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REPORT

POLICE PERCEPTIONS
OF CURRENT RESPONSES
TO YOUTH CRIME

No. 1997-03

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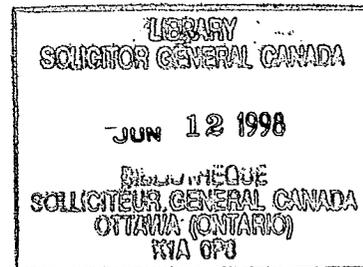
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**POLICE PERCEPTIONS
OF CURRENT RESPONSES
TO YOUTH CRIME**

No. 1997-03



The views expressed in this working paper are those of the authors and are not necessarily those of the Ministry of the Solicitor General of Canada

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1.0 Introduction

In 1993, the principal researchers in the current project undertook a study of youth crime and violence sponsored by the Federation of Canadian Municipalities (FCM) with the support of the federal departments of Justice and Solicitor General. An important part of the FCM project involved interviews with front-line police officers from across Canada. These interviews revealed considerable frustration and displeasure with existing responses to youth crime. An opinion expressed by many of the police officers was that "meaningful consequences" were needed for an effective response to youth crime and youth violence. It was unclear, however, what these officers meant by "meaningful consequences."

A variety of definitions of this concept were offered by the police officers participating in the FCM study. For example, when pressed if they simply meant more punitive dispositions, almost all agreed that dispositions need not be more punitive than those currently being given. Instead, they suggested that it was more important that the dispositions have some meaning for the young people involved. That is, they should be related, in some way, to their criminal behaviour. In addition, the social and cultural milieu of young offenders should be considered in any disposition, including their expectations of what would be a "fair" and appropriate punishment.

Based on these preliminary ideas, the current project was designed to follow-up on the issues identified in the FCM project. This study was sponsored by Solicitor General Canada as part of the federal government's Brighter Futures initiative. A primary objective of this study was to examine what police officers consider to be "meaningful consequences" for a variety of crimes committed by young people. A range of issues related to the ways in which police respond to young offenders was also explored. These issues include the perceptions of police officers regarding the nature and extent of youth crime in their communities; current charging practices and dispositions; police use of discretion in dealing with young offenders including the use of innovative, community-based programs to deal with less serious incidents; and police perceptions of the effectiveness of the Young Offenders Act for responding to youth in conflict with the law.

The objectives of this project can be briefly summarised as follows:

- i) To assess police officers' perceptions of the nature and extent of youth crime and youth violence in their communities;
- ii) To explore what police officers consider to be "meaningful consequences" for a variety of crimes committed by youth;

- iii) To discuss whether community-based response strategies and a community policing approach are effective in responding to youth crime and youth violence;
- iv) To identify the practical challenges police officers face in dealing with young offenders, including charging practices and dispositions, their ability to exercise discretion, and their experiences implementing the Young Offenders Act.

2.0 Research Design and Methodology

This project utilised a three-staged data collection strategy. The first stage consisted of in-depth telephone interviews with 150 police officers from across the country, who were familiar with youth crime and youth violence in their communities. Second, site visits were made to 5 large and 5 smaller communities in order to conduct focus group sessions with youth squad officers. Third, focus group sessions were also held during each of the site visits with young people familiar with the youth justice system. The main purpose of both the police and youth focus group sessions was to discuss the results of the telephone interviews and to explore some of the interview findings in greater depth. As well, both the police officers and the young people were asked for their views on what constitutes "meaningful consequences" for various types of youth crime.

A pre-test of the interview schedule was conducted with youth-squad officers from the Ottawa-Carleton Regional Police Service. The interview schedule was modified on the basis of the pre-test results, to ensure that all relevant issues were covered in an appropriate manner. The revised interview schedule took between 30 and 60 minutes to administer and included both forced-choice and open-ended questions.

A sample of 150 police agencies was selected on the basis of regional representation and community size. Specifically, 30 police agencies were selected from each of the following regions: the Maritimes, Quebec, Ontario, the Prairies, and British Columbia. Communities in the Yukon and the North West Territories were included as part of the British Columbia region. A sample, stratified by community size, was selected from each region. A list of substitute communities was developed for each region in the event that a community declined or was unable to participate. The substitute communities were normally the next largest ones in the region that had not yet been contacted. Municipal police services were selected whenever possible, while the local R.C.M.P. detachment was included in those communities where they provided policing services.

Once the sample was selected, letters were sent to appropriate police administrators in each of the 150 communities, informing them of the project and asking for their assistance. They were also asked to identify a member of their agency who was familiar with youth crime in their community and who was most appropriate for participating in the study. These individuals were then contacted and a mutually convenient time was set for conducting the interviews.

Sites for the focus group sessions were identified during the telephone interviews and in consultation with officials from Solicitor General Canada. One larger and one smaller site in each of the five regions was selected on the basis of interest in the project and concern with youth crime and youth violence. Police representatives in each site were contacted and asked to help organise police focus groups. They were asked to invite 6 to 8 officers to participate who were familiar with youth crime in their communities. They were also asked for the names of appropriate contacts in their respective communities who could assist in organising the youth focus groups. These individuals were then contacted and asked to invite 6 to 8 young people to participate who had had some experience with the juvenile justice system. Youth focus group organisers were asked to include both males and females between the ages of 12 and 17. In all, 10 police and 10 youth focus group sessions were held involving 81 police officers and 70 young people.

3.0 Police Perceptions of the Nature and Extent of Youth Crime

In order to get a sense of the way police officers perceive the nature and extent of youth crime in Canada, the police officers interviewed were asked to rate the level of seriousness of youth crime in their communities. The main pattern that emerged was that youth crime was perceived as "serious" to "very serious" by officers in larger communities (69.4%) and "somewhat serious" to "serious" by those in smaller ones (87.7%). Larger communities were defined as those with a population of 100,000 or more. The most common form of youth crime identified by respondents from both larger and smaller communities was theft/shoplifting (42.0%) followed by other property crimes (break and enters and vandalism) (38.7%).

The respondents were then asked to rate how serious a problem youth violence was in their communities. Once again, those from larger communities rated youth violence as "serious" to "very serious" (69.4%) while those from smaller communities said it was "somewhat serious" to "serious" (78.1%). Assault was identified by both groups as the most common form of youth violence (69.4% of respondents in large communities and 80.7% of respondents in smaller communities).

A series of questions explored the respondents' perceptions of any changes in the amount of youth crime they had noted over the past three years. For example, they were asked if the amount of youth violence in their communities had increased,

decreased or stayed about the same over the past three years. Answers to this question indicated that 54.0% of the respondents perceived an increase, 4.7% reported a decrease and 38.7% said that the amount of youth violence had stayed about the same.

A similar set of questions was asked with respect to hate and bias crimes, gang violence, crimes committed by youth under 12 years of age, and crimes committed by young women. In the case of hate and bias crime, 16.0% of the respondents reported an increase, 6.0% reported a decrease and 55.3% said that the amount of hate and bias crime had stayed about the same. Most officers (57.7%) reported no change in the amount of crime committed by youth under 12 years of age. Approximately forty percent of respondents (39.4%) indicated an increase in youth crime, while 2.4% reported a decrease. For gang violence the comparable percentages were 38.7% who reported an increase, 6.7% who reported a decrease and 38.7% who said that the level of gang violence had stayed about the same. The respondents from smaller communities, however, often noted that they did not have youth gangs in their communities. Finally, most officers (66.7%) perceived an increase in the amount of crime committed by young women, while the remainder (32.0%) reported no change.

In addition to their perception of change in the amount of youth crime, the respondents were asked if the nature or the "quality" of the behaviour in question had changed over the past three years. Of the fifty-four percent of respondents who indicated there had been a change in the nature of violent crime, 52.2% felt it had become more vicious. They felt that more young people were using weapons now (24.0%) than in the past. Focus group participants concurred with these findings.

The nature of hate and bias crime had remained relatively unchanged over the past three years. In the focus group discussions, officers indicated that hate and bias crimes had shifted from attacks on individuals, to symbolic demonstrations of bias, such as the use of graffiti and vandalism to spread hate messages or to deface the property of targeted groups. Other focus group participants reported that hate and bias crimes had gone underground during the past three years, with white power groups attempting to recruit young people in high schools.

About 42% of officers reported a change in the nature of gang violence. They indicated that youth gangs had become more violent (23.4%), and they noted a move towards more sophisticated economic crimes by youth gangs (10.9%). Focus group participants reported that younger adolescents were more involved with older teens and adult gang members in the commission of crimes such as theft, drug dealing and the sex trade. An additional point mentioned in both interviews and focus group sessions was that some victims of gang violence formed their own gangs to exact "justice" or for protection. Youth under 12 involved in crime were described as being more aware of their rights (15.6%) and involved in more serious crimes (46.7%), often working with older youth (6.7%). Focus group participants reported that the under 12's were recruited by older

youth (often gang members) to carry weapons or drugs since children under 12 years of age are immune from charges under the Young Offenders Act.

The respondents also reported a change in the nature of crimes committed by young women. The perception of many (42.7%) of those interviewed was that young women were becoming more violent than they were in the past. Some respondents stated that the young women involved in crime were acting more like young men in terms of the types of crimes they were committing and in their use of violence (7.8%). As well, some respondents (6.8%) felt that young women were more likely now than in the past to commit crimes in groups. These officers reported the existence of "girl gangs" engaged in the same types of activities as their male counterparts. These findings were confirmed during the focus group sessions.

The results reported above indicated that youth crime and youth violence were a concern for many of the police officers who were interviewed. While officers noted that the majority of young people are not involved in criminal activity, they were concerned about the small percent of youth who did engage in crime, especially in violent crime. Their perceptions suggested that these are serious problems that warrant appropriate attention. The police felt that youth crime and violence had been increasing over the past three years and that the incidents had become more serious. Violent behaviour was seen as being more extreme and an increase in the use of weapons was reported. These issues were expressly addressed in the focus groups. Officers participating indicated that in addition to the above issues, there was also an overall decline in the respect young people had for authority. These officers felt that many of the young people they had come into contact with were aware of their rights and willing to flaunt this fact in the face of the police or school authorities. Many officers (both those interviewed and in the focus groups) voiced their frustration with the attitudes of these young people. This was especially evident with the police from larger communities, although many from smaller communities expressed similar concerns.

The young people in the focus groups differed in their opinions regarding the seriousness of youth crime and violence. These differences depended, in part, on the size of the community but were also influenced by the extent of experience the participants had with the youth justice system. The dynamics of a particular youth focus group also had an impact on the information provided. For example, in some groups, older, more experienced youth were able to set the tone of the discussion. In others, the group dynamics resulted in a certain degree of bravado which caused the participants to exaggerate the extent and seriousness of their experiences with crime and the youth justice system. The level of exaggeration was often exposed in the subsequent discussion as one focus group member either challenged an account given by another participant or offered their own, more restrained version of events.

The young people from the larger communities did note that youth crime and violence were on the increase in their communities. While they expressed little fear of victimisation themselves, they did note that it could be a problem for some young people. In part, knowing which neighbourhoods to avoid or "being cool" and "minding your own business" in unfamiliar neighbourhoods were strategies used by these young people to avoid potential problems. The female participants in one large community, however, did report considerable concern for their safety, especially while walking in the city alone after dark. Other female participants alluded to similar concerns stating that they dealt with them by going out in groups of two or more.

4.0 Police Perceptions of Existing and Ideal Youth Justice Practices

This section explores the perceptions of police officers regarding existing youth justice practices, their assessment of these practices and a description of what they would ideally like to see happen. The respondents were asked about a variety of "typical" youth crimes. Specifically, they were asked to describe what would happen in their communities in eight different scenarios where an officer was investigating an offence committed by a young person and there was sufficient evidence to lay a charge. These eight scenarios included the following: i) a minor property crime - first offence; ii) a minor property crime - repeat offence; iii) a serious property crime - first offence; iv) a serious property crime - repeat offence; v) a minor violent crime - first offence; vi) a minor violent crime - repeat offence; vii) a serious violent crime - first offence; and viii) a serious violent crime - repeat offence.

The respondents were asked to describe what would "typically" happen in their communities given that it is understood that a variety of factors such as the seriousness of the crime, the attitude of the offender, the wishes of the victim, etc., would have an effect on what happens. They were encouraged to tell us what would happen in typical cases in each of the eight scenarios. As well, when they asked the interviewers to define "minor" and "more serious" property and violent crimes, the interviewers were instructed to ask the respondents to provide their own definitions, since these might vary from one jurisdiction to another. The respondents were asked how they would proceed, that is, would they lay a charge or proceed informally. Next, they were asked to describe what would happen to the young person in their jurisdiction if they chose to proceed informally or if they laid a charge. For the latter they were asked what disposition the youth would typically receive. The officers were then asked if they thought the typical response was "meaningful" to the young people involved. They were also asked to describe what they would ideally like to see happen in each of the eight scenarios.

4.1 Police Satisfaction with Current Dispositions for Minor Crimes

Overall, the police officers we interviewed were very satisfied with current responses to first offenders involved in minor crimes (see Table 1). Their responses showed that 82.7% were very satisfied in the case of minor property crimes and 75.3% for minor violent crimes. Warnings, parental involvement and participation in pre or post charge diversion programs were seen as meaningful responses for most of these young people. Focus group discussions indicated that one reason for the high satisfaction with these dispositions was that for between 75-80% of young people, these dispositions ended their involvement with the criminal justice system. There were no differences in satisfaction levels in larger and smaller communities. There was also very little regional variation. The first exception was a lower level of overall satisfaction in the Prairies (69.0%) for responses to first minor property offences compared to the four other regions which ranged from 83.3% who were satisfied in British Columbia to 96.4% in Ontario. The second exception was a lower level of satisfaction with responses to repeat minor violence offences in the Maritimes (56.7%) compared to a range of 64.5% in Quebec to 79.3% in Ontario.

Table 1: Is Current Disposition Meaningful by Type of Minor Crime:

Is the Current Disposition Meaningful?	Yes	No	Don't Know
Minor Property 1 st Offence	82.7%	16.0%	1.3%
Minor Property Repeat Offence	41.3%	56.0%	2.6%
Minor Violence 1 st Offence	75.3%	22.7%	2.0%
Minor Violence Repeat Offence	34.7%	61.3%	4.0%

Though officers were generally satisfied with the dispositions, they were not always satisfied with how the dispositions were carried out. They were asked what they thought the dispositions should ideally be. The responses indicated that about 40% of officers were satisfied with the current dispositions for first offences (See Table 2). Another 15-20% stated that they liked the current dispositions but these required better enforcement. In interview comments and focus group discussions, this was found to include: enforcing curfews and other probation conditions more rigorously, and ensuring that community service hours were completed and that the work was useful.

Satisfaction with current dispositions dropped dramatically (to about 10%) with repeat offenders (see Table 2). In these cases, about 20% of the officers wanted better enforcement of dispositions and about 40% felt that there was a need for more intensive

intervention. They argued that with repeat convictions, youth were clearly “in trouble”. The officers suggested that counselling and other support be provided to “get to the root of the problem” and to ensure that members of the community at large were protected. As one officer stated:

“One of the keys is identifying what the problem with the kid is. That’s where we have a real problem now...You can’t help a kid unless you can find out what the problem with the kid is.”

They felt that repeat offenders had either not “gotten the message” the first time around or there were serious underlying problems that required in-depth assessments and tailored interventions if the response was to be effective.

To quote another officer:

“You can’t paint all the kids with the same brush. You’ve got to customise it [the response].”

Ideal intervention strategies varied somewhat from region to region. For example, none of the officers from the British Columbia region were satisfied with the current dispositions for repeat minor property crime whereas 46.7% of the Ontario officers were satisfied. For first minor violence offences, satisfaction varied widely. In this case, Ontario officers were more likely to be satisfied with current dispositions (69.0%) while those from B.C. were the least satisfied (10.0%). Officers in B.C. felt that better enforcement and more intensive interventions were appropriate for responding to minor violence. Quebec stands out from the other regions in a “later” shift to more custodial interventions as an ideal response to repeat offenders. Quebec officers were the least likely to indicate that custody should be used for repeat minor violence (6.5%) as compared to Ontario (55.2%) and the other three regions whose scores were 30.0%, 36.7%, 36.7%.

Table 2: Ideal Consequences for Minor Crimes:

Ideal Disposition	Satisfied with Current Disposition	Better Enforcement of Current Disposition	More Intensive Intervention Required	Custody Necessary	Other	Don't Know
Minor Property 1 st Offence	44.0%	18.7%	24.0%	0.7%	1.3%	11.4%
Minor Property Repeat Offence	10.0%	22.7%	41.3%	17.3%	2.7%	6.0%
Minor violence 1 st Offence	39.3%	14.7%	28.0%	4.7%	2.0%	11.3%
Minor violence Repeat Offence	9.3%	18.7%	32.0%	32.7%	0.7%	6.7%

Considerable regional variations were reported for current dispositions. In Quebec, warnings were the most likely disposition for first time minor property crimes (74.2%). They were less likely to use alternate measures for first minor property offences (9.7%), than in B.C. (16.7%), Ontario (37.9%) and the Prairies and the Maritimes (80.0% each). Even for repeat minor property offences, Quebec youth were unlikely to go to court. Responses indicated that probation was never an outcome in the Quebec sample for repeat minor property crime but was for between 86.7% and 55.2% of those convicted in other regions. There were also variations for current dispositions by city size with police in larger communities being more likely to warn and to use pre-charge diversion than smaller centres who tended to use alternate measures or the courts. This may be an artifact of the kinds of services available within the different communities.

4.2 Police Satisfaction with Current Dispositions for Serious Crimes

Satisfaction levels dropped when officers were asked about serious property and violent crimes and dropped again for repeat offenders. As Table 3 shows, only slightly more than half (54.7%) the officers were satisfied with the dispositions for first time serious property crime offences and 58.0% were satisfied with the dispositions given for first time serious violent offences. The pattern for repeat violent offences mirrors that of minor crimes, that is, satisfaction with dispositions declines. Only 34.0% of officers were satisfied with the current dispositions for repeat serious property crimes and 38.0% were satisfied with dispositions for repeat serious violent crimes.

There was no variation in satisfaction levels by region except for the response to repeat serious violent offences. Officers in Quebec were significantly more likely to feel the current dispositions were meaningful. More than ninety percent (93.3%) of these officers were satisfied with the current responses. In contrast, the level of satisfaction in the other regions was 64.3% in Ontario, 55.6% in B.C., 42.9% in the Prairies and 39.3% in the Maritimes. There were no variations in satisfaction levels by city size.

Table 3: Is Current Disposition Meaningful by Type of Serious Crime:

Is the Current Disposition Meaningful?	Yes	No	Don't Know
Serious Property 1 st Offence	54.7%	42.7%	2.7%
Serious Property Repeat Offence	34.0%	63.3%	2.7%
Serious Violence 1 st Offence	58.0%	38.0%	4.0%
Serious Violence Repeat Offence	38.0%	56.7%	5.3%

Ideally, officers felt that custody was required for repeat violent offenders (Table 4). They argued that this disposition was necessary in order to protect the community and ideally, it would provide an environment and services that would help the young person. They also argued that first time serious offenders needed more intensive interventions in order to get at the root causes of their behaviour. Ideal dispositions varied across regions. Again, Quebec officers stood out as being the least likely to want custody for serious offenders. For serious repeat property offenders, many recommended intensive interventions (48.4%) over custody (19.4%) while officers in other jurisdictions sought custody (66.7% - 46.7%). With respect to serious repeat violent offenders, about forty percent (43.3%) of Quebec officers felt that custody was required in this situation while 62.1% of Ontario officers, 46.4% of Prairie officers and 56.7% of officers from B.C. thought that custody was needed. The percentages from Maritimes officers were lower than the other regions with only 24.1% of these officers indicating custody was needed.

Table 4: Ideal Consequences for Serious Crimes:

Ideal Disposition	Satisfied with Current Disposition	Better Enforcement of Current Disposition	More Intensive Intervention Required	Custody Necessary	Other	Don't Know
Serious Property 1 st Offence	23.3%	16.7%	37.3%	13.3%	0.7%	8.7%
Serious Property Repeat Offence	8.7%	12.7%	26.0%	46.7%	0.7%	5.4%
Serious Violence 1 st Offence	20.0%	13.3%	31.3%	21.3%	1.3%	12.7%
Serious Violence Repeat Offence	16.7%	11.3%	19.3%	45.3%	2.0%	5.4%

4.3 What Makes Consequences Meaningful?

In exploring levels of satisfaction with current dispositions and ideal dispositions, information was also sought on what officers felt made consequences meaningful for young people. Officers indicated (34.0%) that loss of privileges or freedom was important. A wide range of privileges were suggested such as curfews, not being able to "hang out" with friends, etc. A majority of the officers (64.0%) noted that the purpose of this was to reach the young person through withholding something that she or he valued. According to the police officers, it is only when you are able to reach young people that any consequence has meaning. Officers also felt that it was important for young people to admit to wrong doing (24.7%) and to be publicly

accountable for their actions (22.7%). Officers stated that responses should be timely (20.7%) and that restitution should be made by the young people (18.0%).

"They have to come down on them right away, not six months down the road."

What represent meaningful consequences for young men versus young women, for hate and bias crimes and for youth under 12 years of age was also considered. Officers were asked if they thought young men and young women would differ in what were meaningful consequences. Most officers (56.0%) felt that gender did not make a difference in this regard. About fifteen percent (15.3%) of the officers did not know if there were any gender differences. Of the remaining officers, 15.3% felt that females were more sensitive and more susceptible to peer pressure, while 3 officers (.02%) thought that males felt the need to act macho to retain the respect of their peers and 5 (0.03%) felt the males were less fearful of custody.

The youth in the focus groups disputed some of these assertions. They insisted that both males and females were fearful of custody (at least the first time) but that it was less acceptable for males to admit they were afraid. Some police respondents also indicated that young women were not more sensitive but that they used tears and being upset to their advantage, actions young men would be less likely to use. There were no differences between larger and smaller communities on this issue, however, there were some regional variations. Ontario officers were most likely to report no difference by gender (69.0%), followed by Quebec (58.1%) and the Prairies (56.7%). In B.C. (50.0%) and in the Maritimes (46.7%) the officers were slightly more likely to see a difference. Quebec officers were the most likely to report that girls were more sensitive (35.5%). About a quarter (23.3%) of the officers from the Maritimes described females as more sensitive while only 10.3% of Ontario officers thought they were more sensitive. Only three percent (3.3%) of B.C. officers and officers from the Prairies believed that young women were more sensitive.

With respect to hate and bias crime, slightly more than a third of the officers (34.7%) felt that education was key. They viewed racist attitudes as learned behaviours that required re-education (34.7%) or counselling (8.7%). Officers also felt (12.0%) that the punishment should be related to the crime. For example, youth involved in hate and bias crime should be required to do community service within the community that they had offended against. Another thirteen percent (12.7%) of respondents felt that hate and bias crimes were serious and required custody. About thirty percent (30.7%) of the officers did not answer or did not know how to respond to such crimes. This result seems to reflect the absence of such crimes in many smaller (often homogeneous) communities (35.1% of these officers had no answer or did not know as compared to 16.7% of officers in larger centres). Regional variations are strongly affected by the majority of Quebec officers (80.6%) who had no answer or said they did not know.

Custody was preferred more by officers in Ontario (34.5%) than in the other regions where custody responses ranged from 6.5% to 10.0%.

Officers were also asked about how to respond to youth under 12 years of age and here again, there was a range of responses. In some ways, the respondents thought these young people (or some of them) should be treated like older youth. For example, 22.7% of officers thought youth under 12 should be covered under the YOA, 5.3% indicated they should lose either privileges or their freedom, 13.3% indicated they required assessment and treatment and 6.0% felt they should accept responsibility. On the other hand, many officers (47.0%) thought that youth under 12 should be dealt with outside the criminal justice system. This included 23.3% of officers who thought it was a parental responsibility, 12.0% who believed it was a matter for social services and 11.3% who stressed a system of values training to get these kids back on the "right track". Officers made the following comments:

"Quite often there's a discipline problem and we're putting the discipline problem into the criminal system."

"I think the problem is we look at the criminal justice system as a positive step for the kid and in most cases, it's not."

As well, there were regional differences in attitudes towards these young people. None of the officers in Quebec thought youth under 12 should be covered by the YOA. In contrast 33.3% of officers from B.C., 27.6% of officers from Ontario and 26.7% of officers from the Prairies and the Maritimes indicated that they should be covered by the YOA. As two officers noted:

"You want the tools at your disposal to fix things. But every once in a while when you have a kid under 12 that you do need that tool, it would be nice to have it there. And they've taken it away from us."

"I don't think we'd use it very often but it would be nice to have it there."

A majority of Quebec officers (61.3%) felt parents were the correct alternative. Again, the contrast with the other regions is striking with only 10.0% of officers in the Maritimes and the Prairies, 16.7% of B.C. officers and 17.2% of Ontario officers naming parents as the best way to respond to these young people.

4.4 Police Satisfaction with Current Dispositions: Lessons Learned

The results outlined above indicate that there was widespread agreement among the police officers regarding the way to deal with young people involved in minor crimes. This was especially so in the case of first offenders. Many of the police officers reported

that they would give these young people a warning and take them home to their parents. In some communities, the warning was augmented by a police triggered pre-charge diversion program. These programs were often used in cases of minor shoplifting, vandalism and theft. Pre-charge programs are usually voluntary and the young people and their families are told that no charges will be laid. Pre-charge diversion programs do serve to highlight a potential problem and encourage both the young people and their parents to seek appropriate help. In this regard, one of the functions of pre-charge programs is to provide counselling and make referrals to other community resources.

In some communities, the police had a charging policy that limited their discretion. In these cases, charges were laid if there was sufficient evidence to do so. Such a policy is intended to avoid potential claims by the public of police bias since everyone is charged and decisions about how to proceed are made by the Crown Attorney. In these jurisdictions, minor property crimes involving first offenders are usually dealt with through the Alternative Measures provisions of the Young Offenders Act. As with pre-charge diversion programs, Alternative Measures programs require voluntary participation on the part of the accused. These young people are often required to do something constructive, such as getting counselling, writing a letter of apology, and making restitution through a community service placement or some other activity. However, unlike pre-charge diversion programs triggered by the police, Alternative Measures programs require a charge to be laid. The decision to refer a young person to an Alternative Measures program is then made by the Crown Attorney. While they are more formal than pre-charge programs, Alternative Measures programs are still less formal than having young offenders appear in court before a judge.

A popular impression among the police officers interviewed was that these informal types of responses were adequate for 75 to 80 percent of the young people who come into contact with the police. These percentages were checked with the police officers interviewed and confirmed during site visits. For many of the young people involved in minor crimes, were a spur of the moment occurrence, an instance of bad judgement or some other form of adolescent peccadillo. Once the system responds and lets these young people know that they are headed for trouble, most get the message and do not re-offend. A smaller group of young people gets into minor trouble two or three times before they get the message that they are headed for more serious consequences and stop offending.

For a group comprising approximately fifteen percent of the young people who come into conflict with the law, the situation is much different. A small percentage of this group go on to become the 3 to 5 percent of hard core serious habitual offenders. These young people progress from repeated contacts with the police to numerous convictions for increasingly more serious crimes. This small group (3% to 5%) of young offenders can account for as much as 50% of all youth crime in a community.

In some jurisdictions, these young people receive specific and concentrated attention from the law enforcement community. In Calgary, a Serious Habitual Offender Program (S.H.O.P.) was implemented to deal specifically with this group of offenders. In these types of programs, repeat offenders are assessed in terms of the frequency and seriousness of their criminal behaviour. Those who achieve a certain score are identified as serious habitual offenders (SHO's) and are closely monitored by the police and other members of the justice system. The law is vigorously enforced with this group of repeat offenders and detention and close supervision are used as ways of incapacitating them and protecting the public. They are offered an opportunity to enter various rehabilitation programs if they demonstrate a sincere desire to change their criminal ways. However, the generally accepted view is that these young people are very difficult to get back into a law abiding lifestyle. Many police officers believe that until they decide to change, little can be done to help them.

In between the 75 to 80 percent of youthful offenders who do not re-offend and the 3 to 5 percent who go on to become serious habitual offenders, is a group of young people at high risk. This group comprises approximately 15 to 20 percent of the young people who come into contact with the police. Most are repeat offenders who begin by committing minor property crimes and move on to increasingly more serious crimes. According to the interview and focus group respondents, these young people warrant considerable attention and resources since something can be done to prevent their further involvement in crime.

As noted above, there was general dissatisfaction among the interview respondents with the way the youth justice system currently responds to these high risk youth. Two different opinions characterised what the police thought should be done. First, many of those interviewed suggested that agencies have to get to the root of the problem in order to intervene more effectively with repeat offenders. They pointed out that some young people use the offending behaviour to draw attention to themselves. Some police officers actually referred to this behaviour as a "cry for help." These officers noted that time and care had to be taken to do an assessment of the young person and her/his family situation since problems with young people are often related to their home lives. Examples of this idea are evident in the following quotes:

"You can tell when you go to talk to the parents if the kids are going to be a repeat offender or not...The family has to be involved [in counselling] but there's no mandate for that."

"We've got to sit down with the policemen, the school and the parent and work something out."

The young people in the focus groups echoed this sentiment, repeating the call for extensive assessments to be done. Their views were that the response of the youth

justice system should be based on detailed assessments and tailored to meet the specific needs of each individual. One young person described it this way:

"...They should devise a way to judge the individual to find out if they will be a repeat offender and if there's a good chance that they will be a repeat offender, come down more heavy handed on them...Probation might work for me and Jay but it might not work for Fred."

The other dominant opinion expressed by police regarding responses to these young people was that the initial interventions should be much more intensive. That is, while most of the respondents (including the focus group participants) were willing to give someone a chance, they felt that something serious should happen if a second offence was committed. In fact, many suggested that it was a disservice to young people to not impose more serious consequences after the first or second offence. According to this view, if young people discover that there are no real consequences to their criminal acts, they are more likely to persist in their offending behaviour. This concern is noted in the following quote:

"Once the kids realise they can get away with it and there's no punishment, they get bolder and bolder every time."

The proponents of this position did not ask for more punitive dispositions but stressed that current dispositions need to be enforced better and include more intensive interventions. Many officers cited the ineffectiveness of probation as an example of how current interventions are not effective and need to be implemented more rigorously.

"Probation is a joke and the kids know it's a joke."

"Probation would be functional if it was part of an escalating scale....What you really need is progressive steps in there which have to come within the probation area. But there's so much lacking in that probation area...What we need is when we do put a kid in that probation area it has to be monitored so there is progression of discipline. Right now there is no monitoring of what he was sentenced to the last time."

Probation was identified as the most common disposition given to repeat offenders convicted of minor crimes (either property or violence). Most of the respondents, including both the police and youth focus group participants, identified probation as an extremely ineffective disposition in its current form.

"One of the messages the justice system sends to the kid is once you start in the probation phase, the kid realises that nothing is going to happen. The only good purpose with probation is the first kid who's afraid of it."

Some referred to it as "a joke." Most thought that probation was ineffective because it entailed few consequences. Moreover, the unwillingness of authorities to charge youth with a breach of probation, coupled with their unwillingness to impose more severe dispositions, means that young offenders learn that very little will happen to them if they continue breaking the law. To wit, many respondents noted that if young people break the law while on probation, they are likely to be given more probation as a disposition. And, the perception of both youth and police officers was that there are really no consequences for breaching probation.

"So now when a kid gets sentenced it's probation, probation, probation. He gets probation 7 times. Next time I break the law I'll get probation."

The frustration over the perceived ineffectiveness of current responses to repeat offenders lead some communities to attempt to change the situation. Specifically, police officers in one large community stated that anything that impinged on the routine of repeat offenders or caused them to lose something they valued would be a meaningful consequence. Recognising that young people like to congregate and "hang out" with their friends, these officers decided to seek and strictly enforce bail conditions that included dusk to dawn curfews. This strategy was pursued specifically in this community as a way of addressing a growing youth gang problem. Bail orders involving curfew provisions were sought for all youth suspected of gang related criminal activity. Once these orders were in place, the police rigorously enforced them with random checks being made to ensure compliance. If the young people were not at home during a curfew check, a warrant was sought and an effort was made to find and arrest the individual. Young people who had breached their curfew orders were held in custody until their court date. As one officer stated:

"It's really good because you've got accountability because they don't know when you're coming....The inconsistency gets everybody going."

The police officers from this community reported that the dusk till dawn curfews were "hated" by the young offenders involved because they were prevented from "hanging out" with their friends in the evenings. The young people in the focus groups confirmed the effectiveness of curfews and how much of an impact they can have. As one of them said:

"I never want to be on probation again. I hated being on probation. I was on a curfew and I couldn't go nowhere. [Did they check?] Yeah, every night at 10 o'clock."

However, as noted above, provisions contained in bail or probation orders are seldom enforced as rigorously as in this example.

The frustration of police officers with the youth justice system has lead many to avoid using the system wherever possible. Some of the officers interviewed expressed the opinion that they could do little to deter a potential young offender once s/he had been to court more than once. Before their first court appearance, young people are generally afraid of what might happen to them. Once the legal process begins, however, they quickly learn that little of consequence is likely to happen to them. This situation causes considerable problems for police officers working with youth since their warnings based on potential consequences for breaking the law have little value for young people who have some experience with the youth justice system.

"...Police hesitate to send kids to the justice system. One of the big reasons is because they don't want the kids to find out what the justice system is all about."

In response, many police officers reported that they tried to deal with matters informally if they could. These officers attempted to work with young offenders, their parents and school officials to get the young person to acknowledge their wrongdoing, take responsibility for their actions and agree to make amends. Such strategies were more likely to occur if the criminal activities were of a minor nature and had taken place in a school setting. Incidents such as vandalism or fighting at school were primary examples of the types of offences dealt with in this way, although other police officers reported using informal strategies outside of school and with more serious incidents. Their justifications were often based on a belief that much more of consequence happened to a young offender in an informal process involving parents, school authorities and possibly victims than would be the case if these young people went to court and were formally processed.

The level of dissatisfaction with current responses to young offenders convicted of serious property and violent offences was considerable. Many of the officers participating in the telephone interviews were quite dismayed at the ineffective way youth involved in serious crimes were being dealt with. Two different types of responses typified their views. One group of respondents indicated that more extensive interventions were required which provided an opportunity for young people involved in serious crimes to get the help they needed. This group did not necessarily call for custodial dispositions but rather, for more intensive interventions. Many officers suggested that you have to get at the root of the problem, including taking the family situation into account. According to these officers, this should be done through extensive assessments followed by education and counselling programs. Families and communities should also be involved and resources made available at the community level to assist parents and provide socially appropriate educational, recreational and employment opportunities for young people.

A second group of respondents noted that young people involved in serious crimes, and especially repeat offenders in this category, had to be controlled. Control included

extensive periods of custody intended to achieve two goals: first, to protect society from the wrongdoing of these individuals; and second, to give the appropriate authorities sufficient time to deal adequately with their needs. Many of the officers interviewed also called for mandatory assessment and treatment. Others noted the need for a structured and disciplined environment since this was usually absent in the training these young people had received at home. When challenged as to the punitiveness of such an approach, many of the respondents indicated less of a concern with punishment than a desire to provide a firm but caring environment in which these young people could learn how to live in a socially appropriate way.

"The longer sentences should go along with them being trained or learning somewhat and then being plugged into society when they come out, somewhere that they can feel wanted....Unless you're prepared to rehabilitate or attempt to rehabilitate, you may as well lock people away forever."

The respondents in the second group were often frustrated by the fact that little of consequence appears to happen with young people involved in serious crimes. Current forms of custody were described as ineffective since they are not a deterrent. In fact, some respondents noted that custody often made the situation worse by exposing younger and "naive" youth to older and more experienced offenders.

"One of the reasons why custody is such a problem is that they learn that there's so little control even in the custody setting."

Reputations of being "tough" and "having done time" were treated by some young offenders as a badge of courage which enhances their status among peers once they are back on the street. These views were echoed by the youth focus group participants. Some of these young people said that open custody was known as "super-Nintendo land" in reference to the availability of video games in some open custody group homes. As one youth stated:

"With the YOA and open custody it is a joke. It's a home to them."

When challenged and asked whether secure custody would be more of a deterrent, most of the young people in the focus groups replied that it would not. In fact, a secure custody disposition was described as being "easier to do" than an open custody one. The explanation for this was that in an open custody facility, everyone loses their privileges if any member of the group gets into trouble. In secure facilities, young people "do their own time."

The focus group participants were pressed as to what, if anything, would represent meaningful consequences for young people involved in serious crimes. In response, some youth focus group participants said that by the time they are committing serious crimes, nothing will deter repeat offenders. The young people said that early

intervention was needed to get to a young person before things got too bad. They also stated that more punitive responses would only make these young people angrier than they already are and lead them to commit more serious crimes once they are out of custody. The youth focus group participants stated repeatedly that these young people have to decide for themselves to stop offending and pointed out that there is little that adults or anyone else can do.

An alternative position was voiced by some youth focus group participants who suggested that young offenders involved in serious crimes should be sent to a form of wilderness camp. They argued that programs at such a camp should be very demanding but not in a negative way. What they meant by this was that these young people do not need to be torn down. Rather, programs should challenge them to work hard, learn new skills and help them develop a sense of accomplishment.

"What the justice system needs is to exchange the negative highs in doing b and e's and stuff like that and put a positive reinforcement...Let the person or individual show that they can accomplish something through a program ..."

"You should have something a kid can benefit from...If someone taught you to love yourself, raise your self-esteem and all that you're going to start caring for other people. If you're in a jail cell, your self-esteem goes down...You don't benefit from jail. You benefit from programs that care about you."

They also were adamant that once young people complete such a program, they should not be returned home and ignored, as if they had been "fixed." Instead, they should be given a chance to apply their new skills in an employment or educational setting that would build on the progress they had made. One of the young people related this to her experience several years before at basic training in the naval reserve. She described her experience with basic training as the hardest thing she had ever done but also that the experience was very useful. Successfully completing basic training had built up her self esteem and made her more self reliant and proud of what she had accomplished. She said that this experience had helped her deal with the serious challenges she had experienced since that time while living on the street.

The issues of having jobs and having "something to do" was a common point made by both the police officers and focus group participants (both police and youth). Some of the youth in the focus groups stated that their lack of jobs and financial resources were the main reason for their involvement in criminal behaviour. When pressed, these young people stated emphatically that they would have stopped engaging in criminal activity if they had had a job.

"When I was young and into my b and e's, I was doing it for fun because there was nothing to do and no money to be made. There's no jobs. There's nothing..."

The fact that this response was repeated in most of the youth focus group sessions suggests that the lack of jobs for youth is an important part of the reality of young people in Canada. Furthermore, not having a social space where they can meet with their friends and just "hang out" without "being hassled" by adults is another important part of this reality. If they are tired of participating in organised sports or recreational programs and if they do not want to "hang out" at home, there are few places in most communities where young people can meet and interact. To "hang out" at shopping malls and street corners usually draws the attention of merchants or home owners who do not want young people on their property for a variety of reasons. Many youth suggested that there is little else for young people to do in most communities that is free. Movies and concerts which do not allow the informal type of interaction many teenagers are seeking are expensive. Police also commented on the difficult position they are in regarding this point:

"We want those things [kids hanging around]. Those are good things. But we get calls to go break it up."

5.0 Police Perceptions of the Young Offenders Act and Its Implementation

The Young Offenders Act (YOA) is the legislation governing the way the youth justice system responds to youth in conflict with the law. An important aspect of the present study on meaningful consequences to youth crime involved asking police officers for their perceptions of the YOA and its implementation. As with the rest of this study, answers obtained from police officers through telephone interviews were checked with the officers participating in the focus group sessions. In general, the focus group sessions served to confirm and augment the responses obtained in the telephone interviews.

To begin, the officers were asked if their experience with the YOA helped or hindered them in responding to youth in conflict with the law. While 9.3% of the respondents reported that the YOA helped, the majority (56.0%) stated that the YOA hindered them. As well, 16.7% reported that the YOA both helped and hindered and the remaining 18.0% reported that it neither helped nor hindered them. The positive attributes of the YOA according to the respondents were that the Act provided for flexibility in dealing with young people (mentioned first or second by 15.3% of officers). Another positive aspect was that the Act protected the rights of young people which was not the case under the Juvenile Delinquent Act (JDA) which the YOA replaced (mentioned first or second by 12.7% of officers).

The police perceptions of the positive aspects of the YOA, however, were greatly overshadowed by the criticisms. One of their concerns was the tedious, time consuming and ineffective procedure required for taking statements from young people

(mentioned first or second by 21.3% of officers). In the interviews and the focus groups, many officers reported that they had given up taking statements because of the procedures required and their failure to get the statements entered into evidence in youth court. For many officers, taking statements from young offenders was a waste of time. One officer noted that the problem was not only procedural, but the form proved to be difficult for youth to understand:

"It's full of words that these kids have never even heard before."

"We are required to do the leg work, the paper work, going out and finding the kids...And it feels like...we're being betrayed at the other end of the spectrum...No matter what we do or how hard we work, we're spinning our wheels."

Furthermore, they reported a significant change in investigative procedures after the introduction of the YOA. Where statements had been a primary source of information and a principle means of (re)solving a case under the JDA, officers commented that they made their cases now on evidence that did not involve statements from the youth involved. In their opinion, an important investigative tool had been lost as a result of the procedures under the YOA regarding statements by youth.

A related concern involved the consequences of a more legalistic and formal youth justice system (mentioned first or second by 38.7% of officers) In this regard, the perception of officers was that the youth justice system under the YOA had become overwhelmed by legal procedures to the detriment of both a search for justice and a desire to act in the best interests of youth. A common example was that young people involved in crimes were often remorseful when an investigating police officer arrived at the crime scene. Many of these young people wanted to admit their guilt, accept responsibility for what they have done, pay their debt to society and get on with their lives. What often happened, instead, was that the police officers at the scene advised the young people of their rights as called for under the YOA. Many officers did not take statements from them. If a charge was laid and a young person appeared in court, it was with a lawyer present. In court, the young person's lawyer usually does all the talking. A young person never has to give an account of him/herself in court. The sense of responsibility or remorse s/he may have felt at the time of the incident is no longer there. Instead, in the adversarial system that now characterises youth court, the "game" has become "getting off." Concerns about justice or what is in the best and long term interests of the young person become overshadowed by the primary objective of winning the case. The police officers recounting such examples were concerned about the lessons a young person might draw from such experiences. Their conclusion was that young people learn that they do not have to take responsibility for their actions. They also learn that they will not have to account for crimes they commit.

"Kids know about their rights. They know that the system is lenient. They know there aren't many deterrents for them..."

"The YOA takes the responsibility away from parents...It puts the parents in the background. The driving factor is the lawyer."

"Kids learn early on. Even if you did it you don't have to face up to it."

The opinion of many of these officers was that while we may have a legal system, we do not have a "justice" system for young people. In their opinion, efforts to safeguard the rights of youth are laudable and long overdue. However, the present situation has moved too far away from the ideals underlying the existence of a separate youth justice system, namely that young people are different than adults and should be treated accordingly. Given their state of development and lack of maturity, they should not be held as accountable or dealt with in the same manner as adults. Instead, their particular state of development and dependence should be recognised and the adults entrusted with their care should ensure that their interests are protected.

Many respondents perceived an overemphasis on the rights of young offenders under the YOA while insufficient attention is being paid to the needs of victims and the protection of society. Sentence limits, especially for serious crimes, were seen by many of the respondents as being too low. In addition, the upper and lower age limits that exist under the YOA were perceived by the respondents as being inappropriate (16.7%). Some suggested that the YOA age limits be changed to include young people from 10 to 15 years of age. These age limits would address concerns that youth who are 16 or 17 years old know the difference between right and wrong and should be held accountable for their actions. Conversely, a growing concern among police officers was that some legislative framework should be in place to allow authorities to deal effectively with young people under 12 years of age who are involved in serious crimes or who are repeat offenders. The opinion of many officers was that the problem was not being adequately addressed under existing legislation, including child welfare laws. In their opinion, lowering the minimum age of the YOA to 10 would allow the police to take appropriate action. As one officer stated:

"By the time the authorities...become involved at 12 years of age, in my view, it's a little too late....Police should be involved with the kids no later than 10...in terms of intervention."

A number of other concerns were raised with respect to the YOA. For example, some officers noted problems they were having enforcing the law with respect to weapons violations. Many of the police officers that were interviewed reported an increase in the use of weapons by young people. The current form and implementation of the law, however, hampered police efforts at doing something about this concern. An example given by one officer involved a young person carrying an exacto knife. While this is a useful tool for various types of tasks, it can also be used as a dangerous weapon. The officers suggested that there is little the police can do under the current legislation when they discover a young person with an exacto knife unless the youth admits that they are

carrying it as a weapon. At this point, the problems associated with taking statements from young people surface. It is often very difficult to get admitted into court.

6.0 Responding Through Community Policing and Community-Based Alternatives

Almost all (96.7%) of those interviewed felt that community-based alternatives could play a role in providing meaningful consequences for some young offenders. In particular, they identified community-based alternatives as suitable for first offenders and those young people involved in minor crimes. One potential benefit of community-based alternatives recognised by the respondents (26.7%) was the positive benefits of youth involvement. Community-based alternatives were also seen as potentially valuable for victims and the broader community (26.7%). A few officers (7.3%) also noted that community-based alternatives were often more timely than the formal procedures involving the court system. They argued that cases could be dealt with quickly and efficiently which makes them more effective and also helps to lower costs.

On the other hand, four officers pointed out some of the drawbacks of community-based alternatives. For example, the possibility of uneven or biased justice exists in these programs because they are informal and they vary from one jurisdiction to another. In the focus groups, participants suggested that in some cases, young people can be treated much more harshly than they would be in the juvenile justice system while in other cases, they can be treated much more leniently. Moreover, some communities may have such programs while others do not. Young people involved in exactly the same activities may be treated differently simply by virtue of where they live and the availability of community programs in their area. Another concern is that many community-based alternatives rely upon volunteers. Unlike the juvenile justice system, volunteers are not usually trained professionals.

In both the focus groups and the interviews, police officers expressed their frustration with poorly designed or supervised community service orders. While these may be intended as restitution, they are often not very challenging, or they are completely unrelated to the criminal behaviour of the young person involved. Raking leaves at the local community centre was given as an example of the type of community service work that is ineffective and usually seen as meaningless by young people. Many of the police officers did note that this problem was not limited to community-based alternatives but applied to court mandated community service orders as well. Officers felt that there are usually insufficient resources to properly design, administer and supervise community dispositions which have the potential of resulting in meaningful consequences. Some officers stated that these types of dispositions could be effective but they required far greater resources than they currently receive. Moreover, these officers indicated that if properly implemented, community-based alternatives could

play a much larger role than they currently do, i.e., being expanded to handle young people involved in more serious crimes.

The police officers interviewed and those in the focus groups were asked for their assessment of the crime prevention potential of community policing approaches. Specifically, they were asked if community policing affords police an opportunity to develop crime prevention strategies aimed at young people involved in property and violent crimes. Most respondents thought that community policing approaches were effective in crime prevention. However, they felt they were more effective for property crimes (94.0%) than for crimes involving violence (74.6%).

School-based education programs were cited as examples of how community policing could be used to mount effective prevention programs. Many officers saw such educational programs as a way of informing young people about the costs and the consequences of crime (24.0% for both property and violent crime). Police officers working as School Liaison Officers or School Resource Officers were especially strong in their support of the effectiveness of this form of community policing. In addition to the educational function, being in schools gave these officers an opportunity to make personal contacts with young people. These contacts were described as a way of closing the gap between young people and the police by showing youth a different and more personal side of the police. Many felt that greater trust and respect for the police could be gained through these contacts. The police presence in schools also served to prevent crime through greater police visibility. The crime prevention potential of police in schools was held to be greater for property crimes (34.7%) than for crimes of violence (20.0%). Officers working in schools noted that they were able to prevent crime because of the information they were able to gather about what was going on in a particular school. Police visibility also helped prevent crimes. Again, the impact varied by type of crime. Police visibility was seen as a more effective deterrent for violent crimes (15.3%) than for property crimes (12.7%).

As with community-based alternatives, some police officers were critical of community policing and its potential role in crime prevention strategies aimed at youth. A concern voiced by these officers addressed the lack of direction and meaning associated with the concept of community policing. In the focus groups, officers noted that while the terminology had been adopted, and some superficial changes had been made to police operations, little of substance had changed with the arrival of community policing. They perceived a lack of clarity in the definition of what comprises community policing as well as a reluctance to move resources away from more traditional reactive policing functions to community policing. Nor did the officers involved in so called community policing efforts, such as school-based programs, feel recognised by their peers for the work that they did. Instead, many felt they were seen by colleagues as having soft or easy jobs. Some officers reported being surprised at the level of commitment in time and energy required of them after being transferred into a school-based assignment

from a more traditional policing area. In effect, they noted that they had not appreciated the value and impact of the work of school-based officers until they had to do it themselves. Once in these positions, they quickly became aware of the effectiveness of such initiatives and were critical of the lack of resources and the lack of respect for their work from the administration as well as from their colleagues. There was some concern about the role of police within the community. Some officers sought more involvement with the community while others felt that the police could not and should not usurp the community's role. Lack of resources was a particular concern in this area.

7.0 Conclusions, Implications and Considerations For Action

It is clear from the findings that most police officers are satisfied with current responses to first offenders involved in minor property or violent crimes. Many reported using informal strategies such as warnings or cautions. In some cases, more formal responses such as pre-charge diversion or Alternative Measures programs were used. In all of these cases, the primary concern was getting the young person to acknowledge that they had behaved inappropriately, to accept responsibility for their behaviour and to make amends.

Informal response strategies in the case of first offenders involved in minor crimes were favoured by the respondents for a variety of reasons. They were seen as both effective and cost efficient. Respondents also noted that informal responses were timely, allowing the officers at the scene to intervene immediately and to bring closure to a situation. Some concerns were raised, however, about the need to document informal procedures to allow the police to follow-up on cases or track individual outcomes. Currently, there is no information system in place for informal responses such as warnings. Having such a system would allow police officers to record and assess the impact of these types of responses.

The youth justice system needs to recognise that the use of informal measures (including warnings, cautions, and pre-charge diversion programs) by police officers is an effective way of responding to first offenders involved in minor crimes. The police perception is that current responses to first offenders involved in minor crimes are working for 75% to 80% of the young people who come into contact with the youth justice system. There are several recommendations related to the recognition of the effectiveness of informal measures:

Considerations For Possible Action:

- #1: Encourage and support police officers' use of informal measures when responding to minor crimes;**

- #2: Develop information systems that allow officers to record and access information on all informal contacts a young person has with the criminal justice system to assist the police in identifying first time versus repeat offenders;**
- #3: Resources should be made available to ensure that a range of informal response options are available to police officers;**
- #4: Based on experience, minimum resources are required for first time minor offences. The least intrusive suitable response should be used in order to leave more resources for responding to youth with more serious needs.**
- #5: Informal measures should include a range of options that progress from less intrusive to more intrusive interventions.**

The youth justice system should also recognise that repeat offenders and youth involved in more serious crimes (property and violence) require different responses than first time minor offenders. This group of 10-15% of young offenders are seen as being at high risk of becoming serious habitual offenders. Intervening more intensively with these youth is seen as having the greatest potential return for the expenditure of limited resources. As noted above, first offenders are generally reached by the police. On the other hand, serious habitual offenders are very difficult to reach. High risk offenders, however, can be helped. Assisting these youth requires intensive and integrated multi-agency responses because these youth often have a wide range of personal problems and challenges. Responding effectively to high risk offenders requires consideration of the following:

Considerations For Possible Action:

- #6: Repeat and serious offenders require extensive assessments and tailored responses;**
- #7: Repeat offenders require the use of more serious and intensive interventions;**
- #8: Youth justice officials must recognise that young people facing charges in court have already been through a series of informal measures and respond accordingly when determining dispositions for repeat and serious offenders;**

The findings from this study suggest that while police officers are generally satisfied with many current responses, they are dissatisfied with the way some of these

responses are implemented. They are also concerned with the lack of continuity and follow-up. Specific concerns were raised about probation and breaches of probation. As well, some officers were critical of the kinds of tasks required in community service orders and the level of supervision provided. The following considerations for action follow from these observations:

Considerations For Possible Action:

- #9: More intensive monitoring of probation orders is required. This should be more feasible if probation is reserved for repeat and serious offenders.**
- #10: Strictly enforced curfews and house arrests may be effective responses if implemented appropriately.**
- #11: Breaches of probation, community service and bail orders should be treated seriously and dealt with accordingly.**
- #12: Information sharing protocols among criminal justice and social service agencies should be established to promote a more consistent and co-ordinated response.**

As noted above, many officers expressed concerns with the Young Offenders Act. These concerns involved the impact that this legislation has on their jobs and also on the young people involved in the youth justice system. Their perceptions were that the legislation had made the youth justice system too formalistic, too legalistic. Many were concerned with the consequences for young people of a system which discourages them from taking responsibility for their actions. Specific questions were raised about the current age limits, the taking of statements, and the appropriateness of current dispositions. Any discussions concerning changes to the Young Offenders Act must recognise the differences between minor first time offenders, and repeat and serious offenders. While the current legislation deals well with the former, it is less effective for responding to repeat and serious offenders. Recommendations based on this conclusion include:

Considerations For Possible Action:

- #13: A clearer distinction should be drawn in the Young Offenders Act between minor first offenders, and repeat and more serious offenders.**
- #14: The age range for the Young Offenders Act should be changed to 10 to 15 years of age inclusive.**

#15: A more effective means for taking statements from young people needs to be developed.

#16: Specific provisions which make it unduly difficult for the police to administer the Young Offenders Act, such as those dealing with the possession of weapons, should be identified and addressed.

There was significant support for the use of community-based alternatives, especially with minor first time offenders. Many officers noted the importance of a co-ordinated, integrated multi-agency approach. This would be particularly effective for early identification and intervention programs. Such an approach would also be suitable for prevention programs and would be essential in ensuring that communities provide appropriate social, recreational, educational and employment opportunities for youth. As well, community policing was seen as an effective way of dealing with young people. School-based programs, in particular, were defined as desirable and effective in terms of prevention, identification and for involving young people in developing solutions.

Considerations For Possible Action:

#17: A multi-agency, community-based approach may be an effective means of identifying and responding to high risk youth at an early stage.

#18: Existing information sharing provisions of the Young Offenders Act should be better implemented. This may require that educational initiatives as well as organizational protocols be established.

#19: Prevention programs should be a priority for the police and community-based groups. School-based programs involving the police have proven to be highly effective and should be expanded. Other programs could be modelled after existing successful initiatives, such as the drunk driving campaign aimed at youth or the educational campaign on date rape.

#20: Youth crime is related to problems within families and the opportunity structure of communities. Communities should ensure that resources are available to support parents and youth. Further, communities should ensure that appropriate social, recreational, educational and employment opportunities are available for young people.

