

THE DELIVERY SYSTEM
FOR JUVENILE JUSTICE IN
RURAL AND NORTHERN MANITOBA:
AN EVALUATION

by

Richard Kosmick

A thesis
presented to the University of Manitoba
in partial fulfillment of the
requirements for the degree of
MASTER OF ARTS
in
Sociology

Winnipeg, Manitoba

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ABSTRACT

This study examined the delivery system for juvenile justice in three specific areas: (1) the circuit court; (2) the social service agencies which administer community-based corrections; and (3) the social support systems present in communities for problem juveniles. A total of 22 high volume court sites, 11 in Native communities and 11 in non-Native communities, were selected in rural and northern Manitoba. The variations that exist in these delivery systems were ascertained by using data from a file study for background information on juvenile offenders, observation of cases in juvenile court, and a series of interviews conducted with key actors in the court process and with community representatives associated with the juvenile population.

The findings indicated that the bureaucratic delivery of services operates efficiently in terms of the court process but the quality of services which extend from the circuit courts deteriorate as these services are delivered in more remote communities, particularly Native communities. Legal Aid and Probation Services are severely restricted in providing their services to Native sites which leads to questions about the legal rights of the accused and the range of suitable dispositions. The court was limited in Native communities to sentencing a majority of offenders to probation orders which could not be supervised adequately. The lack of adequate detention facilities in remote areas further emphasized the limitations placed on the bureaucratic delivery of services.

The findings also revealed that a self-help approach was more appropriate for community-based alternatives in the more remote Native communities. These communities, however, lack many of the essential resources to implement a self-help approach to juvenile justice. An indifference exists towards the juvenile court and delinquent populations. It is difficult to generate grassroots interest with the exception of Roseau River which has had considerable success in the past decade in generating and maintaining viable community-based alternatives in conjunction with the juvenile justice system.

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Chapter I

STATEMENT OF RESEARCH PROBLEM AND REVIEW OF LITERATURE

A. The Research Problem

The delivery of juvenile justice in the "hinterland" presents a number of structural problems due to the inherent necessity of administering justice through circuit courts. By implication circuit courts connote infrequent travel to communities, in many cases remote sites, where justice is often administered on an ad hoc basis. However, the main focus is not merely upon the formal delivery of services but also on the role that communities play in receiving or administering policies through the concept of community-based corrections. It is this network linkage between state delivered services and community organization which requires investigation.

The criminal justice system maintains a collaborative relationship with the social services which frequently intervene on behalf of the judicial process. This intervention may arguably be perceived as an extension of the legal apparatus; however these services do act as "helping agencies" to coordinate community development. The relationship of the community to this judicial process raises the question of whether the community assumes control for deviant behaviour or whether the state should administer corrections.

It is the issue of control in corrections or alternatives to corrections which is to be assessed in these delivery systems. In order to ascertain what are crucial elements in this process, it is suggested that three areas for delivering services be identified for examination: (1) the circuit court; (2) the social service agencies which administer community-based corrections; and (3) the social support systems present in communities for problem juveniles. By investigating these areas, it will be ascertained whether these delivery systems should function as separate entities or perhaps move toward a middle position reflecting a mutual dependence or form of cooperation between these systems.

This research will use data which has captured the variations that exist in the current delivery of services for juvenile justice in rural and northern Manitoba. The search for patterns in these delivery systems will be undertaken to provide the necessary information in order to understand and guide future research in this area of juvenile justice.

B. Theoretical Orientation

North American society has three broad spheres of social control: the legal system, the social welfare system, and the therapeutic system. The therapeutic state differs from the welfare state "in that the latter offers its services to the voluntary recipient while the former seeks to impose its 'beneficial' services compulsorily (since the recipient is held to be incompetent)" (Kittrie, 1971:41). In juvenile justice, the therapeutic system has prevailed over the legal and welfare systems for the delivery of human services although the concepts of welfare and social justice are encapsulated within the therapeutic ideal.

A standing debate exists in the social welfare literature concerning the relative merits of social reform through the various delivery systems of human services. The argument specifically revolves around the role of agents of social control and lay persons as resources. These resources can be represented by two different paradigms: the institutional and the residual. The institutional model refers to "the organized system of social services and institutions designed to aid individuals and groups to attain satisfying standards of life and health"; and the residual model contends that "social welfare institutions should come into play only when the normal structures of supply, the family and the market, breakdown" (Wilensky and Lebeaux, 1965:138-139). It is an argument over the relative merits of state intervention and the ability of communities to handle their own problems. In terms of juvenile justice, the major implication for the therapeutic state would indicate the struggle for social control between the state and the community.

As a point of investigation, these theoretical models present the option of a "formal" delivery of services by the state or an "informal" community-based administration of services:

"We define formal care as governmentally mandated or sponsored professional services, whether state-administered or provided through chartered intermediaries, such as private nonprofit organizations. As such, formal care also includes some private practice when controlled by either regulation or reimbursement, as well as services provided by voluntary organizations that received government financial support either directly or indirectly through tax transfers. Informal care includes those sources of care and assistance provided by kin, friends, and neighbors; indigenous or natural helpers; and informal self-help or mutual-aid activities found within networks or groups, usually on an unorganized or spontaneous basis" (Froland et al., 1981: 262-264).

Since bureaucratically controlled professional practice has continually increased, a research initiative is required which reviews the relative merits of these two theoretical models. Wilensky and Lebeaux (1965:218) illustrate the necessity of targeting a specific group for social reform:

"As citizens or as welfare professionals we can no more deal successfully with the "total society" than we can deal with the abstract "total individual", torn from his societal setting. What we can tackle with modest hope are the groups in between - gangs, schools, neighbourhood organizations, and other secondary associations in the community, as well as families - the groups that mediate the relations of individual to society".

With this objective in mind, it is the intent of this thesis to use these theoretical perspectives and to focus specifically on community-based aspects of juvenile justice in order to determine the implications of using these different delivery systems in the rural and northern Manitoba context.

C. Review of the Literature

Juvenile delinquents have been considered as a special social group who are not responsible for their behaviour and, as such, the state has a duty to intervene as care providers in cases of neglect or delinquency. Under these circumstances the legal institution has lost its power to the therapeutic state to administer justice. While the introduction of the Young Offenders Act has sought to introduce legal principles into this area, much of the practice in juvenile court still reflects an emphasis on child welfare. The bureaucracy, guided by the principles of prevention and treatment, is the social control device for state policy to eradicate this deviant behaviour.

The field of corrections in recent years has moved in the direction of providing community-based alternatives for juveniles. In this rehabilitative movement for community participation, two distinctive approaches have evolved to deal with the problem of delinquent behaviour. The first approach has been to administer programs under the direct or indirect control of the bureaucracy and the professionals in which specific policies and programs have been delivered under the direction of human social service agencies. The second approach, as envisioned by the self-help movement, perceives social control reverting to the communities who are empowered to provide the care for delinquent youth.

The administration of justice in rural areas implies differences from its urban counterpart due to one distinct factor - distance. This factor affects the range of services available to rural communities and in terms of the criminal justice system, a new set of problems are created which do not exist in the urban environment. These rural courts

differ among themselves in a number of components such as background and training of court personnel, formality of procedures, adequacy of court facilities, familiarity of circuit court personnel with communities, adequate staffing of court-related personnel, and isolation from professional or court-related services. The delivery of services in rural communities is a complex problem which requires that both approaches, institutional and self-help, be considered to impart the most beneficial delivery system for juvenile justice.

1. Juvenile Justice and the Rise of the Therapeutic State

Since the beginning of the 20th century, juvenile justice has had one prevailing theme - the treatment and prevention of delinquent behaviour. This phenomena is a direct result of one profession - medicine - which has expanded its social control capacity whereby more deviant behaviour, previously managed by religion and law, has come under the direction of medicine as illness. Szasz (1964:44-45) describes this reclassification of behaviour:

"Starting with such things as syphilis, tuberculosis, typhoid fever, carcinomas and fractures we have created the class 'illness'. At first, this class was composed of only a few items, all of which shared the common feature of a reference to a state of disordered structure or function of the human body as a physical - chemical machine. As time went on, additional items were added to this class. They were not added, however, because they were newly discovered body disorders. The physician's attention has been deflected from this criterion and has become focused instead on disability and suffering as a new criteria for selection. Thus at first slowly, such things as hysteria, hypochondriasis, obsessive-compulsive neurosis, and depression were added to the category of illness. Then with increasing zeal, physicians and especially psychiatrists began to call 'illness' ... anything and everything in which they could detect any sign of malfunctioning, based on no matter what norm. Hence, agoraphobia is an illness because one should not be afraid of open spaces. Homosexuality is illness because heterosexuality is the social norm. Divorce is illness because it signals failure to marriage".

As such, the designation of deviance from a behaviour that was viewed as "bad" (sin or crime) to what is now considered as "sick" is a process which can be termed the "medicalization of deviance" (Pitts, 1968; Conrad & Schneider, 1980).

As a result of medical ascendancy, criminal law has been undergoing what Kittrie (1971:4) refers to as a "divestment - a relinquishing of its jurisdiction over many of its traditional subjects and areas" giving rise to the "therapeutic state" (Rieff, 1966; Szasz, 1970; Kittrie, 1971). Kittrie argues that the foundation of the therapeutic state is built upon scientific knowledge rather than morality and can be found in criminological positivism which emulates therapeutic conceptions of intervention for social defence with a commitment to rehabilitative ideals. This therapeutic model developed from the parens patriae power invested in the state, namely, the state acts in the role of the parent to aid and to protect individuals who are unable to care for themselves. He further suggests that the development of juvenile justice, at the turn of the century, had its roots in medical values of treatment and prevention for those who are incapable of looking after themselves due to illness; when transposed to the juvenile process, a system was conceived on diagnosis and treatment of social diseases as opposed to measures of criminal sanction.

The modern conceptions of childhood regard children as innocent and dependent but corruptible needing guidance and discipline (Empey, 1976). With this concept in mind, the "invention" of juvenile delinquency, as Platt (1969) terms it, was a product of a new deviant designation emerging in the 19th century from the child-saving movement. The child savers extended their power by updating social origin theories with the

new ideas of biological determinism and borrowed the medical "imagery of pathology, infection, immunization, and treatment" (Platt 1969:18) as their strategy for assuming control over delinquency. They developed the view that delinquents could be identified and changed. "Crime, like disease, was revealed in the face, the voice, the person, and the carriage, so that a skillful and properly trained diagnostician could arrest these criminal tendencies" (Platt, 1969:30). As such, medical intervention in delinquency could be a preventive measure. But it was the therapeutic model and vocabulary, rather than direct medical intervention, that became the framework of juvenile treatment.

The juvenile court was created in Chicago, with passage of the Illinois Act in 1899. The juvenile court was guided by two principles: first, that children are not altogether responsible for their behaviour; and second, that the state has an obligation to help in the care of neglected and dependent children as well as the delinquent (Finestone, 1976). The court was designed to treat youthful offenders primarily as children and only incidently as law violators. Platt (cited in Kittrie, 1971:343) described the formation of the juvenile process:

"The child savers depicted delinquents as irresponsible and incapable of free choice, and as victims of uncontrollable forces... With this emphasis upon predetermined as opposed to volitional conduct, there was an accompanying tendency to regard delinquents as psychologically incapacitated and therefore not responsible. As a consequence...juvenile court judges were cast in the role of physicians whose task it was to diagnose social diseases and to recommend appropriate remedies".

The implications are clear: the courtroom becomes a clinic and the court actors become participants using medical terminology to treat "delinquents". Furthermore, the outcome of such a premise is that, as more behaviours come under medical rather than legal control, there will

be a corresponding trend to view delinquent behaviours as the result of pathology - a manifestation of immaturity (Hawkins & Tiedeman, 1975).

In Canada the Juvenile Delinquents Act was passed in 1908 and this legislation, with minor modifications in 1929, became the basis of the juvenile justice system. The passage of this act occurred within a framework very similar to the Illinois Act of 1899. Leon (1977:72) notes that the Juvenile Delinquents Act was the result of a reform movement "dedicated to saving or 'rescuing' children from what were perceived to be undesirable and harmful effects of life in the increasingly urbanized and industrialized society of the nineteenth and early twentieth centuries". As in the United States, juvenile courts in Canada adopted the doctrine of parens patriae, under which "the primary emphasis...was on treatment, with only minimal attention paid to accountability" (Leon 1977:104).

The state has actively participated in creating new forms of family life using a managerial approach of "tutelary complex" (Donzelot, 1979) substituting bureaucratic and medical controls for direct, legislative controls over the family. Lasch (1979) stated that the therapeutic version of "in loco parentis" eliminates the adversary relationship between the child and the state, while effectively reducing remnants of parental authority in the home. The juvenile court treated youthful offenders as victims of a bad environment rather than criminals. The court was turned into a moral agent and Lasch (1979:386) describes this movement where "the family's dependence on professional services over which it has little control represents one form of a more general phenomenon: the erosion of self-reliance and ordinary competence by the growth of giant corporations and the bureaucratic state that serves

them". Lasch contends that therapeutic justice has reduced parental authority by destroying moral responsibility. Parents are reduced to a state of helplessness legitimized in the "proletarianization of parenthood" - abdicating child-rearing techniques to the social agencies of the state.

The importance of specific organizations as deviance defining bodies was noted by Lemert (1972:48) who stated, "a sociological theory of deviance must focus specifically on the interaction which not only define the behaviour as deviant but also organize and activate the application of sanctions by individuals, groups and agencies. The socially significant differentiation of deviants from non-deviants is increasingly contingent upon circumstances of situation, place, social and personal biography and bureaucratically organized agencies of social control". In this regard, institutions and agents of social control have been given the responsibility of defining, minimizing, eliminating, or normalizing deviant behaviour (Hawkins & Tiedeman, 1975).

Social control involves the exercise of power. Pitts (1968:391) suggested that "medicalization is one of the most effective means of social control and it is destined to become the main mode of 'formal' social control". Etzioni (1975:5), in analyzing power in organizations, refers to the use of normative power as "persuasive, or manipulative, or suggestive power" which are terms that fit the exercise of power most preferred by human service professionals whose main intent is to gain compliance through persuasion (Wolfson, 1984:121). Generally occupational groups wish to upgrade their status and, to adopt a therapeutic posture with regard to a deviant client as the physician does is to borrow some of the autonomy and power of that profession

(Friedson, 1970). Chalfant (1977:79) suggests that probation officers and social workers have willingly participated in the medicalization of deviance process "out of the need that they have to confirm and enhance their emerging status with regard to the more established professions and the limited amount of autonomy they hold".

Deviance is profitable for those who study, prescribe, manufacture and excise social control techniques. Deviance supports an "enormous enterprise" (Palmer, 1973) that includes all levels of government, judges, prison guards, probation officers, sociologists, psychologists, and doctors as well as private security firms, pharmaceutical companies, manufacturers of weapons, etc. Deviance control is a large industry with adequate political clout to ensure that its business will never decline substantially for offenders (Hawkins & Tiedeman, 1975). As Erikson (1966: 24) states, the amount of deviance found in society is closely tied to "the size and complexity of its social control apparatus" allowing deviance to continue to flourish in North American society as long as the vested interests of the therapeutic state continues to expand. Juvenile delinquency is just such a phenomenon tied to the nature of expanding bureaucracies: the juvenile court and its social control agencies have failed to deal effectively with the problem of delinquent behaviour.

Through a critique of the medicalization of human need, Philip Rieff (1966:24) forecast the movement of the therapeutic state toward becoming "the normative institutions of the next culture". Lasch (1979: 43) refers to political ideology as the last bastion against the therapeutic state asserting that "bureaucracy transforms collective grievances into personal problems amenable to therapeutic intervention"

giving way to a society dependent upon the state to control deviant behaviour.

Bureaucracy provides the social structure to initiate therapeutic social policy. Large social control bureaucracies are constructed to provide institutionalized support for a medical framework of deviance. These bureaucracies support medicalization in one sense by providing research funds, technical assistance, and other institutional benefits to supporters of a particular viewpoint of deviance. On the other hand, they are bureaucratic "industries", with huge budgets and a large network of employees, that depend for their existence on the acceptance of a particular deviant designation. The result for such a bureaucracy creates vested interests which deflect challenges to the viability of such human delivery systems, particularly if the source of power changes hands from the state to the community. In the case of juvenile justice, the movement toward community-based alternatives has challenged the therapeutic conception of the state.

2. Community-Based Corrections: State Delivered Human Services

The juvenile justice system since the 1950's has been characterized by a growing disenchantment with the state as the mode for prevention and treatment of delinquent behaviour. Rehabilitation is increasingly regarded as a failed effort (Lerman, 1970; Toby, 1970; Martinson, 1974; Lipton et al., 1975) and there is, as well, a growing body of evidence that young offenders selected for treatment and the penalties levied upon them as rehabilitative have been inequitable (Barton, 1976; Armstrong, 1977; Chesney-Lind, 1977; Cohen & Kluegel, 1978; Vinter, 1979). Norman Carlson, director of the Federal Bureau of Prisons, in

1975, echoed this cynicism by stating: "we cannot diagnose criminality, we cannot prescribe a treatment, and we certainly cannot prescribe a cure...Neither you nor I can control unemployment, social inequality, racial discrimination, and poverty. Neither the psychiatrist nor the correctional officer can deal with broken families, poor neighborhoods, bad schools, and lack of opportunity" (cited in Empey, 1982:374).

As a result of society's disillusionment with traditional correction services, and the growing cynicism concerning psychiatry as a branch of medical practice, a trend has been established toward alternative corrections the community. Fox (1977:1) states that community-based corrections "refers to that part of corrections - other than traditional imprisonment, probation, and parole functions - which is located in the community and makes use of community resources to complement, augment, and support those traditional correctional functions".

Commencing in the 1960's, a large number of community programs for delinquent offenders were instituted. The deinstitutionalization movement produced several large projects to utilize community programs in lieu of incarceration aimed at assessing the effectiveness of community treatment (Empey & Erickson, 1972; Empey & Lubeck, 1971) and punishment (Murray & Cox, 1979) on delinquents with serious criminal backgrounds.

The Provo Experiment (Empey & Erickson, 1972) in Utah conceptualized delinquency as the group behaviour of lower-class juveniles who lacked easy access to legitimate means of reaching important goals. Delinquent groups formed as a result of a lack of access to legitimate means and represented "an alternative means of

acquiring, or attempting to acquire, social and economic goals idealized by the social system which are acquired by other people through conventional means" (Empey & Erickson, 1972:5).

The Provo Experiment's evaluative design had offenders divided into two groups: offenders assigned to the Provo Experiment and offenders sentenced to the State Training School that created an incarcerated comparison group. The results produced two important observations: first, community-based treatment was no more or less effective than the supervision of probation officers hampered by large caseloads and excessive paperwork. Second, community-based treatment was more effective than doing time in a training school which was a "vestigial remnant of society's emphasis upon revenge and incapacitation of the offender" (Empey & Erickson, 1972:177). This was especially the case three and four years after intervention when offenders in the State Training School comparison group had averaged nearly twice as many arrests as offenders in the experimental group.

The Silverlake Experiment (Empey & Lubeck, 1971) was a group home project based in Los Angeles that replicated the Provo Experiment in many important elements: its subjects all had previous records of delinquency; and, the subjects from both projects were male and came from working-class backgrounds. The control group had juveniles randomly assigned to Boys Republic, a progressive correctional institution for male delinquents. The results revealed that there were no important differences between the experimental and control group subjects in rates of recidivism. For example, essentially equal percentages of juveniles (Silverlake - 25% and Boys Republic - 24%) had been arrested at least once in the 12 months following treatment. Unlike the Provo Experiment, then, the Silverlake Experiment's

community-based treatment program was not more effective than institutionalization. These two projects, in short, sought to replace the coercive controls of the state with the social controls and opportunities of the local community.

Murray and Cox (1979) examined the deterrent effects of punishment on 317 juveniles sentenced to the Illinois Department of Corrections between October 1, 1974 and July 31, 1976. The evaluation design was quasi-experimental and the control group of 266 juveniles sentenced to the "less drastic" placements alternatives (nonresidential services included educational and vocational training while group home placements emphasized group and family counselling) were reasonably "comparable" to 317 juveniles sentenced to the training schools.

Murray and Cox (1979:31-43) used a measure of results they call the "suppression effect". This measure compares pre-intervention delinquency with post-intervention delinquency. The search is for reductions in the volume of delinquency rather than for cessation of delinquent acts. The data combined to yield a single conclusion: everything worked to suppress involvement with delinquency. All of the Project interventions suppressed delinquency and, in the Project nonresidential services group, where the sample size was large, the suppression effect was 53 percent. Similarly, the Department of Corrections intervention showed a suppression effect of 68 percent.

These researchers argue that the major reason everything worked is that the Project placements and the Department of Corrections sentences credibly changed offenders perceptions of the consequences of continued involvement with delinquency. Prior to their Project placement, the offenders studied had averaged 13.6 arrests, with the typical offender having been to juvenile court six times. Despite the juveniles frequent

brushes with the law, nothing had really happened to them as a serious consequence of their behaviour. They had been placed under supervised or unsupervised probation where probation officers could manage minimal supervision due to excessive caseloads.

As an alternative measure to the formal court process, diversion has become the most popular innovation since its inception in the 1970's. Gibbons and Blake (1976) examined several projects which they considered reasonably representative of diversion projects in the United States but were among the more adequately evaluated plans. They found evidence of reduced recidivism in only three of the nine projects reviewed. Despite the relative adequacy of these studies from a research viewpoint, most evaluations were plagued with small sample numbers, ambiguity about process elements, and other shortcomings. Similarly, Klein (1979) examined thirteen projects which reported client change, and found that recidivism was reduced in only three projects. Most projects - eight in all - reported "equivocal findings". Noting the research shortcomings that generally existed, Klein (1979:50) stated that "almost none of these studies employed random assignment of offenders to diversion and nondiversion". These results seem to indicate no conclusive evidence that diversion does prevent delinquent behaviour but these findings also suggest future projects should be carefully documented research designs so that successful projects can be replicated and unsuccessful ones discarded.

A growing number of researchers have become concerned with the rapid growth of diversion programs leading to the creation of new forms of social control: "placed under the control of the criminal justice system, diversion programs have been transformed into a means for

extending the net of legal control, making it stronger, and creating new nets" (Austin & Krisberg, 1981:170). These concerns stem from an increasing fear that this process is merely an extension of therapeutic intervention through the state rather than a self-reliance movement in the community.

Rausch and Logan (1983) conducted a study to measure the system impact of diversion as practiced during the Connecticut Deinstitutionalization of Status Offenders (DSO) Project. One test compared the proportion of status offenders "novices" (those having no prior referrals) - for the preprograms and DSO program periods of time. The two time periods were found to be comparable with regard to the proportion of novices among status offence referrals (44%). The advent of the DSO program, however, coincided with a considerable shift in the proportion of detainees who were novices, from 29% to 44%. This increase in detention of status offenders having no prior record suggests that many of those status offenders who previously would have been released or referred without detention were being detained during the DSO period. It appears that the police were replacing veterans with novices in the detention case flow possibly to gain the services offered by the DSO project. Although these researchers found no clear indication that the diversion program resulted in an overall widening of the "net", shifts in social control seem plausible to maximize service potential.

The administration and delivery of probation services is within the jurisdiction of the court which delegates authority to probation officers. However, the probation officer faces a conflict over the legal requirements of an officer's job and the confidentiality of an

officer-client relationship. Some observers have offered alternative roles for probation officers who become a "broker" (Miller, 1977) or "case manager" (Dietrich, 1979) by matching client needs with the existing treatment agencies or resources in the community. The use of volunteers in probation frequently forms part of this service delivery system. Volunteers act as a resource which allows the "amplification" (more time spent with clients) and "diversification" (broad base of skills in a community) of probation services (Scheier, 1970). Although they supplement the work of trained professionals, volunteers unlike paraprofessionals have no allegiance to the bureaucratic structure (Gordon, 1976). The relationship between volunteers and probation has been complimentary where "volunteers have not been relegated to perform only augmenting or complementary tasks, but rather have served as substitutes for the professional in delivering increased direct services to clients" (Stoeckel, 1977:73).

Stoeckel (1977) interviewed 60 juveniles in Hennepin County to determine the program effects of training 320 volunteers who were recruited, screened and matched with juvenile clients. The clients evaluated the volunteers as being well informed about court services (93%); having gathered adequate information for presentation to court (90%); providing helpful service (88%); and making life better for them (82%). Overall, the clients believed that volunteers did a good job (93%), and they would want the volunteer as a worker again if another court hearing were necessary (83%). Stoeckel concludes the level of satisfaction experienced by juvenile clients under highly stressful conditions indicates a high level of performance by the volunteers.

In April 1965, the Royal Oak Municipal Court instituted a study to test the effectiveness of rehabilitative service based on volunteer participation (Leenhouts, 1975:141-143). Leenhouts evaluated the effectiveness of extensive probationary services which was tested on 94 defendants appearing in Royal Oak court and 82 defendants in a comparable court with no volunteer assistance in probation (Court A). The defendants were between the ages 17 and 25, and these offenders received a series of tests to study their hostility, aggressiveness, belligerence, and anti-social attitudes. In Royal Oak 9 tested normally both before and after the testing program and were eliminated. Of the remaining 85 offenders, 62 (73.8%) showed definite improvement, 13 (15.3%) showed no change, and 10 (11.7%) regressed. In Court A, nine defendants were eliminated after testing normally before and after the program while the 73 offenders remaining, 13 (17.8%) improved, 25 (34.2%) showed no change, and 35 (48%) regressed. The findings suggest evidence has developed which supports the principle that rehabilitation can be effected through the use of probation with the assistance of lay volunteers.

Community service orders (CSO's) are penal sanctions that require a convicted offender to work without pay as fulfilling the terms of a court disposition. Although it is a fairly new concept in Canada, it has been extensively employed in Britain with persons aged 17 years and over who have been convicted of an imprisonable offence and are ordered with voluntary consent to undertake unpaid work for between 40 and 240 hours in the community (Harding, 1978). An extensive research study was undertaken by the British Home Office to assess the impact of community service orders in that country in 1976 (Pease et al., 1977). Of the 617

offenders ordered to perform community service, 273 (44.2%) were reconvicted within one year. For the comparison group, 37 of 111 people (33.3%) were reconvicted in a similar time period. The reconviction rates were higher for offenders with prior records and they were lower for older offenders. In general, the community service group was younger, which may have had an effect as a group to commit crimes. The researchers caution that the British data were collected and assessed shortly after the program was implemented in 1973:

"It might be the case that reconviction figures over subsequent years, when the scheme was more stable, might be considerably different from those presented. Selection for community service might well change in ways which affect the rates of reconviction observed. Some offenders would have been aware that they were involved in the experiment. The effects of this knowledge on their attitudes toward the scheme, people administering it and consequently upon subsequent behaviour, were likewise difficult to assess" (Pease et al., 1977:12).

A recent study by Doob and Macfarlane (1984) examined the CSO's for young offenders in the Durham Region of Ontario. The sample was 100 juveniles who received CSO's during the period September 1, 1980 to February 28, 1982. The comparison group consisted of 100 randomly sampled juveniles who received probation but not CSO's. These researchers used interviews with juveniles, parents of the juveniles, and probation officers to measure perceptions about the CSO program and effects on offender's behaviour and attitude. The results showed 50% of the parents saw improvements in their child's behaviour after the court appearance with no significant differences across both groups. About 10% reported their child's behaviour deteriorated since the court appearance and 40% saw no change. Probation officer ratings similarly mirrored the parents ratings and the groups did not differ in whether

their probation officers noted improvements in their behaviour since the court appearance. These researchers conclude that CSO's appear to fulfill an important purpose and there were some indications it may have an effect on the behaviour of the juvenile.

The literature suggests that community-based corrections may be effective particularly if some form of direct community involvement is instituted. However, caution should be noted where bureaucratic and professional institutions ultimately control therapeutic intervention. Assuming that the amount of deviance and numbers of deviants remains generally constant (Erikson, 1966), a change in policy in one social control agency affects other social control agencies (Hawkins & Tiedeman, 1975). Deinstitutionalization may effectively lead to the expansion and deployment of other forms of social control. As a state policy of indirect control that masks the underlying power structure, the therapeutic ethic only may offer delinquents and communities new categories for agencies and programs which are re-processing the same group of deviants (Cohen, 1979).

3. Community Development: Self-Help Approach

The advance to community-based alternatives has signalled the "self-help" approach to deviance which emphasizes the unused potential strengths of traditionally regulated populations. Rather than seeing deviants as "objects" for regulation by professionals who possess superior knowledge, the self-help approach assumes that deviants are "active subjects", quite knowledgeable about their conditions, and that some groups and movements under some conditions are able to use this

knowledge and translate it into collective actions and programs (Davis & Anderson, 1984).

The development of self-help groups may be seen as meeting specialized needs of our modern society, given the decline in traditional institutions such as the family and the church. Self-help groups may be defined as:

"Voluntary, small group structures for mutual aid and the accomplishment of a special purpose. They are usually formed by peers who have come together for mutual assistance in satisfying a common need, overcoming a common handicap or life disrupting problem, and bringing about a desired social and/or personal change. The initiators and members of such groups perceive that their needs are not, or cannot be, met by or through existing social institutions. Self-help groups emphasize face-to-face social interactions and the assumption of personal responsibility by members. They often provide material assistance, as well as emotional support; they are frequently "cause"-oriented, and promulgate an ideology or values through which members may attain an enhanced sense of personal identity" (Katz & Bender, 1976:9).

Killilea (1976) developed the concept of the support system as articulated by Caplan (1974): those attachments which improve adaptive competence at times of life stress. Some basic characteristics of groups may be identified within the mutual help and support system network (Killilea, 1976): common experiences of members; mutual help and support; the helper principle; differential association; collective willpower and belief; the importance of information; and constructive action toward shared goals. Killilea calls for more systematic exploration of the use of self-help groups, the role professionals play in them, and referral patterns among mutual-aid organizations and between them and formal delivery systems.

Gartner and Reissman (1977) characterize the self-help approach as an important advance in human service technology, a new form of service

that is productive, nonbureaucratic, and aprofessional. The term "aprofessional" is used to refer to social interventions that are generally based on experience, intuition, and common sense rather than scientific knowledge. The emphasis of Gartner and Reissman is upon the relationship of the aprofessional to the professional where the two can work together as a dialectic unity, each having its strengths and weaknesses. They stress consumer intensity, that is, the role the consumer plays as a producer of services and how the consumer increases the effectiveness and the quality of services, and the "helper therapy principle", which asserts that those who help are helped the most. As such, people who participate in the helping process lend to the notion that self-help is a direct form of delivering services which has a much quicker response time.

The problem of deviance is hardly confined to the self-help movement but it is quite relevant to it. Most groups insist on having deviants and create them should none volunteer (Dentler & Erikson, 1959). Steinman and Traunstein (1976) argue that self-help groups are the response of the disadvantaged to labelling and control by professional bureaucrats. They hypothesize that there is a strong tendency for self-help groups to substitute the autonomy and solidarity of members for bureaucratization and professionalization, two major attributes of human service agencies. Steinman and Traunstein sampled 48 Self-Help Organizations (SHO's) and a precoded structured questionnaire was administered to each group in order to gather comparative data. One major finding was over half (56.2%) of the urban organizations and almost three-quarters (73.6%) of the rural organizations state that their most important objective is to either (or

both) change the public's and their membership's image of the condition from being "deviant" to being "different". In this way "deviants" socially mobilize to try to persuade social institutions to substitute the new for the old definition. These researchers concluded their data supports their hypothesis that there is a strong tendency for SHO's to preserve and to support their autonomy and solidarity, supplementing professional therapeutic intervention with peer counselling. This is a form of rejection of the intrusion of medicalized language and a rejection of the professional claim to expertise.

Chu and Trotter (1974) documented how the professionals in psychiatry and psychology co-opted the community health movement when it was first begun in the 1960's. This movement supported getting people with mental illness out of institutions and back into the communities with their family and friends. These researchers indicated that schools of psychiatry were particularly threatened by this, in spite of the well documented benefits to patients. Rather than help lead the way towards more human and beneficial care by using the social networks and support systems of individuals, the experts in universities and in professional organizations used their expertise, as well as their political influence, to maintain the status quo and undermine the new emphasis on community care. They used the government funds earmarked for educating professionals in these new community-oriented approaches, to continue teaching the one-to-one psychoanalytic approach as the treatment which is most lucrative to the profession. This suggests that conflict exists where professionals see their interests threatened.

The common expectation of conflict between professionals and self-help groups is rarely confirmed. Conflict does emerge when professionals attempt to maintain or establish control of a self-help

organization (Kleinman et al., 1976). However, more often, professional and self-help groups are publicly supportive of one another. Gottlieb (1981) suggests that formal service agencies and self-help groups develop constructive collaborative efforts by recognizing the valuable and unique contributions of the other.

Remine, Rice and Ross (1984) conducted a study on the relationship between 154 social agencies and 348 self-help groups. Family Service America undertook a survey of its member agencies in 1982-83 to obtain data on four different levels: 1) on a concrete level, it required knowledge on how many agencies had any relationships with self-help groups and how many and what kinds of groups were involved; 2) on a process level, it sought to obtain information into how the relationships were established and the decision-making process behind them; 3) on a philosophical level, they wanted to learn whether member agencies or self-help groups had philosophies to guide them in interrelating and their effect; and 4) on a broad spectrum, there was interest for potential development. A two part questionnaire was developed which first, explored the overall relationship to agencies and second, asked for information on agency relationships with specific self-help groups.

The results of this investigation indicated a number of elements present in an association between social agencies and self-help groups. When asked about changes in the amount of their contacts with self-help groups, 49% of agencies noted an increase, 46% saw no change and 6% reported decline. Another one of the findings of this survey concerned the size of responding agencies and the change in their work with self-help groups and desire to expand such work. Large (53%) and medium

(65%) size agencies were more likely to note growth in work with self-help groups and large agencies (87%) were most likely to note a desire to expand such contacts. These results appear to indicate a willingness by social agencies to increase involvement with self-help groups.

Opportunities for various types of collaboration between professionals and self-help groups are numerous. Yalom, Bloch, Bond, Zimmerman, and Qualls (1978:425), in a systematic study of group psychotherapy with alcoholics, noted that Alcoholics Anonymous (AA) was clearly a partner, not an adversary:

"From the outset, we viewed the therapy groups for alcoholics as complimentary, not antagonistic, to AA. Many of the patients derived considerable support from concurrent AA membership; indeed, we very much doubt whether several patients could have maintained sobriety without AA support. When AA and psychotherapy seemed to be working at cross purposes we learned that invariably the patient at these times used AA as a form of resistance. Patients working well in therapy soon learned how to draw strength from each mode of help available to them."

Only one study was found that attempted to evaluate juvenile justice and a community-based alternative instituted on self-help principles. Fuchs and Bracken (1984) investigated the self-help process in a community-based residence which promotes juveniles activity, as opposed to an agency taking in delinquents. This residence adhered to the concept of diversion of juveniles through active community participation. To determine the impact of this residence on the community, these investigators randomly interviewed 22 local residents and found that 77% viewed the home as beneficial to local juveniles for extra-curricular activities. They established that juveniles viewed "the agency as an informal social support resource which supplements the

assistance provided by their family and other primary group structures" (Fuchs & Bracken, 1984: 353). These authors noted that this organization attempted to strengthen juvenile ties with other juveniles with similar problems and, when the need was apparent, to encourage involvement with formal social agencies.

After reviewing the literature on community-based corrections and the self-help approach, some solutions for juvenile justice may reside in empowerment of communities. By breaking their dependency on therapeutic intervention through the bureaucratic state and its agents, the human service professionals, citizens may assume social control through common sense and folk knowledge to form their own "communities of competence" (Lasch, 1979: 396). The community assumes responsibility for delinquents and, in equilibrium, delinquents are accountable to the community. In terms of treatment of the juvenile offenders, the community substitutes the concept "care" for "cure".

The therapeutic state appears at the present time to show signs of stabilizing in juvenile justice. It would be premature to indicate a decline in the therapeutic model, but social policy has changed significantly in the last twenty years. For example, the recent legislation concerning the Young Offenders Act states young people are to be held more accountable for illegal acts but alternative measures will be made available outside the formal court process (Bala & Lilles, 1984). However, the bureaucracy of state-administered corrections policy operates under a different set of circumstances in urban environments which are quite different from those which influence the delivery of services in rural areas.

4. Rural Criminal Justice

The administration of juvenile justice in rural areas presents problems which are significantly different from its urban counterpart. Ginsberg (1974) examines rural justice by outlining two basic sociological assumptions which present problems for the dispensation of law in rural settings. First, the population is isolated or sparse and life generally proceeds at a very slow pace as compared to the rapid nature of urban living and these factors of urban life stimulate innovation and development; the criminal justice system in rural areas exhibits these conservative attitudes as resistance to change the legal order. The second assumption is that secrets do not really exist in small rural communities where everybody knows each other and the anonymity of city life is absent; it is for this reason that law enforcement is subjective rather than objective as a social phenomena of rural life.

The administrators of rural criminal justice generally have greater personal contact with offenders and "the manner in which the court addresses rural defendants suggests that the judge has taken the time to learn something about the defendant and the crime with which he is charged" (Ginsberg, 1974: 43). In a three year investigation of 1210 cases of 16 and 17 year old male juveniles processed through court in a large eastern metropolitan county, Scarpitti and Stephenson (1971:150) concluded that "the judges perform the function of sorting these cases according to 'delinquency risk', based on prior delinquency history associated with socio-economic variables and with certain personality items". These researchers suggested that ranking legal, social, and personal factors are secondary to the judges' conceptualizing the

juvenile's delinquent action, his/her personality, and the social environment in determining a disposition.

Hagan (1977) conducted a study in Alberta for urban and rural differences in bureaucratization based on two stages. First, probation pre-sentence data from 507 questionnaires were analyzed on the following variables: the offender's ethnic background; prior record of offender; seriousness of most recent offence; the number of charges against accused; the perception of the probation officer of the offenders demeanor; the probation officer's evaluation of the offender's chances for success; the probation officer's recommendations for disposition; and the final disposition of case. In the second stage, a prison sample of 974 offenders focused on these variables: the ethnic background of offender; the type of jurisdiction where disposition occurred; the level of alcohol use by the offender; the type of jurisdiction where disposition occurred; the level of alcohol use by the offender; and the type of disposition. One of the findings indicate that ethnicity has an extra-legal effect on the probation officer's recommendations for disposition in rural areas, as compared to those in urban communities, where Native offenders receive more severe sentences without the basis of correlated legal variables. Another finding from the prison sample indicates that Native offenders are more likely to be sent to jail if they fail to pay their fines in rural areas as compared to urban jurisdictions. Both of these observations illustrate the problems of rural areas particularly the disadvantages accorded to the Native population.

Probation is often a nominal type of social control which constitutes a relatively small number of contacts between probation officers and clients with the average number of visits one or less a

month (Lewis, 1960). However, studies of offenders under normal probation supervision have indicated a relatively high rate of success (England, 1967; Scarpitti and Stephenson, 1968).

Probation services vary in urban and rural areas due to population density which means that rural probation officers may spend an inordinate amount of the time travelling to see a few clients. In more remote areas, the probation officer may have minimal personal contact due to time constraints and budget restrictions on travel. Finkler (1975) conducted a study of the isolated Inuit community of Frobisher Bay. One aspect of socio-legal controls examined was the effect of services provided by the probation officer. The offenders tended to have limited educational or vocational skills but probation services was successful in aiding many individuals to find employment. However, probation services had very little impact to change deviant behaviour among Inuit largely because of alcohol problems. The majority of Inuit males and females were either charged with a breach of probation or convicted of a new offence (generally liquor related) within three months after being ordered on probation. While the majority of Inuit offenders improved during their period of probation, their ability to abstain from excessive alcohol use was forecast as doubtful to fair. In contrast, the small number of non-Inuit offenders showed a significantly higher response to probation with no breaches or convictions and their prognosis to avoid heavy alcohol consumption was regarded as good.

A study of Native communities in Alaska indicated that lawyers are not available in remote communities (Angell, 1981). The average number of visits per year by community was once a year with some locations closer to urban centres receiving more frequent visits. Clients were

required to telephone or visit large urban centres to receive legal advice resulting in dependence on the police for legal guidance. Of the Native village officials sampled in the survey, 36% believed that crime problems were related to a lack of legal services.

One of the major problems of juvenile justice is the confinement of young offenders in juvenile detention facilities or adult jails. Analysis of population distribution in the United States indicates that on a given day, 9 out of 10 youth offenders in residential facilities will be found in detention units or adult jails (Sarri, 1974). For rural areas, the main problem is an absence or a lack of specialized facilities to house juveniles, the result being that young offenders are frequently held in adult jails (Johnson, 1983). Most adequate detention facilities are located in large cities and Johnson (1983:75) suggests a solution may involve "regional detention facilities serving multiple counties ... centrally located in a geographic area small enough so that all sections are accessible within reasonable driving time, yet sufficiently large to contain a population base warranting a jail or detention facility constituting an efficient operation."

One of the findings in Angell's (1981) study was that most Native communities have no facilities for detaining offenders and the most common method of confinement was 31% taped or handcuffed the offender to a bed, 25% called for State Troopers, 6% were placed with families, and 6% used available community facilities. Police officers were often forced to keep detainees in their own homes and such prisoners frequently threatened the officers or their families. The available jails were rated by police officers as poor (57%). Although Alaska state law required that juveniles be held in a separate unit from

adults, in some communities (21%) youth offenders are not kept in segregated facilities.

Most people associated with juvenile justice in rural areas prefer to keep juvenile offenders within the community as opposed to sending them to correctional or detention facilities in another region (Brakel and South, 1969). Stott, Fetter, and Crites (1977: 54) observe that

"rural courts need to use existing community resources in developing programs for juveniles. Several courts have done so by finding for juveniles temporary jobs with local organizations, using volunteers as counselors and unofficial probation agents, or requiring a juvenile to work for the community. These programs have often been successful in treating juveniles who do not need to be detained."

In summary, criminal justice reform movements have had sporadic results in community-based corrections. Deinstitutionalization did not produce any more positive results than supervised probation (Empey & Erickson, 1971), community-based alternatives were not more successful than institutionalization (Empey and Lubeck, 1971), while punishment was effective in suppressing delinquency (Cox & Murray, 1979). Diversion projects do not appear to work effectively and may in fact widen the control of the state (Austin & Krisberg, 1981). The use of volunteers in probation have shown some success with rehabilitative effects on some clients (Stoeckel, 1977; Leenhouts, 1975). Court imposed sanctions such as community service orders has shown some potential for effective use on youthful offenders (Doob & Macfarlane, 1984). A study by Finkler (1975) indicates the delivery of probation services in a remote community had very little impact on the indigenous populations. Angell's (1981) study of Native Alaskan rural communities points out the inadequate legal and judicial services available as well as a lack of detention facilities in more remote communities.

The self-help approach implements a new format for community-based corrections. The relationship between state agencies and self-help organizations suggests programs may be developed cooperatively or through a process of conflict due to different ideological thrusts. Steinman and Traunstein (1976) concluded that self-help groups attempt to establish autonomy and solidarity to counteract professional therapeutic intervention. Remine, Rice and Ross (1984) indicated that self-help groups were responsive to include professional advice and services. In a study of juveniles and a community-based residence, the opinion of juveniles were favourable towards this organization which exhibited a willingness to involve formal social agencies only when the needs were appropriate (Fuchs & Bracken, 1984).

Distance is one of the major factors affecting the rural courts studied in this research project. In the City of Winnipeg, the juvenile court and related services are more readily available and more centralized providing better service and convenience to the public. In rural areas, particular remote settings, travel may put pressure on circuit courts which, in turn, creates problems for these communities. This study is not a comparison between the delivery systems of juvenile justice in Winnipeg and rural locations in the province. Rather the comparisons are between the rural communities and the effects of distance and access to resources on the delivery of services in these sites.

The empirical research to date on the rise of community-based, self-help programs for juvenile justice is very minimal. There is no research which attempts to contrast the relative efficacy of bureaucratic versus self-help delivery systems, especially in rural

areas. This research will develop hypotheses which will be guided by both the theoretical paradigms outlined and the actual conditions to be found in hinterland communities.

D. Hypotheses

The preceding literature review presents two alternative perspectives of administering community-based corrections in rural areas. The first is a traditional-oriented method of corrections under the control of the state. The self-help principle of community control represents a second option for dealing with delinquent activity.

State induced social control over delinquent juveniles is guided by medical principles of treatment and prevention. Community-based programs are founded on these rehabilitative ideals which have led to failed efforts and inequalities. Rural juvenile justice presents a challenge since resource levels are considerably lower than large urban centres and rural communities may be isolated from the social services available in the larger urban communities. Under these circumstances, community-based alternatives in rural areas present a special challenge to the bureaucratic delivery of services and the opportunity to establish a self-help approach.

The remoteness of communities introduces the circuit court to a specific set of conditions. Court dates maybe cancelled due to bad weather or insufficient number of cases. This may mean that no court dates are scheduled in a community for four or five months. This inaccessibility may have a direct consequence in terms of the offender having his/her case processed within a reasonable time frame in accordance with the concept of due process.

The issue of compression of cases may be a result of large court dockets and the remoteness of communities. Under these conditions the question arises whether the offender receives adequate legal services.

Given the nature of time limitations in more remote communities, does defence counsel have enough time to discuss the case with the accused to ensure the juvenile understands the charges? Does the lawyer have adequate time to examine the information before the court to speak to plea or disposition? Has the defence had the time to gather information from witnesses to corroborate the offender's account of the case? In more remote sites, often accessible only by air, the defence counsel comes to the community on the day of court perhaps spending only a few minutes with clients.

The lack of resident probation officers in remote communities indicates some dispositions cannot be used which require normal case management and supervision. As such, there is no possibility of probation officers' conducting counselling on a regular basis since the visits to the community are so infrequent. Thus a whole range of dispositions which might be appropriate for any given case are eliminated.

The availability of detention facilities for juveniles provides a contentious issue in terms of detaining or transporting offenders. If the accused are to be held in the community, the adequacy of the holding facility becomes a controversial topic since a juvenile cannot be held in the same cell as adults. Sometimes no facility exists in a community. The transportation of juveniles to a detention centre in another location means removal from his family and social support systems.

The bureaucratic delivery of services operates under a set of conditions which vary among rural communities. Distance may be an important factor and the more remote communities may suffer inequalities in the delivery of services.

Proposition 1: The quality of bureaucratic delivery systems of juvenile justice are affected by the remoteness of communities.

Hypothesis 1: The more remote the community, the greater the length of time to process juvenile cases.

Hypothesis 2: The more remote the community, the greater the compression of court cases by key actors.

Hypothesis 3: The more remote the community, the more limited the range of dispositions available.

Hypothesis 4: The more remote the community, the more limited the availability of adequate detention facilities.

The implementation of self-help, community-based alternatives requires one key prerequisite: community participation. The development of community participation necessitates a concerted effort by the criminal justice system to create community interest in the court process. This fostering of participation is important if a crime problem exists in a community, or even if the community is satisfied with the current structure in place to deal with delinquency. One such dimension of community involvement is the level of interest present in the community, the basis for that interest, and the programs available to generate and sustain interest in citizen participation.

Some communities make the work of the court potentially more effective because they have established some type of community committee. The presence of such a group greatly expands the options of the court process. It allows the community to take responsibility for the delinquent in the community by offering a variety of programs: victim-offender mediation, community service orders, restitution for damages, and a variety of other suitable dispositions which would not otherwise be possible. In addition to opening a fuller range of disposition alternatives, a community committee structure creates a

number of resources to assist the juvenile in adapting to normal behaviour. These committees, in essence, provide an extension to the court, a resource which has a knowledge of the community and the network to gather the necessary background information on the family of delinquent juveniles. In addition, such committees allow input into the court process providing the apparatus for the court party to learn of the community's characteristics and concerns.

Although the concept of self-help is not a testable hypothesis in this research, an examination of community attitudes does present a penetrating view as to the viability of self-help initiatives for community-based corrections in rural communities. Remoteness affects the availability of programs and facilities as well as the social resources which may be important elements in a self-help movement. The self-help approach provides a hopeful solution to the problems associated with a bureaucratic delivery of services.

Proposition 2: The appropriateness of self-help, community-based alternatives is greater in more remote communities.

The data gathered in the study of rural and northern communities in Manitoba will be used to access the explanatory power of the theoretical paradigms and the accuracy of the hypotheses. In the next chapter, the sources and nature of the data will be discussed.

Chapter II

METHODOLOGY AND RESEARCH SETTING

The research project was designed from its inception with the intention of providing data for this thesis. While other research purposes were also met, I played a principle role in the development of the research design and ensured that my data needs were met. Certain sections of the data gathered for this project will now be analyzed within the framework of this thesis.

A. Research Design

As the result of the National Study on the Functioning of Juvenile Court project, some concern existed within the Manitoba justice community that large urban centres such as Winnipeg provided the main focus of research. Since little data existed on the juvenile justice system in rural and northern Manitoba, a study was proposed to learn more about this non-urban process. The Ministry of the Solicitor General of Canada indicated a willingness to undertake such a project and asked a research team to submit a proposal.

In a feasibility phase which led to the main stage of research, a preliminary analysis was conducted for all rural and northern Manitoba court dockets for 1981 in order to determine the number of cases disposed of in each location. The case volume permitted selection of sites which would enable statistical analysis. A preliminary list of

communities included locations such as Steinbach, Selkirk and Brandon. Since the focus of the research was on small or more remote centres, these sites were eliminated because they are urban centres or satellite locations of Winnipeg.

Several communities were eliminated because the number of juvenile cases were too small over the period of a year for comparative purposes. The remaining locations were selected to include a sub-set of requirements which would be geographically representative of the Manitoba population. These communities were divided into northern and southern sites based on the location above or below the 53rd parallel. These sub-sets were further divided according to race into Native and non-Native. A total of 24 potential sites were selected as follows:

(Place FIGURE 2:1 here)

FIGURE 2:1

SELECTED RESEARCH SITES

	<u>Non-Native</u>	<u>Native</u>
NORTH	Thompson	God's Lake Narrows
	The Pas	Norway House
	Flin Flon	Shamattawa
	Grand Rapids	Pukatawagan
	Lynn Lake/Leaf Rapids	Cross Lake
		Wabowden
	<u>Non-Native</u>	<u>Native</u>
SOUTH	Morden	Roseau River
	Beausejour	Pine Falls
	Neepawa/Minnedosa	Fisher Branch
	Dauphin	Sandy Bay
	Swan River	Rosburn
		Bloodvein

Lynn Lake and Leaf Rapids were combined into one site for statistical purposes since each community was too small to be analyzed separately, each is a mining town, and they are situated within 60 miles of each other. Neepawa and Minnedosa were combined for similar reasons of small court dockets, close proximity and corresponding community profiles.

A research project was conducted in 1981-83 for the Ministry of the Solicitor General of Canada and the Department of Indian and Northern

Development in these 22 juvenile court sites scattered throughout the province of Manitoba. The primary objective of this study was to describe the delivery of juvenile justice to the hinterland of Manitoba. Information was gathered to document the types of offences being committed by juvenile offenders as well as any pertinent data related to these charges. Demographic, economic and social service information was obtained in order to describe the various communities and to construct community profiles. Court observation and semi-structure interviews were conducted at each site to learn about the functioning of circuit court delivery systems and any problem areas associated with these networks. As a result of this research study, a good data set exists on juvenile justice in the hinterland.

B. Data Sources

- 1) Several government document sources such as the 1982 Northern Affairs Community Reports and the 1981 Census of Canada (refer to the bibliography for a full listing of references) were used in the compilation of community profiles. A number of dimensions of community structure were examined in order to assess both need and availability of resources for each site. This information was used to develop a community typology. This typology is helpful when assessing the potential of each individual community to effectively support or provide the delivery of services to their members.
- 2) Information gathered from 884 cases on juvenile offenders who appeared in court in the selected communities for 1981. Two sets of

files were used to extract this data: legal files and probation files. The legal files contained data on the charge, date of offence, date information was sworn, dates of appearances in court, number of appearances, age and sex of juvenile, often reasons for adjournments, and final disposition. Secondly, the probation file contained information on prior record, family characteristics, school or employment status, parents occupation, race of offender, and any other details relevant to specific charges. The probation file was less complete in terms of data since less serious charges usually did not include the preparation of a pre-dispositional report.

- 3) Court observation data was collected concerning formal aspects of court appearances which may or may not take place in various communities. The data base was fairly small (270 juvenile cases) because juvenile dockets were small or court hearings may be held infrequently. However, these observations do give an indication of type of services available to specific communities. Some differences in services were recorded in these court observations and may be particularly relevant to the more isolated communities in Manitoba.
- 4) A series of semi-structured, open-ended interviews were conducted with several key actors in the court system and members of the local communities:

<u>RESPONDENTS</u>	<u>TOTAL INTERVIEWED</u>
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Judges	10
Crown Attorneys	10
Legal Aid	7
Private Defence Counsel	4
Probation	21
R.C.M.P.	22
Native Community Representatives	45
Non-Native Community Representatives	
	<u>38</u>
	157

These interviews dealt with a number of issues regarding the effectiveness of the delivery of services. These interviews were conducted to identify salient and recurrent themes. The merit of this approach lies in the familiarity of the respondents with the delivery of services and issues inherent in such a delivery system.

All of the data sources are valuable in identifying patterns of variation which relate specifically to the delivery of human services. These data elements provide a rich source of information when assessing the most effective delivery system in various types of communities.

C. Data Collection

1. File Study

In most of the 22 communities data were collected on all Criminal Code and Liquor Control Act offences which resulted in dispositions on 1981 court dockets. For select communities ¹ a random sample of charges were drawn due to the fact that some larger locations had a significantly higher number of offences of certain types. All Highway Traffic Act charges were excluded for budgetary reasons and the fact that several remote communities have no permanent access roads and few vehicles.

The analysis of the data from 884 cases from 1981 was based on information obtained from the legal files and probation files for these cases. These data were coded (see Appendix A) on information about the offender, types of offence(s), assessments or recommendations by various key actors, etc. This thesis utilized only those data that had a direct bearing on the delivery of human services.

2. Court Observation

Court hearings were observed in all 22 communities. In the more remote communities, only one trip was scheduled due to the high cost of travel and although the sample is small, the quality of the observations is very good. A total of 28 court dockets were observed and 270 juvenile cases were recorded on a coded module (Appendix B).

¹ Criminal Code offences were sampled for Thompson, The Pas, Dauphin and Swan River. Liquor Control Act offences were sampled for Flin Flon, Beausejour, Neepawa/Minnedosa, Fisher Branch and Rossburn.

The major limitation of this information is the small number of observations per site. However, court is held infrequently in many remote sites, quarterly in some communities, and large travel costs prevented the collection of more information. The data, however, does give some indication about the type of proceedings that take place on circuit courts. This thesis will focus only on the detention and disposition aspects of court as they pertain to the delivery of services.

3. Semi-Structured Interviews

The interviews were conducted with persons knowledgeable about juvenile justice practice in order to gain their perceptions of the juvenile justice system. The basis for this orientation was to better understand a subject's "definition of the situation", meaning their perception and interpretation of events revolving around the court system and how it affects their reality. The questions posed to the various interviewees are included in the interview guides listed in Appendices C,D and E.

The questions on interview guides were specifically constructed for individuals familiar with the court process. The key actors (Crown, Judiciary, Probation, Legal Aid, R.C.M.P.) were not a problem since they are directly involved in the judicial process. However, due to the specific nature of the research questions, community respondents were selected on the basis of either direct involvement with the court process or direct association with the juvenile population. This selection process meant only a small sample was available for the

interview aspect of the research project. The interviews ranged from one to four hours in duration with the average interview taking approximately 1 1/2 hours. These interviews were tape recorded and a precise transcription was made of all answers to concentrate on the qualitative nature of the data.

The analysis of data from the interviews is based on a "hunt-and-peck" (Schwartz & Jacobs, 1979) analysis by searching for and identifying different pieces of information which are associated with one general problem, the delivery of services in the juvenile justice system. A comparison of non-Native, Native and key actors views emerged in the following four areas: 1) issues surrounding the court party, 2) court dispositions, 3) community input into the court system, and 4) the use of detention facilities. These areas provided specific information related to the delivery systems used in juvenile justice.

4. Community Typology

All of the 22 communities selected for research were assessed on the basis of a number of government sources. However, the principal problem of describing these communities accurately is that although the court sits in a particular community, it is hearing matters usually from a large geographic region. It is not difficult to describe social and demographic characteristics of a remote site such as Shamattawa since it is the only community in the "catchment" area for the court. In most other sites, court dockets consist of juveniles who reside both in the community and surrounding smaller communities, some of which are reserves and some of which are non-Native. It was impossible within the

scope of this study to describe complete catchment areas for each court because the information was not readily available. However, it was feasible to gather data on larger surrounding communities. As a result, the characteristics of central communities were described along with characteristics of surrounding communities for the following sites:

CENTRAL

The Pas Town

Grand Rapids Town

Pine Falls

Fisher Branch

Rosburn

SURROUNDING

The Pas Reserve

Grand Rapids Reserve

Fort Alexander Reserve

Peguis/Fisher River Reserve

Waywayseecappo Reserve

Since the bulk of cases on the court dockets originate in these centralized communities, these additional locations provide a better understanding of the social circumstances that exist in these catchment areas. The information gathered for all community profiles are contained in Appendix F.

The communities in this sample were selected for this study on the basis of the largest juvenile dockets for rural Manitoba in 1981. However, from the outset it became evident that there were basic differences in the structure, resource and need levels, and accessibility of the various communities which have services delivered by circuit courts. A major goal of this study was to develop some form of typology which would function as an organizational tool for information that was assembled with respect to these communities (Kueneman et al., 1985). Because major differences in community structure, access and need for resources were discovered through this

typology, these differences will be explored first as the analysis of file, court observation and interview data are predicated on these dissimilarities in community characteristics. The remainder of this chapter will be devoted to exposition of the community typology development while other data source findings will be discussed in Chapter Three.

D. Research Setting: Dimensions of Community Typology

The community analysis was guided by the conception of "institutional completeness" (Gerber, 1979;1984), especially with regards to services and resources which are relevant to the socialization and attitudes of juveniles who may become involved in the judicial process. As a result of this kind of reasoning, the dimension of level of resource development evolved. Another important dimension for community analysis emerged from an awareness that families have significantly different levels of need for outside social support in the role of raising their children. The available data led to the categorization of communities on the basis of a family's potential need for resources. These two dimensions were deemed to be sufficient for the organization of the descriptive data for each community.

1. Level of Resource Development

Each community decided on for research had data gathered on resources which would be most likely to have an impact on the juvenile population and their likelihood of involvement with the juvenile justice system. The following sub-dimensions were selected: economic development, social service development, counselling service development, and recreational services development. It can be argued that a low level of economic development in a community would deprive youth of the opportunity to work, that it would deprive them of role models of working parents, or that the high levels of hopelessness and despair associated with the lack of employment opportunities and linked with a high level of reliance on welfare would create poor social conditions for both children and adults.

In a similar fashion it can be argued that the sporadic availability of some social services and the elementary development of other social services especially with respect to health, education, police and the courts would reduce the community's ability to provide the necessary support systems to families with problem children. Counselling services are a primary resource to families experiencing difficulties with children and, with respect to the juvenile justice system, the level of development of this key resource is very crucial for understanding the scope of delinquent involvement and reinvolvement. Finally, recreational services are an important indicator because they may help direct youthful activities into non-criminal projects.

The source documents on communities often provide only elementary or formal information on the presence or absence of service development. There was no adequate way of assessing the "quality" of services and programs. However, a general classificatory scheme was developed containing the categories of rudimentary/underdeveloped/developed which were arbitrarily assigned respective values of 1, 2, and 3. These data are ordinal in nature and thus the numerical values indicate, somewhat unrefined, the level of development in the community. The parameters that were used to assign numerical values for each sub-dimension are reflected in the following table.

(Place TABLE 2:1 Here)

TABLE 2:1

DEFINITION OF RELATIONSHIP BETWEEN COMMUNITY
CHARACTERISTICS AND ASSIGNED VALUES

ECONOMIC DEVELOPMENT

- | | | |
|---|----------------|--|
| 3 | Developed | - presence of a spectrum of retail and service outlets |
| | | - presence of some professional occupations resident in community |
| 2 | Underdeveloped | - presence of retail, service, restaurant or hotel/motel service of some scale |
| 1 | Rudimentary | - presence of very limited retail, service, restaurant, motel/hotel services |

SOCIAL SERVICES

- | | | |
|---|----------------|--|
| 3 | Developed | - presence of developed, and community located services on most sub-dimensions |
| 2 | Underdeveloped | - presence of some community located services but others only available on intermittent, circuit basis |
| 1 | Rudimentary | - low level of development of community located services and/or reliance of intermittent delivery on circuit basis |

COUNSELLING SERVICES

- | | | |
|---|----------------|---|
| 3 | Developed | - presence of community located resources for both alcohol and family matters |
| 2 | Underdeveloped | - presence of only one of these resources on permanent basis |
| 1 | Rudimentary | - resources are only available on circuit service from another community |

RECREATIONAL SERVICES

- | | | |
|---|----------------|--|
| 3 | Developed | - availability of programs and facilities which includes special recreational use facilities such as bowling alleys, curling arenas, swimming pools |
| 2 | Underdeveloped | - includes programs and facilities but facilities are multiple use building (community centres) or capital non-intensive (outdoor rinks, playing fields) |
| 1 | Rudimentary | - low level of programming and/or facilities |

These parameters were applied to the descriptive information available for each community. In general, if a community's level of resource development was on the borderline in terms of classification, the coding problem was resolved by categorizing the level as more developed. This may result in errors which would describe a community as more developed than is actually the case, but such an error is better than indicating that a community has fewer resources than in fact it might encompass. Using this method of assigning numerical values, the minimum that any community could receive was 4 (if they were to have a rudimentary level of development on each sub-dimension), and the maximum score they could receive was 12 (if they developed resources in each sub-dimension).

(Place TABLE 2:2 Here)

TABLE 2:2

DISTRIBUTION OF COMMUNITIES
LEVEL OF RESOURCE DEVELOPMENT

<u>SCORE</u>	<u>COMMUNITY</u>
6	Shamattawa Grand Rapids Reserve
7	Pukatawagan Bloodvein Waywayseecappo God's Lake Narrows Cross Lake Norway House
8	Sandy Bay Fort Alexander Fisher River Peguis
9	The Pas Reserve Grand Rapids Town
10	Roseau River Lynn Lake
11	Rosburn Neepawa Beausejour Minnedosa Leaf Rapids
12	Morden Swan River Pinefalls Dauphin Flin Flon The Pas Town Thompson

2. Family's Potential Need for Resources

This dimension of the typology was developed by assessing demographic characteristics for each community as contained in the 1981 Census of Canada. ²

The percentage of total population who are children at home provides a general indicator of the number of juveniles who are dependent and under parental supervision. The number of families and the percentage of single parent families also provides a sense of the domestic structure of the community. The average number of children per family and the average number of persons per room also provide a sense of the general living arrangements that are available for children in any given community. The census family income and average family income provide a measure of the general economic viability of the community. The information on the school and employment for the population over 15 gives a general indicator of the population activity in the community.

The typology was based on patterns of family structure leading to the selection of three indicators: percentage of single parent families; the average number of children per family; and the average census family income. These three were judged to best indicate structural characteristics of the family's potential need for resources but the other indicators could have similarly reflected the same general pattern of family structure.

² This comparison includes data on Winnipeg. While it would be more desirable to exclude Winnipeg from the data base for a "rural/northern average", such statistics were not available and the provincial base is better than Winnipeg as a basis of comparison. Some of the percentage totals will add up to more or less than 100% due to the use of "confidential random rounding" procedures which round small cell frequencies and totals up or down by 5% in order to reduce the possibility of individual identification.

The range of variation for each indicator varied greatly among families in the sites. In terms of single parent family population, the lowest was 5.3% of all families and the highest population was 33.3%. The average number of children per family ranged from a low of 1.0 to a high of 5.6 children per family. The lowest average census family income was \$6,179 and the highest ranged up to \$31,561. A method was developed to assign numerical values to reflect the ordinal nature of the data with the range for each indicator divided into equal thirds and assigned the values of 1, 2 or 3. The following table indicates the assignment of values.

(Place TABLE 2:3 Here)

TABLE 2:3

RELATIONSHIP BETWEEN FAMILY
INDICATORS AND ASSIGNED VALUES

SINGLE PARENT FAMILIES

3	High	24.0 to 33.3 (in percent)
2	Medium	14.7 to 23.9
1	Low	5.3 to 14.6

AVERAGE NUMBER CHILDREN PER FAMILY

3	High	4.2 TO 5.6
2	Medium	2.6 to 4.1
1	Low	1.0 to 2.5

AVERAGE FAMILY INCOME

3	High	22,940 to 31,600
2	Medium	14,570 to 22,930
1	Low	6,200 to 14,560

If a family had a family size and number of children in the bottom third of the range and an income in the top third, a score would be shown of 3. Conversely, if a family had a family size and number of children in the top third and a family income in the bottom third, a score of 9 would be assigned. The procedure resulted in the following distribution of communities:

(Place TABLE 2:4 Here)

TABLE 2:4

DISTRIBUTION OF COMMUNITIES
FAMILY'S POTENTIAL NEED FOR RESOURCES

<u>SCORE</u>	<u>COMMUNITY</u>
3	Thompson The Pas Town Flin Flon Pine Falls Dauphin
4	Leaf Rapids Lynn Lake Grand Rapids Town Swan River Minnedosa Neepawa Beausejour Morden Rosburn
6	Fisher River Peguis
7	Grand Rapids Reserve Fort Alexander Norway House Cross Lake Roseau River Sandy Bay God's Lake Narrows
8	The Pas Reserve Waywayseecappo Bloodvein Shamattawa
9	Pukatawagan

As established by the distribution of data on communities, it was decided to divide the two dimensions into categories. The levels of resource development was divided into two categories: "less developed" assigned to communities with scores of 6, 7, or 8; and "more developed" ascribed to communities with scores of 9, 10, 11, or 12. The potential need for resources dimension was divided into two categories: "low need" for all sites with scores of 3 or 4; and "high need" for all sites with scores of 6, 7, 8, or 9. The distribution for both dimensions was bimodal indicating very distinctive community types as seen in Figure 2:1.

(Place FIGURE 2:1 Here)

FIGURE 2:1

TYPOLOGY OF RURAL AND NORTHERN MANITOBA COMMUNITIES

FAMILY'S POTENTIAL NEED FOR RESOURCES	LEVEL OF RESOURCE DEVELOPMENT	
	Less Developed	More Developed
High	Pukatawagan Shamattawa Bloodvein Waywayseecappo God's Lake Narrows Sandy Bay Cross Lake Norway House Fort Alexander Fisher River Peguis Grand Rapids Reserve	Roseau River The Pas Reserve
Low		Rosburn Neepawa Minnedosa Morden Beausejour Swan River Pine Falls Dauphin Grand Rapids Town Flin Flon The Pas Town Lynn Lake Leaf Rapids Thompson

A pattern emerges when both dimensions are compared simultaneously; an almost perfect inverse relationship develops between potential need for resources and the availability of resources. As can be seen from this comparison, every low potential need community is non-Native. It should also be noted that two high need Native communities have a more progressive development of resources. It is very apparent that reserve communities have family structures with high need but very little development in terms of resources. It is this pattern of resource requirements which demands investigation in this thesis. As a prelude, a brief discussion of some research sites is useful in describing community differences in terms of a need for resources. Two non-Native communities (Thompson and Beausejour) and two Native communities (Roseau River and Shamattawa) will be compared and contrasted.

3. Demographic and Social Characteristics

Beausejour is a farming and government service centre while Roseau River is a reserve. Both communities are located within 60 miles of Winnipeg. Thompson is primarily a mining community which also acts as a government service centre and Shamattawa is an isolated reserve accessible only by air from Thompson.

The family structure for Thompson indicates 31% of the children under the age of 18 reside at home which is very close to the provincial average of 27.2%. Beausejour shows 22.7% of the children are living with their families. Both the Native communities reveal significantly higher rates of children living at home with Shamattawa over 50% and Roseau River over 40%.

Thompson and Beausejour both show approximately 10% of the families are single parents and most of the families have one or two children. Thompson has a high family income (\$31,699) as compared to the provincial average of \$24,455 while Beausejour is slightly below this figure at \$21,731. On the other hand, Roseau River averages 2.3 children per family with 25% single parent families and the average family income stands at \$11,737. The average family income in Shamattawa is \$9,200 with 3.2 children per family and 22% are single parent families.

The provincial average is 10.7% of the population over the age 15 who are attending school on a full-time basis. Thompson falls within this average while Beausejour and Shamattawa indicate approximately 8%. Roseau River shows a significantly higher rate of 17.9% attending school on a full-time basis. Over 80% of the population of Thompson is involved with work or school as a full-time status but Beausejour is below the provincial average (72.1%) with 59.8% in this category. Roseau River indicates about 54% of the population as working or attending school while Shamattawa shows only one third of the people in the community working or in school. These statistics are mirrored in welfare rates, with 70% of the population in Shamattawa on permanent welfare and Roseau River registers close to a 60% welfare rate.

Thompson and Beausejour have well developed retail and service infrastructures with a large number of professionals available as a resource to these communities. Conversely, Shamattawa and Roseau River have little economic development with Roseau having only one store. It should be pointed out that Roseau River has access to services in Winnipeg while residents of Shamattawa are isolated from the resources available in Thompson.

Social services are readily available in Thompson where many government district offices are located for northern operations. Thompson has a complete complement of court and legal programs as well as a very active restitution committee. Thompson also offers several other programs: a 24 hour crisis centre; a shelter for battered wives and children; a high school program based on Big Brother where older juveniles counsel younger children; a treatment facility (Marymount North) for delinquent juveniles; and a wide variety of alcohol and drug abuse programs which include two treatment facilities, Alcoholic Anonymous (AA) and the Alcohol Foundation of Manitoba (AFM).

Beausejour has many of the social services available to Thompson and has access to many others available in Winnipeg. Probation Services and a community corrections committee are located in Beausejour. Roseau River lacks most of the social services but has an education program up to Grade 12, a very active community committee, and a probation worker as a liaison to Probation Services. Beausejour and Roseau River have active alcohol and drug abuse programs. The Dakota Ojibway Tribal Council (DOTC) Child and Family Services is available in Roseau River. Shamattawa, however, lacks many similar services. In fact Shamattawa lacks most social counselling services which are available only on a fly-in basis from Thompson. The alcohol and drug program in Shamattawa consists of one resident Native Alcohol and Drug Abuse Program (NADAP) worker, an AA program, and an AFM worker who flies in from Thompson. Although police services are readily available in Thompson, Beausejour and Roseau River, the RCMP fly-in from Gillam to patrol Shamattawa for a few days a week.

Recreational services are well developed in Thompson, Beausejour and Roseau River. A wide variety of facilities and programs are available which include arenas, recreation centres, playing fields as well as active community participation to coordinate these activities. Shamattawa has a community hall and a few programs such as bingos and sports but the organizational level and community participation are underdeveloped as compared to the other sites.

The level of resource development generally indicates a communities need for such resources. By building a community typology, one can determine, if only crudely, the factors which allow a community to function as an independent unit giving rise to the implementation of social systems which are capable of handling delinquent behaviour.

Native communities differ from non-Native communities in one specific area: reserves are financially supported by government. The location of reserves is frequently located in remote areas with only marginally useful farming land. The reserves have no type of industries capable of attracting large scale investments of capital thereby lessening employment opportunities. Lacking a strong economic base, most reserves have huge unemployment rates and significant portions of the population are on permanent welfare.

It is not surprising that a low level of resource development distinguishes Native and non-Native communities. The significant differences in resource development are tied primarily to the economic structures which support these two types of communities. It is important to note that a site such as Roseau River is more developed due to a strong political leadership in the Band Council. This reserve has been moving into farming as an economic base and government funding has

been put to use in developing a strong social unit in the community. Roseau River has shown a deep concern for its youth and has implemented a strong education program. A community committee has had a good relationship with the juvenile justice system. In addition, the community has realized the importance of well developed recreational activities as an alternative to crime for juveniles and adults.

Shamattawa is a community with unfavourable family opportunities. A high unemployment rate coincides with a falling interest in traditional skills of hunting, trapping and fishing. Serious alcohol abuse among the adult population is compounded by the serious gas sniffing problem among juveniles. The alcohol and drug abuse programs are poorly developed and lack participation. Huge court dockets indicate a high rate of offences of which a very high percentage are alcohol related. The few recreational activities available to youth are basically ignored in favour of idleness.

In summary, the undeveloped nature of reserves is due to a cumulative set of factors which are not easily changed without significant economic and social reorganization. These factors are important in the delivery systems of court-related services.

4. Classification of Communities

Due to the selection of high volume courts for this research, the large catchment areas includes both Native and non-Native of population for some sites. Twelve of those sites could be classified as either Native or non-Native court dockets while the remaining 10 court dockets included juveniles from both racial backgrounds. Therefore, the following classification of community types will be pertinent to court observation and file study data.

FIGURE 2:2

COMMUNITY TYPES

<u>NON-NATIVE</u>	<u>NATIVE</u>	<u>MIXED</u>
Flin Flon	Norway House	Thompson
Morden	God's Lake Narrows	The Pas
Beausejour	Shamattawa	Grand Rapids
Minnedosa/Neepawa	Pukatawagan	Lynn Lake/ Leaf Rapids
	Cross Lake	Wabowden
	Roseau River	Dauphin
	Sandy Bay	Swan River
	Bloodvein	Pine Falls
		Fisher Branch
		Rosburn

Remoteness is a dimension of rural life which requires research. In this study, communities which are large service centres or are within close driving distance to other major centres are considered low in remoteness. The communities with a higher degree of remoteness take longer to reach by road and may be only accessible by plane or boat. Native communities (with the exception of Roseau River) are located in area which can be considered moderate to high in remoteness. Non-Native communities (with the exception of Lynn Lake/Leaf Rapids) are low in remoteness. The mixed category, however, indicates court matters are not as clean in terms of data collection and this classification points

out the problems of obtaining data sets which are mutually exclusive of Native and non-Native populations in analyzing remoteness.

With the remoteness concept in mind, the non-Native/Native/Mixed grouping of communities will be examined in the next chapter. The mixed category contains both Native and non-Native communities. The analysis of file and court data will focus mainly on the two categories of Native and non-Native to obtain maximum variation between sites. The interview data is analyzed on perceptions obtained from community representatives and key actors in the court system which eliminated the need for a mixed category in this data set; accordingly, the interviews are based on a Native/non-Native dichotomy.

Chapter III

FINDINGS

A. Proposition 1: The quality of Bureaucratic delivery systems of juvenile justice is affected by the remoteness of communities.

The bureaucratic delivery of services consists of the circuit court and court-related services. Remoteness introduces a degree of inaccessibility to these delivery systems. The circuit court makes infrequent trips to remote communities. Legal Aid lawyers and probation officers are restricted to monthly visits with their clients. The range of court dispositions is affected by the distance and resources available in communities. The following analysis will attempt to answer some of the questions regarding the effective delivery of services to hinterland communities and, in particular, the effect these systems have on juvenile justice in remote communities.

Native communities are equated with higher levels of remoteness. Most Native sites are separated by long distances to large urban communities and the transportation links may be gravel roads or access by airplane. The social services made available in these communities is intermittent to the extent most services originate from the larger urban centres. Due to the geographic location of these reserves, these communities would seem to best fit the parameters for this definition of remoteness.

This analysis focuses on a number of elements which affect the delivery of court and social services in rural areas. These data are culled from information obtained in interviews. The interview data are supplemented by information from the file study which is presented in bivariate tables. Some court observation data appropriate to the delivery of services has been included.

Hypothesis 1: The more remote the community, the greater the length of time to process juvenile cases.

a) Length of time between date of offence, date charge is laid, and date of first appearance:

Native communities were more likely to take longer for charges to be laid after offences have been committed than other communities (Table 3:1). The charges were laid more quickly in non-Native sites with 77.9% of offences processed within one month. Native communities show less than half (47.9%) processed within the same time period. Mixed sites ³ stood at 64.8% processed up to one month. By the end of two months 69.1% of charges in Native sites had been processed. All communities show 96% of the charges had been laid within six months after the date of the offence. The remote communities, Native sites, indicate delays occur in the police investigations between the date of offence and date charge is laid.

³ Mixed sites are communities whose court dockets consisted of a large percentage of Native and non-Native cases. Based on the file study, it was impossible to classify these sites strictly on the basis of a Native/non-Native division. The quality of this data on mixed sites should be examined with caution due to the focus on remoteness in this thesis. The Native category is much more representative of remoteness.

The length of time required for initial appearances in court after charges have been laid are similar for all communities (Table 3:2). In Native communities 83.6% of all cases appeared in court within one month after charges were laid as compared with 90% in non-Native and 87.3% in mixed sites. The remoteness of Native communities demonstrates little difference from other communities in the first appearance in court after the charge has been processed.

Native communities were more likely to have more time elapse between date of offence and initial court appearance than other communities (Table 3:3). Native communities indicated 29.6% of charges appeared in court within one month as compared with 62.7% in non-Native and 42.9% in mixed sites. Close to 80% of charges in non-Native sites were processed through court within two months but a similar number of offences in mixed (77.3%) and Native (69.6%) took up to three months. Native communities as representative of remoteness indicate an initial lapse of time in the first two months between date of offence and first appearance in court.

b) Length of time between date of first appearance and last appearance in court:

The period of time between first and last appearance was comparable for all communities (Table 3:4). Nearly 60% of cases for all sites were concluded within the first month. The completion rate within one month showed 77.3% non-Native, 66.8% Native, and 58.9% mixed. Remoteness created no significant differences with cases proceeding rather quickly in all sites.

c) Number of hearings necessary to process cases:

Cases heard in Native communities were more likely to require a second court hearing to dispose of matters than non-Native communities (Table 3:5). Forty-nine percent of cases in Native communities were processed in one hearing, compared with 64% in non-Native and 35.5% in mixed sites. Over three-quarters of the cases were finished after two hearings in non-Native and Native communities. Although Native sites do require more hearings, most cases proceeded rapidly in all communities after two hearings. These results should be interpreted with caution since remote communities may have court sittings cancelled due to bad weather or infrequently scheduled due to a low volume of cases.

In sum, the most apparent delays occur in Native communities before the charges are laid. A longer time period is initially required to process cases in Native communities due to police investigations between the date of offence and first appearance in court. The time factor is negligible for all sites between length of time charges are laid and the initial court appearance. The time required to process cases between first and last appearance was approximately the same across all sites. The number of hearings was slightly higher in Native communities but cancelled court dockets or infrequently scheduled courts may be a crucial factor in consideration of time elapsed. Remoteness does not significantly affect the length of time to process juvenile cases through the court system in the hinterland but may be a factor in police services.

Hypothesis 2: The more remote the community, the greater the compression of court cases by key actors.

a) Information on juvenile offenders available to court parties:

Native community respondents were less likely to perceive the court party as receiving enough information on juvenile offenders to make suitable dispositions than other respondents. The main source of information for the court is the probation officer. Several Native interviewees were frustrated by probation officers arriving in their community on the day of court and collecting information in court or in a temporary office. Most of the non-Native respondents thought that the court party received adequate information and, in particular, probation officers who often spent considerable time with the offender and family in more serious cases. Several of the non-Native interviewees alluded to the presence of a resident probation officer as the main factor for access to background knowledge on juveniles. In general key actors thought that adequate information was available to the court particularly if a pre-disposition report had been ordered. As one key actor in the Thompson circuit court noted:

"I think in terms of practicality you can't do a pre-disposition report on every kid. I don't think it is necessary anyway. Often the first time in court for a kid is his last time."

Remoteness is a major problem for probation officers in Native communities where time is limited. This factor may potentially lead to problems in terms of background information concerning cases where a pre-disposition report is required.

b) Legal Aid and the legal interests of juvenile offenders:

Native community respondents were more likely to complain about Legal Aid services than other respondents. Legal Aid lawyers travel as part of the court party with usually one lawyer allocated to a number of communities serviced by a circuit court. Native interviewees generally expressed dissatisfaction with the most common complaint that Legal Aid comes into the community on the day of court spending only 5 to 10 minutes with each offender. Non-Native respondents were generally satisfied with Legal Aid if these lawyers were residents in the community. Key actors felt that Legal Aid was adequate in sites where the dockets are small or the Legal Aid has an office in the community. Several key actors stated that the major problem extends from the practice of going into the community on the day of court when compression of cases may occur if detailed information is required for careful consideration of cases. The remoteness of Native communities presents an implicit obstacle for access to Legal Aid services.

The legal interests of the accused were more likely to suffer if the court dockets are excessively large and/or a community is isolated creating a fly-in situation. Key actors stated that court will sit until all cases are finished on the day of court with the exceptions of fly-in situations for Native communities where weather is a factor or the onset of darkness forces the court party to leave early. Most key actors noted that premature termination of court rarely occurred in communities and dockets were usually finished in adequate time. Several key actors on circuit courts for Native communities indicated some problems arise periodically as contained in the following comments:

"I have been in court where the Judge has yelled out 'next'. Whether the same decision would have been arrived at is in some ways insignificant; rather, it is the effect it has on people (key actors) when they see another person they don't have information on. We have two days for court scheduled (God's Lake Narrows) and sometimes one day is cancelled because of weather and we are doing two days in one. They (key actors) don't check out all the information because there isn't time."

"I have had court where at 3:00 P.M., like Shamattawa, there is a big juvenile docket. Individuals parade up, pleas are taken, and cases adjourned sine die. The reason for quickness is to get through the docket. Hopefully, it isn't done often. Everybody is feeling some strain: the Crown attorney is probably summarizing the facts, not taking the time to analyze the situation or make proper submissions, while defence counsel is briefly glossing over whatever few details he has."

Thus, the aspect of remoteness in Native communities may present a problem for the court party if the dockets are excessively large or weather becomes a factor.

In sum, the remoteness of a community may have a detrimental effect on the rights of the accused in due process. Native communities present a problem for probation officers who visit infrequently and obtain minimal information unless a pre-disposition report has been ordered by the court. As part of the court party, Legal Aid representatives usually come to a remote community on the day of court speaking briefly to their clients. The use of bureaucratically delivered services in remote Native communities may cause some concern for the legal rights of the accused when court dockets are unreasonably large or weather conditions dictate the termination of court proceedings.

Hypothesis 3: The more remote the community, the more limited the range of dispositions available.

a) The type of disposition used in communities:

Native communities were more likely to receive probation orders as dispositions than other communities (Table 3:6). Over 50% of Native cases were disposed of with an order of probation as compared to 26.1% in non-Native and 35.3% in mixed communities. Conversely, non-Native cases showed approximately 50% of dispositions as fines and restitution whereas Native cases indicated about 25% for similar dispositions. While the pattern of dispositions was not as marked during court observations (Table 3:7), there was a similar trend for less probation orders in non-Native sites (13.8%). The results of the court observations should be interpreted with caution due to the small sample and shorter time frame for collecting data. Native communities in more remote areas receive significantly more probation orders than other sites.

Native communities (Table 3:8) were more likely to have serious charges resulting in probation orders for dispositions than non-Native communities (Table 3:9). A gamma of .47 (excluding stayed, dismissed or withdrawn) for Native communities indicates a moderately strong relationship between seriousness of offence and disposition; similarly the non-Native sites show a gamma of .39 (excluding stayed, dismissed, withdrawn). However, in Native communities over 54% of all charges resulted in probation as compared to less than 29% in non-Native sites. Conversely, dispositions, fines, restitution and community service orders constituted 37.3% of serious charges in non-Native sites as compared to 13.9% in Native communities. These dispositions suggest

non-Native sites have the organizations to implement restitution, community service, etc. while the remoteness of Native communities combines with a lack of resources for a traditional bureaucratic approach to sentencing through probation orders.

b) Probation officers supervising juveniles on probation:

Native community respondents were less likely to perceive probation officers as being generally successful in supervising juveniles on probation than other respondents. Native offenders receive more probation orders but the human resources are not available to supervise these cases. Most of the Native interviewees did not think probation officers were successful in supervising juveniles on probation because they visit the community only once or twice a month:

"They don't stay here. I think the only time they fly out here is when a kid is in trouble. I notice a lot of kids on probation get in trouble but they don't see their probation officer."

Non-Native respondents thought that probation officers were doing an adequate job in supervision mainly because these probation officers were residents in the community or made several trips for regular contact with juvenile cases. Key actors generally concurred with non-Native respondents by indicating probation supervision was successful if the probation officer was a resident of the community and had a fair amount of contact with his clients. Several key actors thought probation orders had some effect in Native sites if a probation worker was available to supervise juveniles. The remoteness of Native communities affects the implementation of supervised probation by social agents in a bureaucratic delivery system.

c) Community service order (CSO) as an alternative disposition:

Native community respondents were less likely to perceive CSO'S as being successful than other respondents. Several Native interviewees stated that CSO's were being used in their community but these dispositions were often unsuccessful due to a lack of adequate program supervision. Several non-Native respondents mentioned community organizations which administered CSO'S for juveniles with only some minor problems in supervision or finding enough work for juveniles to perform. Key actors perceived non-Native communities as usually better organized than reserves and as one respondent commented:

"Speaking for reserve areas, I can see that if there are no strong Band Councils, community work can become a joke. Whether the work gets done or not is something we don't follow up on. In areas where work is not supervised nothing is getting done."

Some remote communities, Native sites, may lack the organizational structure to successfully manage a community-based dispositions.

In sum, Native communities are less accessible to probation supervision. Native sites frequently lack a sufficient level of community organization and resources to administer community-based alternatives. Native communities indicated over 50% of dispositions resulted in probation orders. Similarly over 50% of serious charges in Native communities resulted in probation orders. Supervision of juveniles in Native sites was perceived to be unsuccessful as compared to a general impression of satisfaction with probation services in non-Native centres. Native communities indicated CSO's were not generally successful due to improper supervision of work. The remote aspects of Native communities indicate a lack of human resources and community organization to support community-based dispositions.

Hypothesis 4: The more remote the community, the more limited the availability of adequate detention facilities.

a) The type of detention facilities available in communities for juveniles:

Native communities were more likely to have poor or non-existent detention facilities as compared to other communities. Respondents in Native sites stated that R.C.M.P. cells are used to detain juveniles but the more remote reserves frequently use a R.C.M.P. temporary trailer with room for only one occupant. Non-Native interviewees commented that R.C.M.P. cells are available in local detachments but facilities in larger communities such as Brandon, Thompson or The Pas will hold juveniles 3 or 4 days before sending them to the Manitoba Youth Centre (MYC). Key actors described a wide variety of detention practices as reflected in the following comment by a probation officer who stated "the R.C.M.P. in Pukatawagan will frequently allow the individual (juvenile), if they are leaving the following day, to go home and pick him up the next day prior to leaving rather than holding him in a facility that isn't a suitable facility." Several key actors in the North complained about the poor detention facilities in Thompson as revealed in the following statement:

"The detention cell here for juveniles in Thompson is the pits. The cell is dark, dingy, and small. We've had kids held in these conditions for up to four days. I can recall four kids in this cell built to hold two people and some had to sleep on the floor."

Most of the detention facilities in communities are usually not equipped to hold juveniles in separate areas and MYC is the only facility in the province currently equipped to detain juveniles for long periods of time. Native communities, as the most remote sites, frequently cannot detain juveniles because the facilities are inadequate or do not exist.

b) The use of detention facilities in communities:

Native communities were more likely to detain juveniles than other communities (Table 3:10). Over 40% of Native cases were confined as compared to 16.5% of non-Native and 32% of mixed cases. These results should be interpreted with caution because data is missing for over one-half of the cases for this variable. Missing data was also a problem in cases with no detention required. Therefore, the percentages shown are likely overestimates of detention rates. More realistic figures would probably show considerably lower rates of detention for all sites.

All of the communities indicate a policy of sending youth to MYC (Table 3:11). During court observation in non-Native and Native sites, over 80% of detention cases resulted in offenders being sent to MYC. The mixed sites showed 67% in local facilities which may be a reflection of cases observed in Thompson where youths may be detained 3 or 4 days. The sample, however, was small and the results should be interpreted with caution concerning the use of local facilities.

Native community respondents were more likely to perceive a detention centre closer to the community as beneficial than other communities. Several respondents in northern reserves observed having a detention centre closer to their community would enable them to visit their children. Some Native interviewees mentioned that some juveniles taken out of the community for detention had never left the reserve and often experienced culture shock as set out in this remark:

"Most kids from northern communities have never been in the City (Winnipeg). It is kind of a drastic change from the reserve and they can have a hard time in adjusting (to confinement)."

However, another Native respondent expressed a viewpoint held by a number of people who were interviewed:

"At one point it was a big thing to be taken out (to MYC). It was a breeze when they got to sit around all day doing nothing. They received good meals and this type of thing. I think it was the reason a lot of them were getting in trouble so they could be taken out of here and away from their family for awhile, away from their parent's drinking. I think it was a scapegoat and in some cases may have helped the child to get away and to seek a bit of counselling from the outside."

Most non-Native respondents felt that detention facilities would seldom be used in their communities because of few serious crimes. However, in more northern communities, particularly Thompson, non-Native interviewees felt that a detention centre in the North would eliminate excessive travel costs for transporting juveniles. Key actors in the North supported a detention centre for several reasons: juveniles in remote areas are cut off from their families; high transportation costs for sending juveniles to MYC; and, difficulties are encountered by defence counsel and probation officers in maintaining contact with their clients. However, several other key actors cautioned that a detention unit in the North may be prohibitive due to construction costs and maintenance of the facility. The availability of detention facilities in the remote areas of the North, particular Native communities, pose a major problem for juveniles, family, and the delivery of court services.

In sum, Native communities detain juveniles more frequently than other communities but also lack local detention centres to hold juveniles. The facilities that are available in some Native sites usually consist of a one room cell room for holding both adults and juveniles. MYC is used for long term detention for all sites. The remote northern communities suggest a need exists for a permanent detention facility in the North.

B. Proposition 2: The appropriateness of self-help, community-based alternatives is greater in more remote communities.

The communities isolated from the major service centres are typically reserves. According to the community typology, these Native sites have the highest potential family needs for resources yet are the least developed in terms of these resources. In consideration of the limited access to resources, these remote communities would appear to be ideal candidates to foster a self-help approach to their problems with delinquent behaviour. The data is analyzed based mainly on information obtained from the interviews.

a) The programs aimed at generating and maintaining interest in juvenile behaviour:

Alcohol abuse programs in Native communities are less likely to be perceived as successful than non-Native sites. The association of alcohol and crime was noted by a Legal Aid lawyer who stated that "I wouldn't be doing three-quarters of the stuff I do right now if it wasn't for alcohol." Most of the Native respondents associated crime with alcohol and noted that NADAP workers and programs were available but these programs often were poorly attended or the alcohol workers were either overworked or in a few instances also suffered from drinking problems. In addition, several Native interviewees mentioned AFM workers who came to the community periodically from a major rural centre. Non-Native interviewees generally expressed concerns about juvenile consumption of alcohol but they usually perceived few serious crime problems associated with alcohol abuse. Most of the non-Native respondents referred to a wide variety of alcohol related facilities and counselling services available in their communities. The remoteness of

Native sites affects the availability of resource people and alcohol related programs in these communities.

Native communities were less likely to have recreation programs and facilities available for juveniles than non-Native communities. Native respondents generally acknowledged a few organized activities such as baseball and hockey but at the same time these respondents indicated disappointment that better facilities were not available to support these activities. A few interviewees mentioned attempts to establish drop-in centres which usually consisted of a few pool tables and pin ball machines. Youth in Native communities were generally perceived as restless as echoed by this comment that "they roam around and try to look for excitement." Non-Native respondents commented on a wide variety of programs and most interviewees thought the facilities were adequate to meet the juveniles needs. Most key actors felt that more resources in Native communities may have some effect on juvenile crimes but other factors had to be considered:

"A couple of years ago through the summer, the R.C.M.P. that were in Pukatawagan on the weekends organized baseball. They found it really successful in terms that they cut the rate of juveniles who were getting involved (with crime). I think you have to look at other reasons why they are getting involved - sure they are bored - sure they have no places to go. But simply providing them with something to do doesn't deal with the socioeconomic problems. A lot of people out there are below the poverty line and giving them a place to play baseball is a band-aid solution and doesn't answer the problem at all."

Remoteness affects the level of recreation activities but social and economic factors in Native communities may play a role in determining delinquent behaviour.

Native communities were less likely to have programs implemented for crime prevention as compared to other communities. Almost all of

the Native respondents, with the exception of Roseau River, stated that the reserves had no crime prevention programs. Although several respondents in non-Native sites were unfamiliar with the various crime prevention programs in their community, the R.C.M.P. were set out as active in high schools and programs such as neighborhood watch, rural crime watch, etc. Key actors noted the range of programs in non-Native sites and the dearth of similar programs on reserves. Native communities in remote areas do not have the crime prevention programs available to the non-Native communities.

b) The establishment of community organizations to help delinquent juveniles:

Native communities were less likely to institute and maintain community committees as compared to non-Native communities. Several Native respondents cited failure of committees due to a lack of interest. Roseau River interviewees, however, considered their community committee to be quite successful as stated by a resident:

"We have a community committee here that has been dealing with juvenile delinquency for about nine years now. They deal with all cases that the police investigate and they send reports to (Probation Services) who in turn set up meetings with the committee to deal with the juveniles. The chief and council are involved with the committee and two members sit on it all the time. It is beneficial for background (information) on juveniles plus the fact the court listens to committee recommendations."

Non-Native respondents concurred that most communities had established such a self-help type of committee and were satisfied with the performance of these organizations with such projects as victim-offender mediation. Most of the key actors thought that community committees were a good concept but several respondents in the North expressed skepticism about the ability of Native communities in remote areas to start and maintain community committees.

Native communities were less likely to exhibit volunteer participation than non-Native communities. Native respondents stated that very little volunteer work took place in their community and as one interviewee remarked, "people want to get paid off for everything they do." Non-Native respondents, on the other hand, mentioned that volunteers were active in the communities but several people complained that it always seemed to be the same individuals volunteering their services. In non-Native interviews, several respondents noted that self-help groups such as church organizations had specific programs for juveniles while recreational activities had a number of adult volunteers who coached sports teams or similar activities. Remoteness and access to resources affect Native communities which appear to lack the initiative and organizations necessary to mobilize volunteer work.

c) Community interest in juvenile court:

Native communities are less likely to show an interest in juvenile court than non-Native sites. Some respondents in Native communities perceived that several members of the community attend court as a special social event. And as one key actor commented, "they all go to watch a 'show' but they are really not interested." A few Native interviewees noted that the chief and band council, with concerns about the community, occasionally take an interest in certain cases involving dangerous or repeat offenders. Several non-Native respondents mentioned that community committee members showed interest in the juvenile offenders. The remote factor of Native communities indicates the court may serve more as an entertainment feature for residents rather than an agency which is perceived as a system for dealing with delinquent juveniles.

All of the Native communities had a probation worker (PW) or a volunteer probation officer (VPO). Native respondents were likely to be satisfied with their work on behalf of juveniles. However, several interviewees expressed a need for more workers to adequately deal with the juvenile population because probation officers usually came to their reserve only once a month. One major benefit frequently mentioned was these workers are familiar with the community enabling the court to receive a better description of living conditions on the reserve and adequate background information on the accused. Several interviewees also thought these Native workers offered counselling services to juveniles.

Key actors were likely to respond favorably towards community input into the court system. Respondents frequently mentioned that family background information was particularly useful in cases with serious offences. Another useful tool provided to the court was the availability of options such as foster home placement. One probation officer stated that

"these people know a lot more about background information than we would. No matter how good an interview or assessment, you don't get into small intricacies that happen in small communities. They may also know the victim and have the victim's opinion about what happened and how they feel about this situation."

Another key actor, a judge, offered the following opinion:

"In the juvenile system people such as the probation officer are helpful. If you have a couple of local volunteers it is almost as good as talking to a probation officer. A restitution committee is another help to see that the victim is compensated or money paid to the court."

Several key actors, however, stated that too much apathy exists in Native communities to self-generate interest in delinquent behaviour.

The following opinion about reserves echoed this statement:

"I don't know if people want to take the time to work with kids. People here are on welfare and unemployed. They have the time but we can't even get a baseball program started. Cross Lake is a sports-minded community for adults but not for kids."

In sum, Native communities have few if any programs related to crime prevention, alcohol abuse and recreational activities. Native communities indicate a lack of community organizations to assist problem juveniles. Volunteer participation in Native communities is virtually non-existent. Both Native and non-Native communities show very little interest in juvenile court but non-Native sites have some community members actively involved through community committees. Native communities indicate satisfaction with PW's and VPO's as resources for the court system. Key actors generally acknowledged the benefit of receiving community input into the court process but they noted the apathetic conditions which exist in Native communities. The remoteness of Native communities suggests that programs would benefit from a self-help approach in generating community participation.

Table 3:1

LENGTH OF TIME BETWEEN DATE OF OFFENCE
AND DATE CHARGE LAID BY COMMUNITY TYPE
(In Percent) (N=831)

TIME	NON-NATIVE	NATIVE	MIXED
Up to 1 Month	77.9	47.9	64.8
1-2 Months	8.4	21.2	10.5
2-3 Months	2.9	10.6	12.0
3-6 Months	9.8	15.8	8.7
6-12 Months	1.0	4.0	3.4
Over 1 year	<u>0.0</u>	<u>0.4</u>	<u>0.4</u>
N	(204)	(226)	(401)

Cramer's V = .25

TABLE 3:2

LENGTH OF TIME BETWEEN DATE CHARGE LAID
AND FIRST APPEARANCE BY COMMUNITY TYPE
(In percent) (N=808)

TIME	NON-NATIVE	NATIVE	MIXED
Up to 1 Month	90.0	83.6	87.3
1-2 Months	6.5	6.5	6.9
2-3 Months	2.0	5.6	1.8
3-6 Months	0.5	1.9	2.3
6-12 Months	0.5	1.9	1.5
Over 1 Year	<u>0.5</u>	<u>0.5</u>	<u>0.8</u>
N	(200)	(214)	(394)

Cramer's V = .16

TABLE 3:3

LENGTH OF TIME BETWEEN DATE OF OFFENCE
AND FIRST APPEARANCE BY COMMUNITY TYPE
(In Percent) (N=864)

TIME	NON-NATIVE	NATIVE	MIXED
Up to 1 Month	62.7	29.6	42.9
1-2 Months	17.0	22.5	23.2
2-3 Months	5.1	17.5	11.2
3-6 Months	12.3	22.5	14.7
6-12 Months	1.9	7.1	6.4
Over 1 Year	<u>1.0</u>	<u>0.8</u>	<u>1.5</u>
N	(214)	(240)	(410)

Cramer's V = .25

TABLE 3:4

LENGTH OF TIME BETWEEN DATE OF FIRST
 APPEARANCE AND LAST APPEARANCE
 BY COMMUNITY TYPE
 (In Percent) (N=860)

TIME	NON-NATIVE	NATIVE	MIXED
Up to 1 Month	77.3	66.8	58.8
1-2 Months	12.3	11.8	11.7
2-3 Months	2.4	5.9	10.2
3-6 Months	5.2	9.6	12.2
6-12 Months	2.3	4.1	5.5
Over 1 Year	<u>0.5</u>	<u>1.6</u>	<u>0.6</u>
N	(214)	(240)	(406)

Cramer's V = .22

TABLE 3:5
 NUMBER OF HEARINGS BY COMMUNITY TYPE
 (In Percent) (N=860)

HEARINGS	NON-NATIVE	NATIVE	MIXED
One	64.0	48.8	35.5
Two	18.7	27.5	23.4
Three	6.1	10.0	13.8
Four	4.7	7.1	9.4
Five	1.4	0.8	5.2
Six	2.8	2.1	5.2
Seven	1.9	1.3	1.2
Eight	0.0	0.8	3.9
9 or More	<u>0.5</u>	<u>1.6</u>	<u>2.3</u>
N	(214)	(240)	(406)

Cramer's V = .22

TABLE 3:6

FILE STUDY

DISPOSTION BY COMMUNITY TYPE
(In Percent) (N=881)

DISPOSITION	NON-NATIVE	NATIVE	MIXED
Stayed	15.8	12.0	16.5
Dismissed	1.4	0.8	1.4
Withdrawn	0.0	0.0	0.2
Adjourned Sine Die	7.0	7.6	8.6
Transfer to Adult Court	1.0	2.8	1.4
Fine, Restitution, Community Service Order	47.9	23.3	34.1
Probation	26.1	50.2	35.3
Institutionalized, Committal to CAS	<u>0.9</u>	<u>3.2</u>	<u>2.3</u>
N	(215)	(249)	(417)

Gamma = -.19

TABLE 3:7

COURT OBSERVATIONS
DISPOSITION BY COMMUNITY TYPE
(In Percent) (N=123)

DISPOSITION	NON-NATIVE	NATIVE	MIXED
Stayed	2.0	3.7	0.0
Adjourned Sine Die	25.5	11.1	15.6
Transfer to Adult Court	2.0	3.7	0.0
Fine, Restitution, Community Service Order	55.1	40.7	46.5
Probation	13.8	22.2	35.5
Institutionalized, Committal to CAS	<u>2.0</u>	<u>18.5</u>	<u>2.2</u>
N	(51)	(27)	(45)

Gamma = .03

TABLE 3:8

RELATIONSHIP
 BETWEEN SERIOUSNESS OF OFFENCE
 AND DISPOSITION IN NATIVE COMMUNITIES
 (In Percent) (N=249)

DISPOSITION	STATUS	LESS SERIOUS	SERIOUS
Stayed, Dismissed, Withdrawn	3.7	16.1	13.3
Adjourned Sine Die	3.7	8.9	8.4
Fine, Restitution, Community Service	74.1	19.6	13.9
Probation	18.5	55.4	54.2
Transfer to Adult Court, Institutionized, Committal to CAS	<u>0.0</u>	<u>0.0</u>	<u>10.2</u>
N	(27)	(56)	(166)

Gamma = .29

Gamma (excluding stayed, dismissed, withdrawn) = .47

TABLE 3:9

RELATIONSHIP
 BETWEEN SERIOUSNESS OF OFFENCE
 AND DISPOSITION IN NON-NATIVE COMMUNITIES
 (In Percent) (N=215)

DISPOSITION	STATUS	LESS SERIOUS	SERIOUS
Stayed, Dismissed, Withdrawn	10.7	2.6	27.5
Adjourned Sine Die	13.3	10.5	2.0
Fine, Restitution, Community Service	54.7	60.5	37.3
Probation	21.3	26.3	28.4
Transfer to Adult Court, Institutionized, Committal to CAS	<u>0.0</u>	<u>0.0</u>	<u>4.9</u>
N	(75)	(38)	(102)

Gamma = .03

Gamma (excluding stayed, dismissed, withdrawn) = .39

TABLE 3:10

FILE STUDY

OFFENDER DETAINED BY COMMUNITY TYPE
(In Percent) (N=389)

	NON-NATIVE	NATIVE	MIXED
Yes	16.5	41.3	32.0
No	<u>83.5</u>	<u>58.7</u>	<u>68.0</u>
N	(79)	(104)	(206)

Cramer's V = .18

TABLE 3:11

COURT OBSERVATIONS
PLACE OF DETENTION BY COMMUNITY TYPE
(In Percent) (N=25)

DETENTION	NON-NATIVE	NATIVE	MIXED
Local Facility	0.0	7.1	66.7
MYC	80.0	85.7	33.3
Headingly	20.0	0.0	0.0
Agassiz	<u>0.0</u>	<u>7.1</u>	<u>0.0</u>
N	(5)	(14)	(6)

Cramer's V = .55

Chapter IV

CONCLUSIONS

A. Bureaucratic and Self-Help Delivery Systems

Manitoba is a province with many small communities which vary greatly in the services provided by the juvenile justice system. Winnipeg supplies the largest number of government services which extend to several communities close to this urban centre. A number of satellite offices in Brandon, Beausejour, Dauphin, Thompson and The Pas provide circuit government services to many smaller centres. The accessibility to government services, however, varies according to geographic location with isolated communities having only sporadic delivery of these services.

The first proposition stated by that the bureaucratic delivery of court and court-related services was affected the distance to communities. The first hypothesis was not supported as juvenile matters are processed in Native communities as rapidly as non-Native communities. The compression of court cases by key actors was supported in the hypothesis where Native communities are accessible only by airplane and if the court dockets are excessively large. The third hypothesis was also supported as the range of dispositions is very limited in Native communities where a poor economy makes fines and restitution difficult to enforce and probation orders are difficult if not impossible to supervise. The final hypothesis was also supported as

detention facilities in the remote reserve communities are either inadequate or do not exist for detaining juveniles.

The second proposition suggested that the more remote communities were more appropriate for self-help, community-based alternatives. The interview data indicated that Native communities, as most representative of remoteness, have the greatest need for self-help organizations. However, a perplexing situation occurs on reserves where interest in court is very low and volunteer work does not appear to be a cultural way of life.

The findings of this study indicated the most significant breakdown in the justice system occurred in Native communities. As indicated in the typology, Native communities are the sites which have the least developed resources and have the highest family needs for these resources. The social, economic, and infrastructural deficiencies of Native communities are beyond the control of the bureaucratic delivery systems and may be beyond the control of the communities; however, the effective use of services for juvenile delinquency are critical factors in administering juvenile justice in the hinterland.

The circuit court works effectively in both Native and non-Native communities as suggested by the findings. Juvenile cases are processed through court quickly in all sites. The delays occur in police investigations in Native communities which are remote and frequently are serviced by R.C.M.P. detachments on a fly-in, rotation basis. These findings are consistent with the community typology which indicates a need for better and more efficient police services in Native communities.

With respect to access to court related professional services, Native communities indicated their dissatisfaction with Legal Aid services. Legal Aid lawyers are present in a remote community approximately once a month via the circuit court. These findings are consistent with Angell's (1981) study of Alaskan communities. It is questionable whether the legal interests of juvenile offenders are served in a process which dictates a minimal amount of time spent with clients in discussing their cases before final disposition. Although the court party shows efficiency in processing cases, a loss of quality in delivering services is very real particularly with respect to Legal Aid lawyers who are responsible for interviewing offenders, collecting information on the accused, explaining the court process and facts of the case with offenders, and making recommendations to the court in a compressed time frame: all in one day. In many cases only a few minutes may be required to dispose of the matter. However, there is a real risk that key actors may proceed on a case relying on minimal information available within the time constraints inherent in some court dockets for remote communities.

The results of this study indicate Native communities have a narrower range of dispositions than non-Native communities. Over 50% of Native cases resulted in probation orders and over 50% of the serious offences were disposed of through probation orders. The seriousness of offences in Native sites indicates a need for more attention by probation officers. However, probation officers may come to a Native community only once a month and contact is minimal with their caseload. Since these dispositions cannot be supervised, the court process suggests these cases are merely paper dispositions with little or no

impact which is similar to the findings of Finkler (1975). A need is indicated for more probation workers, volunteer probation officers, or para-professionals to fill this void by adding a continuous presence in the community.

Community service orders (CSO) as a disposition in Native communities appears to be used infrequently due to the inadequate supervision of work. Doob and MacFarlan's study (1984) of CSO's suggest that these dispositions have a positive effect on delinquent behaviour. Native communities generally lack economic and resource development making use of such disposition alternatives less likely.

The lack of adequate detention facilities in Native communities causes a number of problems for circuit courts and court-related services. The results of this study were consistent with the findings of Angell (1981) in that no detention facilities are available for detaining juveniles. As a result, juvenile offenders are held in the homes of band constables or released to stay with their family until a plane arrives to take them to an outside detention unit. In addition, Native respondents indicated a need for a centralized detention centre in the North to house long-term detention cases. They expressed concern about a facility which is not accessible to parents, family and friends who are forced to visit youth offenders in Winnipeg at MYC. A detention centre in the North was also an issue with lawyers and probation officers who were effectively cut off from their clients housed in MYC.

The ability of the justice system to deliver community-based corrections in rural and northern Manitoba requires community participation. It is beyond the ability and mandate of the court to attempt to remedy what stems from the poor economic and social climate

in Native communities. All the justice system can do is hold juvenile offenders accountable for their offences in terms of legal variables. The involvement of community input in extra-legal variables requires a concerted effort by the community to institute programs to provide alternatives for the judicial process. The weakness in Native community organization seriously impairs their ability to provide this additional level of sentencing options to the court.

The findings indicate that Native communities have few programs which would enable them to care for their youthful offenders. Crime prevention programs are virtually non-existent; recreational resources are poorly developed for juveniles; alcohol programs are managed poorly with mixed results; and community committees have failed due to a lack of support. Native communities tend to have a high rate of serious offences but lack the resources to deal with these delinquent juveniles.

As indicated by Stoeckel (1977) and Leenhouts (1975) volunteers can effectively support probation-delivered services. Some Native communities do provide useful functions in court through probation workers or volunteer probation officers as indicated by the interview respondents. However, the findings indicate the concept of volunteer work is virtually non-existent in the Native population. These findings add significantly to the literature reviewed which has not looked at the conduciveness of community variables as they relate to the essential element of volunteerism which is a critical factor in self-help.

The Native population generally shows little interest in juvenile court or juvenile affairs. The typology indicates two factors: first, a large segment of the Native population has free time with welfare rates ranging from 37% to 81%; and secondly, the economic climate on

Native reserves is very poor. Perhaps it is not surprising that a general attitude exists where payment is expected for any activity outside their immediate family structure. This paid welfare mentality, however, would have to change for the successful implementation of self-help alternatives in community corrections for juvenile delinquents.

It is apparent that Native communities will require structural changes in economic and social areas for community-based programs to function. These current circumstances are beyond the bureaucratic delivery of human services. The viability of the self-help approach would appear to be questionable without state intervention to encourage economic self-sufficiency. On the other hand, non-Native communities have better economies, more social services, more counselling services, and a wide variety of recreational activities. These services lend themselves to an association between professionally delivered services and the establishment of self-help groups to deal effectively with their own juvenile population. It is this type of association which should be fostered in Native communities.

The Case of Roseau River

Roseau River illustrates that Native communities have the potential to become more vibrant, self-sufficient communities. In the early 1970's, Roseau River had the reputation as a very violent community with high crime and delinquency rates. The changes have been dramatic as reflected in the following statement by Bernie Henry, an employment coordinator for the Roseau band:

"People feel more a part of the reserve when they build things themselves. When we plan things together as a band, everyone is responsible. It was different when welfare was practically the only source of income and Indian Affairs told us what buildings we could get" (cited in Caves, 1983:17).

Roseau River at one time was no different from many other Native communities suffering from economic and social inequalities; despair and hopelessness is a common social phenomenon for the Native people. However, through a strong political organization, Roseau River took on a new direction. In the opinion of one band member, this political effectiveness was the direct result of the band leaders at one time or another residing in Winnipeg and experiencing the problems of big city life (Caves, 1983). The experience gained by these band leaders provided a good base of knowledge which allowed them to press for and implement programs in the community.

As indicated by the community typology, Roseau River has a number of services for juveniles which have not been developed in other Native communities. Through an aggressive education program, Roseau shows 17.9% of the population attending school on a full-time basis which is considerably higher than the provincial average. A very active community committee works with the juvenile court to offer alternatives such as diversion and community work-type of dispositions. A local probation worker has had a very long and close association with Probation Services. In fact, Roseau River in association with Probation Services formed the first community committee in the province in 1975. The NADAP program in Roseau takes a very active interest in juveniles and their families encountering problems with alcohol and drugs. A number of recreational activities have been made available due to the efforts and concerns of the local leadership about the juvenile

population. All in all, Roseau River is a prime example of the promising aspects of Native community organization for a self-help approach to juvenile delinquency.

The key to the self-help approach in community-based alternatives may reside in existing Native culture and values. Volunteerism is not a Native concept but they do have other network systems which act as social supports such as the use of Elders to settle disputes. In the case of Roseau River, the aggressive leadership provided by the chief and band council has led to efforts to improve their economy by widening their land base and in the words of their chief, Carl Roberts, "traditional forms adopted to modern times have given us the freedom to decide our future" (cited in Caves, 1983:21). It would appear that Roseau River is effectively dealing with government to obtain an economic base and community programs which are prerequisites for self-help, community-based alternatives for juveniles.

B. Social Policy

The implications for social policy in juvenile justice for Manitoba can be outlined within the context of recent reforms which effect the juvenile justice system. The reform intended through the passage of the Young Offenders Act has ramifications for the delivery of services in two areas: Legal Aid Services and the Working Together Project. Each one has provisions within its terms of reference for both formal and informal service models.

The Young Offenders Act is intended to create a reasonable balance between needs of the juvenile and the needs of society. Part of the policy of this Act is to provide for the legal rights of young offenders and alternative measures to the formal court process (Solicitor General, 1981). Thus legal rights (as a state-delivered service) and alternative measures (as a community-based service) are provisions which can be examined within the theoretical framework of this thesis. Although the Young Offenders Act was not officially implemented until April of 1984, court officials and other key actors had discussed the proposed legislation at the time of the field research.

1. Legal Aid Services

Legal Aid Services provide the vast majority of legal counsel for the juvenile justice system in Manitoba. However, the role of the lawyer in court proceedings has been widely debated. As Erickson (1975) notes, role expectations call for the lawyer to serve in two roles: the "traditional" or treatment-oriented approach to the child; and the "legalistic" or rights-oriented approach. The traditional role calls for the lawyer to gather information on the social background of

offenders in order to defend their clientele on the basis of resources outside the boundaries of the court. On the other hand, the legalistic role is more concerned with due process accorded by the state in the processing of the case.

This study indicates the difficulties of providing legal services to remote communities. Legal Aid representatives arrive on the day of court. A few minutes spent with each client would appear to defeat the purpose of both the traditional and legalistic approaches. This would suggest that the court does not receive adequate information on offenders and the legal rights of the accused may be eroded.

Under these circumstances, a number of options are recommended to address this problem of the circuit court. One option to be considered is Legal Aid scheduling pre-court clinics a day before the court sitting to enable offenders to seek out the advice of a lawyer. The lawyer should also attempt to seek out clients would do not show up for appointments, perhaps due to shyness, and obtain background information which may be vital to a case. A second option to be considered is a policy of two or more lawyers on circuit court if the caseload warrants such a policy. This type of system would allow a division of huge caseloads and increase access to legal services for all juvenile offenders.

Serious consideration should be given to the community-based service option of training resident para-legals. Para-legals would be a source of detailed and reliable information. They are more able to recommend dispositions that are appropriate and acceptable to the community.

All of these recommendations are consistent with the Young Offenders Act and the accused's access to legal protection of rights and freedoms.

2. The Working Together Project

The Working Together Project is a program designed to facilitate community involvement in the juvenile legal process on a province-wide basis in Manitoba. It fosters not only community participation in responding to juvenile crime, but also the accountability of the offender to the community. The basic goal that is guiding this project is to facilitate the establishment of the Youth Justice Committees (YJC), in a special role under the Young Offenders Act, to oversee a number of first-time offenders, some with serious offences, in order to divert them from contact with the court and in order to allow the community to resolve some of the disputes.

The findings of this study has one prevailing theme: a wide range of variation exists between non-Native and Native communities within Manitoba. The rural non-Native communities appear to be the type of community most suited to the YJC. They have stable populations with a high level of interpersonal familiarity with local juveniles, and a generally strong network of kin, friendship, and community ties which help to build social support systems. The community typology indicates stable family situations and a good economic base. The non-Native structure shows a small proportion of single parent families, a high rate of school participation, developed social services, good transportation links, high employment, and well developed recreational facilities and programs. Many of these communities already have

successful community committees and a volunteer network. The formation of YJC's would be to identify these networks, seek out local leaders and allow the community to implement this concept.

Native communities, however, present a more problematic situation for YJC's and a greater initiative will be required to implement such a program. The social, economic, and demographic aspects of Native communities contrast sharply with non-Native sites as shown in the community typology. Most of the reserves are remote communities. Families include large numbers of children and many arrangements involving single parent families. These communities have juveniles living in crowded conditions and sub-standard housing. The economic situation on reserves is bleak with high unemployment and high welfare rates. There is generally a low level of participation in education which can only add to the juvenile problem if they cannot be employed. In addition, low levels of social service and poor recreation facilities make the implementation of YJC's much more problematic.

The disorganization of reserves make the implementation of YJC's by the bureaucratic delivery system a low potential situation for success. The Band Councils will likely want a great degree of input and control over such committees. In order to deploy YJC's, a degree of cooperation will be necessary to successfully start such committees.

The time and expense involved in organizing YJC's is a critical factor which must be considered. The findings of this study, with the exception of Roseau River and The Pas reserve, indicate self-help groups do not exist outside of kinship networks on reserves. The committees cannot be simply set up with a program director. An in-depth understanding of the Native community will be required to foster

participation in such a program. In other words, community development must take place before the institution of YJC's. If this procedure is not followed, the concept of YJC's in Native communities is almost destined to fail.

C. Future Research Directions

The study of juveniles justice in rural and northern Manitoba provides an insight into the differentiating aspects of the delivery of court-related services. This thesis has attempted to outline the requirements of remote communities in the context of this delivery system. The circuit court delivery system will likely continue in its present format as the most efficient method of administering justice in the hinterland. However, future research of community-based alternatives in rural areas will take on added significance as communities move to take over responsibility of handling their own delinquent populations.

As can be ascertained by the findings of this research, remote communities, more specifically Native communities, present a challenge for future research. Research conducted in remote areas will require a degree of cooperation between researchers and the community to help identify problems areas and assist the community in developing strategies for implementing programs. Thus research should be undertaken to assist such communities in their own development so that new programs can emerge as part of the community structure and culture. This type of research should be ethnographic where the researcher develops an intimate knowledge about the community and its social, family and political organization. Research becomes a stimulus for endogenous change rather than the intervention of outsider policies for social change.

Research of this type requires that research planning focus in specific areas by initially targeting a small set of communities and

would begin by assembling community profiles at the outset of research. A small number of communities allows an intense investigation of the different problems and needs that exist in a certain type of community. The goal should not be to describe a large number of communities but rather to foster the changes needed to reduce crime and the factors that create it.

The major goal of research in community-based, self-help alternatives would be to learn the best strategies to develop public participation in both stable and poorly developed communities. Research would be undertaken in these communities to ascertain the most viable ways to deliver human services to reduce delinquency. The findings of this research suggest Native communities will require a more intense research effort in order for Native participants to establish a base of knowledge to nurture community development.

A researcher would have to become familiar with each community and the various social agencies and services available in order to help identify community needs. This procedure would involve in-depth prior research into community background. An on-site evaluation of the political structure would enable a general assessment of the extent to which citizens participate in community organization. This would lead to an examination of the climate in the community to support the various programs necessary to establish a self-help approach. Thus the researcher would be accessing the level of commitment and the possibility of developing programs such as community committees and the various networks to help support juveniles in trouble with the law.

The profile of the community would be produced to the established community organizations to help dispense the necessary information to

establish self-help systems. The initial aim would be to seek out natural leaders whose role would be to initiate the kind of participation that comes from People's Organizations (Alinsky, 1969). This procedure would allow the community to implement its own programs rather than an intervention strategy by outside agencies. Thus the community can identify its most deficient areas in dealing with juveniles and allow the community to adjust or implement structures to cope with juvenile crime. This form of involvement by the researcher should lead to a cooperative arrangement with the community who look upon research as the means to improve or institute programs. Thus the researcher plays a background role by identifying problems and offering suggestions without direct intervention.

The potential for developing autonomous Native justice structures needs to be researched. For Native communities an independent judicial process could encapsulate the customary laws and peacemaker court in strengthening traditional values. This type of policy would in all likelihood encounter resistance from the bureaucracy with vested interests in the circuit court. However, non-Native society could benefit from a strengthened Native community capable of handling and settling its own disputes at a formal or informal level within the community. Even if a Native judicial system were not implemented, the extension of the role of local magistrates should be examined as a method of settling disputes which are agreeable to the parties immediately involved and within a traditional Native framework.

Research is needed to find a more efficient way to deliver on-site supervision of probation cases. An assessment should be made on the viability of the community to assume control for probation services.

Areas which should receive serious consideration are the extended use of probation workers or volunteer probation officers and their ability to function as independent resources in the community, and the use of para-legals who are residents in a community.

Research needs to be conducted on alternatives to detention in remote communities. A review is required concerning the policy of sending youth offenders to MYC in Winnipeg. Such areas as group homes, open custody and the extension of family and kinship should be examined to ascertain the viability of juveniles remaining in their communities. The feasibility of establishing a detention centre in the North is another alternative to the facility in Winnipeg. A long term study on the effectiveness of holding juveniles in the community or in a Northern detention centre, as compared with those youth in MYC, would investigate for patterns of reinvolvement with crime.

A major finding of this study was the lack of community participation in the juvenile justice system at Native sites. Research needs to be conducted into the reasons for the condition of apathy which exists in these communities. A study of this magnitude might include a number of Native communities which were similar on demographic and remoteness characteristics but dissimilar in terms of economic base. Better economic bases in some Native communities could provide information as to the benefits that may be derived if similar economic development was fostered in poorer remote communities.

Within the context of community participation, an examination of non-Native and Native communities on the basis of volunteer work is another research need. One specific area of investigation would revolve around the establishment of community committees. These committees have

shown success in delivering their services by administering programs in association with the court. The extent to which the range of dispositions has been expanded could be analyzed within the court records while community committees could be assessed on the successful completion of dispositions and rates of reinvolvement with the judicial system.

Another pertinent area of research in community participation revolves around the concept of self-help. An investigation should be undertaken to determine the network structure of social support systems particularly in Native communities. For Native communities much benefit would be realized by uncovering support systems in terms of customs and traditions which could strengthen the community networks so that juvenile problems could be handled at an informal level diffusing situations which would otherwise result in bringing the juvenile into contact with the justice system.

Research topics in judicial and self-help delivery systems suggest the systems may function independently or as an association to achieve their goals in juvenile justice. It is apparent that Native communities be given serious consideration as future endeavors of research to improve their quality of life and the quality of the justice delivered in these communities. All citizens, including Natives, have a right to social services, justice, and a satisfying set of life experiences. Community-based alternative through a self-help approach may prove to be the most efficient delivery system for juvenile justice.

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APPENDIX A

FILE MODULE

1981 File Study

1. Case Number:

1.

2. Site:

2.

JUVENILE DESCRIPTION

3. Sex: (1) Male (2) Female

3.

4. Date of Birth: / /
Day Month Year

4.

5. Race of Juvenile:

1. Caucasian
2. Full Native (Treaty, non-status)
3. Part Native (Metis)
4. Negro
5. East Asian (mainly Chinese, Japanese)
6. South Asian (East Indian, Pakistani)
7. Other: specify _____

5.

6. Legal Status (re: 1981 charges)

6.

1. Parent's care
2. Guardian's care (e.g. relatives, foster parents)
3. Temporary ward of C.A.S.
4. Permanent ward of C.A.S.
5. Ward of training school
6. Other: specify _____

7. Living Arrangements (re: 1981 charges)

7.

1. One parent home
2. Two parent home
3. Group or foster home
4. Detention centre
5. Training school
6. Other assessment or treatment facility
7. Independent living
8. Extended family
9. Other: specify _____

8. Marital Status of Parents (re: 1981 charges)

8.

1. Married
2. Common-law
3. Separated/divorced

9. Family Income level (re: 1981 charges)

9.

1. Social assistance
2. Less than \$10,000
3. \$10,000 - \$20,000
4. \$20,000 - \$30,000
5. Over \$30,000

10. Employment status (re: 1981 charges)

10.

1. Employed full-time
2. Employed part-time
3. Unemployed
4. Not in labour force
5. Other: specify _____

11. Student status (re: 1981 charges)

11.

1. Full-time student
2. Part-time student
3. Not a student
4. Student, status unknown