assistance and material resources available to someone with a higher income.

Family-related problems occur more often during a lifetime for women (13.2%) than for men (6%). Women and men report comparable rates of parental problems (13.6% and 11.3% respectively). Marriage and child-related problems are more often considered by women than by men to be the most disturbing problem within the past year.

There is another problem area where different rates of frequency are reported by men and women. Sex problems are the least frequently reported problem for both sexes, but men do cite slightly more sex problems than women (5% to 2.7%). However, these percentages are based on frequencies so low that one cannot attach too much significance to them. It may be that norms governing attitudes towards sex may result in an under-reporting of sex problems, especially by women. It may also mean that men and women perceive certain problems in different ways. For example, problems that men perceive as sex-related may be understood by women as associated with marriage in general, which may explain, at least in part, the higher rate of marriage problems for women.

Some problem areas considered over a lifetime are associated with age, even when controlling for sex. Work and parent problems are greatest for those 18-29 (for men, they are equally high for those 30-39). This is probably related to young people's concern with establishing their independence of their families, and with getting launched in the work world. Work and parent problems decline in frequency with increasing age.

A seventeen-year old boy who had been involved in a car theft, describes his situation at home:

Well, my step-father, he's Italian, and I guess he has been brought up in a certain way. And he tried to be, well, I would say 'way too strict with me and he was restricting my freedom almost down to nothing. Not just my freedom, everything I did. And it ended so that we were constantly on each other's back and I couldn't stand it. And then it came out that I had to have a job for after school. And I tried to explain to my parents that there was no way that I could hold a job after school and study and keep any kind of marks up. And my marks had been going down anyway. And they gave me a sort of ultimatum, either get a job or it's out. So I started looking

TABLE 4

N=845	No prob.	Health (123)	Work (62)	Income (87)	Parents (46)	Children (40)	Marriage (25)	Loneli- ness (43)	Sex (13)	Getting along with people (16)	Self dissatis- faction (54)	Suffering a great loss (33)
				Year Problems by Age, Grouped (More than one problem could be experienced)								
18–29 (187)	39.5	10.7	15.0	14.4	11.8	3.2	3.7	9.6	4.8	5.3	12.8	2.1
30–39 (134)	53.7	11.2	7.5	17.2	10.4	6.0	7.5	2.2	0.7	0.7	9.7	3.0
40–49 (144)	61.8	11.1	6.9	11.1	2.1	6.3	2.8	4.2	1.4	—	4.9	3.5
50–59 (161)	55.9	19.9	6.2	6.2	3.1	7.5	0.6	2.5	0.6	1.2	2.5	5.6
60–69 (138)	65.0	16.7	2.9	5.1	1.4	3.6	2.2	5.1	—	0.7	3.6	6.5
70+(81)	69.1	21.0	—	4.9	—	—	—	6.2	—	2.5	1.2	2.5
				Most Disturbing Year Problems by Age, Grouped								
N=376*												
18–29 (112)		12.5	17.0	15.2	13.4	3.6	3.6	7.1	6.3	6.3	11.6	3.6
30–39 (62)		19.4	9.7	17.7	16.1	6.5	11.3	3.2	—	—	11.3	4.8
40–49 (55)		27.3	5.5	20.0	5.5	12.7	5.5	5.5	3.6	2.8	5.5	9.1
50–59 (71)		39.4	7.4	8.5	5.6	17.0	1.4	2.8	1.4	—	1.4	12.7
60–69 (48)		43.8	6.3	6.3	—	10.4	6.3	4.2	—	—	6.3	16.7
70+(25)		64.0	—	4.0	—	—	—	12.0	—	8.0	4.0	8.0

*excludes respondents with no year problems.

for a job and of course I didn't find anything. So then I said, well, I'm going to leave, you're just going to kick me out anyway, so I might as well leave. Then they could say, well, he's leaving of his own accord, which was not true, really. So I moved away and then I was forced to get a job, not just a summer job, a permanent job. So I did that for the summer and then I came home . . . It's just a lot cheaper to live here. I'm getting along better with my step-father. We've straightened most of our difficulties out.

Other problems show a similar pattern, although the relationship with age is not as strong. For each sex, people in the 18-29 age group have the most frequent rates of loneliness problems, problems in getting along with people, sex problems, and in particular, problems of self dissatisfaction. Difficulties in making the passage into adulthood are likely reflected in the higher rates of interpersonal or emotionally-based problems for this age group. Income problems are greatest for men and women 30-39, marriage problems greatest for men and women 40-49, and child-related problems greatest for people 40-59. The association with age is for the most part linked to the different stages in the life cycle with which these problem areas are related. The same general kinds of associations with age and life cycle seem to hold for the major life events as well. The event involving the respondent or a household member that occurred most often was personal illness or injury (13.8%), followed by major changes in the amount of leisure time available (12.4%), death of a close friend (11.4%) and major changes in usual social activities (10.2%), with the second and last events probably related.

Another problem area which is similar to the more tangible difficulties related to health, work and income is that of disputes with neighbours. These disputes are seen by the people involved as being based in their general environment, like the problems previously discussed, rather than as being related to some difficulty in personal functioning. Four of the persons interviewed had been involved in disputes with neighbours. Only one of these disputes was resolved in a way that the complainants found to be satisfactory. Each person saw himself or herself as the victim of the neighbour's behaviour, and in varying degrees, wanted some kind of controlling action to be initiated, usually by the police.

The dispute which was resolved involved a boy of twelve, Sid Q., who lives on Main Street near the office of the Law Reform Project. He and a friend had built a tree house in the ravine nearby and had a neighbour's permission to cut across his backyard to get to it. One day when they were en route to their tree house, another neighbour (whose own property was not involved with the boys' comings and goings) became verbally abusive. According to Sid's mother:

Well, they went through these people's backyard to get to their fort down in the bush there. And the fellow across the road went over and threw stones up at them. And they couldn't get down. Like, they had to hide from the stones, and he was yelling at them. And when they came back they were still quite mad about it. And next door told them if they were

really put out about it to go to the place down the street, the Law Reform. So they went there and talked to them there. And then he [a Law Reform Project staff member] went over and talked to Mr. C. [the neighbour who threw the stones] and then he came over and talked to my husband, and Richard. I don't know, I think he came later to say what the result was.
INTERVIEWER: And everybody was satisfied with what had happened.
MRS. Q.: Yes, yes, everybody was happy, I think.

This incident was successfully resolved, inasmuch as the complainant felt that his position in the dispute was recognized by the person that he appealed to for help, and the incident has not been repeated since. This dispute could be dealt with through mediation, since neither party appeared to have a large stake in how it turned out, and since it was not regarded as being of real importance in terms of their immediate lives or their position in the neighbourhood. The incident turned out to be an isolated one, and it was not based on a particular ongoing situation that could have led to its repetition.

For Mr. and Mrs. L., their neighbour dispute was not important in itself (a ladder was stolen) but the circumstances which permitted it to happen were far more disturbing to them. This is a couple in their sixties, who emigrated from eastern Europe about twenty-five years ago, and have lived in their small bungalow in East York for the past twenty years. They had worked hard for many years in order to achieve a modest standard of living and to send their two daughters to university. Their quiet neighbourhood is changing now: directly across the street from their home are two large highrises, with many low-income tenants whose rents are subsidized by the government, and a bit further northwest are two Ontario Housing highrises and several groupings of Ontario Housing townhouses. In discussing why their former neighbours who had lived there for many years had left, Mr. L. stated:

Why they are gone, they are gone because the municipality this district mysteriously was declared as a highrise zone. Then the good working people and the good neighbours moved out and the speculators moved in. The speculators have no scruples. For ten years or fifteen years they have not made a touch on the house, but enormous rent. They are renting for people....

MRS. L.: For profit!

MR. L.: For people who I am sorry to say are riffraff people. One or two months they are living, paying out this enormous rent what the slumlord ask and then moving out. And they had not seemingly a profession, these people. They are here day and night and mostly night, and they are such neighbours, they have a car, for example, they start out from the house two o'clock in the night and coming back six o'clock in the morning. But I am not a policeman. It is not my business to look after, but I state only this.

MRS. L.: Because we know this street and Main Street was a good residential working people's district. Never here was anxiety to go out after nine or after ten, the subway was not in at that time, but today you are anxious and scared to go after ten from the subway. It is ten minutes to go, you see. It is no good at all.

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It was not the actual theft of their ladder by one of their transient neighbours next door that seriously disturbed this couple. They saw that the intervention of an outside helping agent was not effective in controlling the behaviour of their neighbour:

> MR. L.: ... here two months ago moved out a family who was living here only about half a year, but when they moved in was on my wall for twenty years an aluminum ladder. The first thing that he has done is taken off the ladder, and the ladder disappeared. When I said to him, 'Pardon me, my ladder has been here twenty years and now you moved in and you take away.' 'I thought this was garbage so I take out to the dump where the garbage is dumped'. This was his answer. Then I went to your place (the Law Reform Project office) and I made my complaint. Then a very nice young Negro man with a beard has come out and spoken to me, what was my complaint? So I sent him over there but the man short with him. Two minutes he was back because he was rough and tough with him. But this man from your place told him anyway that it was mine and what he done was stealing. But we did not want the police to interfere and they shortly moved out.

As Mr. and Mrs. L. grow older and as they see their familiar neighbourhood undergoing rapid change, their sense of helplessness and lack of security increases. It is within this context that a relatively minor incident can assume great importance for the people involved.

Mrs. R., a single mother twenty-seven years of age, has three children and is supported by Mother's Allowance; the family lives in an OHC apartment building. An older woman who also lives in the building who is, according to Mrs. R., an alcoholic, hit one of the children with her purse while they were in the elevator. Mrs. R. phoned the police, and was referred by them to the Law Reform Project, but she was not satisfied by efforts to mediate the dispute.

> MRS. R: She beat my five year old on the elevator. She's an old drunk, and I'm still waiting for her. She hasn't come outside. I'm still waiting for her and I am going to do my best to kill her. She's got no reason to beat a five year old child and the police won't do nothing. They told me to keep my hands off her, so I just politely told them where to go ... Yeah, and I called them (the Law Reform Project) and they said, uh, they went over and talked to her but she would only give me more hassle, and that didn't worry me none 'cause I was going to wring her neck if I do get my hands around it anyway. Maybe it's two years ago or going on two years ago, but there is no way I'm forgetting it.

It may be in some cases that disputes with neighbours have a positive function, in that they provide a focal point through which certain people can identify with their neighbourhood. Ongoing disagreements may also be a source of excitement and interest, as well as an opportunity to vent feelings of anger and helplessness that have their origin in other areas of an individual's life. In situations such as these, it may well be that the participants do not really want their disputes to be solved. However, in

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the cases described here, the trouble experienced did not appear to serve a positive function for the people involved.

Helpers and Help-Seeking

When East York residents do admit to being in some kind of trouble, they do not readily approach others for help, particularly helpers who are representatives of agencies or institutions.

For certain of the problems experienced during the past year, about half the respondents reporting the problem stated that they had turned to no one for help: 45.7% of those with work problems, 53.2% of those with income problems, 35% of those with problems of loneliness, 50% of those with sex problems, and 36.4% of those with problems of getting along with people. Most of the people reporting the following life events within their households reported no help-seeking: change in amount of leisure time (94.3% experiencing the event did not seek help); death of a family friend (89%); change in social activities (91.5%); a new person moving into the household (86.7%); change in the number of family get-togethers (93.5%); change in relations with in-laws (77.8%); a child leaving home (86.8%); retirement (95.2%); work promotion (87.9%); demotion or job loss (87.9%); work change (85.4%); death of a close friend (87.3%); began or ended school (79.7%); major debt (75.7%).

We know from our data that the vast majority of people in our sample have some degree of informal help and support available to them on an everyday and emergency basis. When asked to name up to six "intimates", or individuals outside their household that respondents felt closest to, only 21 people out of 845 stated that they had no intimates. (Wellman *et al.,* 1972). Sixty and two tenths per cent of respondents stated that they had at least some everyday support available, and 81.3% reported the availability of emergency support. (Wellman *et al.,* 1972).

Except for medical problems, people who sought help at all were most likely to approach informal supporters, including spouse, relatives either inside or outside the household, neighbours, or friends. This is also true for major changes and life events experienced during the past year.

About half the respondents for whom work, income or sex was the most disturbing problem during the past year, went to no one for help. The other half turned to informal supporters to the virtual exclusion of professionals. Except for health problems, for which the doctor is approached as often as all informal helpers (47.2% and 46.2% respectively), informal supporters are far more likely to be seen as a source of help than formal agents.

For people who are socially isolated, with little or no informal help available, problems which might otherwise have been handled without too

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much strain or anxiety can assume crisis proportions. Thus for Miss S., who had no one to turn to except for a nephew, illness was a crisis with which she could barely cope.

Lack of informal supporters may also act to keep people outside the network of formal helpers. Without family and friends to sympathize, offer advice and share their own and others' experiences, socially isolated individuals may be excluded from an important source of informal information about the availability and usefulness of various professionals and institutions in the community. Thus social isolation can exacerbate problems in three ways: the inability to share some of the burden of dealing with a problem means that an isolated person may be under greater strain, which may in turn interfere with a successful outcome; lack of informal support means that necessary resources for handling the problem may not be available; and social isolation may exclude people from a context in which it becomes possible to make use of institutional or professional assistance.

On the other hand, there are people with problems who have learned which formal helpers are appropriate and approachable. Good experiences in the past by oneself or by close relatives or friends may be important in encouraging a person to approach an unfamiliar agency or professional. Similarly, unsatisfactory outcomes of such contacts may mitigate against further use of these helpers.

Mrs. W., whose youngest daughter had taken a ring belonging to the family for whom she had been babysitting, is an example of someone who knows her way in and out of helping networks. She is a single parent, and lives with her three youngest children (who range in age from about 13 to 17) in an OHC townhouse. Mrs. W. is the treasurer for the recreation committee for the OHC highrises and townhouses in the area, and she seems to have a good idea of what is going on in her immediate neighbourhood. She is a very large, motherly woman, as well as voluble; when asked which people turned to her for help, she said, "Almost everybody." She in turn is very close to her two eldest daughters who are married, as well as to several friends and neighbours.

Mrs. W. has had good experiences with helping agencies as well. She and one of her daughters, who was present during the interview, spoke very highly of the Community Service Officers, and they both seemed to have a positive view of the police in general. Several of Mrs. W.'s daughters had had Big Sisters, and when the youngest daughter got into trouble, one of the suggestions of the Law Reform Project worker was a Big Sister be arranged for her as well. Mrs. W. had also learned that the way to get action is to appeal to someone in authority. When one of her daughters was being discharged from hospital and needed an apartment, but was put on a long waiting list for Ontario Housing, Mrs. W. decided to write to the provincial Minister

in charge of OHC, and very soon after her daughter was given an apartment. Since this strategy had worked so well, Mrs. W. used it again (successfully) to obtain housing for a friend of hers. The efficacy of this kind of action was reinforced when Mrs. W. was having difficulty with her son (her youngest child). She contacted the Law Reform Project worker who had helped her with her daughter.

> Mrs. W: . . . I had a bit of a problem with Johnnie. I can't think of it right now, but I told [the worker] and she suggested a Big Brother. I said, 'I have had his name in for a long time.' She said, 'I know the head of Big Brothers so I'll help you.' So she phoned this fella and he phoned me right back. About two weeks later he had a call to go down about a Big Brother.

A person like Mrs. W. can wield considerable influence within her own small sphere of the community. Her own experiences give her some authority and her advice is probably valued by her circle of intimates. Contact with such an individual could act to enhance one's chances of getting help, as well as one's perception of the immediate environment as a more secure and less threatening place.

The data indicate that, overall, East Yorkers who have informal support available to them (and most do) will seek help from within their informal network when they seek help at all. When formal help is used, it comes most often from doctors, and to a lesser degree from other medical sources.

East York has within its bounds a number of different types of social agencies, and the Borough is also served by agencies located outside its municipal boundaries. (cf. Etkin, 1967). The East York agencies have been viewed by their professional staffs as "under-used" by local residents. (Freeman, 1972). Within the community generally there appear to be tendencies both to deny the existence of trouble, and if help is sought at all, the helpers of choice are family or friends, or a trusted professional as personified by the family doctor.

The fact that agencies exist in the community by no means implies that potential clients are actually aware of their presence, nor does it mean that the usefulness or appropriateness of agency services is understood. People in trouble may know about an agency which is designed to help people in their predicament, but they may prefer to seek advice from among members of their personal network. In fact, there may be pressure to keep the problem "in the family".

Anticipation of pressure to accept a definition of the situation and a problem-solving technique that may not be in accord with one's own value system may keep people away from formal helpers. A person in trouble may find herself or himself having to cope with a social worker or bureaucrat who not only has a different perception of things (and the authority to impose

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that definition) but who also may be keeping a "professional distance" and therefore appears indifferent rather than sympathetic. (Kadushin, 1962). A bad experience in the past may be generalized to all professionals or all agencies. People who are referred to agencies for counselling by institutions such as the school or the court are likely to become agency clients due to veiled or explicit coercion, a situation which is not conducive to a positive view of the formal helping system. This is particularly true for low-income groups who form the bulk of the clientele of public agencies. (Furman *et al.*, 1965).

The value system of the community may enhance or discourage agency use. Kammeyer and Bolton found that, of the two communities sharing the same family agency, the one with the higher rate of use had a value system compatible with the concept of family counselling. This community was centred around a newly opened university campus, with a growing population of people who were mobile, with high educational and occupational levels. There were more isolated nuclear families without extended kin ties in this community, and they had lived there for shorter periods of time. The high levels of education contributed to an attitude of "cosmopolitanism", which acted in conjunction with social isolation to encourage agency use. Kammeyer and Bolton found that the attitude of the community "gatekeepers" (Cummings' term) referring people into the formal system, in this case doctors and school officials, was so supportive of agency use that it had a positive effect on inhibiting characteristics such as low education or a "traditional" orientation.

The population of East York is older, largely Anglo-Saxon Protestant, lower-middle class and working class. These characteristics suggest the probability of a traditional, conservative value system, which would be skeptical of professionally-staffed agencies and which would emphasize the need to solve problems on one's own or with the help of close relatives or friends. The way that East Yorkers define their problems and their preferences among helpers indicates that the formal helping system does not play a significant role in the lives of most people in the community.

Doctors as Helpers

Of all the formal or professional agents that Yorklea respondents could choose from medical doctors were by far the ones most often selected. This is the case not only for health problems, but also for other problems where any help was sought from a professional. As one would expect, people who report health as the most disturbing problem during the past year turn to doctors most often for help. Unlike other problems, health problems elicit help-seeking from almost all who report them. Only 3.8% (4) of people reporting health problems turn to no one at all, and 29.3% (24) of people who had sought help from one source turned to no one else for help.

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Forty-seven percent cited doctors as the people first turned to for help, and thirty-five percent turned to doctors as a second help source. Spouses were turned to next most often; twenty-eight percent cited their spouse as the first person turned to, and ten percent turned to their spouse as a second help source. Twenty-six percent of the people who said that health was the most disturbing problem during the year turned to doctors but to no one else. Second help source in this analysis refers to a single individual who was turned to in addition to a first helper; respondents who turned to more than one additional helper had to be excluded from the analysis due to data-handling difficulties.

Referrals among formal agents are negligible. There is one path (i.e. one instance) from doctor to clergy, one path from doctor to psychiatrist, one path from doctor to doctor, one path from doctor to nurse, and one path from social worker to doctor. All the data reveal is that two formal agents were approached; whether the first helper actually made a referral to the second helper is not clear.

Eight individuals who rated health problems as the most disturbing, sought help from more than one secondary source. Six of these cases included both formal and informal helpers, usually a friend and/or relative in addition to the spouse, and a doctor. One individual sought help from nine secondary sources, most of whom were formal agents: in addition to a friend and a neighbour, this person turned to the police, a clergyman, a psychiatrist, a doctor, a nurse, a social worker, and a teacher or principal. This is highly atypical of our population, however. The predominant pathway to help in the case of medical problems involves consultation with spouse and doctor, with the doctor usually approached for help first and the spouse second.

Respondents were asked about formal, or semi-formal, helping agents with which they or a member of their household might have been in contact during the past year for help with a disturbing personal problem. Half of the respondents stated that they or someone in their household had one or more contacts with a medical agent or agency within the past year. Nineteen percent had one or more contacts with the outpatient clinic of a general hospital, three percent had been to a psychiatrist or mental health clinic, and four percent had been in contact with a public health nurse. Among all formal agents, non-medical as well as medical, the family doctor was by far the most called upon helper. Almost half (46.9%) of the sample had been in touch with a doctor. In contrast with the other agencies, where most people said they had only one contact and only one household member was involved, people seeing a doctor are as likely to go a number of times as just once, and the frequency that two household members had been involved rather than primarily one person was somewhat higher (29.8%) than for other agencies.

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TABLE 5

Most disturbing year problem by first help source

	Spouse (114)	Relation in HH (15)	Relative outside HH (34)	Neighbours (5)	Friend (43)	All informal helpers (211)	Police (1)	Clergy (3)	Psychiatrist (3)	M.D. (60)	Psychiatrist or counsellor (2)	Social worker (1)	No one (88)
Health (100)	28.3	4.7	8.5	1.9	2.8	46.2	—	—	1.9	47.2	—	0.9	3.8
Work (35)	22.9	2.9	2.9	—	20.0	48.7	—	—	—	5.7	—	—	45.7
Income (47)	27.7	4.3	8.5	—	6.4	46.9	—	—	—	—	—	—	53.2
Parents (32)	53.1	6.3	12.5	3.1	12.5	87.5	—	—	—	—	—	—	12.5
Children (32)	65.6	—	6.3	—	3.1	75.0	3.1	—	—	9.4	—	—	12.5
Marriage (18)	16.7	11.1	22.2	5.6	11.1	66.7	—	—	5.6	5.6	5.6	—	16.7
Loneliness (20)	15.0	—	5.0	—	35.0	55.0	—	—	—	10.0	—	—	35.0
Sex (10)	—	20.0	10.0	—	20.0	50.0	—	—	—	—	—	—	50.0
Getting along with people (11)	36.4	—	9.1	—	18.2	63.9	—	—	—	—	—	—	36.4
Self dissatisfaction (28)	32.1	3.6	3.6	—	32.1	71.4	—	—	—	3.6	—	—	25.0
Great loss (30)	20.0	—	20.0	3.3	10.0	53.3	—	10.0	—	3.3	3.3	—	30.0

TABLE 6

Most disturbing year problem by second help source

	Spouse (14)	Relation in HH (11)	Relative outside HH (28)	Neigh-bours (2)	Friend (31)	All informal helpers (86)	Police (0)	Clergy (3)	Psychia-trist (6)	M.D. (36)	Nurse (2)	Social worker (2)	Teacher (3)	No one (91)
Health (106)	9.8	4.9	7.3	1.2	7.3	23.6	—	1.2	2.4	35.4	1.2	—	—	29.3
Work (36)	6.7	6.7	—	—	33.3	19.4	—	—	6.7	6.7	—	—	—	40.0
Income (49)	5.0	—	25.0	—	5.0	14.3	—	—	—	—	—	—	—	65.0
Parents (32)	14.3	4.8	23.8	—	19.0	40.6	—	—	—	19.0	—	—	—	19.0
Children (32)	4.2	—	16.7	—	8.3	21.9	—	8.3	—	4.2	—	8.3	8.3	41.7
Marriage (18)	—	—	10.0	—	20.0	16.7	—	—	20.0	10.0	—	—	—	40.0
Loneliness (20)	—	10.0	20.0	—	—	15.0	—	—	10.0	10.0	10.0	—	—	50.0
Sex (10)	—	20.0	—	—	40.0	30.0	—	—	—	—	—	—	—	40.0
Getting along with others (11)	—	14.3	42.9	—	28.6	54.6	—	—	—	—	—	—	—	14.3
Self dissatisfac-tion (28)	—	10.5	5.3	—	10.5	17.9	—	—	—	—	—	—	—	73.7
Great loss (3)	—	—	6.3	6.3	31.3	42.9	—	—	—	—	—	—	6.3	50.0

The social prestige and status of the medical profession has been well established. Doctors' expertise in medical matters is generally accepted, and it is considered appropriate to consult doctors about questions of health and illness. The legitimacy of the medical profession's authority within the realm of its own particular knowledge and skills tends to be generalized to other, nonmedical areas. Thus the trusted family doctor (or internist, or gynecologist) may be asked for advice on matters such as marital problems, adoption, and so on. As can be seen from Tables 5 and 6, doctors are consulted about nonmedical problems more often than any other formal agent.

While doctors may be confronted with nonmedical problems by a number of their patients, they may not refer these patients to other community agencies. This may be due to a lack of information about existing community resources, or due to skepticism about the usefulness of these agencies. (Cumming, 1968). It may also be that physicians feel that they have the ability to handle certain problems themselves, without referring patients to other medical specialists such as psychiatrists or to nonmedical sources of help such as family counselling agencies. (Friedson, 1968).

People may prefer to go to their doctor with nonmedical problems since they may view the physician as a figure of trust and authority as well as knowledge. It may also be that they feel more comfortable in control in a relationship based on fee-for-service. (Cumming, 1968). Patients in fact exert some control over doctors inasmuch as they can switch to another one if they are in some way dissatisfied. (Friedson, 1968). The fear of losing clients may deter doctors from referring people to nonmedical agents, or

TABLE 7

Frequency of contact by respondent or household member with agencies during the past year

Outpatient clinic of General Hospital	18.6% (157)
Public Health Nurse	3.6% (30)
Family Doctor	46.9% (396)
Psychiatrist or Mental Health Clinic	3.4% (29)
Family Service Agency	2.4% (20)
Social Worker	3.1% (19)
Clergy	6.2% (52)
Police	6.3% (52)
Family Court	0.8% (7)
Welfare Department	0.6% (5)
Radio or Newspaper	1.2% (10)
Public Official	2.6% (22)

Total Agency Contacts—800 (respondents could have had several contacts with one or more agencies)
No Agency Contact—369 (43.7% of 845)

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even to certain types of medical specialists, such as psychiatrists. (Cumming, 1968). This fear may also influence doctors to accept patients' perceptions of their own difficulties without attempting to redefine them, or to offer solutions which will be more readily acceptable.

Thus people may prefer doctors as helping agents because, in addition to feeling that they are being helped by someone with professional prestige and authority, they also exert some control over the relationship. Therefore, they may be under less pressure to redefine their problems or to undertake a course of action not of their choosing than might be the case if they were dealing with agencies with which reciprocal control is less likely.

The low rates of contact with agents specializing in counselling such as clergymen, family counselling agencies, social workers and psychiatrists, may be in part explained by the preference given to doctors, since it may be less threatening for people to reveal personal difficulties to someone who already has been consulted on intimate and personal physical matters. East Yorkers, as represented by the Yorklea sample, are almost never in contact with the family court or the welfare department. (See Table 7.)

The Police as Helpers

East Yorkers in general, as represented by the Yorklea sample, are very seldom in touch with the police. The police contact that does exist could include not only help-seeking but also contacts where the respondents are themselves targets of some police decision or action. So the 6.3% of the sample who were in touch with the police may not have necessarily initiated the contact themselves. Only one person contacted the police about a most disturbing problem during the past year, in this case a child-related problem.

Among the people who were interviewed, the frequency with which there had been police contact was much greater, since these individuals were selected because they all had had some kind of difficulty (as opposed to the population at large). Peter R. was the only person whose involvement with the police was as an offender rather than as a complainant. Mrs. P. had called the police when her son had been lost, some years previous. Mrs. H. called the police when her daughter stayed out very late one night; when her daughter was caught shoplifting, the Youth Bureau became involved. Mrs. V. also was in touch with the Youth Bureau when she thought her daughter had been raped, and on the several occasions when the daughter disappeared for four or five days. Mrs. W. called the police when she discovered that her daughter had stolen a ring and that the neighbour was threatening to press charges. Mrs. N. contacted the police over her problems with her neighbour, as did Mrs. R. Mrs. C. called the police when here husband became abusive.

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The duality of police roles has been commented on by numerous observers. (See Banton, 1964; Cummins, 1970; Reiss, 1968; Wolfgang, 1968.) One part of the function of police is that of overt control, whereby people are "policed". Another part is support of people in need of help. As Reiss points out, police authority is accepted by the latter group, but it is rejected by the former. When people call the police for help, they do so on the basis of an implicit assumption that the police have the authority to act on their behalf, including the controlling of other people's behaviour, if necessary. The expectation that the police will act on complaints may persist even if the complainant is unwilling to press charges. (Wilson, 1970). Domestic disputes are a good example of this kind of situation.

The police are often expected to deal with complaints that are ambiguous or beyond their jurisdiction. They may handle the problem by referring the complainant to a more appropriate agency, or the police may contact the agency themselves to ensure that action is taken. This, however, may not satisfy a complainant who sees himself or herself as a victim and wants evidence of some immediate, concrete results.

Mr. and Mrs. N. phoned the police several times with regard to an elderly woman next door. There had been some vandalism in the area and the N's contacted the police again after one of their windows had been shot out with an air rifle.

> MRS. N.: ... Anyway, we phoned the police then and he come up and he says, 'Oh, are you still here, haven't you tried to move yet.' I said, 'Wouldn't you like to buy my house, then?'
>
> MR. N.: He was very snotty with me. He said, 'What the hell are you doing that the neighbours around here are all picking on you?'

Previously, the police had advised the N.'s to go to a Legal Aid Clinic to find out what their rights were, because the police were not able to intervene directly in the situation with the woman next door. The N.'s accepted the fact that the police could not take any action, but they were very upset at the rather blasé suggestion that they move and that their troubles in the neighbourhood were of their own doing.

Mrs. R. called the police about the woman in her apartment building who had struck her daughter. The police advised her to stay away from the woman, but Mrs. R. apparently wanted a more punitive action undertaken. Consequently, she was dissatisfied with the police attempt to cool out the situation.

> MRS. R: . . . I had gone to the police but the police said they couldn't do anything and they told me to keep my hands off her, so I told them politely where to go, and that if I caught her outside I was going to kill her.
>
> INTERVIEWER: So then you called the police?
>
> MRS. R: And they didn't do nothing.

INTERVIEWER: So you talked about this difficulty with a psychiatrist, a doctor, the police, a Children's Aid Worker, Law Reform and your neighbours. So they all knew about it. Who did you get the most help from?

MRS. R: Nobody.

INTERVIEWER: Who did you feel was the most likely to help you?

MRS. R: I thought the police was.

INTERVIEWER: Have you been in touch with them since that time?

MRS. R: They've been in touch with me.

INTERVIEWER: What were you hoping that the Law Reform would be able to do?

MRS. R: I just called to see what they would do.

INTERVIEWER: You didn't have any expectations of what they might do?

MRS. R: Ha! Not after what the police did!

INTERVIEWER: If you had a similar problem, say, with another person who lived in the building who distressed you in some way, who would you go to now for help?

MRS. R: I would go to nobody to help me.

Wilson has observed that police have learned to be suspicious of explanations given by victims as well as by suspects or offenders, and that even in areas where the public has a positive perception of the police, contacts between individuals and the police in other than commonplace matters are generally not satisfactory for either party. (Wilson, 1970). Thus the N's resent what they consider to be scepticism and indifference on the part of the police, while the police, in spite of some commitment to providing supportive service, must investigate cautiously and in any event may not be able to take definitive action.

The dilemma produced by a commitment to provide service coupled with a lack of requisite resources in the community to back up service can be frustrating for patrolmen who face daily requests for help that they may not be able to handle. Cummins points out that for front line officers, police work probably means law enforcement rather than service work, so that service work (by patrolmen) may have low status. This could explain what appears to be a casual attitude on the part of policemen investigating problems; professional distance between policemen and individuals in order to prevent too great a personal involvement may also account for this attitude.

East York has two Community Service Officers attached to its police division. As the title implies, these policemen are particularly concerned with providing supportive services and with community-police relations. Their commitment to service is obviously quite strong. These officers were interviewed about their role as problem-solvers in the community, and when asked whether they thought people called the police appropriately one of them said:

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OFFICER B: Who am I to say whether it is appropriate or not? All I know is that the people in this city have been accustomed to getting a service, a type of service. And they were getting this type of service long before Officer A and myself came along and we are continuing to give that service. Now I don't think it's for me to say whether it is right service or not. It's part of the job. Things like, the police will get a call from a little old lady whose basement is flooded, so one could look at it and say, 'Well, this is not a police matter because the police are not plumbers. They are law enforcement people.' For as long as I can remember we have got those calls . . . But we have been accustomed to giving that kind of service so we go to every call. My training was that I tagged along with a senior P.C. That was my practical training. When I went with him, we went to a call where someone's cat was up the tree. So I went along and I assumed immediately that this was part of the service we offered.

The C.S.O's seem to see the police department as being a kind of social agency by default. They accept this as part of their function, as the above quotation illustrates, and generally try to handle problems by referral as much as possible.

OFFICER A: Well, I think over the past ten years the word has gotten around that we are a social agency . . . We aren't turning anything down. We're not a pick and choose agency, anyway. If Mrs. Smith phones and says her plumbing is on the fritz or her cat is up a tree or little Johnny phones in about his bike being stolen, well, we're not going to say 'Go away'. I mean, we respond to all these calls. Just like a bank robbery. Mind you, we assess our priorities and go to the bank hold-up first. Because of this, the word's got around: phone the police, they don't turn you down. Another thing is that we are one of the few social agencies—if you want to accept that we are a social agency—that we are open twenty-four hours a day as opposed to the usual nine to five, Monday to Friday, so we are available. And when somebody wants a psychiatrist at three o'clock in the morning and they call the hospital and they can't get a psychiatrist, who else are they going to turn to but that yellow car floating around? They know we are always out there for something.

INTERVIEWER: When they call because you are available with a problem you can't really solve, what happens then?

OFFICER A: Like I said, we aren't miracle workers. And a lot of times we can't solve the problem. All we can do is assess it and hopefully make a referral to the appropriate agency. Because, although we aren't miracle workers, if we don't know how to solve the problem, at least we do know where to refer you. We have a host of agencies at our finger tips.

The unavailability of professionals and agencies between five in the afternoon and nine the next morning is a particular source of frustration to these officers. Problems with people who are suffering from mental disorders were the ones mentioned most frequently by the C.S.O.'s, but they also noted the difficulty in reaching a psychiatrist or a social worker to deal with people in crisis.

While the C.S.O.'s define part of their role as providing service despite the lack of constantly available professional help, stepping into the gap can have negative consequences. The officers have on occasion been accused of making judgments that should have been left for psychiatrists or others.

> OFFICER B: ... I get very incensed when people say to me, 'Who do you think you are, cop? You're playing shrink.' Well, there would be no need for me to play shrink if there were a shrink available. That's the way I see it. And I'm saying if we had those agencies at our disposal when we needed them, it would make our job a lot easier. And perhaps the quality of service that the community gets would be a lot better than it is. Maybe I'm assuming a lot, but I'm taking for granted that a person who is a trained social worker is skilled and qualified in her art, or his. And I'm saying if, instead of me doing the counselling, a trained person would do it, the results would be a lot better. That's the way I see it.

The availability of other supportive resources undoubtedly enhances the policeman's problem-solving function. After Mrs. C. had decided to lay assault charges against her husband, she was fearful that he would become violent when he discovered what she had done. When the police arrived with the warrant, they had already been advised of the potential danger by NIC, who had been in regular contact with Mrs. C. The policeman waited outside the C.'s house in case of trouble, which soon erupted when Mr. C. threw a chair through the living room window. The policeman got Mrs. C. (almost nine months pregnant) and her two children safely to the next door neighbour's, and then went off looking for Mr. C. who had run out in the confusion. Mrs. C. phoned NIC, which phoned Mrs. C's worker at Catholic Children's Aid to inform her of the situation, and then contacted the Emergency Hostel. NIC arranged for a police cruiser to pick up Mrs. C. and the children and bring them to NIC until they could be brought to the Hostel. The staff at NIC took turns sitting with Mrs. C., who was very distraught, and gave her and the children lunch; several hours, later, the police took them to the Hostel.

It seems quite likely that if NIC had not been available, the police would have been left with the task of "babysitting" the C.'s, a task which they apparently resent, and which would have kept them from carrying out other responsibilties.

Although the police, especially the C.S.O.'s, emphasize the provision of "service" rather than focusing solely on "law enforcement", this view is not necessarily shared by the people who are in touch with the police. As indicated in the cases of Mrs. R. and Mr. and Mrs. N., police responses to requests for help do not always correspond to the expectations. In addition, there seems to be an attitude that, despite a positive view of the police in general, they cannot in fact provide protection against real danger.

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The duality of police roles has been commented on by numerous ob
continued in the neighbourhood, even though the Project had not been able
to really solve their problem (either by restoring their stolen ladder or by
subduing their neighbours). They felt that the Law Reform Project was
easier and less threatening to use than the police. Mr. L. gave an example
of a friend who owned a coin laundry, which he discovered was being used
as a distribution centre for drugs. This man was very upset but was afraid
to phone the police, lest his business be damaged by a police investigation,
or even padlocked.

> MR. L.: I give you the example of the coin laundry. They will not go to
> the police. They do not want to wreck the establishment and then have
> bankruptcy. But when you [the Law Reform Project] are in the Main
> Street like before, then he will go over and tell you and trust you
> and you can act behind him. ... And then we can fight today's
> crimes discreetly.

Mr. L. gave another example of what he seemed to consider to be arbitrary
police behaviour:

> I will tell you a very good example about police and the neighbour-
> hood. Here was three or four fires in this house (across the street)
> when it was built . . . So the firemen comes out three or four times,
> and the fourth time that he comes here, here was a hydrant before
> my house. The fire chief comes to me and says, 'Look, I can ask a
> favour from you?' 'Yes, you can.' 'Look, someone parks his car before
> a hydrant, you call the police. If you call the police he must go away
> because we need this hydrant when there is a fire.' And there was
> always trouble because here is always some truck or some car. Four
> times I phoned to the police. The police has not once come out and
> acted. But my son-in-law. . . twice with his private Volvo, both times
> he got a ticket.
>
> MRS. L.: And you can know from that.
>
> MR. L.: I'm finished. That is a good example.

The L's spoke highly of the police in a general sense, but despite this positive
view of the police, the L.'s still expressed fear that the police would not be
able to protect them from danger, even if the police recognized their com-
plaint as legitimate. They also seemed to feel that the police are often
skeptical of appeals for help.

> MR. L.: But an average citizen is afraid to go to the police. I told why [the
> example of the coin laundry]. But the average citizen is better off in
> his complaint to go to a law office like yours and you go with him to
> the police.
>
> MRS. L.: They're supposed to be leaving those projects. They supposed not
> to make finish these projects. [The Law Reform Project]
>
> MR. L.: It is very direct when I call police. Even when I have a burglary and
> I call the police, and the meantime the burglar run away. I have a
> foolish feeling when the police call and say, 'What was the trouble?'
> and I say, 'Here was a burglar'. He believe what he wants—maybe it
> was a skunk or a racoon, you know. It is no good. The trouble is the
> criminal, or the would-be criminal, has more rights than we in our
> country . . . Why I don't want to pick up the phone and call the

police? Because these people [his neighbours] are such people when we call the police, and the police step in, then the revenge, and whether my property will be damaged, or I will be damaged somehow, you know. Therefore, your project was a very useful project in this district.

Overall, it seems that the police in general, and the C.S.O.'s in particular, have a commitment to provide supportive service as a legitimate part of their police function. The C.S.O.'s described the police department as a type of social agency; however, the distinction between the service function of the police and that of other agencies did not seem at all clear. The C.S.O.'s complain of a lack of constantly available professional resources, and indicate that they would readily relinquish "playing shrink" if only the appropriate agencies would move in to fill the gap. However, the more accustomed the police become to providing social support, the less easy it may become over time for them to move out of this role, if other community institutions begin to increase their availability.

The police continue to be a visible and available source of potential help for problems outside the area of law enforcement *per se*. It is within this residual category that the police function is not clearly defined, so that the police are left to exercise a considerable amount of discretion. The people who call the police also have an unclear idea of how far police authority extends in extra-law enforcement situations, so that they may have unrealistic expectations of what the police can actually do. Thus the police-citizen contact concerning the problems being discussed here involves interaction within a context of ambiguous definitions and expectations. The result is liable to create at least some frustration for both parties.

The police seem to be well regarded generally, but, as the Yorklea data seem to indicate, people who ask for help from formal agencies do not tend to approach the police to any large degree. The view of the police as the providers of social support seems to be more applicable to people who cannot turn to other sources for help.

Definition and Solution of Problems

A problem may occur as a unique, discrete incident, with a clearly recognized beginning and end, and with an unambiguous cause and solution. Generally, however, it seems that while problems are recognized as having occurred (or as being in the process of occurring), ideas about what constitutes a solution are not always clearly understood.

Mr. and Mrs. N. felt that their difficulty started when their neighbour moved back into the house next door (which she had been renting to someone else) and allowed it to fall into disrepair. The solution would be to legally compel the neighbour to repair her house, or for the Borough,

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the department of public health or some other body to take responsibility for making repairs. Their problem, as they saw it, was their inability to elicit a statement by any authoritative person claiming responsibility for ensuring that repairs were made.

In contrast to this, Mrs. H.'s perception of her problem with her daughter was somewhat more ambiguous. Laura, her fourteen-year old daughter, had been behaving for the past several years in a way that her mother found increasingly disturbing. According to Mrs. H., Laura was talking back to her, smoking and drinking behind her back, skipping school, hanging around with a group that she didn't approve of, and apparently being sexually promiscuous. Mrs. H., who struck the interviewer as a very angry and depressed woman who felt trapped and hopeless in her environment, seemed to feel (although she didn't state this directly) that Laura's behaviour was the root of the problem and that the solution was to find some person with authority who could control Laura. Laura was in and out of foster homes, as Mrs. H. refused to have her at home. She did come home for a period of time, during which she was caught shoplifting, as a result of which she was placed in a group home for girls. In her search for a controlling medium, Mrs. H. was in contact with a number of helping agents; the police, a 'Y' worker who was located in the community office of the OHC development, a counselling clinic, a psychiatrist and the social worker attached to the psychiatrist, a high school guidance counsellor, a Children's Aid worker, two sets of foster parents, the Youth Bureau, a worker from the Law Reform Project, a family court judge, and the psychiatric clinic attached to the family court. The only helpers that she expressed satisfaction with were the Law Reform worker, who recommended to the judge that Laura be given psychiatric assessment by the court clinic, and the clinic itself.

Mrs. H. didn't express a clear idea of what kind of intervention she wanted. When describing her difficulties, she made several vague references to needing "help", without saying what kind of help she meant:

> Mrs. H.: Laura was too far gone for counselling. I told Mr. F. [the Children's Aid worker] from the start, 'Listen,' I told K., [the Y. worker] too, I said, 'Laura needs more than counselling, she needs help,' because she was a highstrung kid to begin with.
>
> She came home [from the second foster home] and Mr. F. said he'd put her on probation until Christmas. Well, she done fine until around maybe February. She was lippy, but all I did was threaten her, you know, I said, 'I'll put you right back in again, Laura, if you start hanging around with this crowd again'. But it was like she was crying out for help, but we couldn't get it. We weren't getting anywhere.
>
> The "Y" worker set up an appointment to see Dr. C., a psychiatrist, so we went there. She talked to Laura. She gave her four pills. That would settle Laura down. That was the last she ever got. We went out, we went home, and we got into a fight. So we went again the following week and Dr. C. said herself, "If you don't feel like I'm helping,

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find the help you think you need.' I said, 'I didn't feel there had been any help here.' I told her straight out. I said, 'I'm not taking Laura back there, either.'

. . . So then when we got home [from court], I was really scared. I figured this is it, it's game over, you know. And I figured, she needs more than training school. Training school wasn't the answer, she needed help.

Eventually, Mrs. H. intimated that what she had been looking for all along was a way to free herself from Laura's challenging behaviour which she could no longer control:

MRS. H.: So we went to the court psychiatrist and they asked me if they could work from the home and I said, 'No, there was no way', because I knew it wasn't going to work here. Laura and I just didn't see eye to eye, so I said, 'The only way Laura is going to be helped is that she has to be out of the home'. I said, 'There is no sense helping her here when she is back out with the same crowd again.' I said, 'It won't work'. So they suggested she be taken out of the home.

She appeared to be very relieved that her daughter had been placed in a group home, and she indicated that she wanted to make sure that there was some distance between herself and Laura, at least for the time being.

MRS. H.: . . . I told the probation officer: Laura, when she was in the other home, she was calling me three and four and five times a day. She would get me upset, I would end up crying about it, so I told the probation officer the other day. I said 'I don't want Laura calling me every day. I know what she will do.' He says, 'Well, she's going to call you a few names.' I says, 'No, if she does, I'll hang up on her.' He says, 'Well, you can't do that'. And I says, 'Well, I can.'

I said, 'I'm not going to sit here and listen to a fourteen year old call me an effing whore and all this kind of thing.' I said, 'I won't go through that'. So he says, 'No, but you'll more or less have to play it along.' I says, 'No, I won't do that, either. I've put up with it almost two years of her going on like this.' So I says, 'I would rather she just get herself straightened out', 'cause they get professional help there, too.

INTERVIEWER: So that's the kind of thing you really wanted for her all along?

MRS. H.: Yeah, right, professional help and a home where I knew she was gonna be happy, you know. She came home the other day for her clothes and she was like a different kid. And this was all in a matter of a week . . . But I don't worry about her any more because I know she's in a place where she's going to get the help she needs, and I'm quite delighted with it.

Mrs. H.'s immediate problem was solved, in that she no longer had to deal with Laura's uncontrollable behaviour. However, when Laura returns home, she will be back in a seductive, action- and excitement-oriented environment, and it seems quite possible that Mrs. H. will find herself having to cope with a daughter who has grown more assertive and independent of her control.

Having a problem can mean that one is unable to realize the solution one has in mind. A problem can also mean that one is confronted with a

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situation for which one does not have a solution, so that one must rely on others for help. In cases like this, both possible solutions and strategies to achieve those solutions are not clearly formulated. It is this type of problem that is most characteristic of the people who were interviewed.

People who experience problems, especially problems which are liable to be repeated, may learn how to handle future trouble. If their problem is positively resolved, then they will have an already tested strategy should the problem recur. It is not clear from the interview data to what extent this kind of learning happens. It seems that a good part of the learning that arises out of experiencing trouble lies more in the area of whom to turn to for help rather than how to solve the problem directly. When problems are seen to require professional skills and institutional resources, then the most efficacious way of handling those problems is to learn who is most likely to respond to a request for help in a positive and helpful way. Similarly, people who call on certain helpers, such as the police, and are not satisfied with the response they receive, may learn not to call those helpers again for similar or other kinds of trouble.

Overall, problem-solving is most successful for people who can muster the requisite support and other resources for finding a solution. People with substantial networks of family and friends, and people who know how to make use of professional helping agents, are best able to cope with trouble. Individuals who are socially isolated experience trouble more intensely and are less likely to achieve a satisfactory solution without appealing to formal helpers.

Help-seeking is more likely to be successful if the context in which it takes place is clearly defined. The more ambiguous the jurisdiction and authority of the helper and the more ambiguous the expectations of the help-seeker, the less likely is the possibility of a satisfactory solution.

NIC: A FORMAL NEIGHBOUR

NIC's History and Organization

Since the spring of 1969, the residents of the south-east area of East York have had available a locally-based information service which has acted in a number of ways to help people solve problems and to link the area-based agencies with the people in the community. (The immediate area has a total population of about 20,000).

The Neighbourhood Information Centre (NIC) was first established by a group of women who had been involved with the home and school association at the local elementary school, and who were concerned about the quality of life in their neighbourhood. The Clarke Institute of Psychiatry was quite heavily involved in East York during this time. (cf. Canadian

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Psychiatric Journal, Special Supplement I, 1972). Through the Clarke's community development programme, a social worker was assigned to the south-east area to initiate intervention towards a programme of inter-agency cooperation.

While the structure of NIC itself is not that of a professionally staffed, bureaucratic agency, it is organizationally linked to formal institutions in the community. NIC was created as a subcommittee of the Southeast Area Subcommittee, which is attached to the Interagency Council of East York, a body comprising the directors of the various agencies within the Borough. As a subcommittee, NIC has three officers: a chairman, a secretary and a treasurer. In the early days of NIC, a finance committee was set up to investigate possible sources of funds, and involved a local storekeeper, the school principal, the provincial and federal Members of Parliament, two aldermen, a social worker from a Borough agency, and a local minister, in addition to the NIC officers. This system of subcommittees served to

TABLE 8

Breakdown of new cases received at Neighbourhood Information Centre,
Sept. 1–Sept. 21, 1973

	Number	%	Total
Rooms registry	57	20	
Day Care	69	24.2	44.2%
Other Personal Assistance (Besides Rooms and Day Care)			
Health	7	2.5	
General Personal Support*	6	2.1	
Senior Citizen Help	4	1.4	
Clothing Depot, Furniture	10	3.5	
Youth Employment	13	4.6	
New Canadians	11	3.9	
Legal Aid	15	5.3	
Agency Referral	18	6.3	
Home Help	12	4.2	33.8%
Community Information, Recreation, Education			
Youth Recreation	11	3.8	
Adult Education	13	4.5	
General Information	10	3.5	13.4%
(Community & Metro)			
Community Organization	4	1.4	
Administrative			
Inter Agency Liaison	11	3.9	
Internal NIC Co-ordination	13	4.6	8.5%

*Many calls in other categories also belong here. Each case counts as *only one* category.
(Courtesy of Neighbourhood Information Centre)

Figure 1. Breakdown of Cases Received at Neighbourhood Information Centre Sept. 1 — Sept. 21, 1973

	No. of Cases
Recreation, youth	11
Recreation, adult	5
General Information	18
Health	7
General Support	6
Senior Citizen	4
Community Organization	4
Clothing, furniture	10
Youth Employment	13
Home Help	12
New Canadians	11
Rooms Registry	57
Legal Aid	15
Agency Referral	18
Inter Agency Contact	11
Internal NIC	13
Day Care	69
TOTAL	284

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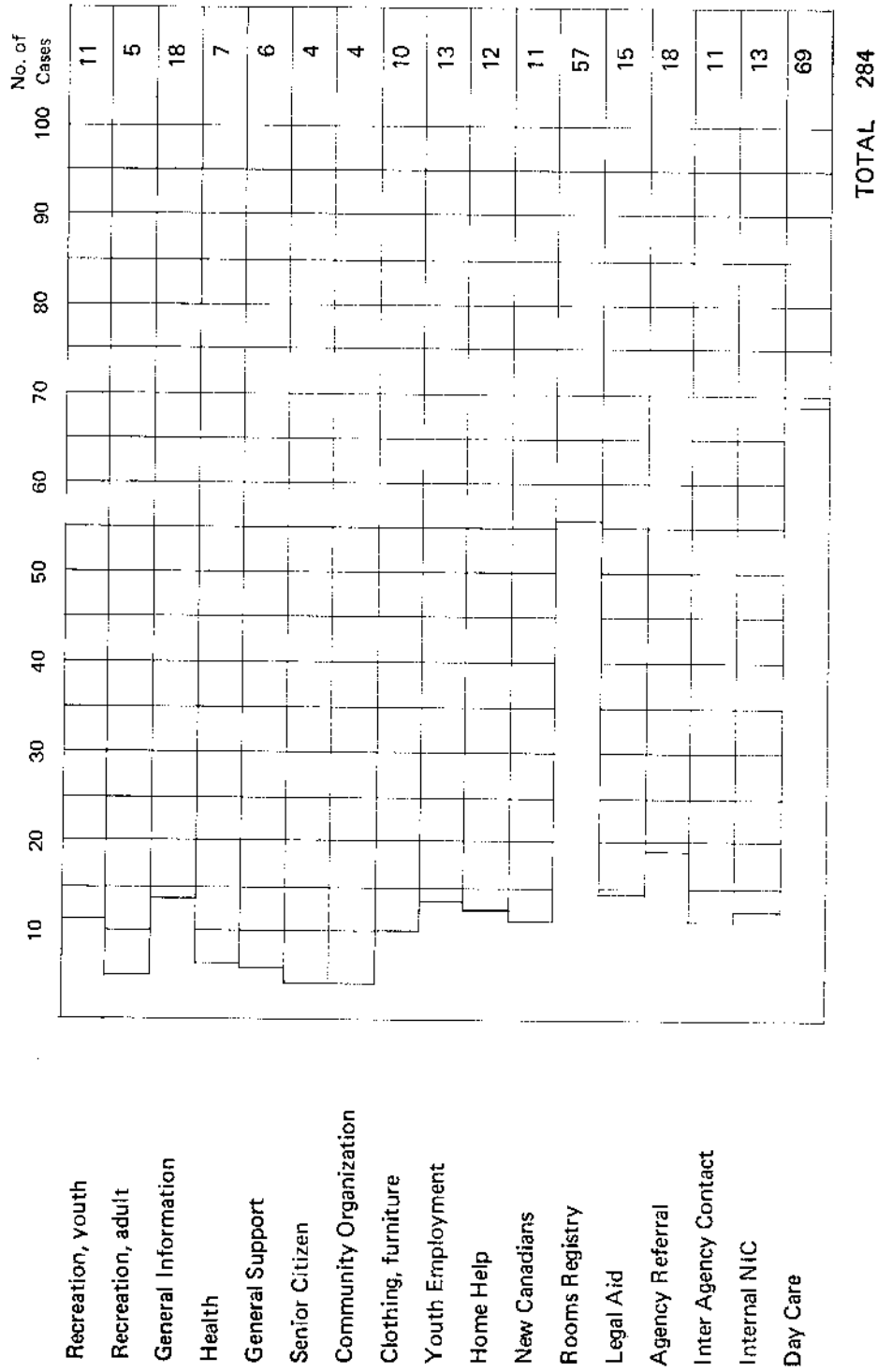
Figure 2. Breakdown of incoming calls for September 1971, 1972, 1973

Incoming Calls

	20	40	60	80	100	120	140	160	180	200

Recreation

Day Care

Education

Health

Social Services

Senior Citizens

Community Services

September ■ 1971   ▨ 1972   ☐ 1973*
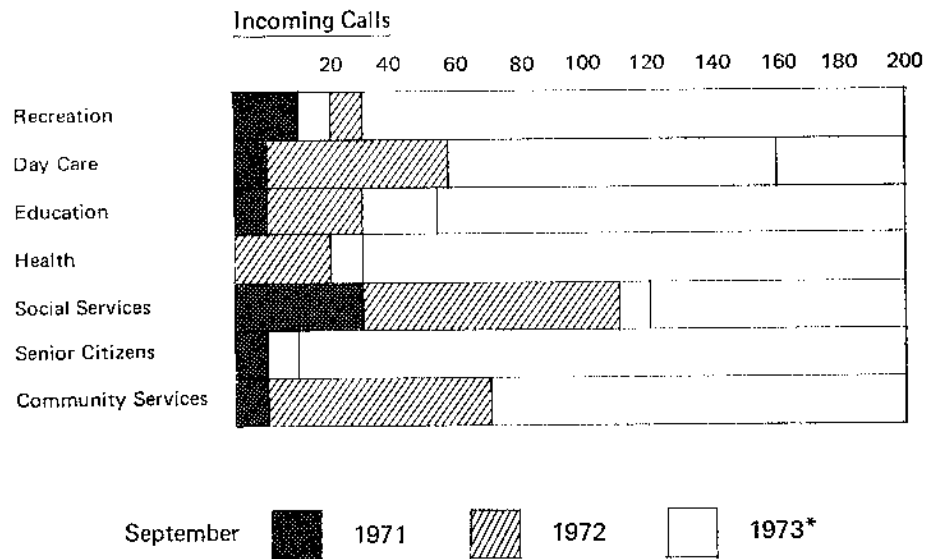
*This chart was prepared on Sept. 24, 1973 and represents a 4-week estimate based on the actual calls received within a 3-week period in September 1973. Furthermore, the current method of gathering data is based on cases as opposed to calls. Therefore, in order to facilitate a comparison with data previously collected in 1971-72, the number of cases in each category was applied to the actual total of incoming calls and the resulting percentage was indicated on the chart.

Estimated Growth Rate 1972-1973

Recreation	→	−22%
Day Care	→	184%
Education + Information	→	61%
(including Adult Ed. and Gen. Info.)		
Health	→	45%
Social Services	→	6%
Senior Citizens	→	−10%
Community Services	→	184%

(Courtesy of Neighbourhood Information Centre)

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formalize, among leaders in the community, relationships which had existed previously but on a more attenuated and sporadic basis.

With the help of the social worker and the support of the local elementary school principal, NIC first came into existence around a specific issue: lack of available information on summer camps and day camps. A desk was set up in the school lobby for a week, for the purpose of disseminating the information that had been assembled, but it soon became apparent to the women involved that people in the community were aware of a lack of information about a wide range of services and were expressing a desire to have this information made accessible in some way.

NIC started out as a volunteer effort, operating two hours a day five days a week out of a hockey change hut donated by the Borough of East York and located in the elementary school yard. It has since been able to expand its services, having been the recipient of several LIP grants from the federal government (although currently sources of future revenue are uncertain). As NIC began to gain local prominence residents increased their contacts with NIC. In its second year, the rate of requests increased 75% (Messinger and Parry, 1972). Its quarters were somewhat enlarged to a portable classroom in the same location. Government funding provided salaries for the former volunteers, who were now able to keep NIC open from 9 to 12 a.m., 1 to 4 and 7 to 9 p.m. five days a week and part of Saturday. There is currently a core group of six women who have been with NIC since its inception. NIC continues to use volunteers from the community, and has had other resources available at times, such as three multilingual students who were placed at NIC during the summer of 1973 as part of a provincially sponsored multicultural programme. NIC continues to receive support from the Clarke and from the Addiction Research Foundation, which sends a social worker to NIC regularly to talk with the staff about problems encountered with clients, with their relationship with other agencies, and so on.

NIC's basic function is to provide information; this is how the staff perceives its role and this is in fact where most of the staff effort is directed, although there are a number of important latent functions which result from the information-sharing activities.

NIC provides several services of its own, which are also premised on information dissemination. Card files for a Rooms Registry, a Youth Employment Programme, Home Help and Day Care are regularly updated and are colour-coordinated with a large map of East York divided into sectors. The files contain information about people who are both seeking and offering a certain service. For instance, a person calls to inquire about a shared living arrangement for his aged mother, who has lived in the south-east area all her life, wants to maintain her independence of her children and yet can't really live alone and would like some companionship. The staff person takes

down all the relevant information on a special Rooms Registry "needed" form. She then checks the card file, looking through those cards which are colour-designated as referring to the south-east area, until she finds a card for another senior citizen who has a room available which she would prefer to rent to an older woman like herself. The caller is given the name, phone number and other details and is requested to phone NIC back to advise the staff as to whether or not a satisfactory arrangement had been worked out. If there is nothing available in the card file, the staff member will enter the request in the file and will periodically check the file for any new possibilities while making inquiries of other room registry services in the city.

The Youth Employment Programme matches youngsters in the area who do odd jobs such as window-washing and grass-cutting with people who need the work done, usually senior citizens. The Day Care and Home Help services work in the same way; Day Care refers to a service whereby children are cared for in someone else's home, and Home Help involves supplying help such as housecleaning and meal preparation, usually for invalids or senior citizens. The outcomes of these referrals is generally followed up, so that a youngster who doesn't finish his job can be reprimanded, or a person with a flat to rent who is charging an unreasonable amount can be dropped from the file.

In addition to its own services, NIC provided a setting for an Income Tax Clinic during the winter and early spring of 1973; the Clinic was very well attended, including people from all over Toronto as well as East York. NIC continues to house a Legal Aid clinic on Tuesday evenings. While these services are sponsored by other organizations and are not under NIC control, the fact that they take place under NIC's roof means that there is a possibility of spillover into NIC areas of concern. NIC makes appointments for people who want to speak to the Legal Aid lawyer, and quite often the caller will tell the staff person about his or her problem during the initial call to set up an appointment. In this way NIC is alerted to the possibility that its own services may be of some use. The lawyer may send people to talk to a NIC staff person when he feels that he is presented with problems that are not strictly legal ones, or where a legal solution is judged to be too expensive or likely to be ineffective.

In addition to calls for specific information, or for NIC services or NIC-associated ones such as Legal Aid, NIC receives requests for help with problem-solving of a more diffuse or complicated nature. Such requests might be as follows: "My husband's unemployment insurance cheque is lost in the mail, and there is no food in the house; what should we do?" I have an elderly neighbour who lives alone and I think she is ill; can someone come and look after her?" "I've been on the waiting list for Ontario Housing for three years and now I'm being evicted and I have no place to go; can you help me?"

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Reassurance and sympathy are given to the caller, the pertinent information is taken and the search for further information is begun. Other staff members are continually being consulted, with much pooling of ideas and suggestions. Since staff members do not have individual caseloads (although some people who are in touch with NIC over a period of time become closer to a particular staff member), there is nothing inherent in the structure of NIC to prevent joint consultation.

People come to NIC because they saw an ad in a local newspaper, because the school teacher or public health nurse suggested it, because their neighbour's son got a job cutting grass through NIC, or because it was recommended by the local minister or the corner grocer. Within its own locality, NIC is continuing to be discovered and used by residents. Increasing demands are also being made by residents and agencies outside the local area. NIC staff are alerted to requests for help that they call "the tip of the iceberg", where an initial request (e.g. I'm looking for a place to live) leads to the revelation of underlying, more serious problems (e.g. My husband is threatening my children and me, so I have to leave my house).

NIC's function at the level of the individual can best be characterized as that of being a "good neighbour". The women at NIC are not professionals; beyond a commitment to provide service and support they do not adhere to a professional or similar ideology that might conflict with the values of the people they deal with. They live in the area they serve and are committed to the needs of their neighbourhood, and understand the values held by their community, since they are of that community themselves.

Thus when someone phones NIC with a problem, they are extended treatment as from one neighbour to another, in terms of warmth and friendliness. People receive help and advice that might not otherwise be available, but they also get support and understanding. This is particularly important for people who are socially isolated, without family and friends to provide help in times of stress.

The atmosphere at NIC is similar in some ways to a neighbour's kitchen. People who live within walking distance are often encouraged to drop in and have a cup of tea. Being at NIC is very much like visiting with a neighbour doing her chores; the staff at NIC will chat and visit, interrupting themselves to answer the phone or jot down messages. The genuine concern and supportiveness extended by NIC has been of real importance to those individuals who were without close friends or family and who felt themselves to be overwhelmed by their difficulties. It is the attitude and behaviour of the NIC staff in conjunction with their information-giving skills that has resulted in successful help-giving to people whose problems are exacerbated by their social isolation.

Individuals who are without close family or friends to help in times of stress are likely to perceive trouble as objectively more serious than would people with informal help available. These individuals may also be more dependent on institutional sources of help. NIC's type of neighbour-like, supportive interest and help is most clearly demonstrated in terms of dependent, isolated persons.

Miss D., a nineteen-year-old immigrant from the West Indies, was living in an East York rooming house with her cousin while she went to school. Through another information centre, suggested by a friend, the two women learned of NIC, and were able to obtain a few babysitting jobs through NIC's day care service. Trouble began when Miss D.'s student visa expired and she was unable to apply for landed immigrant status from within Canada. While she was trying to decide on a course of action, one of the men who was living in the same house began to make advances towards her, which frightened her. Her cousin solved her own immigration problem by marrying a Canadian citizen. Thus Miss D. was left with no job, precarious legal status as an immigrant and a home in which she no longer felt safe. She and her cousin had a falling out, so she was without anyone close to whom she could turn. She called NIC, which was able to connect her with Mrs. J., an infirm, elderly lady who lived alone and who needed someone to help her at home. This turned out to be a very satisfactory temporary arrangement while Mrs. J. waited for an opening in a nursing home, and while Miss D. tried to solve her immigration problem. Mrs. J. had care and companionship, and Miss D. had her housing problem solved. Her position with Mrs. J., assisted her to get a work permit as a maid, a temporary solution, which she accepted reluctantly because of her secretarial and computer skills. After consulting the Legal Aid lawyer at NIC, Miss D. successfully applied for landed immigrant status during the government's special leniency period. NIC helped her with this by giving her a letter offering her a position, which Miss D. feels was instrumental in her being accepted as a landed immigrant. In addition, one of the NIC staff who used to be a door-to-door cosmetics saleswoman got Miss D. started off selling for the same company and helped her with the necessary neighbourhood contacts.

Miss D. was not without close relationships; she came from a large family, with many cousins and friends. While she was not truly socially isolated in the sense of being without any meaningful relationships, she was unable to call upon those relationships when she needed them. NIC was able to help her deal with an unfamiliar and increasingly hostile environment, so that she has been able to arrive at solutions to her problems and to feel optimistic about her future. Through NIC, Miss D. went to babysit for Mrs. B. They have now become friends, and Miss D. still visits

Mrs. B., although the latter has moved away from the neighbourhood. This is a good example of NIC's switchboard role. When asked to name people she felt closest to, Miss D. stated:

> Well, the Neighbourhood Information Centre. They all make me feel at home, make me feel that my problems weren't there when they were there. More or less, they make me feel relaxed and they help me in every possible way.
>
> . . . because they're here, just on the spur of the moment, on the scene, and they're willing to help you.
>
> . . . They make me feel relaxed, at home, and their hands were stretched out when I needed help.

Mrs. A. is a divorced Armenian woman who lives in an OHC apartment up the street from NIC. Her involvement with NIC centred around her five-year-old daughter's illness and death. The initial contact stemmed from her desire to enroll her younger son in a nursery so that she could have some rest from his demands, since she was exhausted physically and emotionally from nursing her dying child. NIC made the school arrangements with the Board of Education and found a service club that was willing to pay for bus transportation. NIC's involvement with Mrs. A. continued after her daughter died, and NIC has been encouraging Mrs. A. to meet regularly with a social worker, since she continues to be severely depressed and is unable to cope with her son's constant demands for attention and reassurance.

Mrs. A. has a few relatives and friends in Toronto, but none close enough to help ease the burden of caring for a dying child at home. A NIC staff person who had been phoning and visiting Mrs. A. regularly stayed with Mrs. A. at the hospital the day of her child's death, took her home and stayed with her that night, made all the funeral arrangements and stayed with her during the days that followed. NIC staff are continuing to contact Mrs. A. and to encourage her to become involved in activities such as mothers' groups.

Mrs. A. continues to be very depressed, and she has not yet accepted her daughter's death. Without NIC's intervention, it is probable that she would have been quite unable to cope with funeral arrangements and so on. The knowledge that NIC was constantly at hand and the reassurance that she derived from this is apparent in the way she described her feelings about NIC.:

> INTERVIEWER: And do you feed close to NIC?
>
> MRS. A: Oh, yes, like a family, you know. It's like I'm going to visit my family, especially Mrs. Sommerville. She was like a mother with me. She was near with me the day when my daughter passed away. [Starts to cry].
>
> . . . I said, God bless this kind of people, you know. If I don't have this kind of people, what am I going to do myself alone, you know?

. . . [Mrs. Sommerville] stayed with me every day until the funeral was over. Well, I'm proud of that, you know. They made a very good job [of the funeral], you know. Sometimes it's your relatives that do that, what this kind of people have done for me. And I'm really proud [sic] for Neighbourhood Centre and for everybody. They helped me and they give me courage.

. . . like this kind of office [NIC] you know, to help people, to give them courage. And not the income, I mean. The income is not necessary more than you find somebody to talk to sometimes. That's important to people when they need sometimes to talk. I don't know, I think we need it.

The quality and importance of the support that NIC extends to people such as Mrs. A. is reflected in the evaluation given by Mrs. B.:

I don't know. More or less I guess they just know exactly what a family is going through, especially when there's no father in the family, and they know how to cope with everything. Even more or less just talking to you they know exactly what to say and what not to say. Sometimes you get in a bloody mood and you don't know how to get out of it. So I go over and I have a talk with them or I call them on the phone if I have a few minutes and they'll talk to you regardless of what you tell them. It's not like your friends when you call them and they, 'Oh, there's somebody at the door, I've got to leave.' They're not like that. They'll just turn around and put it to someone else and they'll keep talking to you. They're there and that's it, they'll help you, there's no way out of that. I don't know how to put it, really, but, well, they're more like a sister to me sometimes.

Relationship with Agencies

In response to many of their requests, the NIC women have increasingly frequent contacts with representatives of agencies within East York and other parts of Metropolitan Toronto. At first NIC initiated most of the contacts, making inquiries on behalf of individuals, or informing agency workers of people in need of particular services. The NIC staff came to know the social workers, public health nurses and others having caseloads in the southeast and neighbouring areas. A pooling of information about local residents began, and the flow of communication became somewhat more balanced, as agency workers realized that NIC had knowledge of community resources that was not available elsewhere. Social workers, community police officers and nurses ask NIC where a patient of theirs on Mother's Allowance could obtain a used stove for free, whether they know of someone who will go to the home of a bedridden woman to do some housecleaning, whether there is a room available for a man about to be released from a psychiatric hospital.

The positive view that local agencies have developed of NIC stems from the fact that NIC has often been able to help provide real, material help.

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The NIC staff have been individually involved in a number of community organizations and local projects, and these associations continue to help keep them tuned in to problems in their neighbourhood. Two staff members have been affiliated with the Y, one doing outreach work with immigrants, and another teaching English classes for immigrant women. One staff person has been working with retarded adults, and another one has been involved with an association for children with learning disabilities. There are also church groups with which the staff and their families have been affiliated, as well as home and school associations, Scouts and Girl Guides, and so on.

NIC keeps informed about agency activities and services through its organizational links with the Southeast Area Subcommittee, and through it with the Interagency Council of East York. NIC staff attend committee meetings regularly, and are often requested to participate in meetings of specific agencies, such as the Visiting Homemakers. Political representatives are often called upon by NIC to help solve problems by giving relevant information or perhaps by exerting influence to activate some bureaucratic process. NIC's efforts to involve formal helpers are not always successful, as was the case for Mr. and Mrs. N. on whose behalf numerous people were contacted. However, the staff has learned the appropriateness and efficacy of requesting assistance or information from the various professionals and institutions, and of referring people to them.

NIC's knowledge of the community itself combined with its relative ease of entry to various social agencies and institutions enhances its ability to act as a switchboard, linking people both within and between the informal and formal levels of helping systems. Because NIC's primary function is the gathering and passing on of information, much of the staff's time is spent renewing and developing contacts at various levels in the community. Other organizations, on the other hand, are far more involved in their internal activities, practicing professional skills and looking after bureaucratic requirements. The numerous contacts that NIC has at its disposal are useful to agencies which do not have the same outward orientation. When asked whether NIC was helpful in their work, the C.S.O.'s cited NIC's contacts.

INTERVIEWER: My own reaction to NIC is that it is potentially and really a very big help to what you do, in the sense that they get a hold of a lot of trouble that, if they weren't there, would come directly to you. Do you think that's a fair assessment?

OFFICER A: It works both ways. We use them, too. We use them as well.

INTERVIEWER: You mean to alert them to trouble in the neighbourhood?

OFFICER B: No, sometimes they have "ins" to different agencies, personal contacts that we probably haven't established.

INTERVIEWER: Oh, I see. So you use them.

OFFICER A: Yes, it's a two way thing. That's part of the job, isn't it?

NIC's knowledge of much of what goes on in their locality is generally not available to most agency professionals. Whereas a public health nurse or a social worker may know some particular facts about a family, NIC may be able to provide information about the family's general context, so that the professional's knowledge becomes more meaningful.

> OFFICER A: We're getting a lot from NIC. Positive reinforcement, what have you, that works both ways.
>
> INTERVIEWER: Do they kind of clue you in in what's happening in the community, or at least in their part of the community?
>
> OFFICER B: One should get that pretty well clarified. When you think of cluing in, some people might interpret that to mean, well, NIC would phone in and say, 'Hey, policeman, there's trouble down there, you better go down there and clear it up or make a bust', or stuff like that. That's not the way it works. They would know about a guy who goes to school with no breakfast, because his parents are on welfare and they budget for booze and not for food. You know, if we could help there... Before it gets to a situation where the guy is beating up on his old lady, then we can go in initially and try to sort things out.

NIC's ability to offer friendliness and an attempt to help on an individual level has implications for agencies as well, by providing an alternative for people who might otherwise seek help from institutions. One of the issues that has disturbed NIC people most, judging from their remarks, is what they refer to as "gaps in service", where there is an identifiable need which does not fall under the aegis of a particular agency. In many instances, NIC has been able to fill some of these gaps through their knowledge of local resources. One of the most significant gaps seems to be the lack of a listening post, where people could express themselves and receive a sympathetic hearing. A woman phoned to find out about social activities for senior citizens. She talked to a NIC volunteer for half an hour or more, complaining of her ill health and inability to make ends meet because of high prices. She remarked at the end of the phone call how much better she felt for having been able to let off some steam.

When people phone NIC to complain or to express anger, loneliness, depression, and so on, and when they ask for a type of help that other agencies don't provide, NIC is in fact acting as a buffer between individuals in the community and the agencies. The agencies are protected from requests that they perceive as not being part of their function and which they would nonetheless have had to deal with if not for NIC's presence. The individuals are protected from rebuffs and continual referrals from agency to agency.

The positive aspects of this buffering function vis-à-vis formal helpers was demonstrated in the following example which involved the police (as well as the court and a social worker from a child welfare agency). Mrs. C. had phoned NIC to find out about renting a house. She subsequently revealed her husband had been beating her and her children and that after some

hesitancy, she had laid a charge of assault against him without his knowledge several months previously. At that time, a Community Service Officer and a social worker from the Addiction Research Foundation went to see Mrs. C., since Mr. C. had a drinking problem. No course of action resulted at the time since Mr. C. refused to see the social worker, but Mrs. C. felt that she had received some psychological support. By the time Mrs. C. contacted NIC she was 8½ months pregnant, and the NIC staff, on learning that her husband was becoming abusive again and that Mrs. C. feared a violent outburst when he learned about the assault charge, contacted the C.S.O. and alerted him of the worsened situation. The C.S.O. was skeptical about the severity of the case; marital disputes tend to be very ambiguous for the police, since they often see spouses decide to lay charges only to withdraw them later. The officer involved called it another case of "can't live with him, can't live without him", but he agreed to keep an eye on the family. Then when the situation did deteriorate very soon after, the police were prepared for it. In addition, the pressure on the C.S.O. to act "like a social worker" (i.e. to become involved in the family's other problems) was alleviated by NIC's presence. So when Mr. C. was eventually served with a warrant and he reacted with violence, the police, who were waiting outside the house in case of trouble, brought Mrs. C. and her children to NIC until she could be taken to the emergency hostel for mothers and children located downtown. If NIC hadn't been available, the police would probably have had to make other arrangements themselves since Mrs. C. had no friends or family to turn to for help. (NIC continued to be concerned with this family, making arrangements for the children to be looked after while Mrs. C. was in hospital, etc.)

The positive attitude that local professionals are developing toward NIC are reflected by their increasing use of NIC's services. The C.S.O.'s demonstrated this positive attitude during their interview. While earlier they had been speaking quite critically of institutions such as psychiatric hospitals for being inaccessible when needed, their attitude and general tone changed markedly when asked about NIC.

INTERVIEWER: How do you feel about the Neighbourhood Information Centre as a sort of semi-formal agency?

OFFICER B: Well, I'll tell you this. My feeling is, and I'm sure that Officer A. will back me on this, I think that the Neighbourhood Information Centre is one of the most efficient agencies I've ever seen.

OFFICER A: There is a need and they are doing their job in fulfilling that need. I think they are doing a fantastic job. That's my personal opinion. A fantastic job.

INTERVIEWER: Do you think there should be more of these local, intense . . .

OFFICER B: In terms of quality.

OFFICER A: Not just for the sake of saying, 'Hey, look, we've got a Neighbourhood Information Centre'. I don't think they can all be as good as this particular agency. But the people there seem to be very concerned, very sincere . . .

OFFICER B: Involved.
OFFICER A: Very stable.
OFFICER A: That calibre of service, yes, more of it.

Summary

NIC's primary function on the more obvious level is the collection and dissemination of information on a wide range of resources, needs and problems. This information is obtained from and shared with individuals and with professionals and agency representatives. As part of its general information processing activities, NIC provides particular services of its own. These are unique to NIC because they involve a pulling together of local, unorganized resources in the community which would not be otherwise available. NIC perceives itself as a switchboard in the community, linking people with needs to people with resources, and it does in reality perform in this way.

NIC's genuine interest in and commitment to people in trouble have been of particular importance to those who are socially isolated and who have come to NIC with a problem. While the NIC staff place great emphasis on a supportive attitude, they may not have realized how meaningful this could become to individuals who are without their own interpersonal resources. So in addition to information, NIC extends warmth and support to people who probably would not find it elsewhere. NIC's ability to provide and gather information would likely be greatly impaired if it were not accompanied by a conscious desire to be a "good neighbour".

NIC facilitates the help-giving process by acting as a buffer between individuals and agencies. When requests for help are channeled through NIC, individuals may be protected from the rejection or continual referrals that can result from making inappropriate demands on institutions. Agencies may be protected from being diverted by problems they cannot or will not handle. NIC often acts to prepare both agency and individual for contact with each other, so that the likelihood that the contact will be a positive one is increased.

NIC acts as a focal point with which people in the community can identify. Since NIC's inception, it has been a stable presence in the neighbourhood. It is becoming increasingly recognized as a local institution and a familiar landmark.

Receiving help from a group of friendly neighbourhood women who can always be found in the same place day after day may contribute to people's sense of stability and continuity, as well as helping to develop a sense of belonging.

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CONCLUSIONS

Trouble in East York is often denied, and help may not be sought even when trouble is acknowledged. People vary in their perceptions of trouble, but it seems clear tha ttrouble is a worse experience for those without close, meaningful relationships. When assistance is requested, the preferred helpers are family, friends and others to whom one feels closely linked. Professionals are not usually approached for help. The exceptions to this pattern are the problem of illness, which is readily acknowledged, and the doctor, who is by far the most frequently consulted among formal helpers.

People have different ways of coping with trouble, but overall it appears that trouble is more serious for those who are unable to muster adequate resources, either materially or interpersonally. Lack of proper food or shelter, or inability to pay for high-quality professional service has an obvious impact on how one can deal with trouble. It also seems that lack of the support and warmth that come from close-knit interpersonal networks makes it more difficult to arrive at solutions. Inadequacy of material resources may be a fundamental influence, but social isolation also has an effect of its own. Of course, some of the people interviewed found themselves without either of these. For them, trouble is more stressful and the ability to cope with it is impaired through lack of resources; thus trouble is more likely to recur, further depleting whatever meagre means they have available.

Even for people with many informal helpers to which they can turn, the resources available at the institutional level may also be necessary for an adequate solution. While family and friends may encourage the use of agency services, in other instances they can also inhibit such use; in any event, there is a significant distance between individuals and institutions offering various kinds of assistance.

Local, autonomous non- or quasi-professional services such as NIC or the Law Reform Project appear to be an effective way to bridge this distance for at least part of the community. It may be very threatening for people in trouble to approach agencies, since they may not know what costs will be exacted for asking for help. An informal atmosphere, the absence of an impersonal receptionist and appointment schedule, the presence of friendly people who don't appear to claim a higher social status, all contribute towards providing a setting where acknowledging trouble may not seem to be such a dangerous thing. The directness of approaching an agency such

as the police can be frightening; the Law Reform Project in particular was valued by some informants because it didn't seem to demand as great a personal commitment and exposure as did the police.

The fact that NIC is locally-derived and intensely involved with its part of the community is important in considering its effectiveness in helping people with problems. The NIC women live among the people they help, and by and large they share the same value system. As one staff person put it, "We know what's acceptable and what isn't". NIC's acceptance in the community means that it can function as an instrument of social control, inasmuch as it makes decisions and judgments that are within the framework of the community's value system. N.I.C.'s ability to act in this way is buttressed by the support it receives from other persons who are both visible and important in the community, such as the school principal or local minister.

This social control function protects the community, as when a landlord is dropped from the Rooms Registry file because he charges too much, or when a NIC staff person calls the police about a car full of teenagers driving recklessly in the school yard. In a community like East York, disapproval or a reprimand by a "good neighbour" like NIC may have a greater impact in certain contexts than would be the case for a formal controlling agent such as the police.

In another sense, acting implicitly as an agent of social control can keep some people out of the helping process. NIC is on guard against people who might take advantage by manipulating themselves into a position where they receive service when they "don't deserve" it. People who work the system are a threat in some ways, since they appear to want more than their fair share of scarce resources. If they were to regard people like this as legitimate claimants, the NIC staff might feel that they would be creating and encouraging dependence and therefore keeping others in need from receiving their due share. The fear of being manipulated may prevent the realization that these so-called "shoppers" have in fact developed a useful and effective technique of augmenting their own limited means of coping with the stresses of daily living. If lack of resources is a basic factor in one's inability to cope with trouble, as has been suggested here, then techniques which partially overcome this lack should perhaps be viewed in a more positive manner. However, cases such as this are the exception rather than the rule at NIC, and in any event the NIC staff is by far more concerned with providing help rather than screening out suspect claims for service.

The effective way in which NIC functions to provide different types of information to various levels within the community leads to some unanswered questions about the applicability of NIC-type services in other communities and about the future of NIC itself. One of the obvious reasons that NIC has succeeded as well as it has is that the women who run it are extremely competent at what they do. The past association of the NIC women in other

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local organizations, the intervention of the Clarke Community Development Program, and the support of the school principal and other members of the community were only some of the factors that enabled these people to remain together as a group. This raises the question for further consideration: how are competent, interested people successfully recruited from within the community so as to provide a useful service at the local level?

Currently NIC has been supported by short-term federal government LIP grants. Since this source of funding is uncertain, the NIC staff have felt unable to plan for more than about six months ahead. This limited time perspective means that they focus on present rather than on future problems. More secure funding arrangements could mean that long-term planning would be feasible, which would then enhance the provision of service. A more stable existence and secure future, along with the possibility of long-range plans, could also mean that NIC will develop a different perspective of its needs in the community.

The need to continually reapply for funds also influences NIC's hidden controlling role. Interfering with the activities of established institutions, exposing government neglect, and demanding action from community decision-makers result in a high degree of visibility, which in turn leads to an increased likelihood that the status quo will be protected from attack or pressure by a withdrawal of financial support. The values and aims of the NIC staff do not involve this kind of public visibility, nor do they include any kind of militant intervention or demands. However, the fact that they must constantly be aware of what they perceive to be the government's criteria for their behaviour as an organization so as to keep receiving grants means that they are covertly led away from goals which the government might find "objectionable" and therefore not deserving of funds.

NIC's apolitical nature has meant that it has not been perceived as a threat either by the community in general or by the politicians and bureaucrats who control budgets. In addition, the NIC staff have a certain deference or respect for authority, which also helps to explain their non-assertive attitude. The implicit social control function of NIC, in conjunction with its "low profile" in the community, acts to keep the present system of professional and institutional service operating without being challenged or threatened by dissatisfied individuals or groups.

To the extent that NIC's position vis-à-vis the formal system is recognized and rewarded by larger grants, greater public acknowledgement, and so on, the NIC will likely continue to provide its present services within an unpoliticized context. In addition, the security of regular funding may encourage NIC to consider new types of services. There are many immigrants moving into the area; NIC has only had moderate success with a multicultural programme designed to reach non-English-speaking

residents. To the north and south of NIC are public housing highrise and townhouse developments, whose residents are, on the whole, poor and with many problems. Will NIC experience pressure to diversify and expand their services in order to become more accessible to these groups?

The NIC staff do not want to become indispensable; they are currently spending more time finding out about existing government programmes so as to make better use of existing facilities. However, larger grants could encourage NIC to develop new types of service or to try to make itself available to a larger part of the community. If this were to happen, the intensity of involvement that comes with NIC's small scale could be lost, or at least diminished. Also, expansion would likely lead to the development of a greater and more formal division of labour, as well as a hierarchy and increased bureaucratic requirements. This could also eventually result in an increased distance between NIC and the community, and a clearer alignment between NIC and the institutional system.

This speculation would, of course, become academic in the event of NIC falling victim to government cut-backs in spending, a possibility which is probably more likely than an increase in funding on a regular basis. In that case, NIC's existence would be seriously jeopardized even if alternate funds were found. Organized "charities" like the United Way would not provide enough money for NIC to be able to continue as it is presently constituted. The NIC staff would be economically compelled to find other jobs, and NIC would likely be reduced to a weekend or evening activity at best.

It has been suggested here that a hidden function of NIC's helping role is to divert pressure and dissatisfaction away from agencies and institutions, and thus to contribute to the maintenance of the existing system. To the extent that institutions are selective about the people they assist, that unequal distribution of resources is the root cause of many problems, and that this inequality is a basic premise on which the institutional system is built, NIC's role as a buffer protecting the system in some ways serves to keep people in need from availing themselves of the formal system.

If NIC didn't exist, would discontent in the community become organized and be expressed to agencies and institutions collectively or in some other way? This is unclear, but it seems reasonable to speculate that as NIC developed as a response by some people to a perceived lack in the services needed by different groups within the community, so other responses, perhaps more politicized or critical, would arise.

While having suggested that NIC may in some ways unintentionally be supporting the inequalities in the existing system of institutional assistance, this is in no way meant to imply that NIC's helping role should be altered or abandoned. On the contrary, this analysis indicates that the intense

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interpersonal support that NIC provides, the protection from institutional scrutiny and demands that it affords, and the organization of resources dispersed throughout the local community that it undertakes are compelling reasons for NIC's continued support. An organization which is able to link socially isolated individuals with other community members is a rare and much needed resource.

As protection against pressures to expand and to move away from the grassroots level of interaction that now exists, NIC should be encouraged to strengthen its role of advocate on behalf of local residents, to guard against any movement toward cooptation by institutions, and to keep its size small so as to maintain its commitment to the locality and its neighbourly perspective and attitudes towards people in trouble. Limited growth would facilitate outreach work, whereby isolated persons would be made aware of the existence of an accessible source of help and warm interpersonal contact.

The Community Law Reform Project, through similar skilled intervention and advocacy on behalf of local people, began to be recognized as a valuable resource in the southeast area. This analysis indicates that locally-based, intensively involved informal organizations such as NIC and the Community Law Reform Project are a potentially useful way of making skills and resources available to people in need. A word of caution: short-lived community study projects can have negative consequences, in that they may cause resentment by people in the community being studied, and they may encourage dependence by educating people to use their services only to withdraw soon after. During the course of the interviews, a number of people made strong pleas for the reinstatement of the Law Reform Project; some of them had gone to the Main Street office only to find it closed with no forwarding address or phone number. While we are becoming quite sophisticated about the processes and consequences of community organization and intervention, it should be remembered that there are basic responsibilities to be met toward people who come to use and to trust the services provided as part of the research. In the same way, inconsistent, short-term funding can negatively affect efforts such as NIC. Policy considerations must account for the impact on the community of project termination or withdrawal of funds.

NOTES

REFERENCES

Adams, Bert. 1968. *Kinship in an Urban Setting.* Chicago: Markham.

Anderson, Odin W. 1963. H.E. Freeman *et al., Handbook of Medical Sociology,* Englewood Cliffs, N.J.: Prentice-Hall.

Banton, Michael. 1969. *The Police in the Community.,* New York: Basic Books.

Bott, Elizabeth. 1971. Family and Social Network, 2nd. edition, London: Tavistock Publications.

Bruce, J.M. 1970. "Intergenerational Occupational Mobility and Visiting with Kin and Friend", *Social Forces,* 49, 117-127.

Bultena, Gordon L. and Marshall, Douglas B. 1970. "Family Patterns of Migrant and Nonmigrant Retirees", *Journal of Marriage and the Family,* 32, 89-93.

Cloward, Richard A. and Epstein, Irwin. 1965. "Private Social Welfare's Disengagement from the Poor: The Case of Family Adjustment Agencies", in Mayer N. Zald, ed. *Social Welfare Institutions,* New York: John Wiley.

Craven, Paul and Wellman, Barry. 1973. "The Network City", Research Paper No. 59, Centre for Urban and Community Studies, and Dept. of Sociology, Univ. of Toronto.

Cumming, Elaine. 1968. *Systems of Social Regulation,* New York: Atherton.

Cummins, Marvin. 1970. "Police and Service Work" in Harlan Hahn, Ed. *Police in Urban Society,* Beverly Hills, Calif: Sage Publications.

Elinson, Jack *et al.* 1967. *Public Image of Mental Health Services.* New York: Mental Health Materials Center Inc.

Etkin, May. 1967. "Yorklea Study: Revised List of Agencies Serving the Borough of East York", Working Paper, Clarke Institute of Psychiatry, Communities Study Section.

Freeman, S.J.J. 1972. "Community Psychiatry in a Canadian Urban Setting", *Canadian Psychiatric Association Journal,* Vol. 17, Special Supplement I; The East York Project, S-3 to S-13.

Friedson, Eliot. 1970. *Profession of Medicine.* New York: Dodd, Mead and Co.

Furman, Sylvan S. *et al.* 1965. "Social Class Factors in the Flow of Children to Outpatient Psychiatric Facilities", *American Journal of Public Health and the Nation's Health,* 55, 385-392.

Grosser, Charles F. 1966. "Local Residents as Mediators between Middle-Class Professional Workers and Lower-Class Clients", *Social Service Review,* 40, 56-63.

Hanson, Robert C. 1962. "The Systemic Linkage Hypothesis and Role Consensus Patterns in Hospital-Community Relations", *American Sociological Review,* 27, 304-313.

Holmes, T.H. and Rahe, R.H. 1967. "The Social Readjustment Rating Scale", *Journal of Psychosomatic Research,* 11, 213-218.

Hubert, Jane. 1965. "Kinship and Geographical Mobility in a Sample from a London Middle-Class Area", in Ralph Piddington, ed. *Kinship and Geographical Mobility,* Leiden: E.J. Brill.

Irving, Howard, H. 1972. *The Family Myth.* Toronto: Copp Clark.

Kadushin, Charles. 1962. "Social Distance Between Client and Professional", *American Journal of Sociology*, 67, 517-531.

Kammeyer, Kenneth C.W. and Bolton, Charles D. 1968. "Community and Family Factors Related to the Use of a Family Service Agency", *Journal of Marriage and the Family*, 30, 488-498.

Landy, David. 1965. "Problems of the Person Seeking Help in Our Culture", in Mayer N. Zald, ed. *Social Welfare Institutions*. New York: John Wiley.

Langner, Thomas S. and Michael, Stanley T. 1963. *Life Stress and Mental Health: The Midtown Manhattan Study*, Vol. II. New York: Free Press of Glencoe.

Leighton, Dorothea, C. *et al.* 1963. *The Character of Danger*, Vol. III of the Stirling County Study. New York: Basic Books.

Levinson, Perry and Schiller, Jeffry. 1966. "Role Analysis of the Indigenous Non-professional", *Social Work*, 10, 95-101.

Litwak, Eugene. 1960a "Occupational Mobility and Extended Family Cohesion", *American Sociological Review*, 25, 9-21.

———————1960b. "Geographic Mobility and Extended Family Cohesion", *American Sociological Review*, 25, 385-394.

——————— and Meyer, H.J. 1966. "A Balance Theory of Coordination Between Bureaucratic Organizations and Community Primary Groups", *Administrative Science Quarterly*, 11, 31-58.

——————— and Szelenyi, Ivan. 1969. "Primary Group Structures and their Functions: Kin, Neighbors and Friends", *American Sociological Review*, 34, 465-481.

Loewenberg, Frank. 1968. "Social Workers and Indigenous Non-professionals: Some Structural Dilemmas", *Social Work*, 13, 65-71.

March, Michael S. 1968. "The Neighbourhood Center Concept", *Public Welfare*, 26, 97-111.

Mayer, John E. and Rosenblatt, Aaron. 1964. "The Client's Social Context: Its Effect on Continuance in Treatment", *Social Casework*, 45, 511-518.

Messinger, Lillian and Parry, Ruth. 1972. "Community Development as Part of a Community Psychiatry Project", *Canadian Psychiatric Association Journal*, Vol. 17, Special Supplement I; The East York Project. S-25 to S-34.

Muir, Donald E. and Weinstein, Eugene A. 1962. "The Social Debt: An Investigation of Lower-Class and Middle-Class Norms of Social Obligation", *American Sociological Review*, 27, 532-539.

Quarantelli, Enrico, L. 1960. "A Note on the Protective Function of the Family in Disasters", *Marriage and the Family*, 22, 263-264.

Renne, Karen S. 1970. "Correlates of Dissatisfaction in Marriage", Journal of Marriage and the Family, 32, 54-67.

——————————. 1971. "Health and Marital Experience in an Urban Population", *Journal of Marriage and the Family*, 33, 338-350.

Reiss, Albert J. Jr. 1968. "Professionalization of the Police", in A.F. Brandstatter and Louis A. Radelet, eds. *Police and Community Relations: A Sourcebook*, Beverly Hills, Calif: Alencoe Press.

Sjoberg, G. *et al.* 1966. "Bureaucracy and the Lower Class", *Sociology and Social Research*, 50, 325-337.

Srole, Leo *et al.* 1962. *Mental Health in the Metropolis: The Midtown Manhattan Study*, Vol. I. New York: McGraw-Hill.

Suchman, Edward A. 1965. "Social Patterns of Illness and Medical Care", *Journal of Health and Human Behaviour*, 6, 2-16.

Sussman, Marvin B. 1953. "The Help Pattern of the Middle Class Family", *American Sociological Review*, 18, 22-28.

——————. 1954. "Family Continuity: Selective Factors which Affect Relationships between Families at Generational Levels", *Marriage and Family Living,* 16, 112-120.

——————— and Burchinal, Lee. 1962. "Kin Family Network: Unheralded Structure in Current Conceptualizations of Family Functioning", *Marriage and Family Living,* 24, 231-240.

Wellman, Barry *et al.* 1972. "Community Ties and Support Systems", Research Paper, Centre for Urban and Community Studies, Univ. of Toronto.

Wilson, James Q. 1970. "The Patrolman's Dilemma", in William H. Hewitt and Charles L. Newman, eds. *Police—Community Relations: An Anthology and Bibliography,* New York: The Foundation Press.

Wolfgang, Marvin E. 1968. "The Police and Their Problems", in Brandstatter and Radelet, eds., *Op. Cit.*

Criminal Justice
and
Social Justice

Management of Conflict
and Social Disorder
by the
Metropolitan Toronto Police Force

Prepared by
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with the co-operation of the Metropolitan Toronto Police

CONTENTS

PREFACE

The police, more than most social agencies, are in a position to acquire a profound knowledge of the demands of the community for justice and to play a leading role in its administration. They are the ones who directly experience confrontation with the law and social conflict. The demand for assistance, the need for intervention in individual cases to prevent community disorder, and the public agreement or disagreement with the laws, the pressures of the police force staff—the individual officers inevitably experience these demands, needs, dissents and tensions in a milieu of crisis. Further, the experience of the police demonstrates that legislation can never deal completely with the wide variety of social and behavioural problems that confront society.

The intent of presenting this paper to the Law Reform Commission of Canada is to present a community-oriented view of the Toronto police as they serve the public and the criminal justice system. The report, while descriptive, suggests several important issues and areas for further study and analysis. The next step as a follow-up of this report would be the development of changes in policy or practice in the light of present reality. It is hoped, then, that this brief summary will give meaning and recognition to the necessity of including police expertise and experience at the outset and throughout the process of reform of the law.

As this paper concerns itself with the human conditions of the police task in relation to a system of laws, there is no mention of the technical or mechanical support structures within the Toronto Police Force. Although communications systems, vehicles and other enforcement hardware, administrative policies and structures are vital to the police task, discussion of them in this paper would obscure the extent to which the performance of the individual police officer is affected by the expectations of the public, the internal demands of the police force itself and the officers' backgrounds and values.

The information and quotations used in this report and the understanding of the operations of the Toronto police have been acquired throughout a five-year period of close association. Initially, my role with the police was as a community resource person, primarily concerned with mental health referrals. While employed at Mental Health Metro, I would be available 24 hours a day for consultation on difficult or hospital-rejected cases with which

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the police came in contact. Through the process of assisting the officers to find appropriate psychiatric assessment or placement, I came to grasp the meaning of their position in relation to medical and social agencies after 5:00 p.m.

I participated with senior officers and community agencies in numerous discussions and meetings regarding issues that police methods could not then cope with: drug users, rock festivals, cultural differences of ethnic and youth groups. For the past three years my role as a community resource person or "troubleshooter" to Toronto police for specific cases of community problems has continued city-wide. The greatest involvement has been with the Community Service Unit. The relationship has been informally professional and social, providing the maximum opportunity for discussion and idea interchange. During the course of the East York Community Law Reform Project my relationship and role with the police has been no different, except the role has been formally approved by both the police and the Law Reform Commission.

I have always been granted the status of "one of us" by the police and have been afforded the opportunity to observe occurrences, participate as a mental health worker in court cases, given informal wardship of certain youth by the police and follow-up referral counselling by the courts, participated as a community worker in national and regional police seminars and, most importantly, have come to know many officers professionally and informally. In writing this paper it has been extremely difficult to remain "of two minds": that of a community worker-citizen and that of an almost "one of us" to the police.

I would like to express my deepest appreciation to Chief Harold Adamson and Deputy Chief Ackroyd for their assistance, patience and trust. To the men of the Toronto force I owe a large debt for their understanding and interest in giving me the insight that provided the material for this paper. I am aware that there may be some details or circumstances of police life that others may deem relevant in a study such as this. I can only hope any such omissions do not affect the main thrust of the study and hope that this study will act as an initial catalyst for further input of knowledge and experience from the police themselves.

1. INTRODUCTION

The crisis in criminal justice is exacerbated by the absence of any consensus in the perception of the functions now being served by criminal law. To Blacks and other minorities, criminal law may appear as an instrument of oppression; to the poor, a barrier to perpetuate an unjust status quo; to the young, a coercer of conformity to the middle-aged, middle-class, Puritan virtues; to Mid-America, a frontline defence against anarchy; to legal theorists, a delicate balancing of individual and social obligations; to politicians, an expedient means of relieving pressures to 'do something' about politically insoluble problems; to social scientists, a power clash among competing interest groups; to moralists, a reaffirmation of community's ethical values; to psychiatrists, a quasi-religious ritual that relieves tension of moral conflict among law-abiding citizens; and to missionaries of all persuasions, a challenge to reform those who whether from illness or perversity, have strayed from the straight path.[1]

It is interesting to note that in this statement there is no mention of the one "group" that actually begins the criminal justice process—the police. The role of the police has been termed one of strict "law enforcement", but this is fast becoming a misnomer. With the crisis in criminal justice and change in moral and social values today, the policeman has become more an arbiter of social values concerned with resolving problems through unofficial social controls.

In this age of the specialist, every problem—legal, social or medical has its special "fixer" and members of the public delegate more and more of their individual responsibilities to the specialists. Unfortunately, the specialists and their institutions frequently are unable to resolve the complex problems that are referred to them. As a consequence, the policeman may be called in to fill the gaps caused by the breakdown of social service agencies in handling crisis situations. Because of his visibility, 24-hour service and role as "protector" the policeman is used as the "specialist" for many non-criminal problems. It is interesting to note that in interviews with citizens concerning their problems and their involvement with the police, many people see their problems as legal or pertaining to the law. It is hard to determine if they originally considered their problems of a legal nature prior to the call to the police or if police intervention denoted the problem as legal, after the fact.

If we are to understand the nature of crime and the function of police in modern society, therefore, it is imperative to the process of law reform or justice planning that the experience and views of the policeman be considered. Because of the unique position of the policeman at the meeting of law and people in trouble, it is increasingly evident that policemen have a valuable contribution to make to the reform of the criminal law.

"Crime does not look the same on the street as it does in a legislative chamber . . . every policeman, however complete or sketchy his education, is an interpreter of the law".[2] Therefore, it seems ludicrous to undertake any change in criminal law or justice planning without the inclusion of real participation by the police. Serious consideration must be given to how police interpret the law, how they see it serving public expectations and how police resort to social justice and informal systems to screen people out of the formal criminal justice system.

Believing that the Metropolitan Toronto Police have found a way at least for the time being, of maintaining a fair balance between strict law enforcement and unofficial social control demanded by the public, the East York Community Law Reform Project undertook to explore in detail the attitude and views of the Toronto police towards their work and the criminal justice system generally. This study does not give priority to an examination of functional structures and administration. Rather it looks at the task facing police and the importance of discretion in responding to the demands placed upon them within the framework of the criminal law.

2. CALLS FOR SERVICE TO THE TORONTO POLICE DEPARTMENT

In 1972 there were 860,772 calls from the public to the Metropolitan Toronto police switchboard.[3] According to some studies in the United States[4] as much as 86 per cent of these might be expected to relate to demands for information or social services including calls for ambulance, personal assistance, property damage, vehicle escorts, accidents, illnesses, and so on. It is difficult to say, though, that only 14 per cent of police calls relate strictly to criminal law or law enforcement. If a wife calls the police to calm down an angry husband, is the use of police authority only a social service even though no charge is laid? Is a warning to a speeding motorist only a "service" type incident even though no charge is laid?

The police involvement in these calls suggests a complex use of authority discretion and power to deal with a wide range of cases either by way of mediating disputes, issuing warnings or diverting social problems from the criminal justice system.

> You never know what you are goin' to get thrown at you . . . in one day you will get a call to a disturbance . . . you get there and find some woman screaming at the husband and threatening to kill him and herself . . . She is violent—one bad move and she'll go over . . . you gotta play shrink and Mr. Cool and at the same time see what can be done for her . . . the next call is to investigate a theft . . . and you find that one neighbour has accused the other of stealing some garden equipment . . . after some investigation, you find they have been feuding for years . . . next you investigate a missing female . . . it's apt to be a 16-year-old has split her home . . . and

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the parent cannot understand why she would leave . . . you find that they have accused her of being promiscuous and immoral and that there have been many quarrels prior to her leaving . . . You know, all the people figure we got the magic answer and we can make everything normal right away.

From this policeman's observation, the range of trouble affecting people becomes evident, it is also clear that people expect the criminal justice system to deliver a wide range of services. The 24-hour visibility of the police, their historical tradition of "helper" and their role of authority make them the public's number one troubleshooters.

I had a woman call the station to have an officer come to speak forcefully to her 34 year old son, to make him go down to the Clarke Institute for his aftercare appointment . . . He hadn't been taking his medication and he was getting funny again and she was getting scared. . . .

However, because the police are not equipped as a health or social service agency, the community's non-criminal problems can and do end up in a criminal justice system that is unable and unsuited to resolve those problems. The marital dispute or domestic quarrel, where there may have been an assault by one of the partners against the other, often results from deeper problems within the family relationship. Is it to be resolved in our present system of justice? Although an offence under the criminal code may have been committed by the husband or wife, is any purpose served by taking the dispute through the adversary system of the courts? The problem that faces the policeman is to decide the best resolution for the situation at hand.

You know damn well that most of these crisis things have been going on for years then they erupt and the best we can do is hope to cool it down and hope that they can get some help to stop it happening again. But we can be pretty sure that they'll be back in the same boat again and we will have to go back and referee and call the fight. . . .

There are three courses of action open to the policeman when he has investigated a reported situation: he can take formal action, that is he can invoke the criminal process by charging an offender; he can take informal action, by referral to a social agency without charge, or use a charge (later to be dropped) to force a referral; or he can resolve the situation at the time without taking any external action, involving no follow-up by himself or social agencies. He may not even fill out an "occurrence form" which would be the only record of the incident.

The action a policeman takes depends not only upon the statutory rules, or the policies and procedures of the Force, but also upon many community factors that affect the ultimate decision. In many calls to which a policeman responds, a charge under the criminal code could be laid; however, the policeman will often decide that the incident is a social misdemeanour that should not be resolved in the courts. Therefore, in order to understand the role of the police in dealing with "crime", it is essential to come to grips with the meaning of his discretionary power.

3. FACTORS THAT INFLUENCE POLICE DISCRETION

When called upon for help a policeman is obliged to decide whether to invoke the criminal process or deal with a complaint in some other way. In this he has the guidance of the relevant statutes and the policies of his Force, but these may be ambiguous and not indicate a clean cut decision one way or the other. Although the public is in general agreement as to how they expect the police to deal with serious crime such as rape, murder or robbery, they are confused or uncertain about how "soft" crime, such as assaults, neighbour disputes, or disorderly behaviour should de dealt with. The public assumes the police will "keep order" in the city but give little thought or direction to what that means. Therefore, it is important to examine the influences that come to bear on a policeman in his task of "keeping order". In the following pages various factors are identified as having a bearing on what decision is made when police are called in to act.

Factor 1: The Officer's Personality, Social Values and Attitude

    (a) "I stopped a guy the other night in a big Lincoln and I don't know who the hell he thought he was . . . he either had to be a big time Forest Hill type or a hood . . . ."

    (b) "Like I'm not prejudiced, but good Lord I wouldn't let my kid go around looking like that with greasy hair down to his shoulders and slopping around the street corners with nothin' to do".

    (c) "You know I don't agree with these kids dropping out of school and wandering around all over the place with nothing to do, but it isn't against the law and yet we are always suspicious of them, like they are going to commit a crime and we'll nail them".

    (d) Police officer to a black community worker: "Lately we have had a lot of trouble with 'your kind' holding up Kentucky Fried Chicken places . . .
Response from worker:
" 'Our kind' like chicken!!"

The most obvious factor determining a policeman's action is his own individual personality, social values and attitude. The majority of Toronto police personnel were brought up in and maintain the working class ethic and adhere to an acquired middle-class morality. As indicated in other parts of this paper, the individual officer may hold to middle class values much more strongly than do some minority groups with whom he comes in contact. In some cases this may mean a changing of the officer's values to meet community expectations; in other cases, there is no change.

A person joins a police force for many reasons; however, the attractions appear to be job security, including fringe benefits, a role of authority with high visibility and diversity of work. Many policemen say that police work brings status and high respect; they see themselves as a visible and valued helper of their fellow men. Many feel this is a position that they could not obtain in other work, without further education, years of effort and inside

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connections to promotion. Yet many new recruits find that the "glamour" of police is myth and that the day-to-day workload is boring, frustrating and alienating.

The policeman's attitude to the organizational authority of the police force and his role as an authority figure determines the type of action he will take. Within the Metro Toronto force there is no military authoritarianism which provokes blind judgments or "robot-like" decisions based on strict regulations or policies for each and every act a policeman performs.

The men are encouraged to respond to their duties with individual responsibility framed within the administration's overall attitude on law enforcement. The majority of field personnel accept the directions of their superiors and perform the ordered tasks with a sense of respect, rather than fear or frustrated submission. As in any large organization, there is some cause to question the judgment of the superior officers, but due to the allowance for individual discretion by each man, the disrespect or criticism is voiced in "guardroom" discussions or "scuttlebutt" rather than reflected in actions on the street.

Another important factor in police attitudes is the extent to which the individual policeman is willing to use power and authority in a crisis situation.

> There is no way people are going to think I'm a great guy, when I'm arresting people on warrants, nailing them for speeding and stuff that they have done against the law . . . hell no one likes to be caught by the big bad officer . . . and a lot of guys like to feel they have the upper hand at an occurrence and come on like Mr. Big . . . not necessarily rough but with a lot of power . . . . I guess it is hard because the force makes you feel a lot of respect and I guess that we want to be respected and some guys figure the way to get respected is act important . . .

Some policemen will take on the role of a "big power figure" when it is pushed on them; others are able to assume that role more easily:

> . . . a rule enforcer is likely to believe that it is necessary for the people he deals with to respect him. If they do not, it will be very difficult to do his job; his feeling of security in his work will be lost. Therefore, a good deal of enforcement activity is devoted not to the actual enforcement of rules, but to coercing respect from the people he deals with. This means that one may be labelled as deviant not because he has actually broken the rule, but because he has shown disrespect to the enforcer of the rule.[5]

Factor 2: Personal Level of Tolerance

> When I moved into a division in a high income quiet neighbourhood after working downtown for years . . . I couldn't understand why people got so excited over the littlest things . . . Boy if they knew the stuff that was going on in some of those low income housing places they would die . . . And we are always getting asked how we feel when we see someone dead or a victim of a sexual assault . . . and you know I wonder if I'm not callous or something but it is just a job and you get used to some of those things . . . it makes you mad but you have to tolerate it, 'cause it's our job . . . ,

It is interesting to observe the change in attitude and level of tolerance of a policeman after continuous exposure to social disorder and deviance. He may become frustrated with the public apathy in the prevention of disorder, with the "buck-passing" of social agencies and with the courts' inability to deal effectively with the problems brought to them. In some cases his tolerance for disorder increases and he appears indifferent or philosophical about minor occurrences that might outrage some members of the general public. He finds that he belongs to the only "agency" that must work effectively 24 hours a day and must resolve problems without assistance.

The policeman may bear the brunt of harsh public criticism for his behaviour or decisions in certain cases. That part of the public which is part of the ruling consensus supports the police as long as they maintain the rules that matter to them. However, in Toronto there are many diverse immigrant groups, many communitities with "new" social values and political ideologies that are not shared by the ruling consensus. Thus, the policeman understands that among some groups in the community certain behaviour is looked on as acceptable even though the larger community, or other groups in the community might regard that behaviour as deviant. He is then caught between a pressure to enforce the norms and values of the larger community or to tolerate the accepted norms of a minority.

Factor 3: The Felt Pressures within the Force

> It doesn't take long before you find out what is expected of you, and as long as you do the job with pretty good judgment and the citizens don't complain it's okay. You get to know what piddly things have to be done and what are the things that the department expects . . . you can pretty well use your own judgment and experience to carry them out.

The attitude of the Metro Toronto Police to law enforcement and order maintenance affects the way in which individual officers use discretion. Unlike departments in the United States or several other major cities of Canada, the Toronto Force relies heavily on the individual officers' discretion and permits a certain degree of autonomy in district and division administration as well as flexibility in establishing community liaison. There is a minimal emphasis on promotion based on "the numbers game": an officer now is considered for promotion on merits other than how many tickets he writes, how many cases he "cleared" or how many court convictions he produces. Without doubt, there are still officers in the ranks who consider these the prime criteria for measuring police performance. It is a department free of graft and corruption: the "bribe" is a rarity which when found is treated harshly. Although maintaining a military structure and discipline, this force tends to avoid the "military robot" type of mentality. When an officer decides on a course of action in a situation, he responds to his training, past experience, the direction given in the past by his immediate supervisor, and the anticipated reaction of his "boss".

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Within the force itself there are more specific controls to which every man responds. There are rules and regulations for conduct and procedures, there are defined policies for the behaviour used while maintaining public order. However, within the department, the strongest element of control are the "unwritten policies" and, as indicated later, criticism or negative sanctions from the "boss". It is often heard said within the ranks that certain inspectors or sergeants condone the use of force when necessary to gain information or control an offender. As indicated later in this report, there is no question that there are men within the force who feel that the use of force, verbal and physical, is the only way to gain control; however, generally, the men feel that the present administration is against this type of behaviour and are reticent to "thump" a suspect unless the suspect or offender provokes the officer. "Sock a (expletive deleted) today and you lose 5 days pay" is the classic quote.

The pressure within the police fraternity itself to stop the "hard line" approach is interesting to note. This may be influenced by the Community Officer Program, the new Beat Patrols and the publicly stated views of the police administration to present day policing. It is strange that often the officers in the ranks receive the "message" about police force attitudes, policies and behaviour from the media and the public, rather than directly from their own officials.

As in all militaristic-type organizations, the men receive interpretations of administrative intent in the form of orders. These orders are procedural and usually negative in delivery: "An officer shall not do such", or "The following is not considered to be appropriate police behaviour". This negative reinforcement will provide the control for certain actions of the officers, but does little to explain the intent or rationale behind the orders. An officer may come to understand this rationale through talking with his colleagues or through interacting with the community.

Negative reinforcement is the prime support for an officer. As stated he will receive orders within the department that state what he shall not do; he will hear about the "bad" performances he puts forth. Rarely does he receive positive information about his commendable actions, his actions of merit as assessed by the community or individuals.

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To counterbalance his negative support, the officer receives positive support within the police "fraternity". When one officer gets "into a scrape" either in the line of duty or outside his work, he will receive much assistance

and support from his own peer group. This is one criticism that the public will make of the police: they stick together and cannot understand that there are some "bad cops". The policeman on the street also feels that if there is an alternative between himself and the public in the line of duty, his superior officer will give him the benefit of the doubt in the incident. Nevertheless, he knows he can expect a rigorous inquiry should a member of the public complain about his conduct in a particular instance.

In the past 3 years there has been a rising show of public support for the Toronto force and this has suggested to individual officers that there is a responsibility to perform so as to fulfil these expectations. As the public have come into closer contact, through seminars, visits to the police divisions, and community-police sponsored projects the public have become slightly more aware of the complexity of police problems and attempted to support their force. As suspicion diminishes, dialogue takes place and expectations are more in line with performance.

Factor 4: Community Attitude toward Disorder or Conflict

> When we started having all those demonstrations around the American consulate . . . I can remember being really on edge that we would be in for one of those big riots like Chicago . . . they were the big thing and all the kids were right into the violence thing . . . we have never had one and we didn't know what to expect and I don't know why any of the cops didn't over-react. . . .

> After that incident on the Mall on Yonge Street this summer, we were hearing a lot of talk about the public push to close it and that the police had to keep better order . . . but they wanted it [the Mall] and at the first hint of trouble we feel the pinch for action . . .

Another factor influencing a policeman's discretion will be the community attitude to disorder at that time. If a community's tolerance for social disorganization is low, we witness the "cry for blood" syndrome. In 1969, the city of Toronto was shocked, appalled, frightened and screaming for police attention to the new "drug phenomena". "The dirty filthy kids, with their drugs" were the latest bit of social disorder to be controlled; the police bore the brunt of controlling it. The Toronto police were caught, as was every other institution, with a lack of knowledge and were pressured into using the Criminal Code to "get rid of" this dreadful disorder. To the credit of this force, senior officials realized that this wave of new deviance could not be controlled by the law alone and set about aligning themselves with other social agencies and indegenous youth groups to come to some mutual understanding and resolution of the crisis. Even today the constable confronting a possible drug offender is faced with the dilemma of a change in the social attitude to drug taking, his own personal attitude to the victimless criminal offence and the knowledge that his own police department has the understanding that this phenomenon cannot be contained by the criminal law.

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In many cases a person in possession of "several joints of grass" will be spoken to and let go; even the courts are giving out light sentences (fines, absolute and conditional discharges) for "minor personal" possession. The public has dropped its cry for the blood of minor drug offenders, but is still pressing for the "blood" of the serious traffickers. One must ask the question, as a policeman did, "If in fact we are saying it's okay to smoke a little grass, how are the people supposed to get it if it is not brought in by someone?" These types of questions run through the minds of a policeman and he finds that he is caught in the position of carrying out what appears an ambiguous law.

At any time the policeman on the beat can tell you what behaviour is offending the public, the general mental health of the area and the types of disorder that cannot be tolerated. For instance, in an upper middle class area in North Toronto where there are also extensive highrise apartment buildings, there were a high percentage of calls for suicide attempts, noisy parties and mental illness problems. An officer who has spent many years in a high density low income area downtown states that there appear to be more lonely, isolated people with mental health problems in North Toronto than downtown where assaults, fights and domestic disturbances take place. Another officer thinks the reason for this is "if you live in a nice place you have to act nice and try and behave, but if you live in a grubby mess you might as well act like a grubby person!" Inevitably, the policeman in responding to a wide range of calls for help and his familiarity with the varying community resources available in different parts of the city encourages him to see himself developing an expertise in resolving conflict or trouble.

Because of this a policeman may see himself acting toward the public with an uncertain mixture of authority and social expertise. He will at one time speak and act with authority and power in resolving a crisis, at other times the community sees the policeman in his role as counsellor and mediator. At the same time, the policeman accepts the opinion, voiced and held by persons in the legal profession, that he really has no knowledge or expertise in matters of law. He states he feels inferior to the "academics" and uneducated before the lawyers and judiciary. In the past few years this attitude has slowly changed as the officers become more involved in community planning. Social agencies see the policeman as a relevant member of community planning, in fact, as another "specialist" to whom they will push their failures! Community groups now insist on the participation of the police. With this demand for police expertise, there is a change in attitude among policemen. Instead of taking a back seat in community problems and planning, the policeman now assumes the positive role of catalyst and instigator.

Development of this role as "fixer" is speeded up as the community becomes more diverse, more complex. Certain minorities or communities may develop life styles or habits of conduct that are unfamiliar to the average

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policeman. His reaction to this difference in values, conduct, habits of dress or speech may not be nearly as tolerant as indicated earlier in the matter of minor drug offenders.

Differences in speech and behaviour of minor groups may give the policeman the sense that he sees deviant behaviour and he becomes more suspicious and alert to disorder or what he might consider to be disorder. Complaints are often heard by the leaders of minority groups, such as Italian, Black, Portuguese, or East Indian that the police have them under stronger surveillance and are quicker to "pounce" than they are in Anglo-Saxon "white" communities. These complaints may partially result from "minority paranoia" and fear of authority. However, there is a police tendency to step into a situation in one of the minority group communities with more authority and speed than in a community with which they identify.

> Listen, I don't know what those devils are going to do next when they are babbling away in a lingo that I don't understand; they are laughing and dancing around half plastered. (A policeman's remark made at an ethnic parade, 1973)

There is uncertainty on both sides and the policeman has the authority to use his power when he feels he, the community, or the public is threatened. The question to be asked is: how will he be able to assess this threat until he understands the culture or what is accepted behaviour of that particular group? In Toronto the Department is making an effort to acquaint the men with the many cultures in Toronto. However, this may be only in the form of negative reinforcement: "Don't hammer a guy because he's Black".

There is little official education or orientation to acquaint the policeman with the different types of people. Within some divisions seminars are sometimes set up by the Community Officers for groups of policemen to get together with community workers or leaders of the various ethnic groups. However, these meetings are not structured enough to accomplish any more than an airing of complaints, or the questioning of certain methods and behaviour.

Most policemen will tell you they treat everyone the same and that they have no discrimination against people with whom they come in contact. A few minutes later, or in the same breath, some will say "spooks are always giving us a hassle and raise the crime rate with their antics in the subways and their Black Power talk" or "the Italians are always drinking too much and fighting with their spouse or neighbours and raising the devil in the streets and we always have to bust them for making their booze". There appears in fact to be no carry over between this verbal discrimination and the way police deal with people. Indeed, police talk as referred to in various parts of this paper is of an informal locker room type that seems to boost the policeman's image of himself as a tough cop rather than serve as a basis for prejudice on the job.

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As the ethnic population in Toronto grows, it is apparent that the policeman's assessment of community attitude toward disorder will have to be made in terms of local communities with a greater understanding and awareness of the various cultures. This will mean the exercise of discretion to apply the rules or not according to an understanding of what the local community expects in relation to minor disorders.

Due to the average policeman's working or lower middle-class background and his constant exposure to deviance, disorder and crime, his response to some crimes is more outraged and indignant than the general public's. He may also feel that the rise in crime is due to the lack of family life and parental authority, society's expression of permissiveness and the education system's inability to keep up with the times.

In other types of minor offences not involving a high moral content a policeman may often wonder whether he should invoke the criminal process. He is often presented with a situation which could be considered as a breach of a statute and he must consider the outcome with relation to his job (will "the boss" give him trouble?), the reaction of the parties concerned (will they report his actions if they are not satisfied, what is in their best interest), and the strength of the case in court. If in doubt, a policeman's perception of what is considered as crime is heavily conditioned by the general police policy that "we are here to carry out the law, not change it".

If officers have the opportunity to discuss their job and their perception of public morals and values, it becomes evident that they generally have a comprehensive appraisal of their communities' attitudes. They express the opinion that only a percentage of the public are now law-abiding and that the majority of police work is taken up with people's use of the police as family or neighbour dispute mediators, dispensers of information and providers of service. The general apprehension of the police in Toronto is that the public look to the police, more and more, to settle even minor disorders or to provide a social worker function. They believe this will raise confusion as to the role of law enforcement; as a result police officers see a specific need for alternatives to the police in the handling of many social or health oriented problems reported to them.

Factor 5: Crime Prevalent in the Community

> You always have the steady number of bank holdups, B and Es, and theft and stuff like that, but then there will be a rash of something different like shootings or woundings of domestics, or speed freaks going crazy with a gun . . . and that sure puts a policeman on his guard . . . especially if it gets blown up in the papers . . . you concentrate special effort on watching out for those things and your suspicion gets higher. . . .

Specific criminal trends in the city at the time will greatly influence the judgment and investigate attention of the police. In conjunction with

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the rise of a certain type of crime is the media reporting of the crime generally. A recent example in Toronto was the purse snatchings in the subways concurrent with groups of Black youths congregating on platforms. The press reported these occurrences fairly regularly. As the word began to spread in an exaggerated form, the police stepped up surveillance and patrolling in the subways. Although the purse snatching, assaults and thefts resulting from the subway "gangs" were negligible, a special unit was drawn up, consisting of 7 or 8 men whose role was that of enforcement and deterrence. The Black youths soon became aware of the surveillance and arrests resulting from this special unit and moved their activities elsewhere. At the time that these subway "crimes" were receiving public attention, investigation of Black youths by officers in the down-town areas increased. Awareness of increased police suspicion heightened resentment among Black youth, and as a result, mutual hostility increased. More Black youths were stopped for investigation, Black community groups were viewed with greater suspicion and the Community Officers made greater efforts to communicate and become involved with all Black groups.

During this time (January, 1972 to April, 1973) the media was carrying articles and programs on the various Black groups in Toronto, and within the Black community itself a greater self-consciousness showed itself in open hostility and arrogance towards the police. Some leaders in the Black community initiated community meetings with the police officials on some of the problems.

The police, generally, and the public, do not possess a racial prejudice that is based on hate or intolerance with an intent to suppress, but rather on ignorance and a belief in the historical mythology of the Black culture: "People with incredible sexual drive, uninhibited life styles, low mentality, violent, lazy, unreliable". Such are the opinions voiced by some police to describe the Black person. Is it any wonder that in this frame of preconditioned thought the discretion of an officer would be affected? These prejudices are equally shown, in a different manner, by policemen to other minority groups:

"I can't understand why the bloody East Indian has to run around town in a turban. Why can't he accept the Canadian way of dress?"
"Why can't immigrants learn to speak English after they have been here 3 or 4 years?"

The police attitude to sexual morality, other than "deviant" sex acts or immorality, is in keeping with public tolerance. In a time of commercialized sex, public display of nudity and love-making and a partial acceptance of homosexuality, the police have maintained a tolerant attitude.

As already indicated, trends in crime and the public or media attention to these trends will affect a police officer's exercise of his discretion in particular cases. If the public issue of the moment is drunkenness, the police

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support the public's attitude and great emphasis is placed on the arrest, detention or medical assistance of drunks. A sudden increase in suicides in the subway provokes deeper awareness by officers of the mentally ill person. On a national scale, crimes against the state, the Laporte murder, the *War Measures Act,* or national political group agitation will raise police suspicion of "radical" groups or "suspicious" political figures. Despite what the press may report, however, the officer on the street is well aware of the difference between the actual crime picture and the public or political exaggeration of certain "crimes".

Factor 6: Training—Relationship to Role and Behaviour

> The need to disregard complexity is structurally built into the occupation. Policemen are required to deal with matters involving subtle human conflicts and profound legal and moral questions, without being allowed to give the subtleties and profundities anywhere near the consideration they deserve.[6]

The difficult and demanding nature of police work was referred to by another writer in these terms:

> Reviewing the tasks we expect of our law enforcement officers, it is my impression that their complexity is perhaps greater than that of any other profession. On the one hand we expect our law enforcement officer to possess the nurturing, caretaking, sympathetic empathizing gentle characteristics of physician, nurse, teacher and social worker as he deals with school traffic, acute illness, and injury, juvenile delinquency, suicidal threats and gestures, and missing persons. On the other hand we expect him to command respect, demonstrate courage, control hostile impulses and meet great physical hazards. . . . He is to control crowds, prevent riots, apprehend criminals, and chase after speeding vehicles. I can think of no other profession which demands such seemingly opposite characteristics.[7]

How does a department such as the Toronto Police Department train a man for such a demanding job? Most of the recruit training is "hardware" oriented and prepares a man to work mechanically. This leaves him with little or no foundation for understanding his community, his role as an arbiter of social values, and the imperfections of the criminal justice system.

The new police recruit receives a fundamental understanding of the statutes that he is to uphold, the procedures to be followed in their application and some understanding of his role in the community. However, most of his "education" takes place in the field. He receives this from his immediate supervisors, his observations and contact with the community and his peers in the police fraternity.

> There is no way that police college can teach a guy everything that he is going to have to know . . . but they should give a better picture of the types of things we run into like, the domestics, the handling of crazies, what are some of the characteristics of the various ethnic groups etc. You can't really get training in common sense but maybe it would help to have some interpretation practice of common sense balanced with the statutes and procedures we have to follow. . . .

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Within the police training college itself there is presently an evident lack in the education of officers to human problems and societal ills. There are, however, a great number of men now taking university courses, either sponsored by the department or on their own initiative. Still, the motivation for the attendance at the courses varies. For some it is enough that "it looks good on my record if I try and go to extra school". A man having taken the courses is more likely to receive attention for promotion.

Basically, the new recruit learns on the job and picks up a great deal of information and "know-how" from his fellow officers. He will learn the attitude prevalent in the department and the opinions and behaviour of experienced men. He will come to his own standard of behaviour, using the experience of trial and error.

For many, the job becomes a habit, the same pattern of behaviour is followed throughout the job, without questioning the meaning of the consequences of the action that is taken: "Keep in good with the boss and no complaints from the public". A policeman may not have many opportunities to engage in a learning situation in the community or even in his own department. Recently the Metro Toronto force has undertaken a Community Officer program, which has shown its effect in the spread of greater community awareness within the ranks. As more men of ethnic and minority groups are included in the force there is an informal education of the men and an apparent change in attitude. As already indicated, some officers now attend outside university courses in the social sciences, psychology, business and corrections.

Throughout a man's police career he will return to the police college for in-service classes. At these classes senior officials discuss policies of policing and administrative attitudes become evident to the men. It is here that the men in the ranks hear directly from the senior officers and have the opportunity for open discussion and questioning of policy and procedures. All these forms of formal and informal education affect the way in which a policeman ultimately uses his discretion on the job.

Factor 7: Attitude toward the Criminal Justice System

> We feel like grade 10 drop-outs with pea-sized brains . . . while those big wig lawyers fly around in their halloween robes and play their funny games . . . some of them make us look like perfect asses in court and then they get the same light sentence and he serves it in a joint that puts him to work on a garbage truck or something equally as useful and they call that rehabilitation . . . mind you if you get the right case in front of the judge that you know is going to be hard on the guy then it is okay because he goes up for a stiff sentence. . . . It's too bad the judges and those lawyers don't stick with us on the street for a while and see how far their funny language and fancy robes last. . . .

One of the factors that weighs heavily in the way in which a policeman exercises discretion is his attitude towards the criminal justice system. In

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particular, his attitude to the courts in Toronto is often a determining factor in deciding the resolution to a dispute. The police generally view the court system with negative hopelessness as they see it attempt to resolve minor crimes or social misdemeanors. When questioned about a substitute or alternative to the present magistrates or provincial court, the police state that too much garbage such as family disputes, interpersonal assaults, petty or minor crime is getting into the courts and the lawyers use this to get their fee. When it is pointed out to them that in fact it is the officer that is putting the "garbage" into the courts they ask "what else are we going to do with it?".

It is not that the policeman feels that the court system is a total loss, but he feels that the "games" played by the lawyers within the system obstruct the end of justice. Policemen complain about defence lawyers and plea bargaining. When an offender is charged, the police will lay as many charges as possible as they know the charges will be bargained by crown and defense. In many instances this practice is requested by the Crown Attorney.[8]

Within the court system the policeman, as the initiator of the criminal process, becomes accustomed to becoming enmeshed in plea bargaining, and becomes an agent of the "cop a plea racket". A young offender, who had been under continual harassment from the police of a down-town division, came, with four others, to court for the 5th time in less than two months. He was brought in on 8 charges, ranging from violation of the Narcotics Control Act to Criminal Code offences (B & E and assault). On the morning of his appearance one officer "made a deal" with the offender, stating that if he would plead guilty to theft, B & E, and possession, the other charges would be dropped and he would see that the charges against the four co-accused would also be dismissed. The young offender pleaded guilty without counsel present and was remanded for sentencing. The co-accused were dismissed but within days all were brought into custody on other charges. When the young offender discovered that they were in custody he requested his lawyer to change the plea. Following a 6-months' delay with the offender incarcerated, the ultimate resolution of the case was another hearing, trial and sentence in county court. The young offender was finally sentenced to 15 months in a correctional institution. The police were furious that the offender got "a light sentence" in view of his record and their knowledge of his crime involvement; the offender was completely negative to the entire process and felt he had "been messed up" by the whole performance; the defence attorney was pleased that he had been able to "get a satisfactory sentence"; and the crown attorney, who had not been apprised to all the facts, was indignant to learn after disposition of the case, that there had been an agreement in the first instance between the policeman and the offender.

While some policemen are disgusted by plea bargaining and the "deal making" that takes place between crown attorneys and defence lawyers, others accept it as part of the system and conduct their arrest, charge and

investigation accordingly. They feel the court system has become such an intricate "game" of win at all costs that they must play their part in the game to survive. They openly feel the lawyers are in "the business" for the money and drag a case out as long as possible for the greatest fee possible. The police have learned to initiate their own "bargaining games" prior to the court, and within the court they continue to make deals with accused.

Some policemen abuse the court fee they receive for an appearance. This can be done in many ways but the most common is to persuade an accused to plead "not guilty" on his first appearance so that the officer's court fee is assured by his compulsory appearance at the trial.

> Look those damn legal aid lawyers suck more out of stupid cases that don't need a lawyer and they drag the bloody case out so they all get that dough . . . and I don't think that a cop purposely will go out of his way to get a court fee . . . but you know the lawyer is going to do it anyway so we get it anyway . . .

In court the investigative unit of the police that presents cases is conditioned and hardened to the court system; this is reflected in the manner of questioning, arrest and investigation of a suspect. They feel that the red tape, "win or lose games" and antics of the legal profession make the police officer the scapegoat and the "fall guy", the victim of the system. Most officers believe that the innocent are not protected and the offender "gets away with having all the attention paid to him while the victim loses everything. The lawyers make a bundle while the cop is under fire because lawyers think they lie!"

Such court experiences reinforce a policeman's negativism and hostility to other professionals in the justice system. This frustration is relayed to the suspect in the first instance. It is standard comment in police circles that "probation officers don't know what is going on and are not doing the job, and lawyers are up in the clouds and enveloped in their own world.

Even judges are sometimes seen as sentencing or dismissing cases on an irrational basis. After the apprehension of an elusive criminal following a thorough investigation, the court may deliver a light or suspended sentence under circumstances that mystify the investigating officer:

> Sometimes we wonder what the thinking by the judges is, when they hand out the sentences. It is obvious that they really have no idea of all the things that an offender has been up to and the cops begin to get the feeling that the lawyers and the judges think that we lay out a charge without too much reason. If they thought that we knew a lot about the offender and might have been working on the investigation of all his activities for some time, maybe they would realize that we feel the guy really needs some form of help or detention. But the legal profession (in the courtroom) figure we are just doing our job and arresting everything that moves . . .

A general opinion of the correctional system held by the police is that for the most part it does not fulfil the purpose they think it should. The

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offender who serves a sentence in an institution should learn from experience and "come out rehabilitated". Several constables have suggested that a correctional system, similar to the system in Russia should be instituted here. There, they say, the offender is removed from society and put through vocational or aptitude testing to determine his abilities. He is then put to work in an apprenticeship type of work situation where he is making or building something useful to the country. Policemen feel that Canadian inmates sit around in an institution figuring out the "best way to beat the system the next time around" and come out of a correctional institution worse than when they went in. The negative attitude that police hold for the criminal justice system provokes the attitude that if any meaningful justice takes place, it has to take place on the street and prior to the court system.

The values held by the other "actors of the court drama" also have a subtle effect on the discretion or performance of the police. A dramatic example of this was a conversation overheard outside a court room. A crown attorney was talking to a defense counsel, in the presence of several plain clothes detectives, about a preliminary hearing for a rape case. The crown stated to the defence, "your black client will not do too bad on this because he raped a black girl . . . he should only get about 9-15 months!" The detectives later agreed with the statement that the black man would get a lesser sentence for raping a black girl than he would have, if the victim was white.

Sentencing has a strong effect on the policeman's discretion to invoke the criminal process. As stated earlier, the sentences will be seen by the police as a directive to them and their role in the community. The court's apparent high tolerance of prostitution, drunkenness and minor theft indicates to the officer that this is the acceptable public attitude and he assumes the same tolerance within the course of his daily work.

Factor 8: The Crime and its Situation

> At the time of confrontation or arrest you just play the thing by ear . . . depends on your mood, the suspect's attitude and actions, what the offence is . . . there are so many things that play a part in the arrest . . . or non-arrest . . . hell if a guy is just about to go off shift he may decide, if it is a minor thing, to let it go, instead of going through all the paper work . . . like it's all unconscious as to how you go with a thing . . . but after the fact if you think of all the things that made you proceed the way you did, you name a thousand things . . .

At the occurrence of a specific incident, the decision to invoke the criminal process and or lay possible charges will be affected by several immediate factors—the attitude of the suspect; the relationship of the suspected offence to the crime tolerance within that specific area or community; the amount of available evidence pertaining to the offence; the "social problems"

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related to the suspect, such as mental illness, drunkenness, or known recidivism; the officer's personal attitude to the specific offence committed; and the risk-fear factor.

The most obvious element influencing the judgement of an officer will be his own attitude or frame of mind at the time of confrontation with a suspect. We have noted the broader and more general influences which affect discretionary power; however, at the exact time of an occurrence, the personal and professional factors affecting that officer's mental attitude may be the greatest factor in deciding the course of action that he takes. Combined with this will be the automatic, instinctive response based on training, experience and intuition gained on the job.

Although these influences on a policemen's use of discretion are not considered definitive by any means, it exemplifies the undefined influences on the use, and enforcement of the law. Without careful consideration given to the factors influencing discretionary use of power by the police, it seems ludicrous to assume that the law that is drafted in the legislative chambers will "look the same on the Street".

Factor 9:   Press and Media

> The press can make or break a police force . . . right now we are in the media's good books . . . but it may not last. . . .

As already suggested in discussing factor 5, above, one of the greatest influences on how a policeman exercises discretion to lay charges or to deal with the case in other ways is the likely reporting by the media. It is in this image-making process that the distortion or misunderstanding of issues is produced that affects the behaviour and discretion of the police. The effect of the media is even greater than the "internal grapevine" of the "police fraternity". Only a policeman will know how distorted and misquoted a story will become in the press. The media can "make or break" a police force and can influence public opinion favourably or create a backlash against a department. However, to the individual officer it is this arena of the written and visual reporting of "the world today" that shapes his understanding of the public he serves.

4.   INNOVATIVE RESPONSE AND SPECIAL PROGRAMS

From the above account it becomes clear that decision-making by the police constable becomes increasingly complex in a rapidly growing multicultural metropolis such as Toronto. Not only does much of the police workload involve social-type cases but it becomes increasingly difficult in the context of different cultures and groups to know whether a particular incident should be dealt with by the formal criminal process or whether the problem should be screened out, diverted, or dealt with by way of settlement or

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mediation. In part, the solution will depend not only upon the training and capacity of the officer, but on community expectations and the resources within the community to assist in handling the problem.

Inevitably, however, in responding day in and day out to people in trouble and faced with the failure of many community resources to give adequate help, the policeman sees himself as the general "fixer" in the community. In a sense he sees himself more as a general practitioner than a psychiatrist, more a social worker than a doctor, yet part sociologist. He knows the community and its resources from past experience; he knows types of offenders and what some of them need by way of control or treatment if certain types of disorder are to be reduced. In all of this the policeman resorts to prosecution in the courts, especially in minor offences, almost as a last resort when no other satisfactory solution can be found. As indicated earlier, when the courts deal with the case as a legal problem, not as a social problem requiring a solution, the police tend to get frustrated with the legal "games".

In recent years, the Toronto police force has responded to the challenge facing it by various innovative measures including formation of the Crime Prevention Unit, the Beat Patrol, the Youth Bureau, and the Community Service Officers. All ofthese are attempts to develop a better knowledge of the various groups or communities in Toronto, to have available a pool of expertise to deal with social conflict without engaging the full criminal process, and generally, to strengthen the liaison and understanding between the community and the police. A short summary of the work of these different units follows as they illustrate innovative use of authority and discretion in keeping the peace or managing conflict in a growing city.

Some of the Crime Prevention Unit men are in the community advising individuals and corporations about the best methods and factors for safety of persons and property. Several other similar units have been set up to accomplish deterrence and prevention of crime and social conflict. As already indicated, at the outset of the thefts, disturbances and assaults by black youths in the subways a small unit of men, both black and white, were assigned to plain clothes duty to work in subways and trains. These policemen became acquainted with the suspects or offenders, were present at all the known trouble spots and broke up loitering groups that hung out in the underground stations. It soon was known that the police were "everywhere". Disturbances became infrequent and gangs moved their activities above ground to shoplifting and purse snatching. These activities were more visible and easier to deal with and the police were back to the old game of cops and robbers instead of gang threats underground.

In an attempt to develop a closer relationship with specific communities, the Beat Patrol Unit was established in 1971. The Patrol was a return to the old foot patrol. A special unit of handpicked men were placed on "the

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Strip", on Yonge Street and also in the Yorkville area. These districts were congested with youthful pedestrian traffic and were the cause of much concern and complaints by store owners and the public. The success of the patrols was evident from the outset of the program. The youth themselves approached the uniformed men to seek information and discuss problems; the shop-owners were reassured by the visible presence of policemen in their area. The Beat Patrol has recently expanded to another division, in a high density area. The men on the patrols are either of similar ethnic background or are familiar with the cultures in the areas they patrol. There has been recognition that informal and close contact with these men on the street patrol had done much to dissipate distrust among the younger ethnic generations, while the older generation are comforted by the easy accessibility of the police. It is obvious from all reports that these foot patrols act as a visible source of security, assistance and friendliness.

A GREEK SHOPKEEPER: "We never liked a policeman here . . . it meant trouble . . . but now we got the nice man come here all the time as he passes by the store and even the dog don't bark at him . . . Some kids even follow and talk to with . . . nice to have him go by . . ."

The benefit to the police is not only in terms of public relations, but through the Beat Patrol the department is able to gather unhostile and informal information regarding the communities that the men patrol. The foot patrol officers get to know many individuals and have gained the support of many ethnic groups that previously were unapproachable on a formal basis.

The unit of the Metropolitan Police Force that is the oldest and most recognized for crime prevention is the Youth Bureau. This unit is concerned with juveniles who come in contact with the police, and through the use of discretion attempts to refer and divert juveniles from the formal criminal justice system. Youth Bureau officers are primarily concerned with prevention rather than prosecution and often intervene in a total family crisis to refer the problem to a social agency; as a last resort the case may be brought before the Juvenile and Family Court where a court order may be the only way to get an agency to accept a difficult referral.

The frustrating lack of cooperation and communication between police and community agencies is most evident in the study of the activities of the Youth Bureau. In the past, Youth Bureau officers often got little action on referrals to agencies unless the referral was backed up by a Juvenile and Family Court sanction. Therefore, attempts by the Youth Bureau to accomplish informal crime prevention were thwarted by unsatisfactory delivery of social services to juveniles. It is not unusual for social workers to attempt to "dump" a problem onto the Youth Bureau in order to push the problem under the authority of the criminal justice system. An analysis of the follow-up of cases handled by the Youth Bureau can be found in the Youth Bureau Study of the East York Project.

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Another new program reflects the concern of the Toronto police to meet the need for community-based police service. The Community Service Officer Unit was started in 1969. Although it had no written policy initially, nor a clearly defined role, the intent of the administration for this program was well known. It was essential, at a time when the force was highly mechanized and had become dissociated from the community, that the policemen "get back to the people" and to the service network that served the public. The program was initiated at a time when drug crisis problems were mounting. These non-uniformed men were relieved of the formal law-enforcement duties and assumed a variety of roles—trouble shooters, street researchers of social problems, public relations personnel, social service-based referral workers and interpreters or teachers to their own "fraternity"—all under the publicly assumed role of a policeman.

> Some people think we are the latest Mod Squad, others think we may be social workers, others figure we are public relation guys . . . At times we are not sure who the hell we are . . . but a guy soon figures it out and he never loses the idea that he is a cop. . . .

Although these men do not see their role today as specifically crime prevention, there is no other unit more actively performing this task than these men. They are called upon for crisis follow-up, they maintain close contact with many potential youthful offenders, they conduct many seminars in the public schools, they have the confidence of many "unreachable" groups in the community and are seen as "a big brother" to many troubled families. The CSO's role of prevention is seen at its height in the prevention of victimless crime and in the field of mental health. These men have gained considerable experience in the handling of mentally disordered people, have knowledge of the psychiatric resources in Toronto particularly with respect to satisfactory service delivery, and have gained the respect and cooperation of the medical personnel in this field. However, due to their expertise, there is a tendency for the psychiatric and social work professionals to use the Community Service Officers as a convenient way to unload difficult cases. Until a year ago, the police were being requested to drive mental patients from one institution to another, to remove a disordered person from the premises of an institution and to undertake the referral and follow up of a patient from an institution to a social agency. By undertaking this role, the police were in fact allowing institutions and agencies to "duck their responsibilities" and remain staunchly immersed in their institutional policies.

Due to police and community support for the CSO unit, the Community Service Officers are able to use wide discretion in the interpretation of the Mental Health Act and accomplish swift and positive results upon intervention. They maintain their role as police officers, but reduce the high visibility of their authority through plain clothes and sympathetic and non-threatening attitudes.

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Although the uniformed men have viewed the CSO program with skepticism, there is now a closer relationship between the two. Detectives still cannot understand why the CSO's are not using their "undercover" position to supply pertinent information for the arrest of an offender. The problem is particularly prominent in a situation where the CSO may be acting as an arbitrator or mediator in a dispute and while involved with a person or group in this role, becomes aware of the possibility of invoking the criminal process. At such times the Community Service Officer must weigh the usefulness of "informal" solutions against the solutions provided by the formal court process.

Domestic disputes have long been the frustrating social problem that police recognize as having a potential for violence and crime; at the same time the police know that the courts in these cases are not equipped to offer satisfactory solutions. The Metro force has undertaken an experiment in one division in an attempt to divert family disputes from the criminal justice system through referral to a community agency for resolution. When a uniformed officer is called to a family dispute he responds to the crisis demands of the situation. However, he makes note of information pertaining to the situation and passes this on to the Community Service Officer as soon as possible. The CSO calls back to speak to the participants in the dispute. He spends as much time as needed to satisfactorily refer the participants to a co-operating family agency which will continue to work with the problem. The results of this project have shown the need to initiate this procedure in other divisions. "If they are able to talk over some of the problems with a social worker who can help them maybe we can prevent another occurrence".

When the public becomes aware of the CSO program, they ask why the entire force cannot be made up of men such as these. This is an impractical demand, for it is essential to have a balance between this type of officer and the calculating, hard driving investigative men in Morality, Intelligence, or Homicide. Why? As one police officer stated: "Whether the public knows it or not there are still organized crime and violent criminals in the city and it is essential to have the right type of men dealing with the various elements in our society".

Behaviour of a CSO when promoted, transferred back to the uniformed ranks, and placed in charge of other men is different to that of the man who has not been in the unit and has not had the opportunity for indepth exposure to community problems. Although there have been only a handful of promotions since the unit's inception it is interesting to note that the new CSO-type sergeant encourages his men to be more aware of the community they work in. His technique in arresting will be authoritative but humane, his tolerance for the station paperwork is high; the new sergeant tends to

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approach situations with a sense of humorous manipulation, rather than hard-line rhetoric. He tends to have an open, assured and interested manner in dealing with public complaints instead of the bored matter-of-factness that can be found in a sergeant who has been on the job longer or in uniform during his whole career. The CSO as a sergeant seems to take an interest in making his constables aware of the variety of ways of using discretion and the available resources. It must be stated, however, that Community Service Officers do not lose their ability to react in strict law enforcement or investigation of criminal offences. As with all police officers, they uphold and rely on the legal statutes and militaristic structure to keep order and protect the public. It is only in the method or use of their discretion that they differ from their uniformed counterparts.

5. CONCLUSION

The meaning and content of the preceding report can be viewed as nothing more than a glimpse of the police, individually and collectively, in their task of undertaking to use authority under the criminal law to achieve a measure of social justice. It shows that most of the demands made on police are for social services rather than prosecutions or arrests. Even where the reported incident might be dealt with as a crime, police use discretion to deal with minor cases in other ways. This use of authority and discretion, and the innovative responses by the police in meeting demands for social services provide useful insights for criminal law reform.

Do the criminal laws, the social agencies and other institutions meet the needs of the public? Is it possible that many citizens feel that certain laws are in substantial conflict with their own social or cultural values? Do we witness the police being placed in the position of upholding unpopular but "established" values simply because such values have survived for generations in the statutes and the Criminal Code? If in fact many of the rules are not in accord with the public's needs, can the police offer any assistance in deciding how to overcome this possible discord?

To propose changes in the law without due consideration of the social problem as seen by police, nor an understanding of how they exercise their discretion in applying existing law, but simply to concentrate on due process values or civil liberties can have chaotic results which may negate the theoretical basis of the desired legislation. For example, when the vagrancy statutes were removed from the Code was there any consideration of police use of those statutes? In the preparation of the recent Law Reform Commission paper on Statements and Admissibility, was any police evidence drawn on for the basis of the paper? While we lament the imprisonment of alcoholics what emphasis has the community given to providing the police with an alternative to prosecution in these cases? If we continue to expect

that the police will deal with minor crimes as social problems to be screened out of the criminal justice system what help can the police be given in developing criteria for identifying conflicts that could best be dealt with by a diversion scheme? What views do police have on how to set up a diversion scheme so that it remains visible and accountable?

In the opening paragraph of this conclusion, reference was made to possible discord between public needs and institutional rules. This discord as indicated earlier in this report, may show up when the Criminal Code is used to suppress behaviour that is symbolic of certain value systems. For example, minority or ethnic groups exhibit behaviour which may often be misunderstood as "criminal" or deviant; hippies and their life styles and values are often suspected of "criminal" behaviour; groups involved in political dissent, such as student activist groups, civil liberties groups, or the Black Coalition are regarded as potentially criminal. The police often experience these groups negatively and their testimony bears evidence of "symbolic crime". In particular, is it possible that certain laws or statutes, including the old vagrancy laws or the present Immigration laws, for example, are applied unequally in conjunction with the criminal law as one way of responding to deviant behaviour among minority groups?

As mentioned earlier, the police are only too aware of areas in which the delivery of services by community agencies is inadequate. The police can specifically list the areas of need as they have experienced them themselves. Specifically the lack of 24-hour availability; unreal expectations by the institutions with respect to what the public needs or should need; lack of co-operation between institutions; use of criminal justice system in order to force treatment or resolve a difficult case; and, related to all of the above, the inflexibility and narrow specialization of institutional personnel.

In so far as corrections are concerned, the police experience may also be of benefit to law reformers. The pre-sentence report suffers from many ills, among which is the lack of specific police testimony, such as personal assessment of the arresting officer and information on the attitude of accused at the time of arrest, or while in custody. Often, a police officer, and, particularly in Toronto, a Community Service Officer, will have information on home environment, or social problems which at present may not be included in the pre-sentence report. Police testimony, in an informal sentencing hearing, would also be of help in some cases to correctional personnel. Psychiatrists particularly may find this helpful in developing a treatment program. It would be helpful, upon sentencing to an institution if an offender's total story could accompany him to the institution for use by the correctional service. If the policeman was aware that his assessment or conclusions might be meaningful to the correctional service, he might be encouraged to present his assessment of the offender's needs.

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At another level, the police sometimes feel that in attempts to reform the criminal law it is largely the loud-talking minority, radicals, or elitist lawyers that get heard. The general public is not heard. Police feel that they, more so than most groups, have a pretty good feel for what the public expects of the criminal law, yet, too often they see the police either brushed aside or cut off from policy information and law reform. As already indicated, this feeds police alienation and, in so far as the law may not correspond with police needs and expectations, encourages police to find ways of getting around the letter of the law.

Perhaps this report on some aspects of police authority and discretion will help people concerned with reform of the criminal law. Unless there is an understanding of how police decision-making operates at the meeting of law and people in trouble, criminal justice, and particularly reform of the criminal justice system, will fail to meet the needs of ordinary citizens.

The Use of
Diversionary Dispositions for
Juvenile Offenders

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INTRODUCTION

One facet of the work of the Law Reform Commission concerns investigation of 'diversionary' modes of disposition for offenders. By this is meant removal of the offender from more formalized hierarchical 'processing' within the Criminal Justice System. The East York Criminal Law Project was one such medium through which the use of diversionary disposition was explored.

However, existing components of the Criminal Justice System may employ techniques which may be viewed in the context of diversion. One such component is the police use of diversion with juvenile offenders.

As part of the East York project, a study of a sample of juvenile cases from the Metropolitan Toronto Police Youth Bureau was undertaken. The study, incorporating a variety of objectives, provides a rich and unique source of information. This paper will summarize a first computer analysis of police use of diversionary dispositions with juvenile offenders.

Organization of the Youth Bureau Study

The case sample for the study was drawn from four police divisions within Metro Toronto, an attempt being made to assemble four distinct socio-economic groupings:

Area 1: 33 Division: new, suburban, 'middle class'
Area 2: 51 Division: Ontario Housing, 'lower class'
Area 3: 53 Division: established 'middle class'
Area 4: 55 Division: no Ontario Housing, 'mixed class'

Statistics Canada census information was geo-coded for each area (presentation of this data will be made in a subsequent report).

From a departmental listing of all juveniles from the four divisions having any contact with police during a six-month period (July 1 to December 31, 1970), some one hundred offenders from each area were drawn randomly for inclusion in the study.

An information file was then assembled for each juvenile, including complete documentation of the following:

police contacts
juvenile court appearances
probation record

training school record
social agency record
adult police contacts
adult arrest record

The file was thus pre-dated and post-dated from the six-month time period, permitting longitudinal study of cases.

Some 25 juveniles from each area were selected (non-randomly) for a more intensive follow-up study involving interviews with family and compilation of socio-economic data. A final component of the study was a follow-up with agencies involved with the juveniles.

Work-Up of the Data Set

The data were computer-coded and currently reside on a secured tape file. The data set has been organized as a series of files (classes of information, e.g. 'police contacts') permitting analysis with a statistical package of computer programs (SPSS). A great variety of computational procedures may be performed upon the data, including marginal totals, simple statistics, correlation, and more advanced applications such as regression and factor analysis.[1]

FINDINGS

Summary Characteristics of the Case Sample

A preliminary report was prepared[2] which indicated, in some detail, the characteristics of the data set. In summary, this analysis showed the majority of the 381 offenders in the sample to be male, Caucasian, Protestant, born in Toronto in the mid-1950's and living with both parents. Parents tended to be long-term residents of Toronto, born in Canada, and did not show a history of transient address changes. Larger family sizes were observed in the Ontario Housing areas. The juveniles first had contact with police at an average age of 12 to 13 years, with an average value of 6 police contacts. A range of from 1 to 56 police contacts was indicated, with 22% of the case sample having only a single police contact (and no further involvement). Forty-eight juveniles were associated with a delinquent group known to police.

The nature of offences involved in police contacts ranged from more serious Criminal Code violations (assault, robbery, breaking and entering) to quasi-criminal or non-criminal behaviour (curfew violations, truancy). Criminal Code offences (including vagrancy offences) comprised some 58% of all police contacts.

Half of the cases had at least one appearance in Juvenile Court. A range of from one to twenty court appearances was shown. Typically, these involved Criminal Code offences such as possession of stolen property, break and enter of apartments, or shop-lifting (theft under $50.00).

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One-quarter of the case sample had received a probation, and a smaller number (10%) were referred to Training School.

The Police Contact

Diversion of juvenile offenders occurs through the medium of the police contact. A 'contact card' is prepared and placed on file in the Youth Bureau of the Metro Toronto Police for every 'valid' juvenile contact made by an officer. This file is essentially a record of all dispositions given to juveniles by police officers. The nature of behaviour encompassed in the 'contact file' ranges from Criminal Code offences, other statutory violations (Food and Drugs Act, Narcotic Control Act, and Provincial statutes such as Liquor Control), and non-specific deviant behaviour such as:

> unreasonable curfew hour
> disorderly conduct
> trespassing, loitering
> truancy
> suspicion of having committeed an offence.

The expressed policy of the Bureau is to restrict the contact file to 'valid' contacts, and where possible, to eliminate questionable occurrences from a juvenile's file. It should be noted that contact cards may be produced for 'suspicion of having committed an offence' or 'routine check' instances (this category comprises 9.6% of all police contacts for the present study). The Bureau has ordinarily no means of verifying the validity of juvenile contacts filed by police constables, with the exception of instances specifically referred to the Bureau.

Officers frequently make reference to a juvenile's Youth Bureau contact file in a decision (within the officer's discretion) whether to formally charge a juvenile. The officer may also decide to refer the juvenile to the Youth Bureau for handling.

The juvenile's parents are normally informed of the filing of a police contact in the Youth Bureau. On a finding of delinquency in Juvenile Court, a juvenile's prior police contacts may be entered before the court, as a factor bearing upon disposition of the offender.

Thus, the police contact file is of some significance in the Juvenile Criminal Justice System.

Characteristics of Police Contacts for the Case Sample

A total of 2,535 police contacts were observed over the 381 cases in the data set. Dates of the contacts ranged from 1955 to 1973, with most contacts occurring in 1970 (during the 6-month sampling period). A detailed breakdown of the type of offence/behaviour involved in the case sample appears in Table I.

TABLE I

TYPE OF OFFENCE/BEHAVIOUR FOR ALL POLICE CONTACTS
(ungrouped)
(N—2,535)

Offence/behaviour	N	Per cent of Total
Theft from dwelling	43	1.7
Theft from auto	53	2.1
Theft of auto (incl. joyriding)	50	2.0
Theft of bicycle	51	2.0
Shoplift/theft from store	204	8.0
Theft from newspaper box	11	0.4
Theft from school	16	0.6
Theft from apartment locker, garage, shed	7	0.3
Theft (other)	88	3.5
Attempted theft	29	1.1
B & E school	20	0.8
B & E store	16	0.6
B & E apartments/dwellings	85	3.4
B & E church	1	0.0
B & E apartment lockers, garages	2	0.1
B & E other	45	1.8
Attempted B & E	9	0.4
Fraud/forgery	0	0.0
Fraud/uttering	0	0.0
Fraud/slugs	1	0.0
Fraud/false pretenses	4	0.2
Fraud/credit card	3	0.1
Attempted fraud	1	0.0
Possession of stolen property	93	3.7
Possession of stolen car	20	0.8
Possession of burglars tools	11	0.4
Robbery/purse snatch	19	0.7
Robbery—assault and rob	13	0.5
Robbery—armed	2	0.1
Robbery—extortion	3	0.1
Wilful damage (private property)	69	2.7
Wilful damage (school)	13	0.5
Wilful damage (church)	0	0.0
Wilful damage (TTC, CNR)	4	0.2
Wilful damage (parks)	4	0.2
Wilful damage (other)	27	1.1
Assault bodily harm	14	0.6
Common assault	41	1.6
Assault—wounding	1	0.0
Assault—threatening	4	0.2
Weapons—point and discharge	6	0.2
Weapons—possession, carrying concealed	6	0.2

TABLE I (Concluded)

Offence/behaviour	N	Per cent of Total
Trespass (private property)	88	3.5
Trespass (R.R.)	20	0.8
Trespass (construction site)	3	0.2
Trespass (general)	28	1.1
Criminal Code sex offence	9	0.4
Other C.C. offence a/g property	17	0.7
Other C.C. offence a/g person	2	0.1
Other C.C. offence	28	1.1
Narcotic Control Act		
Possession of marijuana	12	0.5
Possession of hashish	2	0.1
Possession of other drug	0	0.0
Food and Drugs Act		
Possession of methamphetamines	0	0.0
Possession of hallucinogens	1	0.0
Possession of other controlled drug	0	0.0
Glue sniffing	130	5.1
Liquor Control Act		
B.L.C.A. have in possession	7	0.3
B.L.C.A. minor consume liquor	49	1.9
B.L.C.A. drunkenness	1	0.0
B.L.C.A. unlawfully in licensed premises	2	0.1
Highway Traffic Act		
Hitch-hiking	15	0.6
Drive under age 16	14	0.6
Mini-bike offence	9	0.4
Car driving offence	3	0.1
Other offence	16	0.6
T.T.C. by-law	4	0.2
Tobacco Restraint Act	27	1.1
Vagrancy "A"		
Runaway from home	121	4.8
Runaway from agency placement, gp. hm.	26	1.0
Runaway from training school, T.S. placement or gp. home	22	0.9
Cause disturbance/disorderly	186	7.3
Loitering	48	1.9
Promiscuity	2	0.1
Homosexuality	3	0.1
Other sexual	3	0.1
Unmanageability	14	0.6
Curfew	209	8.2
Truant	66	2.6
Contact or routine check (non-specific)	244	9.6
Breach of terms of probation	10	0.4
Re-hearing (referred to court by agency, etc.)	0	0.0
Not coded/error, etc.	6	0.3

The largest single value noted in this table appears for the category "contact or routine check—non-specific" (244 contacts), which incorporates 'suspicion' contact cards. The largest Criminal Code category observed is found for the offence of "shoplifting/theft from store" (204 contacts).

In attempting to reduce the numbers of categories involved for presentation, offences were re-coded and organized along a descending scale of severity[3] (as per Criminal Code category). This analysis appears in Table II.

TABLE II

TYPE OF OFFENCE/BEHAVIOUR OVER WHOLE FILE OF POLICE CONTACTS
(*Grouped Offences*)
(N=2,535)

Offence/behaviour	N	Percentage*
Assault, wounding	71	2.8
Robberies	37	1.5
Breaking and entering	169	6.7
Theft/possession of stolen property, frauds	708	27.9
Weapons	12	0.5
Other Criminal Code	28	1.1
Wilful damage, trespassing	258	10.2
Provincial statutes, F.D.A., N.C.A.	292	11.5
Runaway, truancy (Vag. "A")	692	27.3
Sexual immorality	8	0.3
Routine check/non-specific	254	10.0
Not coded	6	0.2

*Percentage values will not reflect true proportions, as the re-coded offence classes do not have equal numbers of discrete offence codes.

TABLE III

TYPE OF OFFENCE/BEHAVIOUR FOR WHOLE FILE OF POLICE CONTACTS
(*Grouped Offences*)
(N=2,535)

Offence/behaviour	N	Percentage
Criminal Code Offence	1,283	50.6
Other Statutory Violation	162	6.4
Non-Specific Deviance*	1,084	42.8

*This classification includes "Vagrancy 'A'" offences such as runaway juveniles; these have been excluded from 'criminal code' classification for purposes of diversion analysis (see Table VI).

With classification approximating Criminal Code categories, then, Theft and Fraud offences comprise the largest proportions of police contact offences.

A further reduction of categories of offence/behaviour into Criminal Code offences, other statutory violations, and non-specific deviant behaviour classifications appears in Table III (this classification is of relevance to analysis of diversionary dispositions, see Table VI).

Analysis of other features of police contacts indicates that a police constable made first personal contact with the juvenile (as opposed to other police units) in 72% of all contacts. For the remainder of the file, the Youth Bureau, through one of its officers, made first contact. Victims or witnesses notified police of the juvenile's activity in 16% of all the contacts. For contacts involving more serious Criminal Code violations (Assault, Robbery, Breaking and Entering, Thefts, and Offensive Weapons), victims or witnesses gave information resulting in a contact in 27% of the (sub) total. For 39% of the contacts, information obtained through police sources initiated the contact (most of these would be the officer's personally observing the juvenile, or through a 'routine check' of a juvenile). In one-third of all contacts, the juvenile was interviewed on the street, while a further one-third involved an interview at a police station (this total corresponds to the total police constable initiation of the contact).

Interviews for contacts involving more serious Criminal Code violations were conducted at a police station for half of (these) contacts.

In Table IV a cross-tabulation of initiation of contact by type of offence/behaviour is shown. The police constable is generally responsible for initiation of 71.6% of all police contacts with juveniles, with Youth Bureau officers initiating most of the remaining contacts. The Bureau tends to initiate a somewhat higher proportion of contacts involving Criminal Code offences (a more detailed analysis indicated this finding to result from a

TABLE IV

INITIATION OF CONTACT BY TYPE OF OFFENCE/BEHAVIOUR
(Column % Values Given)

Initiator	Criminal Code Offence	Other Statutory Violation	Non-specific Deviant Behaviour
Police Constable	64.5	85.8	78.0
Detective	2.9	1.9	0.5
Youth Bureau Officer	31.3	12.3	21.0
Community Service Off.	0.5	0.0	0.0
(Not coded)	0.8	0.0	0.5
Totals	100.0	100.0	100.0

singularly high proportion of assault and wounding offences involving Youth Bureau initiation of the contact).

A presentation of dispositions employed over the total file of contact is shown in Table V.

The 'caution' disposition most frequently employed in the study sample is an informal procedure in which the officer speaks with the juvenile, informs him of the nature and potential consequences of his deviant behaviour or releases the juvenile (frequently to parents).

This disposition may be combined with other informal measures such as restitution of property. Information on these aspects was not included in the present data case. A sample of ten cases from recent Youth Bureau files provided examples of this device. The offences of mischief, wilful damage, and theft were involved, with parents agreeing to make restitution to victims in the majority of cases. An incident in which restitution is to be made by the juveniles is summarized in the following excerpt:

WILFUL DAMAGE: April 27, 1974

Cautioned: Five juveniles
On Thursday, the five boys were caught leaving the underground garage after a number of light bulbs had been smashed. [The superintendent of the building] obtained their names and reported the incident to police. The parents of all the boys were called today and brought their sons in. All admitted breaking some of the lights. Restitution will be made by each of the boys. Total damage is $38.00.

An example of restitution in a theft incident is provided in the following summary:

THEFT UNDER $200.

The youth went to the Variety Store at [address omitted] and took a carton of cigarettes and left without paying for them. He was stopped by the fearless clerk and turned over the P.C. (name and number omitted). From investigation, it was determined that the youth had been in the store earlier and stole another carton of cigarettes. Total value of stolen goods: $11.00. Restitution to be made. Cautioned and released to parents.

TABLE V

POLICE DISPOSITION OF CONTACT
(Percentage Breakdown over Total File of Contacts)

Police disposition	N	Percentage
Caution	1,134	44.7
Referral to agency	19	0.7
Investigation only	547	21.6
Other disposition	8	0.3
Court disposition (Charge)	815	32.1
(Not coded/error)	12	0.6
Totals	2,535	100.0

Another wilful damage incident involved three juveniles (each under 10 years) damaging a vacant house under renovation. Parents of the three contacted the complainant and are negotiating the terms of restitution. The amount of damage involved is estimated at $500.00.

In these situations involving theft or property damage, the police act as informal mediators through whom terms of settlement between the parties may be generated. The need for formal criminal processing is thus reduced through such techniques.

The category 'investigation only' is most often used with respect to 'routine check' or 'Suspicion of having committed an offence' contacts. For these instances, the officer may determine that insufficient evidence exists for charging the juvenile, or cautioning him for specific deviant behaviour. The juvenile is thus released after investigation by police.

When police dispositions are examined over different categories of offences, a more detailed picture is produced as shown in Table VI.

This analysis indicates a decreased use of such diversionary dispositions as caution or investigation only with Criminal Code offences (with a corresponding increase in proportion of court referrals). Non-specific deviance is generally handled through use of the caution or investigation only procedure.

Four offence categories comprise the largest proportion of Criminal Code offences referred to court: shoplift—theft from store, break-and-enter of apartments, theft (general category) and car theft/joyriding (respectively). An examination of proportional rates of court referrals indicates that car theft/joyriding and break-and-enter (apartments) each have, respectively an over-80% rate of court referral, while the offences of shoplifting and theft (generally) have much lower court referral rates in the sample (30% and 50% respectively).

TABLE VI

POLICE DISPOSITION OF CONTACT BY CATEGORY OF OFFENCE/BEHAVIOUR
(*Row Percentage Values Given*)

Type of Offence/Behaviour	Caution	Referral to Agency	Investigation Only	Other Disp.	Court (Charge)	Not Coded	Total
Criminal Code Offence (N = 1,283)	39.8	0.5	11.8	0.4	47.4	0.2	100.0
Other Statutory Violation (N = 162)	51.2	0.0	9.9	0.0	38.3	0.6	100.0
Non-Specific Deviance (N = 1,084)	49.7	1.2	34.9	0.3	13.2	0.7	100.0

An examination of non-specific deviance contacts referred to court shows that runaway juveniles, processed through a charge of Vagrancy "A" were the most frequent court referrals for the group. The category 'runaway from home had a proportional court-referral rate of 38%, somewhat higher than the mean rate of court referrals over the whole file (32%). Interestingly, 'glue sniffing' behaviour showed a court referral rate of 35%.[4]

(A more detailed examination of the type of offence/behaviour *cautioned* will be found in Table VII).

Diversion in the Context of the Youth Bureau Data

Considering the earlier definition of 'diversion' (viz.: removal of the offender from more formalized hierarchical processing in the Criminal Justice System), an operational definition of the process must be made in the context of the study data.

For purposes of this analysis, all non-court juvenile dispositions made by police officers may be considered 'diversionary'; however, further refinement of this classification is necessary. As described in earlier sections of this paper, a wide variety of juvenile 'deviant' behaviour falls within police purview—from the more serious Criminal Code violations, to less serious regulatory statutory violations, to mere 'misbehaviour'. To credit police authorities with diversion of the latter category of behaviour from more formal Criminal Justice processing would distort a responsible analysis of 'diversion'; a juvenile cannot be charged for 'suspicion' or for 'routine checks' by police. Analysis of 'diversion' must be made from categories of offences for which a charging/court referral disposition is a viable alternative open to the discretion of the police officer.

This reasoning has led to the exclusion of 'vagrancy' offences from Criminal Code categorization in the present analysis (with inclusion in the 'non-specific deviant behaviour' group). After discussion with officers and Youth Bureau personnel, the author has learned that various operational factors during the time period of the study led to the laying of "Vagrancy A" charges for such behaviour as:

— runaway from home
— runaway from agency placement or gp. home
— runaway from training school, T.S. placement
— causing a disturbance
— loitering

These factors included, among others, efforts by social agencies to have vagrancy charges processed as a means of retaining a "chronic runaway", and as a means of managing 'uncontrollable' juveniles. Further, the availability and efficacy of treatment facilities for juveniles was made more certain through the device of a 'court order'.

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Thus, operational factors have introduced underlying variables into an officer's discretionary decision to charge a juvenile with vagrancy; a proper analysis of diversion cannot credit police with diversion of these offences, when, ordinarily, a court disposition would not be an appropriate method of handling this 'deviant' behaviour.

Analysis of diversion, then, will be restricted to contacts involving breaches of the Criminal Code (excluding Vagrancy, sic.) and violations of other statutes providing the following offences:

Narcotic Control Act

- possession of marijuana
- possession of hashish
- possession of other (proscribed) drug

Food and Drugs Act

- possession of methamphetamines
- possession of hallucinogens
- possession of other controlled drugs

Liquor Control Act (Ont.)

- B.L.C.A. have liquor in possession (minor)
- B.L.C.A. consume liquor (minor)
- B.L.C.A. drunkenness (minor)
- B.L.C.A. unlawfully in licensed premises (minor)

Highway Traffic Act (Ont.)

- Hitch-hiking
- Driving under age 16
- Mini-bike offence
- Driving offences
- Other H.T.A. violation
- Toronto Transit Commission By-Law violation
- Tobacco Restraint Act violation

The Data: All Diversionary Dispositions

A police 'diversionary disposition' has been operationally defined as:
- cautioning
- referral to agency
- investigation only
- other disposition

Analysis of the nature of offences for this group of dispositions shows Criminal Code offences comprising 39.3% and other Statutory Violations 5.8% for a sum of 45.1% of all diversionary dispositions (771 contacts).

A cross-tabulation of the two categories of offences by diversionary dispositions appears in Table VII.

Detailed study indicates the more frequent Criminal Code violations receiving 'investigation only' disposition are theft, trespassing (private property) and 'trespassing' (other). No particular concentration of 'investigation only' dispositions could be found among other statutory offences.[5] (A more comprehensive study of the cautioning disposition is presented, *infra*).

Further information on all 'diverted' contacts indicates that the police constable is most often responsible for initiation of the contact (as contrasted to other police units). The juvenile was interviewed on the street in 48% of these contacts, with 16% receiving an interview at a police station (a somewhat smaller proportion, 13.1%, were interviewed at home).

The Data: Caution Disposition

A separate analysis of the police caution disposition was undertaken in view of its relatively large proportional use in the study data (caution dispositions were given in 1,134 or 44.7% of the total file; they form over 66% of all diversionary dispositions).

Some 39.8% of all contacts involving Criminal Code violations and 51.2% of all those involving other statutory violations received caution dispositions. Subsequent analysis showed the offences of shoplifting/theft from store, trespassing (private property), theft (general), and wilful damage (private property), respectively, to comprise a majority of Criminal Code violations receiving a caution disposition. Examination of proportional 'rates of cautioning' showed the offences of wilful damage (private property) and trespassing (private property) to have a cautioning rate of about 70% each over the sample. A similar analysis of shoplifting/theft from stores showed that six of every ten of these offences received a 'caution' while theft (general) showed a much lower caution rate of 2.8%. Interestingly, 23

TABLE VII

TYPE OF OFFENCE BY DIVERSIONARY DISPOSITION
(Row Percentage Value Given)

Type of Offence/Behaviour	Caution	Referral to Agency	Investigation Only	Other Disp.	Total Percent Diverted
Criminal Code Offence (N = 1,283)	39.8	0.5	11.8	0.4	52.5
Other Statutory Offence (N = 162)	51.2	0.0	9.9	0.0	61.1

of 41 common assault charges were cautioned by police. Of the 'other statutory violation' category, breaches of the Liquor Control Act, in particular "consumption of liquor while a minor", comprised the largest proportion of 'caution' dispositions. This particular offence showed a rate of cautioning of 40%.

Other characteristics of police contacts receiving caution dispositions were similar to those already described for 'investigation only' dispositions.

Employment of Cautioning

Further examination of the cautioning procedure was undertaken in order to determine whether police use of this disposition increased or decreased with repeated contacts on individual juveniles. When cross-tabulation analysis was performed, the 'caution' disposition was found to be employed in some 69% of initial contacts; this may be contrasted to a mean value of 45% over all police contacts. However, with increases in police contacts, a reduction in the use of cautioning was observed. By the fifth police contact, caution dispositions accounted for only 24% of the total; interestingly, a corresponding increase in the use of court (charging) dispositions was found. For the fifth police contact, a proportional value of 58% 'court' disposition was observed. With further increases in the number of contacts, the same trend of decreasing cautions and increasing employment of court referrals was indicated.

The observed pattern may perhaps be explained by a tendency among the 'repeater' juveniles to become involved in Criminal Code violations, for which the 'court' disposition is a more likely technique.

Juveniles With Adult Police Records

Of the 381 juveniles in the current study, 52 had adult arrest records. These may perhaps be viewed as the 'failures' of the study—individuals for whom juvenile justice techniques of rehabilitation or individual deterrence had not reduced deviant behaviour. Speculation arose as to the role of juvenile contact dispositions in the genesis of such deviance patterning. Analysis was thus performed on aspects of juvenile contacts for 24 cases having adult arrest records.

A preliminary feature of interest is the much larger number of juvenile contacts shown for this group: an average of 12.5 police contacts was observed, as compared to an average value of 6 for the entire file. The group thus exhibits a much stronger pattern of observed juvenile deviant behaviour.

Another feature of the 'recidivist' file was a tendency to be involved with Criminal Code violations, as opposed to other statutory violation or mere non-specific deviant behaviour. A large proportion of Criminal Code violations was shown, especially in the initial few police contacts (the proportional value was about 60% for the initial five contacts). However, as the

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number of police contacts increased, the proportion of non-specific deviance (including 'routine check' instances) was also seen to increase: a 'labelling' phenomenon may occur with repeated police contacts, through which the juvenile, 'known to police', is investigated for a variety of occurrences.

Some attempt was made to evaluate the effect of a court (charging) disposition upon subsequent use of cautioning with these juveniles. Analysis over the 24 cases indicated a slightly higher use of court dispositions after an initial court appearance; however, several of the juveniles studied had a large proportion of 'cautioning' after an initial court disposition (although many of these involved non-specific deviance for which the juvenile would not be expected to receive a court disposition).

It should be noted that many of the contacts for the 'recidivist' juveniles originated some years before the time period of the study: the influence of system factors such as the existence or experience of divisional Youth Bureau officers, employment of Criminal Code 'Vagrancy' charges, and social agency influence may have contributed significantly to the pattern of dispositions among these juvenile contacts.

Analysis by Area of City

As indicated previously, the sample for the study was drawn from four Metro Toronto Police divisions, representing to some extent, distinct socio-economic groupings. As a component of analysis of diversionary dispositions, sub-analysis by area was attempted.

The respective areas for drawing of the sample were (again):

    Area 1 — 33 division — new, suburban 'middle class'
    Area 2 — 51 division — Ontario Housing 'lower class'
    Area 3 — 53 division — established 'middle class'
    Area 4 — 55 division — no Ontario Housing, 'mixed class'

A presentation of the type of juvenile behaviour for police contacts in each area appears in Table IX.

TABLE IX

TYPE OF OFFENCE/BEHAVIOUR BY AREA OF CITY
(Column Percentage Values Given for Offence Categories)

	Area 1	Area 2	Area 3	Area 4
Number of Contacts	222	499	171	391
Average No. of Contacts per Offender	3.3	9.2	4.0	7.0
Criminal Code Offence	57.2	51.5	42.8	50.2
Other Statutory Violation	13.9	2.5	9.5	5.9
Non-Specific Deviant Behaviour	28.6	45.7	47.3	43.9

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Of particular interest is Area 2 (51 division) which shows the largest number of contacts per offender, and a large proportion of 'non-specific deviant behaviour'.

A more detailed analysis of each offence category was performed in order to determine the dominant pattern of juvenile deviance within each area. Criminal Code offences showed the same pattern as observed in the general file (the offences of shoplifting, theft [general], break-and-enter of apartments, possession of stolen property, and wilful damage and trespassing [private property] were relatively constant throughout each area and formed the major proportion). However, a marked increase in the number of break-and-enter of apartment offences was noted for area one (33 Division—new, suburban middle class); this offence comprised 16% of all Criminal Code offences for the area (contrasted to an average of 4% for the other areas). One may speculate on the reasons for the difference: a greater number of apartment premises, differences in reporting, or differences in police enforcement methods may be significant.

Examination of non-specific deviance indicates differing patterns for each city area. The largest proportional categories for each area of the city were as follows:

Area 1 (new, suburban middle class): Causing a Disturbance
Area 2 (O.H.C., lower class)   : Glue Sniffing
Area 3 (established middle class) : Routine Checks
Area 4 (mixed class)   : Curfew Violation

The largest proportional discrepancies were found with "glue sniffing" (two-thirds of this behaviour occurred in the 'lower class' area) and "routine checks" (these formed 46% of all non-specific deviance for the established middle-class area, more than twice the average proportional value for other areas).

An analysis of the use of cautioning dispositions by area showed no marked differences from average values for the whole file. However, a somewhat lower proportion of Criminal Code offences in area two ('lower class') received a caution. This may be due to the different characterization of offences within the area (a larger number of more serious charges, such as breaking-and-entering was noted).

An attempt was made to examine the 'rate of cautioning' employed by area of the city. The 'rate' variable (number of cautions over number of contacts times 100) was calculated for all cases in each of the four areas. Analysis was then performed to determine the rate of cautioning as the number of police contacts increased for each area. While the expected trend was found (i.e., the use of cautioning decreased when numbers of contacts increased in all areas), discrepancies were noted which may reflect combinations of underlying factors. Area one ('new, suburban middle-class') tended

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to show a relatively lower rate of cautioning, even for small numbers of contacts; this may be due to the character of offence in the area, or enforcement factors. Area two ('lower class') had a relatively higher rate of cautioning, likely due to the increased proportion of non-specific deviance contacts within the area. The remaining two areas showed the more conventional pattern of decrease as in the whole file.[6]

Summary

The Youth Bureau data set provides a useful body of material for the study of police use of diversionary dispositions.

The study has documented extensive use of diversion, even amongst Criminal Code violations, at the most primary processing level of the juvenile justice system. While over one-half of all 'diversionary' dispositions occur with forms of non-specific deviance such as truancy and curfew violations, some 53% of all Criminal Code offences and 61% of other statutory violations are dealt with in this manner. Longitudinal study of the cases has indicated that diversionary dispositions, and in particular the police caution, have been employed for some period of time in the police handling of juveniles. The addition of techniques such as restitution in offences against property provides a 'dispute settlement' role for police; citizens involved in this process, whether parents of offenders or complainants, may develop a more participatory view of the juvenile justice system, in which the parties themselves assume responsibility for remedies. Passive reliance upon institutional recourse may thus be reduced.

The Youth Bureau data shows the juvenile offender to be involved in relatively minor offences such as petty thefts and property damage incidents. Longitudinal study of such information may prove useful in development of diversionary model for minor adult offences. While preliminary analysis indicates juvenile court dispositions to have some role in the genesis of recidivist behaviour, more longitudinal study will be needed to assess the complementary role of diversionary dispositions in preventing deviant juveniles from developing adult crime patterns.

The data set may be seen as a rough 'surface characterization' of police methods with juveniles; to be sure, 'enforcement' factors play a major role in both police perception and disposition of juvenile deviance. The processing of Vagrancy 'A' charges during the time period of the sample study shows the importance of a phenomenological approach to the analysis and interpretation of 'juvenile crime' data.

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NOTES

[1] The author is currently re-organizing the data into an additional file which will be structured by *offender* (i.e., will contain all information types organized under each case). This format will permit a more elaborate cross-referencing of the data than with the present (separate-file) structure.

[2] "Preliminary Report on First Computer Analysis of the Youth Bureau Data" November 26, 1973.

[3] For non-Criminal Code offences, the author employed an intuitive ranking of categories.

[4] For the time period of contacts in the study, some juvenile court judges were prepared to hear 'charges' of glue sniffing. A recent ruling by Beaulieu, J. indicated that such behaviour does not form a change upon which a finding of delinquency may be based.

[5] The overwhelming proportion of 'investigation only' dispositions are used with 'routine check' or 'suspicion of having committed an offence' contacts which have been excluded from diversion analysis.

[6] As noted previously, this analysis did not control for the type of offence/behaviour involved in the contacts.