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Andre Joseph Richard Breton

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THIS DISSERTATION HAS BEEN MICROFILMED EXACTLY AS RECEIVED
PROCESS EVALUATION OF THE ESSEX COUNTY DIVERSION PROGRAM

by

Andre Joseph Richard Breton

A thesis presented to the University of Windsor in partial fulfillment of the requirements for the degree of Master of Social Work in The School of Social Work

Windsor, Ontario, 1982

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ABSTRACT

The purpose of this study was to determine the extent to which the processing of clients by the Essex County Diver- sion Program had been in accordance with the formal policies and guidelines established for the Program. An exploratory research design was adopted, given the paucity of process-oriented research into diversion, which seeks to determine the actual process undergone by program participants and thereby allows for the conceptualization of possible links between components of the process and the different program outcomes.

The data was collected by means of reviewing the files of program clients from the first six years of program operation, and recording the events and their dates of occurrence for each file. The analysis of this data provided answers to the research questions which were whether the processing of clients had been in accordance with program guidelines, whether links could be established between different program components and outcomes, and whether the records of the program were of sufficient quality to clearly understand Program process.

The research findings indicated that the major feature of client processing had been the great variability in the rate
of processing. Also a number of events occurred during the processing which were not mentioned in the program literature. The attempt to discover the basis upon which different clients were assigned different tasks revealed that, taken singularly, few components could account for why different clients were assigned different tasks. Finally, the attempt to establish links between program components and program outcomes revealed that, taken singularly, little association was found between program components and program outcomes.

The major recommendation to emerge from this study was that greater care and consistency should be devoted to the record keeping practices of the program. As the program is seeking to incorporate a research component in order to enhance its perceived effectiveness, the reliability, validity, and conclusions of such research will be greatly a function of the quality and detail of its data base.
ACKNOWLEDGEMENTS

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The assistance of the Essex County Diversion Program Inc., its Administrator, and staff was greatly appreciated, for their willingness and assistance in conducting this study.

Special thanks are also in order for my Committee Chairman, Professor Bernhard Kroeker, for his encouragement, and helpful critiques, and for generally providing direction for this study. Thanks are also owed to Committee members Professor Robert Chandler and Professor Stuart Nease for the contributions they made to this exercise.

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I would also like to thank my family and my fiancee's family for their contribution of support, encouragement and interest. Particularly I would like to thank my mother, Gilberte, who in addition to providing the above, also
provided financial assistance which was as much appreciated as it was needed.

Finally, my most heartfelt note of thanks is reserved for my coder, typist, and most meticulous critic, who also happens to be my fiancee, Nancy Ann Gamble. In addition to the hundreds of hours that she devoted to this work, she also managed to do the things which make a house a home, and provided a measure of stability and sanity during the hectic period within which this project was completed. Although her name does not appear on the cover, the completion of this work is in itself evidence of the immeasurable contribution which she has made.
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Chapter I

LITERATURE REVIEW

The following literature review was undertaken in an effort to gain an appreciation of where the Essex County Diversion Program stands in relation to diversion practices in general. In this context therefore, a selective review of the literature was undertaken which focussed principally on some of the issues relevant to the diversion program under study. Among the issues to be discussed are the legal status of pre-trial diversion in Canada, and the various rationales advanced for the development and continued use of diversion.

As will be noted, substantial use is made of non-Canadian literature. As Moyer (1980) has noted, there is a lack of Canadian literature on diversion (p. 187). The sometimes extensive use of non-Canadian literature is therefore by default rather than by choice. However, when possible, Canadian sources are cited.

At the outset, it is necessary to define the concept under study in order to set parameters on the topic of discussion. However, it was soon discovered that while diversion is a concept which is now relatively widely discussed, debated and practised, it has yet to be defined
in precise, universal terms. In effect, there is no single, widely accepted definition of diversion. Stated otherwise, "No one definition of diversion seems capable of comprehending everything done in its name" (Law Reform Commission, 1975, p. 1).

Although a general definition is useful as a starting point, an operational definition is required to delimit the purview of the study. Therefore, the following is not intended as a comprehensive definition of all things called "diversion", but rather a refinement of its meaning in relation to the specific program under study.

A suitable starting point from which to begin the refinement of the concept of diversion is a general definition which encompasses as many of the practices referred to as "diversion" as possible. At that point it will be possible to speak of different "types" of diversion, as outlined by the Law Reform Commission (1975). The "type" which best characterizes the subject of the study will then be explored in greater depth.

Klein (1973) defines diversion in the following general terms:

Any process employed by components of the criminal justice system (police, prosecution, courts, corrections) to turn suspect and/or offenders away from the formal system or to a lower level in the system. (p. 376)

The preceding definition identifies the components of the criminal justice system as those having the authority to
divert suspects or offenders. Katkin, Hyman, and Kramer (1976) add "individuals" and "the community in general" to this list, noting that these have a "primary mandate to control and care for young people who commit delinquent acts" (p. 404). A general definition of diversion therefore implies that it is a process which can be initiated at the discretion of a diverse number of individuals, officials and institutions.

The general definition also implies that diversion can occur at any point in the criminal justice process. Again Katkin et al. (1976) would add a pre-system stage at which diversion can occur, that being at the point of identification (p. 404).

The initial definition identifies the "diverter" as a suspect or offender. This further highlights the fact that diversion can occur at any point between the identification of a suspect and sentence fulfillment.

The substantive aspect of diversion is referred to as the avoidance of the formal justice process or at least a return to a lower level of the justice process. This thereby implies that diversion can be both "diversion to" or "diversion away from" something. The definition is not very explicit as to what that "something" entails. Jensen, and Rojek, (1980) are more explicit, noting that diversion can mean "taking no action at all" or "involving the individual in formal diversion programs" (p.x). Therefore diversion can presumably be both unstructured or structured.
So far we have identified who can initiate diversion, when it can occur, who can be diverted, and a general idea of what diversion entails. The general definition illustrates that a wide variety of actions or inactions by a number of individuals can all be referred to as diversion. For the purposes of this study however, this wide latitude of meaning is encumbering. At this stage, it is therefore propitious to examine the different "types" of diversion, in order to develop an operational view of the concept.

In an effort to remove the ambiguity surrounding the concept of diversion, the Law Reform Commission (1975) outlined four conceptually different "types" of diversion:

1. Community absorption
2. Screening
3. Pre-trial diversion
4. Alternatives to imprisonment (p. 1).

This division of the concept into four types is functional and also retains the integrity of the general definition previously cited. As will be demonstrated, the four types highlight different individuals and different stages at which diversion can occur.

Community absorption as generally defined by the Law reform Commission (1975) is either "individuals or interest groups dealing privately with trouble in their areas, outside the police and courts" (p. 1). Illustrative of this type of diversion is the Neighborhood Accountability Project
which is currently operating in the town of Essex, Ontario. This program, through the actions of "neighborhood mediators", seeks to "provide a neighborhood based accountability process as an alternative to the juvenile court process" (Rolfe, Note 1).

The second type of diversion is screening and is characterized by the police referring an incident back to the family or community, or simply dropping a case rather than laying criminal charges (Law Reform Commission, 1975, p. 1). The most informal form of screening occurs when the police simply decide not to lay charges. A more formal approach to screening which is operational in Essex County is referring the suspect at the pre-charge level to a program which may include a compensatory task, an apology to the victim, restitution, and counselling (Caspar, Note 2). Participation is voluntary and a formal charge is not laid in this screening type of diversion.

A third form of diversion is pre-trial diversion in which: "instead of proceeding with charges in the criminal court, referring a case out of the pre-trial level to be dealt with by the settlement or mediation procedures" (Law Reform Commission, 1975, p. 4). Windsor's version of this type of diversion consists of juveniles voluntarily agreeing to undertake a program consisting of one or more of the following: a compensatory task for the victim or the community, an apology to the victim, monetary restitution, and
counselling (Lajeunesse, 1982, pp. 13-14). Once juveniles have fulfilled the requirements of their participation, further processing by the juvenile justice system is discontinued.

The fourth type of diversion, alternatives to imprisonment, is applicable to adults only. It is described as "increasing the use of such alternatives as absolute or conditional discharge, restitution, fines, suspended sentence, probation, community service orders, partial detention in a community-based residence, or parole release programs" (Law Reform Commission, 1975, p. 7). The main thrust of such sentencing options is the avoidance of the harshest sanction available, incarceration.

It is evident from the preceding that the four "types" of diversion are all distinct approaches to the concept of diversion. They address themselves to different populations at different stages of the formal justice process. The types are administered differently, by different individuals in the justice system. Yet, despite these differences, the four "types" all adhere to the general definition of diversion discussed earlier.

Given that the Essex County Diversion Program is of the "pre-trial" type, the remainder of this report will focus exclusively on pre-trial diversion.
1.1 STATUS OF PRE-TRIAL DIVERSION IN CANADA

Prior to recent legislative revision, the practice of pre-trial diversion was not formally recognized in Canadian law. Prior to the permissive legislation, diversion was "non-legal" in that it was not formally recognized by law, but at the same time, it was not "illegal" in that it did not run contrary to existing legislation. Although The Juvenile Delinquents Act, (1970) allows for a variety of dispositions following adjudication, "it does not specifically provide a process to enable the use of community and other resources prior to the adjudication" (Solicitor General Canada, 1975, pp. 9-10).

Due to the absence of pertinent legislation, diversion had an uneven development in Canada. A federal government inventory of pre-charge, pre-court diversion programs for juveniles in Canada lists only six in this category (Solicitor General Canada, 1979, p. 7). As a result of the absence of pertinent legislation, standardized criteria, goals, and procedures were not developed. There is therefore a general lack of uniformity in the present operation of diversion programs in Canada.

The recently passed Young Offenders Act (1982) not only recognizes the practice of diversion, but also sets some guidelines for the administration of these programs. The legislation partially fills the void which perhaps delayed the consistent development of diversion in Canada.
Although the federal legislation is permissive, its actual implementation remains a provincial responsibility. The Act (1982) simply allows for the use of "alternative measures":

Alternative measures may be used to deal with a young person alleged to have committed an offence in lieu of judicial proceedings. (Young Offenders Act, 1982, Sec. 4(1))

The "screening mechanism" by which the juveniles will be selected for diversion and which will process diversion cases, in the terms of composition and administration will be left to the discretion of the provinces (Solicitor General Canada, 1975, p. 27).

To conclude therefore, while the practice of diversion has until the present been unencumbered by legislation, the absence of pertinent guidelines has perhaps delayed a swifter and more uniform development of diversion in Canada. The new Young Offenders Act (1982) will legalize the operation of diversion, which may provide for more consistent application of the diversion principle. The Act (1982) establishes several criteria for the use of "alternative measures" in Canada which include:

1. A program must be sanctioned by the Attorney General or Lieutenant Governor of a province or persons designated by them.
2. Participation in the program must be voluntary.
3. The young person has a right to legal counsel.
4. The young person must accept responsibility for the offence (Young Offenders Act, 1982, Sec. 4).

Additionally, the Act (1982) also states that:

Taking no measures or taking measures other than judicial proceedings... should be considered for dealing with young persons who have committed offences. (Young Offenders Act, 1982, Sec. 3(d))

These and other provisions of the new legislation would appear to promote the development of measures such as diversion, and provide basic guidelines for the implementation of such programs in Canada.

1.2 RATIONALE FOR DIVERSION

Proponents of diversion have advocated its application and expansion on several fronts. An examination of the literature reveals that diversion is promoted on three separate levels:

1. Philosophical
2. Theoretical
3. Pragmatic

1.2.1 PHILOSOPHICAL BASIS OF DIVERSION

It would be quite presumptuous to expect there to be a distinct "philosophy of diversion" given that its proponents have yet to settle the matter of an overall definition. However, descriptive and analytic literature on diversion displays several recurring themes or principles which appear to be characteristic of diversion. These
common themes or principles form the basis of a "philosophy" which is defined as "the fundamental principles of a particular branch of knowledge, [or] an activity" (Halsey, 1979, p. 756). If a single theme were required to describe this "philosophy" of diversion, the theme, "social accountability", would probably describe the philosophical rationale advanced for diversion.

First, diversion programs stress that the offender should be made to feel responsible, at least in part, for his actions (Calhoun, 1976, p. 48). In Canada, the legislation which formally recognizes diversion makes this point quite clear:

While young persons should not in all instances be held accountable in the same manner or suffer the same consequences for their behaviour as adults, young persons who commit offences should nonetheless bear responsibility for their contraventions. (Young Offenders Act, 1982, Sec. 3 (1) a)

The concept of "responsibility" is a significant departure from the spirit of the Juvenile Delinquents Act (1970) and its view of the juvenile offender:

As far as is practicable, every juvenile delinquent shall be treated, not as a criminal, but as a misdirected and misguided child, and one needing aid, encouragement, help and assistance. (Juvenile Delinquents Act, 1970, Sec. 38)

The thrust of the new legislation is to reflect prevailing attitudes and practices (Solicitor General Canada, 1979, p. 1). These attitudes and practices stress the desirability that the offender be held accountable for his actions (Lajeunesse, Note 5). This is therefore the first philo-
Sophistic principle of diversion: individual responsibility for action.

The second feature of social accountability which is present in diversion practices is a desire to make the community in general more responsible for the treatment and care of young offenders. This idea has its origin in the recognition of the "social roots" of crime (Law Reform Commission, 1975, p. 23). Carter (1975) refers to this as the "rediscovery of the ancient truth that the community itself significantly impacts on behaviour"(Carter, 1975, p. 373). Given this premise of the social basis of crime, programs which take into account community and social responsibility are seen as desirable.

Carter (1975) believes that the populace is presently predisposed and eager to become involved in what has been until now, the exclusive affairs of government (p. 373). Further, Katkiń et al. (1976) believe that not only is society predisposed to an option such as diversion, but that it has been an active participant in diversion on an informal basis for some time:

Diversion begins in the community where delinquent acts occur. It is social institutions in the broader community—families, churches, schools, social welfare agencies, etc.—which have the primary mandate to control and care for young people who commit delinquent acts. It is only when individuals or institutions fail to divert (or decide not to divert) that the formal processes of the juvenile justice system are called into action. (p. 404)
This awareness and willingness on the part of the community to be actively involved is reinforced by the additional belief that dispositions should "take into account not only the offender but the community and the victim as well" (Law Reform Commission, 1975, p. 23). Finally, Eldefonso and Hartinger (1976) point out that the diversion literature implies that an emphasis on diversion also suggests an emphasis on parental responsibility for the behaviour of their children (p. 267). This emphasis on parental responsibility is also mentioned in the Young Offenders Act (1982, Sec. 3 (h)). The second philosophic principle of diversion therefore is an emphasis on community responsibility.

A third and final philosophic principle of diversion to be discussed here is a desire to reduce or restrict the amount of official state intervention and control into the lives of citizens. This principle is conveyed in the following excerpt from the Solicitor General's report on the Young Offenders Act (1975):

If intervention in the life of a young person is justified on the basis of the alleged commission of an offence, then the option should be available to deal with a young person without the necessity of resorting to the court process. (p. 10)

Diversion is seen as a viable social alternative to the traditional justice system (Jensen & Rojek, 1980, p. 334).

The rationale for diversion in Canada is that too much socially-problematic behaviour is referred to the courts for solution (Moyer, 1980, p. xvii). However, the courts can
only provide legal resolutions to these socially defined problems (Moyer, 1980, p.64). Diversion is believed to offer social, rather than legal solutions:

In effect, diversion seeks to offer the offender a set of social controls in lieu of the criminal justice system, our most drastic and overpowering form of social control. The assumption is that many who violate criminal laws are people whose lives will always be difficult and who need continuing support and that supervision and supplemental services may be more promising than the combination of a stigma and a cage. Diversion, with its gentler, less debilitating controls, may offer the best hope of developing in such people a lasting capacity to deal with a complex and difficult society. (Voreenberg & Voreenberg in Quinney, 1975, pp. 253-254)

The underlying philosophy of diversion therefore emphasizes three main points:

1. Increasing the offender's responsibility for his actions.
2. Increasing society's responsibility to deal with the problem of crime.
3. Decreasing the State's role for intervening in what are in many cases, social, rather than legal, problems.

1.2.2 THEORETICAL BASIS OF DIVERSION

Proponents of diversion advance a number of theoretical propositions to justify its development and continued use. The advocates of diversion reject a number of assumptions upon which the practices of the traditional juvenile justice system are based, and at the same time, advance an alternate
set of assumptions to justify the use of diversion. Some of these assumptions are made explicit, while others can be subsumed from writings of various practitioners and advocates. The first group of theories to be examined are those which the proponents of diversion reject or protest against.

The first theoretical argument against the existing system of juvenile justice is that it has failed on all fronts:

(It) is a negative argument against the existing system. The assumption is that the present justice system is sufficiently bad that any alternatives for diverting offenders away from it is better than any that will move the offender further into it. (Nimmer, 1976, p. 52)

These alleged shortcomings are specified by various authors.

Jensen and Rojek (1980) argue that the concept of treatment, upon which the juvenile justice system is based, has failed to prove to be successful (p. 334). Moyer (1980) also makes this point, noting that the juvenile court has failed to provide individualized treatment, or to demonstrate that it is effective in rehabilitating offenders and reducing recidivism (pp. 60-63). Blomberg (1977) has also remarked that the juvenile court has failed in its official goal of providing individualized treatment, due to the requirements of the every day routinized processing of clients (p. 275).

Some believe that the court appearance itself is harmful. Kobetz and Bosarge (1973) believe that this harm can stem from the fact that over-crowded court dockets often lead to
"plea bargaining", and the child may thereby come to believe that "he can get away with anything" (p. 81). If such is the case, "the effectiveness of the juvenile court as an agency of rehabilitation is also nullified" (Kobetz & Bosarge, 1973, p. 81).

A final criticism of the formal juvenile justice process is that probation is ineffective due to large caseloads:

As a result, the child gets no help or guidance from the juvenile court and the problems which led to the initial delinquent transgression are left unsolved. (Kobetz & Bosarge, 1973, p. 81)

These arguments against the formal system of justice are, at the same time, arguments in favour of diversion. These were termed "theoretical" arguments in that not everyone concede the failure of the formal juvenile justice system so readily. Klein (1973) for example, states that there is an "absence of proof that insertion [into the justice process] is an unsuccessful policy" (p. 377).

The preceding arguments pointed to the failures of the traditional juvenile justice system as reasons for considering the diversion option. Proponents of diversion attempt to justify this option by pointing to more formalized theories. The most prevalent theoretical justification for diversion is the adverse effects that are assumed to result from formal judicial proceedings as outlined in "labelling theory".

Reker, Cole, and Peacock (1980) state that the consensus of the literature is that "labeling theory is the strongest
theoretical force behind the diversion movement" (p. 38).

Given the importance that proponents of diversion place on this theory, a short summation of its major points are presented, as outlined by Thorsell and Klemke (1979):

The labeling theory approach to the analysis of deviance depicts stable patterns of deviant behavior as products or outcomes of the process of being apprehended in a deviant act and publicly branded as a deviant person. The involvement of an individual in this process is viewed as depending much less upon what he does or what he is than upon what others do to him as a consequence of his actions. (p. 654)

Labelling theory postulates that as a result of being apprehended and labelled as a deviant (primary deviation), a consistent pattern of non-conforming behavior (secondary deviation) evolves "out of adaptations and attempted adaptations to the problems created by official reactions to the original deviance" (Lemert, cited in Moyer, 1980, p. 67). This process has also been referred to as the "self-fulfilling prophecy" (Moyer, 1980, p. 65).

Advocates of diversion believe that formal court processing of juvenile offenders results in labelling as described by this theory. Proponents of diversion believe "becoming enmeshed in the juvenile justice system increases, rather than decreases, the young person's commitment to deviant norms" (Moyer, 1980, p. 11). Diversion, seen as "an alternative less formal than the court process" (Solicitor General Canada, 1978, p. 110), is believed to reduce the effects of labelling "by removing the youth to another or less official program" (Moyer, 1980, p. 79).
Although labelling is the major theoretical force behind diversion, it must be recalled that labelling is a theory which perhaps remains open to question. Some question the theory itself noting that "there is little empirical evidence which supports the proposition of labelling theory" (Moyer, 1980, p. 19). Other questions regarding this theory include the possibility that "the process of acquiring a spoiled identity may be gradual, beginning long before the first legal contact" (Moyer, 1980, p. 79).

Other writers have questioned the claim that diversion programs can prevent the incursion of stigma:

Creating new labels by new programs will have little effect on the labeling process or on the secondary deviance labeling is thought to engender. (Rullington et al., 1978, p. 67)

With the expansion of diversion, labelling may occur as easily in diversion programs as in the formal court process:

The 'bad kid' stigma is not necessarily avoided either since the youngsters in diversion programmes quickly come to identify themselves as consisting of a fairly homogeneous group: a group of kids who get into trouble a lot, and as a result, have to take part in such programmes. (Cavoukian, 1979, p. 28)

Other than labelling theory, diversion advocates a reintegrative model of treatment. A reintegrative model is one which "is less concerned with specific causes and rather emphasizes the individual meeting their basic needs in order to increase their ability to function in society" (Calhoun, 1976, p. 48). Such a model places more responsibility on the offenders, requiring them to be active participants (Calhoun, 1976, p. 48; Gromer, 1976, p. 143).
A reintegration model, of which diversion is an example, rejects the "sickness" notion of criminality (Calhoun, 1976, p. 48). In this regard, Morris (1970), cited in Benoit (1976) states that:

The evidence to support such a view is lacking and the contributions that psychiatrists have made to the problems of treating offenders have been extremely rare. (Benoit, 1976, p. 48)

Pre-trial diversion programs which make use of such devices as compensatory tasks and restitution would seem to incorporate a number of theoretical postulations. The concept of accepting responsibility for actions was discussed earlier. In addition to this, compensatory tasks and restitution seem to be based on the acceptance of the idea that "social success depends on specific acceptable behaviours" (Young, 1945, p. 6). Compensatory tasks may be viewed as a means to acquire such acceptable behaviours. They may also be employed because proponents of diversion accept the following:

Necessary therapy should be task oriented based on daily activities which provide the necessary coping skills and teach the individual to recognize alternative behaviour choices. (Novotny, 1976, p. 54)

It is also plausible that advocates of diversion are not unaware that gainful employment is considered to be by some, the most important factor in helping offenders lead law-abiding lives (Spencer, 1980, p. 343). Compensatory tasks can simulate the experience of employment and in some cases provide skills which are marketable.
To summarize, diversion is seen as a response to the perceived failures of the traditional juvenile justice system. Labelling theory is the major theory used to justify an alternate response such as diversion. In practice, diversion is a reintegrative model which does not seek to uncover the causes of juvenile delinquency, but instead uses techniques such as compensatory tasks and restitution to illustrate to offenders socially acceptable and responsible behaviours.

1.2.3 PRAGMATIC BASIS OF DIVERSION

Other than the philosophic and theoretical reasons proposed to justify diversion, advocates also point out a number of consequences which would have immediate utility. Two potential consequences of diversion are:

1. A reduction in the number of cases appearing in court, thereby clearing the backlog.

2. A financial saving resulting from fewer court and related expenses.

Sandhu (1977) remarks that while the juvenile court was created as a diversion from the criminal court, "since delinquency covers such a wide spectrum of behaviour, it became imperative to divert a part of this behaviour to non-criminal channels" (p. 245). Kobetz and Bosarge (1973) have noted that much of the court backlog is due to "the huge volume of minor offences" (p. 88). Given this backlog,
diversion is an attractive alternative because the courts simply can not handle the huge volume of cases (Quinney, 1975, p. 253).

Advocates of diversion claim that such programs can reduce the backlog of minor offences while at the same time "fulfill the objectives of the administration of juvenile justice" (Kobetz & Bosarge, 1973, p. 82).

In reducing the court backlog, the claim is made that this will be accompanied by a reduction in costs, both directly and indirectly. There would be a direct saving in that the time and resources of the court would not be spent on adjudicating the diverted cases (Kobetz & Bosarge, 1973, p. 82). Indirect savings could result from a reduction in referrals to agencies such as probation, aftercare and institutions. The resources saved could be rechanneled to other areas.
Chapter II

DESCRIPTION OF THE ESSEX COUNTY DIVERSION PROGRAM

The Essex County Diversion Program Inc. is an incorporated body which is responsible for the administration of three separate "diversion" programs. This body administers the Neighborhood Accountiblity Program (N.A.P.) which operates in Essex, Ontario. N.A.P. is a diversion program of the "community absorption" type. The program receives referrals from the police, and volunteer mediators attempt to reconcile the offender and the victim (Lajeunesse, 1982, p. 18).

A second "diversion" program administered by this body is Project Intervention, a pre-charge program, which is of the "screening" type. The police refer offenders to the program instead of laying a charge. Participation is voluntary, and may include any or all of the following:

1. Compensatory task for the victim or community.

2. Apology to the victim.

3. Restitution.

4. A donation to a charity of the victim’s choice.

(Gaspar, Note 2).

The third program under the aegis of the Essex County Diversion Program Inc. is a post-charge, pre-trial program. It is this program that is the subject of this study.
The following is an account of the development and administration of the post-charge, pre-trial program (hereafter referred to as the "Diversion Program" or "Program"). After a short account of the Program's historical development, a detailed description of the Program goals, structure and process is given. The material for this section was gathered from Program reports and minutes of the Diversion Committee meetings.

2.1 HISTORICAL DEVELOPMENT

The Essex County Diversion Program is the product of the early efforts of a Windsor Family Court judge and the Chairman of this study who involved the John Howard Society of Windsor, and the local Juvenile Probation and Aftercare Department. Early in 1975, both developed an interest in diversion. A planning group was formed, consisting of representatives from both the public and private sector. The planning group determined the initial program structure, eligibility criteria, and administration. The program became operational as a one year pilot project, within four months of the initial discussions, on June 18, 1975 (Lajeunesse, 1982, pp. 11-12).

Initially, the Family Court judge "directed" the program, which was staffed by two part-time workers from the John Howard Society and one full-time person from the Ministry of Correctional Services, Juvenile Probation and Aftercare. In
the early part of 1976, a Diversion Committee was formed to "scrutinize and amend the administration, policy, program, procedure, documentation and practice" of the Program, as well as to "hear complaints" regarding the Program (Diversion Committee, Note 3). The Diversion Committee was composed of representatives from business, labour, and various professions.

2.2 ADMINISTRATIVE STRUCTURE

2.2.1 FUNCTIONS OF COMMITTEE

Since its inception, the Diversion Committee has taken on the major role of developing the overall direction of the three programs it directs. The following are the functions of the Committee as established in 1979:

1. To serve as the advisory body responsible for the administration of the Essex County Diversion Program and the Support Services for the Windsor Police Youth Branch. [The "Support Services" program has since been renamed "Project Intervention". In addition, a third program has since been added, the "Neighborhood Accountability Program"]

2. To routinize the programs in order to adequately respond to the needs of the community.

3. To consider amendments, modifications and additions considered necessary for the growth and development of the programs.
4. To establish procedure, documentation and practice designed to meet the objectives of the program.
5. To engage such staff as deemed necessary and to have autonomy over the direction of staff and functioning of the programs.
6. To establish policy for the guidance of staff to maximize their level of efficiency.
7. To accept and consider input from concerned government officials and community agencies.
8. To secure funding necessary for the operation of the programs.
9. To act as an appeal board for the young person and his/her family should a problem arise requiring arbitration.
10. To meet regularly as called by Chairperson to deal with business at hand.
11. To make such appointments within the committee as may be necessary.
12. To replace or to add to the membership of the committee to maintain a cross-section of the community served (Essex County Diversion Program, Note 4).

2.2.2 FUNCTIONS OF THE ADMINISTRATOR

The Program Administrator is responsible for the administrative duties of the three programs under the aegis of the Essex County Diversion Program Inc. Presently, this posi-
tion is staffed by a Juvenile Probation and Aftercare Officer. While this individual is officially employed by the Ministry of Community and Social Services, he acts as full-time Administrator of the programs. The following are the functions of this position:

1. To provide professional leadership to carry out the aims and objectives of the program.
2. To manage the affairs of the Diversion Committee.
3. To act as a "clearing house" for external input.
4. To prepare and present reports as required by the Committee.
5. To work in co-operation with Chairperson to establish agendas for meetings.
6. To act as a "go-between" for Committee with funding sources.
7. To be responsible for the public image of the programs.
8. To be involved in the hiring procedure of new staff.
9. To act as recording secretary until such time as Committee sees otherwise.
10. To delegate authority duties and responsibilities to program director.
11. To keep staff informed and be informed about the staff.
12. To develop and establish procedures.
13. To be responsible for the staff training and development.

14. To maintain harmonious staff relations, to resolve differences.

15. To present to the Committee unresolvable staff issues.

16. To be present at all Committee meetings.

17. To be a member of the Diversion Committee.
   [Non-Voting Status]

18. Other duties as assigned by the Committee (Essex County Diversion Program, Note 4).

2.2.3 FUNCTIONS OF PROGRAM DIRECTOR

This intermediate supervisory position entails responsibility for the day to day administration of the post charge pre-trial program. Presently, in the absence of a full-time Program Director, the position is partially assumed by the same individual who acts as Program Administrator. The duties of the Program Director are the following:

1. To develop and establish procedures in conjunction with the Administrator.

2. To maintain appropriate statistical data.

3. To supervise the work performance of staff and to ensure proper handling of cases.

4. To supervise students in accordance with University requirements, act as a liaison person with the University.
5. To scrutinize and monitor all potential incoming cases.

6. To ensure contact is made with potential cases as required by program guidelines.

7. To be responsible for the development of and negotiation with community work resources.

8. Staff training and development in conjunction with Administrator.

9. To be involved in the hiring procedure of new staff.

10. To maintain liaison between program and appropriate persons.

11. To submit monthly attendance sheets and monthly mileage reports to Administrator.

12. To assist in maintaining harmonious staff relations and resolve differences.

13. To present to Administrator unresolvable staff issues.

14. To submit to Administrator topics for agenda for Committee meetings when the need arises.

15. To attend Committee meetings.

16. Other duties as assigned by Administrator (Essex County Diversion Program, Note 4).
2.2.4 FUNCTIONS OF STAFF MEMBERS

Staff members (Diversion Workers) are responsible for the processing of diversion cases. Presently, there is one Diversion Worker, who is employed directly by Essex County Diversion Program Inc. The Diversion Worker's duties are the following:

1. Staff (full-time or on loan) will be responsible to the program management for program duties and not their respective agencies.
2. To do intake and process cases as according [sic] to program guidelines.
3. To submit monthly attendance reports and monthly mileage statements to program director.
4. To submit monthly case report to program management.
5. To develop community work resources (Essex County Diversion Program, Note 4).

2.2.5 FUNCTIONS OF SECRETARY

The secretary is employed directly by Essex County Diversion Program Inc., and is responsible for clerical duties arising from the operation of all its programs. The duties of this position are the following:

1. To answer telephone and schedule appointments.
2. Responsible for filing and record-keeping.
3. To do typing.
4. To maintain office stationery, forms and supplies.
5. To submit weekly attendance sheet to Administrator.
6. Other duties as assigned (Essex County Diversion Program, Note 4).

2.3 GOALS

The goals of the Essex County Diversion Program, as stated in the 1979 report are the following:

1. To allow the young person to be actively involved in undoing his wrong.
2. To involve the victims of delinquent acts in the resolution of the problem, i.e. confrontation and compensation.
3. To provide an informal means of solving problems involving delinquent acts of young people.
4. To offer assistance to young persons on a voluntary basis without court intervention.
5. To give immediate attention to the problem to protect the community from a young person's continued delinquent behaviour.
6. To engage parents in formulating and carrying out a plan to deal with their young person's behaviour.
7. To elicit the participation of community groups and institutions in response to the young person's behaviour which enhances the young person's self-concept.
8. To instill the concept of responsibility for conduct and to de-emphasize the classical concepts of punishment (Lajeunesse, Note 5).
2.4 **ELIGIBILITY CRITERIA**

Not all juvenile offenders are eligible to enter the Diver- sion Program. The original criteria for eligibility to enter the program have been modified over the years. The following criteria are those in effect at the time of writing:

1. The young person who allegedly committed the offence must not previously have appeared in court on a crim- inal offence.

2. The Crown Attorney must not insist on court process on the offence.

3. The young person and the young person's parents must admit guilt and agree to enter Diversion rather than go to court.

4. The prosecutor's case must not become stale or improvable through the lapse of time.

5. Alleged offences of murder, rape, armed robbery, serious arson and assault causing bodily harm are not eligible for Diversion.

6. The young person has not been found delinquent within the last two years nor has he participated "unsuccess- fully" in the Diversion Program within that period. (Essex County Diversion Program, Note 6; Gaspar, Note 2)
2.5 PROGRAM PROCESS

2.5.1 SELECTION OF DIVERSION CANDIDATES

The Program Administrator is responsible for selecting candidates for the Diversion Program. He does so by regularly reviewing the court clerk's list of juveniles charged in Essex County. Selection is based on the criteria outlined above (Lajeunesse, 1982, p. 12).

2.5.2 NOTIFICATION OF YOUNG PERSON

Once the candidates have been selected, they are notified by letter and are asked to contact the Diversion Secretary to arrange an intake appointment (Appendix A). A brochure explaining the Program is sent along with the initial letter (Appendix B). If a reply is not received within 48 hours of the anticipated receipt of the letter, the Diversion Secretary telephones the young person to arrange the intake interview. If the Diversion Secretary is repeatedly unsuccessful in contacting the young person, or if the young person and his parents refuse to take part in an interview, the case is returned to the court process (Lajeunesse, 1982, pp. 12-13).

2.5.3 INTAKE INTERVIEW

At the intake interview, the Diversion Worker explains the alleged occurrence and the charge to the young person and the parents. The options available to the young person, and the
implications of those options are also explained. The Diversion Worker then leaves the room and is replaced by Duty Counsel who "inform the juvenile of the sufficiency of evidence and the advisability of entering into the Diversion Program" (Current & Young, Note 12).

Once the family understands the available options and their implications, the Diversion Worker returns to get the family's decision. If the family rejects the Diversion option, the case is referred back to the formal court process. If the family accepts the Diversion option, they are then required to sign a "General Admission of Facts" statement (Appendix C), which indicates that they have spoken to legal counsel and that the youth admits guilt to the charge as stated in the Information. At this time, the family is also required to sign a "Release of Information" statement (Appendix D), authorizing the Diversion Worker to contact various agencies, individuals and institutions regarding the child and family (Lajeunesse, 1982, p.13).

In those cases when more than one charge is laid and the child is not willing to admit guilt to all of them, or, when the child disputes the facts contained in the Information, the Diversion Worker contacts the police to determine if they are willing to amend the Information. If they choose not to do so, the case is returned to the formal court process. If the police do agree to amend the Information, the diversion process goes on to the next stage (Reynolds, Tyler and Vanderzet, 1976, pp. 183-184).
2.5.4 SOCIAL PROFILE
At this stage of the process, the Diversion Worker is required to assemble a social profile of the child. The Worker is guided in this process by a standardized Social Profile format (Appendix E) which was adopted by the Diversion Program, and which is to contain information considered pertinent to the purposes of the Program. The Worker meets with the child, family, any other individuals, institutions or agencies that are considered to have relevant information concerning the child's functioning in the home and the community in general. The information contained in the Social Profile is intended to serve diagnostic and planning purposes (Essex County Diversion Program, Note 7).

2.5.5 VICTIM CONTACT
In those cases where there is an identifiable victim, the victim is contacted to ascertain the extent of the loss, damage and/or inconvenience caused by the offender. The victim's willingness to participate in the formulation and implementation of a plan for the offender is also solicited. (Lajeunesse, 1982, p.14)

2.5.6 THE PLAN
Based on the information contained in the Social Profile, and through the co-operation of the child, parents, victim and Diversion Worker, a diversion plan is formulated. This
time-limited, individualized plan may contain one or more of the following elements:

COMPENSATORY TASK FOR THE VICTIM
In those cases where the offence has a victim, and the victim is willing to participate, a mutually agreeable task for the victim's benefit is arranged. The terms of this task, indicating the number of hours to be worked, the nature of the work, scheduled times and completion date are written into a "Compensatory Task Agreement" (Appendix F) which is signed by the offender and his parents. The number of hours to be worked may not exceed 40, and the offender's involvement in the Program may not exceed nine months from the date on which the contract was signed. Factors which are considered in striking this agreement include police time, personal suffering and inconvenience incurred by the victim, and the child's age and work capacity (Reynolds et al., 1976, pp. 185-186).

COMPENSATORY TASK FOR A COMMUNITY RESOURCE
In those instances where the youth's offence was "victimless", or when the victim chooses not to participate or where the victim is the community at large, a compensatory task for a community resource may be required. The same considerations, conditions and procedures apply in this case as in those which are for the benefit of a victim (Reynolds et al., 1976, pp. 185-186).
VERBAL OR WRITTEN APOLOGY TO THE VICTIM OF THE OFFENCE
A verbal or written apology may be required in those cases where there is an identifiable victim of the offence. (Essex County Diversion Program, Note 8)

MONETARY RESTITUTION TO THE VICTIM
In those cases where a victim incurred a loss or damage to property, restitution by the offender may be required. This option may be selected in those cases where the youth has a personal source of income. Depending on the amount of loss incurred by the victim, and the child's financial resources, partial or full restitution may be required. Currently, there is no fixed maximum amount of restitution prescribed by the Diversion Program. (Essex County Diversion Program, Note 9)

REFERRAL TO A SOCIAL SERVICE AGENCY
Where the Social Profile indicates a need for more intensive assessment or intervention for the child or family, referral for counselling may be included as part of the plan. Where such a need is deemed to exist, the Diversion Worker approaches the prospective counselling service to discuss the propriety and feasibility of referral. If the Diversion Worker and the referral agency are in agreement, the family is consulted as to its willingness to such a referral, and the nature and extent of the proposed referral. If all
parties are in agreement, the conditions are written into a "Referral Agreement" (Appendix G) which is signed by the child and parents. The duration of the agreement cannot exceed nine months from the date on which the contract was signed. The policy of the Diversion Program is that the same resource cannot act as both the referral agency and the site of the compensatory task (Essex County Diversion Program, Note 7).

2.5.7 FOLLOW-UP

The Worker is responsible for assuring that the agreements made between the child and the Diversion Program are upheld. In the case of the Referral Agreement, feedback is required from the referral agency on the child's progress at 1, 3, 6 and 9 month intervals. There are no specific guidelines to this effect in the case of a Compensatory Task Agreement, but the Diversion Worker is expected to "systematically follow-up on the youths involvement in the selected process" (Reynolds et al., 1976, p. 187).

2.5.8 ADJOURNMENT OF CASES.

The charge against the child remains pending until the child fulfills the agreement of participation in the Program. When the agreement is fulfilled, and upon recommendation of the Diversion Worker, the charge is adjourned "sine die". A closing letter indicating the child's successful completion
of the Program and recommendation for "sine die" adjournment is sent to the child, the court, the police and the referral agency (Appendix H) (Reynolds, et al., 1976, pp. 187-188).

2.5.9 **RETURNING A CASE TO COURT**

Since the effect of the Diversion Program is to "temporarily deflect or administratively side-track" the formal court process (Correll & Young, Note 12), the charge remains pending until the program is successfully completed. This means that the child may be returned to court to deal with the charge at any point during the diversion process. The program literature identifies several conditions under which a child can be returned to the court process:

1. Child refuses to attend initial intake interview.
2. Child refuses to sign General Admission of Facts.
3. Child is generally "out of control".
4. Child refuses to cooperate within Program guidelines.
5. Child does not fulfill the terms of the Compensatory Task Agreement.
6. Child does not fulfill the terms of the Referral Agreement.
7. Child is charged with an offence subsequent to his acceptance in the Diversion Program.

In all instances where the Worker believes the youth should be returned to court, the case is to be conferenced with the Program Administrator to obtain his concurrence.
prior to returning the child to court (Essex County Diver­
sion Program, Note 9). If the Program Administrator does
not agree, but the Worker still believes the case should be
returned to court, the Worker may appeal the Administra­
tor’s decision to the Diversion Committee. The Committee’s deci­
sion is then implemented.

When a child is to be returned to court, he is informed
of the reasons why by the Diversion Worker. The child has
the right to appeal this decision to the Diversion Committee
if he believes that he is being treated unjustly. The
Committee has the final decision in such matters.

2.5.10 VERBAL CAUTION

At any time in the diversion process, the Worker has the
option of issuing a "Verbal Caution" to the child. A
"Verbal Caution" signifies that in the opinion of the
Worker, the child was not in need of further intervention.
It further implies that any diversion plan undertaken by the
child is deemed to be fulfilled upon the issuance of the
"Verbal Caution". In such cases, the Worker recommends
immediate "sine die" adjournment to the court, and a letter
indicating this course of action is sent to the child,
court, police, and referral agency (Appendix I). Before a
verbal caution may be issued, the Program Administrator’s
concurrence is required. In the absence of such concur­
rence, the Diversion Worker may appeal to the Diversion
2.6 **PROGRAM PERFORMANCE**

The Essex County Diversion Program is currently in its eighth year of operation. During its first six years of operation, a physical count of the files reveals that it has processed 1,105 juveniles.

A research component has not been built into the program as had been intended, which makes the assessment of its effectiveness and impact problematic. The Program has produced a number of "in-house" reports, and has conducted some minor studies of its own. In addition, the Program was the subject of a previous evaluation which resulted in a thesis for the School of Social Work (Reynolds et al., 1976).

However, definitive statements regarding the overall effectiveness and impact of the program based on these studies is precluded, given their piece-meal nature and due to the fact that they cover over-lapping time frames.
Chapter III

RESEARCH ON DIVERSION

3.1 STATUS OF PREVIOUS RESEARCH

Although diversion has been the topic of much debate for some time now, the amount of research on it has been surprisingly minimal: "One of the most talked about innovations in the field of juvenile justice, diversion is among the least researched" (Moyer, 1980, p. 190). This statement is particularly indicative of the Canadian situation, and is exemplified by Moyer's (1980) extensive use of American literature, by default rather than by choice (p. 187). This is problematic, as the generalizability of American findings to this country is limited, given the differences in legal systems, in the magnitude of juvenile justice problems, and in the uneven development and prevalence of diversion programs between the two countries (Moyer, 1980, p. 187).

The lack of Canadian research is particularly unfortunate, given current legislative revision which specifically provides for pre-adjudicative measures such as diversion. The recently proclaimed legislation means that there will be a transitional period during which the provinces, who are responsible for administering the provisions of the legislation, will have to adapt their respective judicial machin-
This transitional period will be crucial for diversion research:

Before there are important changes in the Canadian juvenile justice system, there should be research performed to find out where we are at the moment. If baseline data are obtained, it is then possible to compare what happens now with what occurs after the implementation of diversion. (Moyer, 1980, p. 189)

Despite the recent proclamation of the Young Offenders Act (1982), it appears that the various levels of government are not yet prepared to allocate funds for research into diversion. A case in point is the rejection of a proposed study to compare the juvenile justice systems of two cities, one which has a diversion program, the other which does not have such a program (Note 10). In explaining the reasons why the proposed study was not granted funding, the Research and Program Evaluation Section of the Ministry of Community and Social Services remarked:

We also consulted with the Ministry of the Attorney General since diversion policy in the province is jointly determined by the two Ministries. Based on these varied inputs, it has been determined that this proposal is not a priority for research funding at this time (Note 11).

Of the research which has been performed on diversion, client outcome studies have been the most prevalent type. These take the familiar form of "hypothesized relationships between program activities and participant effects" (Moyer, 1980, p. 157). Another broad group of studies which have been performed on diversion are termed "system impact research" which attempt to determine the impact that diver-
sion has on a number of subsystems such as the community, the juvenile justice system, the social service system, and law enforcement agencies (Moyer, 1980, pp. 156-168). A third area of study, one which has remained virtually uncharted, is process research which is designed to "describe the activities in the program in order to 'find out what concrete actions are being employed to achieve the ends'" (Moyer, 1980, p. 153).

Taken in aggregate, the results of research on diversion have been inconclusive. It is not uncommon to find conflicting reports of success and failure, desirable and undesirable consequences of diversion. It is easy to juxtapose studies which report a reduction of recidivism as a result of diversion, to those which report no such reduction (Moyer, 1980, p. xvi); studies which report a decrease in the number of persons under the jurisdiction of the juvenile court, to those which report an increase (Blomberg, 1977, p. 280). In summarizing the research findings Moyer (1980) states "It is simply not known how 'effective' diversion is" (p. 190).

3.2 REASONS FOR AMBIGUOUS FINDINGS

It is disappointing, yet not entirely surprising, that research has failed to yield clear cut answers to the many questions regarding the effectiveness and impact of diversion. It is disappointing because one would hope that
important policy and program decision about diversion would be based on empirical research findings (Moyer, 1980, p. 189). It is not entirely surprising that results have been inconclusive since social service programs which can claim high effectiveness and impact, based on empirical research findings, are not numerous.

Part of the reason for the lack of clear-cut answers about diversion may be the inherent difficulties involved in evaluating a program such as diversion, which is characterized by:

Broad aims, ambiguous criteria for success, a multiplicity of means which are often not well catalogued, and a wide variation in client characteristics and problems which makes it difficult to obtain adequate control groups or baseline measurements without large samples. (Rieken, 1972, p. 89)

Recognizing the difficulties that such program characteristics present, some writers have proposed that it may not be that such programs are "failures", but instead, the methods and criteria used to evaluate them tend to assure their depiction as such. This perspective questions the propriety of goal-oriented evaluation which "involves setting a goal, implementing a program, determining subsequent goal attainment, and using this information to modify future activities" (Kiresuk and Lund, 1978, p. 341). Proponents of the opposing perspective, while recognizing the pressures to submit to such evaluations, question the over-riding emphasis placed on them:
Partly because we live in an achievement-oriented society, partly because of the demands of funding agencies, and partly as a consequence of intimidation of program personnel by evaluators, a sometimes unwarranted and frequently unrealistic emphasis on program goals develops. (Deutscher, 1976, p. 250)

Writers such as Deutscher (1976) believe that an over-emphasis on goal-centred evaluation can lead to a number of pitfalls or "goal traps" (p. 252). A distinction must be made between formal and informal goals. Formal goals have been described as "propaganda... statements of what a particular program would be achieving if all functioned ideally" (Kiresuk and Lund, 1977, p. 291). If such goals are used as the basis of evaluation, it would not be surprising to discover that the program has failed to achieve its goals (Deutscher, 1976, p. 252). As we discussed earlier, diversion programs are characterized by broad aims and ambiguous criteria for success:

Since many diversion projects attempt to make changes in a variety of areas, few programs have such a narrow focus that personnel can say they have succeeded. (Moyer, 1980, p. 150)

To evaluate a program with reference solely to formal goals is to fall into the first "goal trap" (Deutscher, 1976, p. 252):

Among the many reasons for the negative pall of evaluation results is that studies have accepted bloated promises and political rhetoric as authentic program goals. (Weiss, 1973, p. 44, in Deutscher, 1976, p. 252)

In an effort to avoid the first "goal trap," evaluators may inadvertently become ensnared in another. The
researcher may attempt to refine the broad aims of the program into specific, measurable goals. In this attempt, program descriptions are read, program personnel are interviewed, and operations are observed. If the goals are still not readily apparent, those responsible for the program are forced to specify the program goals clearly:

The end result of this process is that, more often than not, the program is evaluated in terms of marginal goals which are unlikely to be achieved (if for no other reason, because no one is very serious about them) and are likely to be denied their legitimacy when the evaluator finally reports that the program does not seem to make any difference. (Deutscher, 1976, p. 253)

In this regard, Moyer (1980) has commented that operationalizing the multiple goals of diversion has proven to be a problem in research attempts (p. 152).

A possible explanation for the conflicting research findings on diversion may therefore be an emphasis on measuring formal or spurious goals. Additionally, studies on diversion have tended to measure outcomes in the absence of clear descriptions of what actually happens in diversion programs (Moyer, 1980; pp. 153-154):

Evaluators usually accept the description of the program given by practitioners as sufficient. They rarely attempt to specify the theoretical premises on which it is based, define the principles that guide its practice, or even monitor its operation so that there is confidence that the program as officially described actually took place... It is possible that the evaluation is attributing the observed effects (or "no effects") to a phantom program, or to one of such marginal caliber that it hardly provides a fair test of the program concept. (Weiss, 1972, p. 321)
With reference to diversion, there has been a noticeable lack of descriptive material on the diversion process (Moyer, 1980, p. 153).

One of the few studies which did examine the diversion process was conducted by Cressey and McDermott (1976). This study provided a narrative description of the policies and practices of three diversion programs. Although the study is somewhat unique in its examination of both policy and practice, it is devoid of any quantitative data as to the proportion of cases handled in different ways. The study did reveal however, that due to the nebulous nature of the diversion concept, it was not uncommon to find "the stated goals of a diversion policy or program at variance with the actual mode of implementing those goals" (Cressey and McDermott, 1973, p. 57). This finding lends support to the claim made by Weiss (1972) that research on programs which do not incorporate an examination of the actual, as opposed to advertised, process, could lead to spurious or meaningless findings (Weiss, 1972, p. 321).

The divergence between formal goals and processes, and informal goals and processes have long been recognized in organizational theory:

   How organizations are built, what they do, and the consequences of this structure and process are frequently quite different from formal or public statements about such matters. (Deutscher, 1976, p. 250)
Blomberg (1977) has noted that such a disparity exists in the juvenile justice system (p. 275). Cressey and McDermott (1973), having demonstrated that such a divergence between policy and practice is occurring in at least some diversion programs, would seem to have set a standard for subsequent diversion research. Such a standard would demand that outcome studies should incorporate a review of program process. This would necessitate rather extensive record keeping by the diversion programs under study. Moyer (1980) reports that this has rarely occurred, due in part to program personnel's resentment of filling out forms and a desire to down-play the officialdom that is associated with record-keeping (pp. 154-156). As a result, record-keeping is relegated a low priority, and if records are kept at all, "there are inconsistencies, details are omitted and filing and retrieval systems are inadequate" (Moyer, 1980, p. 155). Based on these factors, Cressey and McDermott (1973) are not optimistic about the prospects of process research based on records:

"Evaluations of diversion programs based on recorded information will be a time-consuming and expensive process without the brightest prospects for meaningful results." (p.59)
3.3 PROCESS RESEARCH

The predominance of outcome oriented studies over process oriented studies is not confined to research on diversion, but instead is characteristic of research in general: "the literature has not dealt with the ... evaluation of process to the same extent that it has treated ... outcomes" (Chom- mie and Hudson, 1974, p. 685). In order to gain an appreciation of the different approach and advantages of process research, it is helpful to contrast it to outcome research.

In outcome oriented research, the basic question that is being asked is whether a particular program or intervention is a "success" or "failure" (Hollister, Kemper, and Wool- dridge, 1979, p. 140). The central question usually is a variant of the form "to what degree were the action guidelines successful when applied in the field?" (Rothman, Tersa, and Erlich, 1977, p. 120). The possible outcomes of such research is a finding of success or failure:

They have been content to deliver over-all 'go' or 'no-go' assessments of program effectiveness with little attention to the implications for future action. (Weiss, 1978, p. 114)

The conclusions which are drawn from the outcomes of such studies are also limited. Weiss (1972) states that studies which dichotomize the success-failure concept:

disclose the extent to which a consistent program has reached its stated goals, but rarely why the observed results occur, what processes intervene between input and outcome, or what the implications are for improving the effectiveness of the program. (p. 329)
If the findings indicate negative results, this is often interpreted as the negation of the entire concept behind the program:

Negative findings are often interpreted in the social sciences, as warranting the abandonment of a theoretically promising lead .... and may even lead to premature abandonment of a practice which could well have value, but needs to be improved rather than abandoned. (Eaton, 1978, pp. 37-38)

In contrast to the all-or-nothing approach of outcome studies, process oriented evaluation is concerned with assessing "how the program works with emphasis on identifying ways of improving program operations and design" (Hollister et al., 1979, p. 140). The central question in such studies takes the form of "can we be assured that the guidelines were implemented in such a way as to bring into being the pertinent action principles inherent in the guidelines?" (Rotham et al., 1977, p. 120). The distinction between the two approaches is made succinctly by Suchman (1971): "the key question is not so much 'Are they good?' as 'How can they be made better?'" (p. 108). The central approach and purpose of process oriented research is summarized by Hollister et al. (1979):

Rather than simply accepting or rejecting a central program concept, it may be possible to redesign the structure of the program by eliminating the least effective elements and enhancing the most effective ones. (p. 141)

The objective of process oriented research is therefore an attempt to describe the structure and process of a program. It should be re-emphasized that what is sought is
a description, not of how the program functions "in theory" or "on paper", but of how the program functions on a day to day basis. The distinction made by Deutscher (1976) between formal structure and process, and actual structure and process, must be maintained (p. 250).

As was mentioned earlier, there is very little research on this aspect of diversion (Moyer, 1980, p. 153). Consequently, if an attempt is made to generalize the findings of one diversion program to all others, without taking into account the possible differences in the processes of the programs, misleading conclusions may be made.

In their process oriented study, Cressey and McDermott (1973) used direct observations and interviews as a technique to contrast the policy and practice of three diversion programs (p.vii). Although they report a discrepancy, their methodology was not clearly outlined, and therefore the study is not replicable.

In the absence of other major studies of the process type on diversion, an easily replicable technique or methodology was needed to allow for the study of program process. Hoffer (1971) demonstrated that PERT (Program Evaluation Review Technique) is a viable procedure "for defining and co-ordinating what must be done to successfully accomplish the objectives of a project" (p. 1).

Although PERT is best suited for large or medium sized, non-continuous projects, (such as planning a conference, or
fundraising, its characteristics are suited to the determination and description of process. The use of PERT requires the specification of "events" (the start or completion of a significant point in the process), and "activities" (the actual performance of a task) and thereby illustrating the relationship and temporal order of events and activities of the process (Hoffer, 1971, pp. 10-45). A graphic representation of the process by PERT is depicted as a network of "events" linked by "activities". This graph represents the process of the program which is considered necessary to achieve the desired end.

Through the use of an instrument such as PERT, it is possible to contrast the "formal" program process, to the "actual" program process. It is also possible to use PERT as a monitoring device to assess the status of an individual in the program. Such a device or technique is desirable, given the lack of descriptive material on the process of diversion, and could reinforce the idea that diversion is more than a concept or even a set of programs:

"Diversion research has tended to focus upon program rather than the process of diversion. This is hardly surprising given the programmatic orientations of most policy-makers. It has, however, had the consequence of further obscuring the original conception of diversion as a process rather than as a series of new programs. (Rutherdorf and McDermott, cited in Moyer, 1980, p. 153)"

This study was therefore undertaken to examine the process of the Essex County Diversion Program. Such a study is a necessary but often omitted prelude to studies of the effectiveness and impact of diversion programs.
Chapter IV
METHODOLOGY

4.1 PURPOSE

The purpose of this study was to determine the extent to which the processing of clients by the Essex County Diver-
sion Program had been in accordance with the formal policies and guidelines established by the Program. Specifically, the study sought to evaluate three aspects of program process: (a) the "formal" or "official" process; (b) the "actual" process; (c) the record-keeping practices of the Program.

Moyer (1980) has noted that most studies of diversion have been of the outcome type, which have often failed to specify or document the actual process under study (pp. 153-156). Weiss (1972) has identified several potential shortcomings of outcome-oriented research which fail to document the actual process of the program or intervention under study (p. 321). Cressey and McDermott (1973), in one of the few studies of diversion process, found that divergence between policy and practice occurred in the three diversion programs they studied (p. 57).

Given the lack of process-oriented research into diver-
sion, this study sought to evaluate the practices undertaken.
by the Essex County Diversion Program in an attempt to achieve its goals. Such an exercise is seen by some writers (Hudson, 1976, p. 5; Weiss, 1972, p. 321) as a necessary but often omitted prerequisite to studies of outcome.

As the study of process, in retrospect, required extensive reliance on written records, an evaluation of the record-keeping practices of the Program was also appropriate. Finally, the evaluation of process, of which outcome is a part, also made it possible to attempt to establish links between specific program components and specific outcomes.

4.2 RESEARCH QUESTIONS

In order to operationalize the purposes of the study, the following research questions were formulated:

1. To what extent has the processing of diversion cases adhered to the formal policies and guidelines established by the Essex County Diversion Program?

2. Are the procedures for reporting on clients adhered to consistently?

3. Can specific Program components be linked to specific outcomes?

In order to set boundaries on the meaning of the variables under study, the major concepts addressed by the research questions were operationally defined as follows.
4.2.1 **PROCESSING**

Processing refers to the documented progression of diversion candidates and clients through the various stages in the Program. Kresler, cited in Hudson (1976), has divided "process" into five conceptually distinct stages: candidacy, selection, treatment, termination, and follow-up (p. 7). For the purposes of this study, the first four stages of this concept of process were adopted (the fifth, "follow-up", was not adopted since the records of the Program do not include this).

4.2.2 **FORMAL POLICIES AND GUIDELINES**

The formal policies and guidelines of the Program, as identified in the Program literature and by the Program Administrator are the guides to action. The policies and guidelines affect such matters as selection of candidates, writing social profiles, and making referrals; in short, guidelines and policies affect the four stages of "process" identified earlier.

4.2.3 **PROCEDURES FOR REPORTING ON CLIENTS**

For the purposes of this study, the procedures for reporting on clients refer to the contents of the files maintained by the Diversion Program on individuals who have had contact with the Program. Since a file is opened for each diversion candidate, and each file is required to contain certain
standardized data, these were seen as the Program's major source of information on the processing of clients.

4.2.4 PROGRAM COMPONENTS

Program components refer to the "input" of the "input-process-output model of planned social change" (Suchman, 1971, p. 110). The "inputs" that were examined in this study included data on: (a) the clients; (b) the Diversion Workers; (c) the attributes of the Program itself. The selection of these components is consistent with a similar study by Hollister, Kemper, and Wooldridge (1979).

4.2.5 OUTCOMES

For the purposes of this study, "outcome" was defined as the final disposition of a case by the Diversion Program. Four broad measures of outcome were implicitly suggested by the filing system of the Diversion Program:

1. Completed Program
2. Returned to Court
3. Chose Court
4. Verbal Caution

Outcomes were distinguished from statements regarding the achievement of program goals. Goals infer the attainment of such end states as "reduced delinquency", or "protecting the community". Conversely, outcomes refer only to the final disposition of diversion cases, and do not purport to imply that a program's over-all goals were or were not achieved.
4.3 CLASSIFICATION OF STUDY

Given the paucity of process oriented research into diverti-
sion, an exploratory research design was adopted. Tripodi,
Fellin, and Meyer (1969) define exploratory studies as:

Empirical research investigations which have as
their purpose the formulation of a problem or
questions, developing hypothesis, or increasing an
investigator's familiarity of a phenomenon or
setting for a more precise future research. The
intent to clarify or modify concepts may also be
predominant. Relatively systematic procedures for
obtaining empirical observations and/or for the
analysis of data may be used. Both quantitative
and qualitative descriptions of the phenomenon are
often provided, and the investigator typically
conceptualizes the interrelations among properties
of the phenomenon being observed. (p. 48)

An exploratory design is compatible with the purposes of the
study which were to thoroughly describe and contrast the
formal policy and actual process of the Diversion Program,
and to attempt to conceptualize possible interrelationships
between Program components and outcomes.

The provisions of an exploratory study were also compat-
bile with the research needs of the Essex County Diversion
Program which has been operational for several years, but
which has yet to be the subject of extensive research.
Consequently, the groundwork, in the form of descriptive
analysis, must be laid before studies of program effective-
ness or impact can be undertaken with an appreciable degree
of confidence for meaningful results:

Uncritical assumptions that the set of interven-
tion activities are being implemented within the
daily operations of the program in a manner
consistent with the original plan or program
conception can lead to the development of measures
which may be relatively foreign to the actual operational reality of the program... Measures developed in relation to the conceptual reality of the program are likely to be irrelevant to the operational reality. (Hudson, 1976, pp. 4-5)

The study can be further sub-typed as a combined exploratory-descriptive study, which is characterized by a thorough description of a phenomenon:

Descriptions are in both quantitative and qualitative form, and the accumulation of detailed information... may be found. Sampling procedures are flexible, and little concern is usually given to systematic representativeness. (Tripodi et al., 1969, p. 49)

This study sought to examine, both qualitatively and quantitatively, various aspects of process in the Program.

The exploratory-descriptive approach therefore meets both the purposes of the study, and the present research needs of the Essex County Diversion Program.

4.4 SAMPLE SOURCE AND SAMPLING METHOD

Three sources of data were used in this study. The first source consisted of materials dealing with the policies, guidelines, and operations of the Essex County Diversion Program. Included in this source were Program briefs, correspondence, and the Minutes of Diversion Committee Meetings. The second source of information was the Program Administrator, who was interviewed twice by the researcher.

The final source of data consisted of all closed diversion files for the Program years 1975-1976 to 1980-1981. The files for each Program year were stored separately, and
each year's files are separated into various sections, indicating the outcome of cases. Within each section, the files are arranged alphabetically.

In order to obtain an accurate depiction of how cases with different outcomes were processed, a systematic sample was drawn according to the following criteria:

1. The files from the sections marked "Completed Cases" (by far the largest section) were selected alternately, beginning with the first file. Therefore, the files from those sections which were selected for inclusion in the sample were the first, third, fifth, seventh, and so on.

2. The files from the sections marked "New Charge After Completion" were treated as "Completed Cases", since the outcome criteria that was established for this study was the final mode of disposition by the Diversion Program. Therefore, these files were selected alternately, beginning with the first file.

3. The files in the sections marked "New Charge" were first divided into two sections by the researcher. Those files where the new charge occurred after completion, were treated as in (2) above. Those files where the new charge occurred before completion were all included in the sample, since their number was comparatively small.
4. All files from the remaining sections ("Chose Court", "Verbal Caution", "Return to Court", and "New Charge Before Completion") were included in the sample, again since their number was comparatively small.

The sample therefore included fifty per cent of the "Completed" cases, fifty per cent of the "New Charge After Completion" cases, and all the cases from the sections "Chose Court", "Verbal Caution", "Return to Court", and "New Charge Before Completion".

4.5 DATA COLLECTION INSTRUMENT

The review of the literature made apparent that studies of the diversion process were few. Consequently, proven data collection instruments to deal with this aspect of diversion were not available. Therefore, the need to devise a data collection instrument, or to borrow one from another field, became necessary.

Hoffer (1971) demonstrated that PERT (Program Evaluation Review Technique) is a viable instrument for outlining process in the social welfare field. Therefore, a modified version of PERT was developed for this study. The necessity to modify the standard PERT technique was due to the application of the instrument retrospectively, rather than its standard use as a planning instrument. The necessary modifications and the reasons for them are explained in the sections that follow.
4.5.1  THE PERT CONCEPT

PERT was introduced in the United States in 1958 in an effort to reduce the time projected for the development of the Polaris Ballistic Missile (Evarts, 1964, p. 1). Since that time, it has been applied in such diverse fields as marketing, maintenance, research and development, advertising, (Evarts, 1964, p. 1) and social welfare (Hoffer, 1971).

Conceptually, PERT has been defined as "a manager's tool... for defining and coordinating what must be done to successfully accomplish the objectives of a program on time" (Hoffer, 1971, p. 9). Operationally, PERT is "one form of the graphic network analysis technique... [which] provides an intelligible visual picture of the goals to be achieved and their interrelationships" (Alsaker, 1962, p. 37).

Essentially, PERT is a planning and monitoring technique which is amenable to graphic representation. It involves defining all the noteworthy or significant points in a process. These PERT "events" represent the start or completion of a significant point in a process. Similarly, all the PERT "activities" are defined, those being the actual performance of tasks. PERT "events" are joined in a logical sequence by the "activities" to graphically represent the process necessary to achieve the goals of a process (Hoffer, 1971).

A network produces a clear outline of the activities that must be undertaken and of the events that must occur before an end objective is
reached. It provides a simple, clear, and readily understandable description of the... operation being undertaken. (Alaker, 1962, p. 38)

PERT is therefore used to plan and monitor the process deemed necessary to achieve the goals of a program.

4.5.2 APPLICATION OF THE PERT MODEL

Since diversion is a goal-directed process, which can conceptually be broken down to a network composed of events and activities, it is feasible to apply PERT analysis to the diversion process. As indicated earlier, PERT is usually used as a planning and monitoring device, which means that a PERT description of a process is made before the implementation of the process. In this study however, PERT was used to describe the process after it had occurred.

The use of PERT in this retrospective manner does not greatly deviate from the basic use of PERT, which is to describe process. The original rationale for describing process was to aid in controlling that process. The use of PERT in this study was also to describe process, but instead of trying to control an active process, the purpose was to evaluate the extent to which the process had occurred as originally planned. Conceptually, the basic function of PERT (the description of process) was retained in this study. The use to which this description was applied however, was different than the original developers of PERT had intended. The retrospective use of PERT was subject to
certain limitations, which are outlined in a later section of this study.

In order to apply PERT to the process of the Essex County Diversion Program, descriptive accounts of the Program were consulted. These included Program briefs, correspondence, and the Minutes of Diversion Committee Meetings. Through the use of these sources, forty-one Program events and related activities were identified. The events were described both narratively and graphically, depicting the sequential relationship of events that represent the formal program process as described by the literature (Appendix J).

4.5.3 VERIFYING THE PERT EVENTS

The initial chart depicting the events of the diversion process was reviewed with the Program Administrator in order to assess its accuracy in terms of the formal policies and guidelines of the Diversion Program. Necessary modifications to the chart were made, in order to obtain an accurate depiction of the formal process. These modifications involved deleting some events, adding new ones, re-defining others, and re-sequencing the order of some events.

Based on the new information provided by the Program Administrator, a second chart was constructed which incorporated the modifications. The new chart consisted of forty-six events (Appendix K). This chart was reviewed with the
Program Administrator to assess its accuracy in terms of events and their sequencing in relation to formal policies and guidelines. Having completed this second pre-test, the new chart became the standard of the formal process of the Essex County Diversion Program.

4.5.4 **PRE-TESTING THE DATA COLLECTION INSTRUMENT**

Having established the formal process of the Program using PERT, a data collection instrument was devised which would be capable of receiving data from the diversion files regarding the processing of clients through the Program. The data of interest for the purposes of this study included identifying information on the clients, demographic information on the clients and their families, the workers to whom the cases were assigned, and the events, their sequencing and the date of occurrence for each event in each case.

An initial instrument was constructed and pre-tested on 17 randomly selected diversion files. The results of the pre-test indicated the need for a few minor alterations to the instrument, which were subsequently incorporated into the final data collection instrument (Appendix L).
4.6 DATA COLLECTION METHOD

Having thus established the formal process of the Diversion Program, and having developed an instrument capable of receiving data on the processing of clients through the Program, data collection was undertaken from March 30, 1982 to May 13, 1982. The selection of files occurred as outlined earlier. Each file was reviewed by the researcher and the relevant information was recorded on the data collection instrument. An event was deemed to have occurred if at least one of the following two conditions were met:

1. Primary evidence of occurrence: A document signifying an event was entered into the file (ex: A Social Profile); or

2. Secondary evidence of occurrence: A written entry into the file, indicating that an event had occurred (ex: A statement in the Social Profile that the victim had been contacted).

If neither of these conditions were met, it was deemed that such an event had not occurred.

The sequencing and timing of events was determined by computing the elapsed time (in days) between the occurrence of an event, and a selected baseline or "zero-time".

Originally, it was intended that the baseline or "zero-time" would be the event "Selection of Candidate", since this event represents the first contact between the Program and the potential clients. However, for most files, the
earliest indication of contact between the Program and the potential clients was the event "Initial Letter". Therefore, the event "Initial Letter" was used as the baseline from which to determine the sequencing and timing of subsequent Program events.

Provisions were made for recording events other than those outlined in the literature and by the Program Administrator. This allowed for a more comprehensive description of the process, and allowed for the inclusion of events that may have been omitted from reference in the literature or by the Program Administrator. Additionally, provisions were also made for recording events which had occurred, but for which no date of occurrence was given in the file.

4.7 DATA ANALYSIS

The data was recorded and coded in such a way as to make it amenable for computer analysis. Once all the data had been collected, it was coded by the researcher and an independent coder, and was submitted to the computer for analysis. While the independent coder was familiarized with the coding procedure, and actually did most of the necessary coding, the researcher took responsibility for reviewing all material to assess its accuracy before it was submitted for final analysis.

In order to determine the occurrence, sequencing, and timing of events, univariate statistics were calculated (i.e.
mean, median, standard deviation, third quartile, first quartile, and range). In order to determine the existence of associations between program components and outcomes, chi-square tests of independence were performed.

4.8 ASSUMPTIONS
The following assumptions were made in designing and implementing this study. At the outset, it was assumed that the formal policies and guidelines of the Essex County Diversion Program, and hence its process, were adopted by those responsible for the Program, at least in part, because they were believed by the directors of the Program, to furnish a vehicle by which the goals of the Program could be reached. An implication of this assumption is that it is therefore desirable that the formal process be adhered to since this process is believed by those responsible for the Program to enhance goal attainment.

A second assumption of this study was that the "events" of the Program accurately reflect the formal procedural steps of the Diversion Program. Measures taken to substantiate this assumption included consulting a variety of Program literature, (including Program briefs, correspondence, and Minutes of Diversion Committee Meetings) consulting the Program Administrator, (who worked for one year as a Diversion Worker for the Program, and has been its Administrator for four and a half years) and pre-testing the data collection instrument.
A final assumption was that the diversion files consisted of the main body of information about clients kept by the Essex County Diversion Program.

4.9 LIMITATIONS

The foremost limitation of the study was the fact that it studied a single diversion program. The findings of this study therefore have restricted generalizability, given that the program process studied is only one of several which are currently in operation in Canada.

The second limitation of the study relates to its database. Cressey and McDermott have expressed pessimism regarding the viability of studies which rely on written records of diversion programs. These writers have noted the tendency of such programs to give low priority to record-keeping in order to down-play officialdom and perhaps to avoid accountability if results are not positive. Therefore the accuracy, quality, and quantity of the records reviewed were beyond the control of the researcher in this study.

A third limitation of the study was the use of a modified version of PERT. As this technique was designed as a planning and monitoring device, its reliability and validity as an after-the-fact descriptive instrument is not known.

The foregoing method of study, despite its limitations, provided a method to achieve a comprehensive evaluation of the process of the Essex County Diversion Program, an aspect
of diversion which has received very little attention to date.
Chapter V
RESEARCH FINDINGS

The analysis of the data is presented under three main headings. Each section consists of a presentation of the findings, and their implications relative to the three research questions formulated earlier. The presentation and discussion of findings are preceded by a description of the research sample.

The first part of the analysis deals with the processing of diversion cases by the Program. Of interest in this section are the occurrence, sequencing, and timing of Program events. The second part of the analysis attempts to determine whether the assignment of different Program elements (i.e., Compensatory Task, Agency Referral) to different clients can be explained by a variety of "input" factors which include:

1. Program year
2. Sex of client
3. Age of client
4. School grade of client
5. Specific offence committed
6. Category of offence committed
7. Sellin-Wolfgang score
8. Police force or charging authority
9. Worker assigned to case
10. Guardian's marital status
11. Who the child is living with
12. Male guardian's occupation
13. Male guardian's employment status
14. Female guardian's occupation
15. Female guardian's employment status

The attempt to conceptualize relationships between the assignment of Program elements and these "input" factors was suggested by the fact that each of these factors (except 6 and 7) is required to be recorded in the social profile or elsewhere in a client's file, and that the social profile is intended to serve diagnostic and planning purposes. Therefore it seemed reasonable to assume that these factors were somehow related to the plan developed for a client.

The third section of the analysis attempts to determine whether various Program components (clients, workers, police force, and program elements) are related to different outcomes.

Throughout this analysis, the adequacy of the Program's record-keeping practices will be evaluated. The basis for this qualitative appraisal was the contents of the diversion files, and the criteria for evaluation was the consistency with which the records were kept.
5.1 DESCRIPTION OF SAMPLE

A total of 668 diversion files were reviewed and included in the sample, which represents 60.45% of the total number of files opened by the Program during its first six years of operation. Table 1 illustrates the percentage composition of the sample by file section and Program year.

As Table 1 illustrates, the largest contribution to the sample came from the "Completed" file sections, which account for 55.39% of the total sample, even though only half of the total number of files from these sections were included in the sample. Also, although all of the files from the sections "Chose Court", "Verbal Caution", "Return to Court" and "New Charge Before Completion" were included in the sample, individually they account for a significantly smaller proportion of the sample than do the "Completed" sections.

The varying file sections, as used by the Program, are problematic in two respects. First, they are not mutually exclusive in that several differently labelled file sections for a single year can describe a single mode of disposition. An example of this is Year 1978-1979, which includes the file sections "New Charge", "New Charge Before", and "Return to Court". It is difficult in this case to know the differences signified by the different file labels.

A second problem presented by the filing system is that not all categories were used consistently throughout all six
### TABLE 1
COMPOSITION OF SAMPLE BY FILE SECTION AND YEAR

<table>
<thead>
<tr>
<th>File Section</th>
<th>75-76</th>
<th>76-77</th>
<th>77-78</th>
<th>78-79</th>
<th>79-80</th>
<th>80-81</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chose Court</td>
<td>24.56%</td>
<td>28.16%</td>
<td>13.40%</td>
<td>16.23%</td>
<td>19.42%</td>
<td>10.31%</td>
<td>+8.71% (n=125)</td>
</tr>
<tr>
<td>Verbal Caution</td>
<td>N/A</td>
<td>N/A</td>
<td>4.12</td>
<td>7.79</td>
<td>7.77</td>
<td>2.06</td>
<td>3.89  (n=26)</td>
</tr>
<tr>
<td>Completed</td>
<td>50.88</td>
<td>50.49</td>
<td>56.70</td>
<td>59.09</td>
<td>56.31</td>
<td>57.73</td>
<td>55.39 (n=370)</td>
</tr>
<tr>
<td>New Charge</td>
<td>24.56</td>
<td>21.36</td>
<td>25.77</td>
<td>1.95</td>
<td>N/A</td>
<td>N/A</td>
<td>11.68 (n=78)</td>
</tr>
<tr>
<td>New Charge After</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>3.25</td>
<td>12.62</td>
<td>8.25</td>
<td>3.89  (n=26)</td>
</tr>
<tr>
<td>New Charge Before</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>5.84</td>
<td>0.00</td>
<td>15.46</td>
<td>3.59  (n=24)</td>
</tr>
<tr>
<td>Return to Court</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>5.84</td>
<td>3.88</td>
<td>6.19</td>
<td>2.84  (n=19)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>100%</td>
<td>99.99%</td>
<td>99.99%</td>
<td>100%</td>
<td>100%</td>
<td>99.99%</td>
</tr>
<tr>
<td>n</td>
<td>114</td>
<td>103</td>
<td>97</td>
<td>154</td>
<td>103</td>
<td>97</td>
<td>668</td>
</tr>
</tbody>
</table>

Note. Columns may not add to 100% because of rounding.
N/A: File section was not used in this year.

years of Program operation. The "Verbal Caution" section did not appear until 1977-1978; the "New Charge" section was
used for the first four years, and then discarded. Therefore, while the Program's various file sections were used for sampling purposes, a mutually exclusive and consistent method of classification was required for analyzing Program process. A more concise method of classification was used to develop Table 2 which represents the outcome of cases by year.

### TABLE 2

**COMPOSITION OF SAMPLE BY YEAR AND OUTCOME**

<table>
<thead>
<tr>
<th>Year</th>
<th>75-76</th>
<th>76-77</th>
<th>77-78</th>
<th>78-79</th>
<th>79-80</th>
<th>80-81</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>66</td>
<td>59</td>
<td>70</td>
<td>91</td>
<td>67</td>
<td>64</td>
<td>417</td>
</tr>
<tr>
<td>Chose Court</td>
<td>21</td>
<td>25</td>
<td>14</td>
<td>17</td>
<td>19</td>
<td>8</td>
<td>104</td>
</tr>
<tr>
<td>Returned to Court</td>
<td>25</td>
<td>16</td>
<td>6</td>
<td>25</td>
<td>10</td>
<td>16</td>
<td>98</td>
</tr>
<tr>
<td>Verbal Caution</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>13</td>
<td>7</td>
<td>2</td>
<td>31</td>
</tr>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>8</td>
<td>0</td>
<td>7</td>
<td>18</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>114</strong></td>
<td><strong>103</strong></td>
<td><strong>97</strong></td>
<td><strong>154</strong></td>
<td><strong>103</strong></td>
<td><strong>97</strong></td>
<td><strong>668</strong></td>
</tr>
</tbody>
</table>

The five categories of outcome used in Table 2 are mutually exclusive, and can be applied to cases from every year. In
addition, these outcome categories retain the most important purpose of the filing system, to categorize cases by mode of disposition.

The most striking feature of Table 2 was the necessity of including an "Unknown" outcome section. This outcome category was included because evidence could not be found to indicate the final disposition of these cases.

For the purpose of the analysis which follows, the cases were analyzed on the basis of outcome. First the "Completed" cases (62.43% of sample) were analyzed, second, the "Choose Court" cases (15.57% of sample), third, the "Return to Court" cases (14.67% of sample), and finally, the "Verbal Caution" cases (4.64% of sample). The "Unknown" cases (2.69% of sample) were not included in the analysis since this outcome is an anomaly. Further, 17 cases in the sample which were used for pretesting were not included in the analysis.

5.2 PROCESS ANALYSIS
An analysis of the process of the Essex County Diversion Program was undertaken, in which the occurrence, sequencing, and timing of events was determined, in order that the actual process could be compared to the formal process, as outlined in Chapter II. As was mentioned in Chapter IV, an event was deemed to have occurred if primary or secondary evidence of occurrence was contained in a file (ie. a docu-
ment signifying an event or a written entry stating that an event had occurred). The sequencing and timing of events was computed by the elapsed time between the occurrence of an event and the selected baseline or zero-time, "Initial Letter". Table 3 summarizes the number of cases for which "Initial Letter" was the first event to occur, and which therefore use this event as a baseline. As Table 3 indicates 75.36% of the cases in the sample were measurable from the baseline "Initial Letter".

### Table 3

**Cases with Baseline "Initial Letter" by Outcome**

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Baseline Initial Letter</th>
<th>Total Cases</th>
<th>Percentage of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>314</td>
<td>408</td>
<td>76.96%</td>
</tr>
<tr>
<td>Chose Court</td>
<td>62</td>
<td>101</td>
<td>61.39</td>
</tr>
<tr>
<td>Returned to Court</td>
<td>76</td>
<td>94</td>
<td>80.85</td>
</tr>
<tr>
<td>Verbal Caution</td>
<td>25</td>
<td>30</td>
<td>83.33</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>477</strong></td>
<td><strong>633</strong></td>
<td><strong>75.36%</strong></td>
</tr>
</tbody>
</table>

Rather than totally excluding from the analysis those files which did not evidence the dated occurrence of "Initial
Letter", the events which occurred in these cases were included in the "Total Frequency" column of the Tables which follow.

5.2.1 **ANALYSIS OF "COMPLETED" CASES**

The results of the analysis of "Completed" cases, as measured from the baseline "Initial Letter", are presented in Table 4.

The events in this Table are arranged sequentially, from the earliest occurring event to the latest occurring event, as measured by the mean in days. The column headings are defined as follows:

1. Event: figures in this column refer to the numbered summary paragraphs which follow the Table.

2. Total Freq.: figures in this column refer to the total number of "Completed" cases in which this event occurred.

3. N: figures in this column refer to the number of "Completed" cases in which this event occurred and was measurable from the baseline "Initial Letter". The descriptive statistics are therefore based on "N" observations.

4. Mean: the sum of "N" values of the event-time divided by "N".

5. Median: the value of the event-time that falls in the middle, when the values are arranged in order of magnitude.
<table>
<thead>
<tr>
<th>Event</th>
<th>Total Freq.</th>
<th>N</th>
<th>Mean</th>
<th>Median</th>
<th>Standard Deviation</th>
<th>Q3</th>
<th>Q1</th>
<th>Range</th>
</tr>
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<tr>
<td>1</td>
<td>320</td>
<td>314</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>401 301</td>
<td>17</td>
<td>14</td>
<td>11.7</td>
<td>21</td>
<td>9</td>
<td>9</td>
<td>.76</td>
</tr>
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<td>3</td>
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<td>11.6</td>
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<td>9</td>
<td>9</td>
<td>79</td>
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<tr>
<td>4</td>
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<td>11.6</td>
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<td>9</td>
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<td>79</td>
</tr>
<tr>
<td>5</td>
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<td>154</td>
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<td>217</td>
<td>59.3</td>
<td>223.5</td>
<td>116</td>
<td>153</td>
</tr>
</tbody>
</table>

6. **Standard Deviation**: measure of variability about the mean, in days.

7. **Q3**: the value of the event-time (in days) that exceeds 75% of the values, and is less than the remaining 25%.

8. **Q1**: the value of the event-time (in days) that exceeds 25% of the values, and is less than the remaining 75%.

9. **Range**: the difference between the largest event-time and the smallest event-time.
**EXAMPLE:**

<table>
<thead>
<tr>
<th>Event</th>
<th>Freq.</th>
<th>N</th>
<th>Mean</th>
<th>Med</th>
<th>Deviation</th>
<th>Q3</th>
<th>Q1</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>401</td>
<td>301</td>
<td>17</td>
<td>14</td>
<td>11.7</td>
<td>21</td>
<td>9</td>
<td>76</td>
</tr>
</tbody>
</table>

1. **Event:** Intake Interview.
2. **Total Freq.** documented in 401 "Completed" cases.
3. **N:** time of occurrence measurable from baseline "Initial Letter" in 301 cases.
4. **Mean:** mean time of occurrence is 17 days after "Initial Letter", based on 301 cases.
5. **Median:** the midpoint value for the time of occurrence for this event is 14 days after "Initial Letter".
6. **Standard Deviation:** approximately 68% of the "times of occurrence" for this event were between 5.3 days and 28.7 days after "Initial Letter".
7. **Q3:** 25% of the times of occurrence for this event were greater or equal to 21 days after "Initial Letter".
8. **Q1:** 25% of the times of occurrence for this event were less than or equal to 9 days after "Initial Letter".
9. **Range:** the difference between the highest and lowest time of occurrence for this event was 76 days.
The following is a summary of the most salient aspects of each event that occurred in "Completed" cases.

INITIAL LETTER (Event 1)
The relative regularity with which this event was evidenced (320 of 408 cases) suggests that it is a standard part of Program procedure. The implications to be drawn from its non-occurrence in the remainder of the cases are that either it did occur but was not documented, in which case more exacting record keeping practices would be in order, or, that the event did not occur, and that clients were contacted by other means.

INTAKE INTERVIEW (Event 2)
The regularity with which this event was recorded (401 of 408 cases) indicates this is is a standard part of the process. Its mean time of occurrence (17 days), as measured from "Initial Letter", is within the Program guidelines of two to three weeks after the "Initial Letter" has been sent. However, the high measures of dispersion indicate that its occurrence is not systematically scheduled. Further as indicated by Q3, 25% of the scores were greater or equal to 21 days, which means that for one quarter of the cases, the prescribed time was barely met or was exceeded. Circumstances beyond the immediate control of the Program staff may account for exceeding the time-frame the Program has set for
itself: high caseloads, difficulty in contacting clients, difficulty between Worker and child in agreeing on a mutually convenient time, are some of the possibilities. It would appear that the time-frame that the Program has set for the occurrence of this event is a realistic one, given that it was met in at least 75% of the cases.

LEGAL COUNSEL RECEIVED (Event 3)

The regularity with which this event was documented (400 of 408 cases) suggests that it has been a routine part of the diversion process. The measures of central tendency (mean=17, median=14) and dispersion (S.D.=11.6, Q3=21, Q1=9) for this event are similar to those for "Intake Interview" which suggests that these events generally occur on the same day, as is stated in the Program literature. In fact, the analysis revealed that in 344 cases, this event did occur on the same day as "Initial Interview". The absence of this event from the remaining cases, a deviation from formal process, could be due to lapses in record-keeping. Conversely, if the lack of evidence for this event is due to its non-occurrence, it represents a contravention of a fundamental part of formal program procedure.

GENERAL ADMISSION OF FACTS (Event 4)

The measures of central tendency (mean=17, median=14) and dispersion (S.D.=11.6, Q3=21, Q1=9) for this event closely
paralleled those for "Intake Interview", which would suggest that this event also took place on the same day as the "Intake Interview", as is stated in the Program description. The analysis revealed that this event did occur on the same day as "Intake Interview" in 348 cases. The event was absent from only 2 cases, which again indicates that it is a regular part of Program process. However, the absence of this event is nonetheless a departure from a basic tenet of Program policy, that candidates are required to admit guilt to the offence, before they are accepted into the Program. The absence of this document from files probably also accounts for cases in which the "Legal Counsel Received" event was missing, since these events are recorded on the same document. The absence of evidence for these may also be due to record-keeping errors.

RELEASE OF INFORMATION (Event 5)
The relative regularity with which this event was documented (346 of 408 cases) and its measures of central tendency (mean=18, median=15) and dispersion (S.D.=11.7, Q3=22, Q1=10) suggests that it is a standard part of program procedure which occurred on, or shortly after the day of the "Intake Interview". The non-occurrence of this event in the remaining cases represents not only a departure from the Program guidelines, but it would also place the Diversion Worker in a difficult situation. Since the Worker is
required to compile a "Social Profile" on each client, not having a "Release of Information" may limit the Worker's sources of information about a client. Further, the client's right to confidentiality may be abridged if the Worker consults sources without first obtaining the client's permission. For ethical, as well as practical reasons therefore, not only should this event occur, but a record of its occurrence should be maintained in the files.

NOTIFICATION OF POLICE (Event 6)
This unanticipated event occurred with considerable regularity (343 of 408 cases), which suggests that it is a standard program procedure. The event, which occurred on average shortly after the "Intake Interview" (mean=20, median=15), consists of a letter which was sent to the appropriate police department, informing it that the child had entered the Diversion Program. The relative regularity with which this event occurs suggests that the Program makes attempts to work closely with the police, by keeping the police apprised of the cases which the Program processes. The non-occurrence of this event may be due to record-keeping lapses, or, since this event was not mentioned in the Program literature or by the Program Administrator, this practice may be an informal one which has been applied with regularity, though not required by Program guidelines.
COMPENSATORY TASK DELETED (Event 7)

The rarity with which this event occurred (1 of 808 cases) suggests that the Diversion "Plan" is not often altered, whether this be because it is not necessary, not feasible, or due to Program rigidity. The occurrence of this event at this relatively early stage in the process is no doubt a spurious result due to a small frequency of occurrence.

VICTIM CONTACTED (Event 8)

The relative infrequency of occurrence for this event (123 of 408 cases) suggests that the Program's claim that the victim is contacted as a matter of course in the planning stages, may be overstated. It was found that this event occurred before the undertaking of a diversion plan in only 76 cases. Further, the high measures of dispersion (S.D. = 25, Q3 = 36, Q1 = 175) suggest that the occurrence of this event is not systematically scheduled. However, it is also true that in many cases, the charge against the juvenile was not recorded, which made it impossible to determine whether there was a victim to contact. Further, in some cases, the Worker may not have been able to contact the victim, or the victim may have been "the community". Finally, all instances of such contact may not have been recorded, particularly in cases where the victim chose not to participate, which is a non-functional result for the Program. It is therefore difficult to assess whether the Program has
performed within its guidelines in this matter. More consistent recording of this event, and the victim's response to the Program's overtures would have better enabled an assessment of the Program's efforts and successes at involving the victims of offences.

SOCIAL PROFILE (Event 9)

The consistency with which this event occurred (394 of 408 cases) would seem to fulfill the Program guidelines in this matter. However, the measures of dispersion are high (S.D. = 30.3, Q3 = 58, Q1 = 16), indicating that the occurrence of this event was not systematically scheduled. However, the high number of "Social Profiles" which were not measurable from the baseline (175) may or may not have dispelled this variability. As the formulation of a "plan" is predicated on the completion of the "Social Profile" (since it is intended to serve diagnostic and planning purposes), a client's progression through the subsequent stages of the Program is presumably delayed until the "Social Profile" has been compiled. However, the analysis revealed that in 275 cases, a diversion plan was undertaken before the "Social Profile" (and hence, the Plan) had been logged in the file. This may simply be the result of the "Social Profile" having not been "formally" completed (i.e., typed and entered in file) until after the plan had been undertaken. However, judging by the records alone, the conclusion would be that
the formal process was abridged in these cases, and that the "treatment" phase began before the "diagnostic" phase had been completed. In 25% of the cases (as indicated by Q3), this event did not occur until after the 58th day (as measured from "Initial Letter"). However, these delays could be the result of several factors: initial delay in earlier stages, high caseloads, the complexity of some cases, all may have combined to artificially inflate the statistics.

COMPENSATORY TASK AGREEMENT (Event 10)

The high frequency with which this event occurred (395 of 408 cases) would indicate that the majority of Program participants were assigned a Compensatory Task. The most significant feature of its occurrence is the high variability in time of occurrence (S.D. = 24.8, Q3 = 51, Q1 = 21), which may be due to the differential time that is consumed in finalizing a "Plan".

In eight cases, it was found that clients were required to undertake a Compensatory Task, but a copy of the Compensatory Task Agreement was not enclosed in the file. Whether this was an omission in filing, or if these tasks were undertaken without a contract is unknown. However, as the Program's mode of operation is based on the concept of "contracting", either reason for this omission is in contravention of Program procedure. Also, as was mentioned earlier, several clients were assigned tasks before a "Social Profile" had been logged.
REFERRAL AGREEMENT (Event 11)

The comparatively low frequency of occurrence for this event (84 of 408 cases) indicates that the "Compensatory Tasks" are the predominant course of action. This may also be an indicator that relatively few clients exhibit "the need for ongoing intervention and support" (Reynolds et al., 1976, p. 186). In 61 cases, the "Plan" had not been logged prior to the client's undertaking this Program element. In these cases, the facts suggest that the "treatment" began before the "planning" had been completed.

PROMISE NOT TO SUE (Event 12)

This unanticipated event consisted of a statement signed by the child's guardians, stating that they would not sue the resource of a Compensatory Task, should the child be injured while performing work for the resource. An earlier study of the Program by Reynolds et al. (1976) states that at the time of that study, this event was a standard part of the Diversion Program (p. 188-189). However, the low frequency of occurrence found in this study (14 of 408 cases) would suggest that it was not applied on a general basis, or it was soon abandoned after implementation, or, if the practice was a standard requirement, that it was not recorded on a regular basis. Another possibility is that only a few community resources chose to take such a precaution.
PLAN FORMULATED (Event 13)
As with other events, though the frequency is high (319 of 408 cases), so are the measures of dispersion (S.D. = 30.1, Q3 = 64, Q1 = 23), perhaps as a result of differing levels of difficulty encountered by Workers in formulating a Plan. As this event is a part of the "Social Profile", it is interesting to note that its average time of occurrence (mean = 44 days) is a few days after the occurrence of the "Social Profile" (mean = 38 days). Perhaps this may be due to the fact that in those cases where a "Plan" is included in the "Social Profile", the "Social Profile" tends to occur later than in those cases where a "Plan" is not included in the Social Profile. An early occurrence of the "Social Profile" may indicate that the Worker has yet to finalize a plan.

VICTIM INFORMED OF TASK (Event 14)
The infrequent occurrence of this unanticipated event (2 of 408 cases) suggest that it is not a usual part of the process. Also, this event was not mentioned in the Program literature, or by the Program Administrator. Its occurrence does suggest however, an attempt to involve the victim of an offence.
COMPENSATORY TASK STARTED (Event 15)

The relatively frequent occurrence of this event (266 of 408 cases) suggests that in most cases, the Program staff specify when the work is to begin as part of the Compensatory Task Agreement. The Program also could have obtained this information through follow-ups on the Task. In those cases where this event was not recorded, the scheduling of working times may have been left to the discretion of the community resources. It is clear that the Program is less concerned with when a task is to begin, as to when a task is to end. Though the "Compensatory Task Agreement" contains an item indicating when the task is to be completed, there is no item specifying when the Task is to start.

REFERRAL AGREEMENT STARTED (Event 16)

The low frequency with which this event was documented (6 cases) suggests that such scheduling is left to the discretion of the Referral Agency, which may be in a better position to determine when the referral should start. The variability would also suggest that this event is not systematically in the scores (S.D. = 27.7, Q3 = 79, Q1 = 30) scheduled, or this may be a reflection of the different rates at which clients are processed.

AGENCY REFERRAL DELETED (Event 17)

The low frequency of occurrence for this event (2 cases) suggests that alterations in the original diversion plans
rarely occur. This may be a testimonial to the propriety of the diversion plans, or a reflection of the inflexibility of those plans.

CLIENT COUNSELED (Event 18)
This event was defined as any worker-client contact where the primary reason for the contact was not (a) part of the social profile or planning process, or; (b) part of the follow-up on the plan. The relatively infrequent occurrence of this event (38 of 408 cases) suggests that there may be relatively little need for worker-client contact outside of the planning and follow-up stages. Since the Worker is in the position of broker, thereby referring clients to outside resources for "treatment", additional contact between worker and client outside of the assessment and follow-up stages may not be required.

COMPENSATORY TASK COMPLETED (Event 19)
The fairly consistent documentation of this event (360 cases) illustrates high variability in time of occurrence (S.D. = 46.6, Q3 = 93.25, Q1 = 41.5), perhaps a product of different rates of processing and possibly also a function of the nature and duration of the tasks assigned. We are left to assume that in the cases where this event was not documented, that the task was completed as assigned. The Workers may have chosen not to record this event, since a
closing letter is sent to the police indicating successful completion of the Program.

FOLLOW-UP TO TASK (Events 20-21-29)

All three follow-ups to the tasks will be discussed here. The relatively small number of occurrences for these events (203, 21, and 41) would seem to contravene Program guidelines stating that the Worker is to "systematically follow(ing) up on the youth's involvement in the selected process" (Reynolds et al., 1976, p.187). If such follow-ups did occur more frequently, the Workers may simply not have recorded them. The low frequency of occurrences may also be responsible for the mean time of occurrence for these events (75 days, 81 days, and 112 days), which are higher than that for the completion of the task (72 days). However, it was found that only 64 of the "First Follow-up", 14 of the "Second Follow-up" and 8 of the "Third Follow-up" had occurred before the Task was completed. Therefore, it would appear that most of the follow-ups that did occur, occurred after the Task had been completed. Further, the variability in time occurrence is quite high (S.D. = 51.1, 50.8, 68.9; Q3=97, 123.25, 158.5; Q1=39.75, 38.5, 44.4), suggesting that the follow-ups were not systematically scheduled. In light of this finding, the purpose of the follow-ups need clarification. If the purpose of the follow-up is to simply confirm whether or not the Task has been completed, the Program has met its objective in moderate fashion. However,
if the purpose of the follow-up is to periodically monitor the child's progress through the Program, the Program has then not met its objective in a considerable number of cases.

LETTER TO POLICE: Explain Task (Event 22)
The infrequent occurrence of this unanticipated event (7 cases) suggests that it is not part of the usual diversion process. The event consisted of a letter to the concerned police department, describing the tasks a child was undertaking in the Diversion Program. Also suggesting that this event is not a regular Program procedure is the event's high variability (S.D.=51.4, Q3=139.5, Q1=45), and failure to be described in the Program literature or by the Program Administrator. The occurrence of this event may however be taken as an indication of attempts at cooperation between the Program and the police.

ORDERED INTO PROGRAM BY COURT (Event 23)
The infrequent occurrence of this unanticipated event (8 cases) suggests that it is not a usual Program procedure. The practice of accepting referrals from the court raises questions as to who ultimately controls the Program. The occurrence of this event is not acknowledged in the Program literature, but the literature does state that the selection of candidates is the Program Administrator's responsibility.
He does so by following the Program policy and procedure, as established by the Diversion Committee. In these cases however, the Program's policy, procedure and prerogative was apparently abridged by the court. This raises questions as to who is actually in control of the Program, and if such control is or should be absolute. Further, this event contravenes the Program's policy that a participant may at any time leave the Program and return to court to deal with the pending charge. The basic issues of the Program's authority and mandate are therefore cast into doubt by the occurrence of this event.

COMPENSATORY TASK ALTERED (Event 24)

The relatively infrequent occurrence of this event (16 cases) suggests that while the majority of Tasks are completed as planned, provisions are made for cases where the original plan becomes untenable. By the same token however, the occurrence of this event may reflect rigidity in the plans, since they are altered so infrequently.

NEW COMPENSATORY TASK AGREEMENT (Event 25)

This event is the logical consequence of a change in the original Compensatory Task. Since the work done by a client is established by contract, when a change occurs in the planned task (i.e. location, nature of work), according to Program policy a new contract must be established. However,
this event occurred in only five cases, meaning that in 11 cases, a change in task was not accompanied by the required establishment of a new contract. Since "contracting" is the method upon which the Program functions, this may be regarded as a serious contravention of formal procedure.

FILE CLOSED (Event 26)
Though this event necessarily occurred for all cases, the date of occurrence could not be established for all cases. The high variability in the time of closing (S.D. = 60.0, Q3 = 128, Q1 = 61) again suggests different rates of processing for different clients. The different rates at which clients are processed may reflect delays in the initial stages of the Program, or may be a function of the nature of the Compensatory Task undertaken.

FOLLOW-UP TO REFERRAL (Events 27-32-33)
All three measures of follow-up will be discussed here. While Program guidelines specify that follow-ups to the Referral Agreement are to be made at regular intervals (1, 3, 6 and 9 month periods), the number (43, 8, 17) and variability in follow-ups (S.D. = 51.5, 85.3, 59.3; Q3 = 119.5, 209.5, 223.5; Q1 = 61.5, 50.5, 116) would appear to indicate a contravention of formal procedure. In fact, the analysis revealed that only seven of the follow-ups occurred before the client had completed the terms of the Referral Agree-
ment. This again raises questions as to the purpose of the follow-up: "monitoring" or determining if the terms of the contract had been fulfilled.

CLOSING LETTERS (Event 28)
Evidence that this event occurred appeared in almost all cases (407 of 408 cases). The variability in time of occurrence (S.D. = 60.0, Q3 = 127, Q1 = 64) may reflect the different rates at which clients were processed. The single case for which this required event did not occur may be the result of an omission in record-keeping.

HOURS OF TASK DECREASED (Event 30)
This event is not to be confused with a "Verbal Caution", since it only represents a change in the contract, not its annulment. Again, this may be taken as evidence of provisions made in the Program to consider possible changes in circumstances which make the original contract untenable.

REFERRAL AGREEMENT COMPLETED (Event 31)
The late occurrence of this event (mean = 133, median = 107) may be attributed to the small number of observations upon which it is based (10 cases). However, it may also be the case that clients who were assigned Referral Agreements were in the Program longer than those who were assigned Compensatory Task Agreements. The different natures of the two contracts (Compensatory Task Agreement, Referral Agreement) suggests
that this may be the case. Whereas the Compensatory Task Agreement specifies a precise number of hours to be worked (up to a maximum of 40 hours), the Referral Agreement simply states that it cannot exceed nine months, a relatively indefinite period as compared to the provisions of the Compensatory Task Agreement.

OTHER EVENTS OCCURRING IN "COMPLETED" CASES

In Table 5 other events which occurred in "Completed" cases, but which were not measurable from the baseline "Initial Letter", are summarized.

**TABLE 5**

**OTHER EVENTS OCCURRING IN "COMPLETED" CASES**

<table>
<thead>
<tr>
<th>Event</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Return to Court: New Charge</td>
<td>3</td>
</tr>
<tr>
<td>Return to Court: Failure to Comply with Compensatory Task Agreement</td>
<td>1</td>
</tr>
<tr>
<td>Chose Court After Legal Counsel Received</td>
<td>1</td>
</tr>
<tr>
<td>Agency Referral Added</td>
<td>1</td>
</tr>
<tr>
<td>Hours of Task Increased</td>
<td>1</td>
</tr>
<tr>
<td>Intake Interview Arranged</td>
<td>1</td>
</tr>
</tbody>
</table>
As can be seen, the first three events in this Table resulted in the clients being returned to court or choosing to proceed to court. However, as these events occurred in "Completed" cases, the assumption that these cases were subsequently "Ordered Into Program by Court" would explain how such events could occur in "Completed" cases.

The events "Agency Referral Added" and "Hours of Task Increased" represent changes in the initial diversion plan. Finally, a single case of "Intake Interview Arranged" suggests that this event is rarely recorded.

DISCUSSION OF FINDINGS IN "COMPLETED" CASES

The most significant feature of the processing of "Completed" cases was the high variability in time for the occurrence of Program events. While this variability may be interpreted as evidence of an "unsystematic" or "unorganized" program, it may conversely be interpreted as evidence of a process which is sensitive to the varying needs and characteristics of its clients.

The omissions in the process however, may not be spelled away as easily. Instances where such basic events as "Legal Counsel Received", "General Admission of Facts" and "Release of Information" were not evidenced suggest either a significant departure from formal process, or lapses in record-keeping practices.
The relative infrequency with which the victim was contacted during the planning stage also raises an important issue. Since the Program is presumably highly motivated towards involving the victims of offences in the resolution of the child's transgression, the Program's record in striving for this end is either lacking, or the outcomes of contacts with victims is not often reported. Since the Program highly values the concept of victim-offender reconciliation, all efforts to make this come about should be recorded, regardless of whether or not the effort succeeds.

The Program's efforts at following-up Tasks and Referrals are also either lacking or not well recorded. Since the Program has a public trust to provide this alternative to the formal court process, it must demonstrate itself to be carrying out its stated guidelines of "systematically following-up on the youth's involvement in the selected process" (Reynolds et al., 1976, p. 187). Although it may be carrying out its policy in this regard, the records indicate little support for such a claim.

The court's practice of referring juveniles to the Program is also contrary to the formal procedure. The circumstances in these cases are not fully known, but such a practice definitely calls into question the Diversion Committee's legitimacy as directors of the Program.
5.2.2 **ANALYSIS OF "CHASE COURT" CASES**

The results of the statistical analysis of "Chase Court" cases, as measured from "Initial Letter", are summarized in Table 6.

<table>
<thead>
<tr>
<th>Event</th>
<th>Total Freq.</th>
<th>N.</th>
<th>Mean</th>
<th>Median</th>
<th>Standard Deviation</th>
<th>Q3</th>
<th>Q1</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>62</td>
<td>62</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
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<td>1</td>
<td>6</td>
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<td>3</td>
<td>26</td>
<td>9</td>
<td>9</td>
<td>7</td>
<td>5.7</td>
<td>15</td>
<td>6</td>
<td>15</td>
</tr>
<tr>
<td>4</td>
<td>23</td>
<td>8</td>
<td>11</td>
<td>6.5</td>
<td>8.5</td>
<td>17</td>
<td>5.25</td>
<td>24</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>2</td>
<td>13</td>
<td>13</td>
<td>8.5</td>
<td>19</td>
<td>7</td>
<td>12</td>
</tr>
<tr>
<td>6</td>
<td>20</td>
<td>9</td>
<td>14</td>
<td>11</td>
<td>10.3</td>
<td>23.5</td>
<td>5.5</td>
<td>28</td>
</tr>
<tr>
<td>7</td>
<td>101</td>
<td>43</td>
<td>15</td>
<td>11</td>
<td>12.8</td>
<td>20</td>
<td>6</td>
<td>63</td>
</tr>
<tr>
<td>8</td>
<td>72</td>
<td>33</td>
<td>17</td>
<td>12</td>
<td>13.7</td>
<td>22</td>
<td>7</td>
<td>59</td>
</tr>
<tr>
<td>9</td>
<td>77</td>
<td>33</td>
<td>17</td>
<td>12</td>
<td>14.5</td>
<td>25</td>
<td>7</td>
<td>63</td>
</tr>
<tr>
<td>10</td>
<td>3</td>
<td>1</td>
<td>19</td>
<td>19</td>
<td></td>
<td>19</td>
<td>19</td>
<td>0</td>
</tr>
<tr>
<td>11</td>
<td>2</td>
<td>2</td>
<td>25</td>
<td>24.5</td>
<td>24.7</td>
<td>42</td>
<td>7</td>
<td>35</td>
</tr>
</tbody>
</table>

The events in Table 6 are arranged in sequential order from the earliest occurring event to the latest occurring event, as measured by the mean in days. Again, the figures were
rounded to the nearest day. The column headings are defined as follows:

1. **Event**: figures in this column refer to the numbered summary paragraphs which follow the Table.

2. **Total Freq.**: figures in this column refer to the total number of "Chose Court" cases in which this event occurred.

3. **N**: figures in this column refer to the number of "Chose Court" cases in which this event occurred and was measurable from the baseline "Initial Letter". The descriptive statistics are therefore based on "N" observations.

4. **Mean**: the sum of "N" values of the event-time divided by "N".

5. **Median**: the value of the event-time that falls in the middle, when the values are arranged in order of magnitude.

6. **Standard Deviation**: measure of variability about the mean, in days.

7. **Q3**: the value of the event-time (in days) that exceeds 75% of the values, and is less than the remaining 25%.

8. **Q1**: the value of the event-time (in days) that exceeds 25% of the values, and is less than the remaining 75%.
9. Range: the difference between the largest event-time and the smallest event-time.

EXAMPLE:

<table>
<thead>
<tr>
<th>Event</th>
<th>Freq.</th>
<th>N</th>
<th>Mean</th>
<th>Med</th>
<th>Deviation</th>
<th>Q3</th>
<th>Q1</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>401</td>
<td>301</td>
<td>17</td>
<td>14</td>
<td>11.7</td>
<td>21</td>
<td>9</td>
<td>76</td>
</tr>
</tbody>
</table>

1. Event: Intake Interview.
2. Total Freq.: documented in 401 "Chose Court" cases.
3. N: time of occurrence measureable from baseline "Initial Letter" in 301 cases.
4. Mean: mean time of occurrence is 17 days after "Initial Letter", bases on 301 cases.
5. Median: the midpoint value for the time of occurrence for this event is 14 days after "Initial Letter".
6. Standard Deviation: approximately 68% of the "times of occurrence" for this event were between 5.3 days and 28.7 days after "Initial Letter".
7. Q3: 25% of the times of occurrence for this event were greater or equal to 21 days after "Initial Letter".
8. Q1: 25% of the times of occurrence for this event were less than or equal to 9 days after "Initial Letter".
9. Range: the difference between the highest and lowest
    time of occurrence for this event was 76 days.

    The following is a summary of the most pertinent aspects for
each event. Those events which were already discussed under
"Completed" cases will be dealt with more briefly here.

INITIAL LETTER (Event 1)

As was mentioned earlier, the absence of this event from
the remainder of the "Chose Court" cases suggests that
either the event did occur but was not documented or, that
the clients were contacted by other means.

CHILD DECLINES INITIAL INTERVIEW (Event 2)

This event was documented in few cases (2), which may be
interpreted in different ways. First, it may be inferred
that this event seldom occurs because the "Initial Letter"
is interpreted not so much as an "invitation" to an inter-
view, but as a "command" to attend an interview. If such is
the case, recipients of the letter may feel intimidated and
forced to attend the first interview. Alternately, the
infrequent occurrence of this event may be interpreted as a
sign that children and their parents view the Program as a
potentially more palatable alternative than court, and that
they are prepared to at least attend the first interview. A
third alternative is that this event may occur more
frequently, but is interpreted and entered into the files as
a "Return to Court" for failing to attend an "Intake Interview".

SOCIAL PROFILE (Event 3)

This event was documented in 26 cases, with the mean time of occurrence (9 days) being shorter than that for "Intake Interview" (7 days). This could be explained as being a spurious result of its small frequency of occurrence (N=9). As can be noted, it did not occur for several cases, which may be the result of those individuals not choosing to participate in the Program. If such were the case, the Worker is not required, nor in a position to formulate a social profile. However, in many cases this results in not knowing much about the individuals who choose court. Consequently, it is not possible to make a comparison between those who choose court, and those who enter the Program, to determine if these groups differ in any respects.

LEGAL COUNSEL RECEIVED (Event 4)

As was the case for the previous event, the mean time of occurrence for this event (11 days) may be the result of a small number of cases (N=8), which results in the event having a smaller mean time of occurrence than the "Intake Interview" (17 days). In fact, more detailed analysis revealed that for 22 cases, the events "Legal Counsel Received" and "Intake Interview" did occur on the same day.
Otherwise, it should be noted that in only 23 cases was the provision of legal counsel documented. One may assume that this event occurred for other cases but was not documented, but there is no concrete evidence to support this assumption, nor did the worker report that this event did occur in most of these files. Although the provision of legal counsel is central to the Program's philosophy, there are no provisions made for documenting this event in "Chose Court" cases.

GENERAL ADMISSION OF FACTS (Event 5)
The mean time of occurrence for this event (13 days) may again be due to its small frequency of occurrence (N=2). The analysis did reveal that this event occurred on the same day as "Intake Interview" for two cases. The occurrence of this event in "Chose Court" cases, suggests that while some individuals initially agree to enter the Program, at some point later on in the process, they decide to return to the court process.

CHOSE COURT AFTER LEGAL COUNSEL RECEIVED (Event 6)
The mean time of occurrence for this event (14 days) is perhaps artificially smaller than the mean for the "Intake Interview" (17 days), due to the relatively small number of cases (N=9).
FILE CLOSED (Event 7)
The occurrence of this event, as measured from baseline
"Initial Letter" occurred on average (mean=15 days), before
the "Intake Interview" (mean=17 days). Again, the smaller
number of cases for which this event was documented (43),
and the high variability in scores (S.D.=12.8, Q3=20, Q1=6)
would indicate that this is perhaps a spurious result.

INTAKE INTERVIEW (Event 8)
The occurrence of this event (72 cases), and the variability
in scores (S.D.=13.7, Q3=22, Q1=7) help to explain the seem-
ingly illogical sequence of events for these cases.

CHOOSE COURT OTHER (Event 9)
This event was used to designate cases in which the child
chose to enter the court process, but for which it was not
documented as to whether they had received legal counsel
before having made their decision. As can be seen, this
event is the most frequently occurring type of "Choose Court"
case (77 cases). It was mentioned earlier, although the
Program guidelines require that the child receive legal
counsel, the evidence that this occurs is nonexistent in the
cases where the child refuses to sign the General Admission
of Facts, or where the Worker does not record this in the
file. The Program has not made a provision for documenting
that legal counsel has been received and the candidate
chooses to proceed to court.
RELEASE OF INFORMATION (Event 10)

As can be seen, this event occurred in only three cases, which would seem to indicate that those youths originally chose to enter the Program, but at some point later in the process, decided to proceed to court. In two cases, this event occurred on the same day as the "Intake Interview".

LETTER TO POLICE EXPLAINING TASK (Event 11)

The occurrence of this event before "Compensatory Task Agreement" is again probably the spurious result of few occurrences (N=2) with high variability (S.D.=24.7, Q3=42, Q1=7). As was discussed for "Completed Cases", it does not appear that this event is a standard element in Program process, given its low frequency of occurrence and that it was not mentioned in the Program literature or by the Program Administrator. It does however indicate that the Program made efforts to keep the place apprised of a child's status in the Program.

OTHER EVENTS OCCURRING IN "CHOSE COURT" CASES

Table 7 summarizes events which occurred in "Chose Court" cases but were not measurable from the baseline "Initial Letter".

As can be seen, a rare occurrence of "Intake Interview Arranged" appeared in a single case. Given the infrequency with which it is recorded, it is probable that the Program
TABLE 7
OTHER EVENTS OCCURRING IN "CHOSE COURT" CASES

<table>
<thead>
<tr>
<th>Event</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intake Interview Arranged</td>
<td>1</td>
</tr>
<tr>
<td>Victim Contacted</td>
<td>1</td>
</tr>
<tr>
<td>Plan Formulated</td>
<td>2</td>
</tr>
<tr>
<td>Compensatory Task Agreement</td>
<td>1</td>
</tr>
<tr>
<td>Referral Agreement</td>
<td>1</td>
</tr>
<tr>
<td>Letter to Police: Child in Diversion</td>
<td>3</td>
</tr>
<tr>
<td>Child Withdraws once in Program</td>
<td>2</td>
</tr>
<tr>
<td>Client Counselling</td>
<td>1</td>
</tr>
</tbody>
</table>

does not regard the occurrence of this event as a significant point in the diversion process. In a single case, the victim was contacted. More frequent occurrences of this event in "Chose Court" cases was unlikely, given that most candidates declined to participate in the Program.

Some clients did proceed further into the process before returning to court as is evidenced by the occurrence of "Plan Formulated", "Compensatory Task Agreement", "Referral Agreement", "Letter to Police: Child in Diversion", and "Client Counselling". However, the occurrence of the event "Withdraw" would indicate that clients who initially chose diversion, subsequently decided to return to court to deal with the charge.
DISCUSSION OF FINDINGS IN "CHOSE COURT CASES"

As it occurred for "Completed" cases, the events for "Chose Court" cases evidenced a high degree of variability in time of occurrence. As a result, a logical and clear depiction of the processing of such cases was not obtained.

The most striking finding was that 76% of these cases chose court where there was no indication that legal counsel had been received. This may be a function of the record-keeping procedures of the Program, which do not provide evidence for this event when the child chooses to proceed to court. This obliges us to assume that the child has received legal counsel, but this only remains an assumption which is not substantiated by records in the file.

5.2.3 ANALYSIS OF "RETURN TO COURT" CASES

The results of the statistical analysis of "Return to Court" cases as measured from the baseline "Initial Letter" are summarized in Table 8.

As with the previous cases, the figures were rounded to the nearest day, and the events are ordered sequentially, from the earliest occurring event to the latest occurring event, as measured by the mean in days. The column headings are defined as follows:

1. Event: figures in this column refer to the numbered summary paragraphs which follow the Table.
**TABLE 8**

**EVENTS IN "RETURN TO COURT" CASES: BASELINE INITIAL LETTER**

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</table>

2. Total Freq.: figures in this column refer to the total number of "Return to Court" cases in which this event occurred.

3. N: figures in this column refer to the number of "Return to Court" cases in which this event occurred and was measurable from the baseline "Initial Letter". The descriptive statistics are therefore based on "N" observations.
4. Mean: the sum of "N" values of the event-time divided by "N".

5. Median: the value of the event-time that falls in the middle, when the values are arranged in order of magnitude.

6. Standard Deviation: measure of variability about the mean, in days.

7. Q3: the value of the event-time (in days) that exceeds 75% of the values, and is less than the remaining 25%.

8. Q1: the value of the event-time (in days) that exceeds 25% of the values, and is less than the remaining 75%.

9. Range: the difference between the largest event-time and the smallest event-time.

EXAMPLE:

<table>
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<tr>
<th>Event</th>
<th>Freq.</th>
<th>N</th>
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</table>

1. Event: Intake Interview.
2. Total Freq.: documented in 401 "Return to Court" cases.
3. N: time of occurrence measurable from baseline "Initial Letter" in 301 cases.
4. Mean: mean time of occurrence is 17 days after "Initial Letter", bases on 301 cases.

5. Median: the midpoint value for the time of occurrence for this event is 14 days after "Initial Letter".

6. Standard Deviation: approximately 68% of the "times of occurrence" for this event were between 5.3 days and 28.7 days after "Initial Letter".

7. Q3: 25% of the times of occurrence for this event were greater or equal to 21 days after "Initial Letter".

8. Q1: 25% of the times of occurrence for this event were less than or equal to 9 days after "Initial Letter".

9. Range: the difference between the highest and lowest time of occurrence for this event was 76 days.

The following is a summary of the salient aspects in the processing of these cases.

INITIAL LETTER (Event 1)

This event was dated in 76 cases, and therefore was used as a baseline for these cases. As with other outcomes, the absence of this event from the remaining 20 "Return to Court" cases may be interpreted as evidence that the "Initial Letter" was not sent and candidates were contacted by other means, or, it might be assumed that the event did occur, but was not recorded in the files.
REFUSES TO SIGN GENERAL ADMISSION OF FACTS (Event 2)

The occurrence of this event suggests that juveniles disputed the facts as outlined in the Information, and therefore declined to make an admission of guilt to the offence as stated. The inference that may be drawn from the infrequent occurrence of this event (3) is that in most cases, the facts as stated in the Information, are sufficiently clear and accurately stated, that a child can make an immediate decision as to whether or not to enter the Program. Conversely, the possibility exists that the low frequency of occurrence for this event may signify that candidates are not prepared to challenge the Information, and as some writers have stated, choose to take the "easy way out", to avoid going to court at all costs.

RETURN TO COURT REFUSAL TO SIGN GENERAL ADMISSION OF FACTS (Event 3)

This event occurred on two occasions, and is the result of the event previously discussed. Again, this may indicate that the decision of whether or not proceed with diversion on the basis of the facts contained in the Information, is a decision which is made quickly, as the facts are not often disputed.

RETURN TO COURT NO EXPLANATION (Event 4)

This event was included in the analysis since for four cases, it could not be determined why a client was returned
to court. This has obvious implications for the Program's record-keeping practices.

INTAKE INTERVIEW (Event 5)
This event was recorded in 80 cases. Though the mean (14 days) is within the Program guidelines of two to three weeks after the "Initial Letter", the measures of dispersion are high (S.D. = 9.7, Q3 = 19, Q1 = 8). The variability may be due to difficulty in scheduling the initial interview or a high caseload which delayed the occurrence of this event in some cases.

LEGAL COUNSEL RECEIVED (Event 6)
This event occurred in 78 cases, and the statistical summary suggests that the time of occurrence (mean = 15, median = 11) was on the same day or shortly after the "Intake Interview". For 65 cases, this event did occur on the same day as the "Intake Interview", as is specified in the Program literature. The variability in scores (S.D. = 11.4, Q3 = 19; Q1 = 8), as measured from "Initial Letter" may be due to factors such as high caseloads or difficulty in scheduling prior events. The absence of this event from the remaining 18 cases contravenes the policy of the Program, the implications of which were outlined earlier.
LETTER TO POLICE: CHILD IN DIVERSION (Event 7)
The notification of the police force concerned, occurred in
55 cases, on average (mean=15, median=13), shortly after the
Intake Interview (mean=14, median=11).

GENERAL ADMISSION OF FACTS (Event 8)
This event occurred on the same day as the "Intake Inter-
view" in 62 cases, as required by the Program guidelines.

RELEASE OF INFORMATION (Event 9)
This event was recorded in 56 cases, and as measured from
"Initial Letter", occurred shortly after the "Intake Inter-
view". However, the mean (17 days) may have been influenced
by a few extreme values, since in 45 cases, this event
occurred on the same day as "Intake Interview. However, its
occurrence was characterized by high variability (S.D.=12.5,
Q3=20.5, Q1=8), indicating perhaps the differing rates in
which clients were processed. The consequences of its non-
ocurrence, from both a programatic and ethical standpoint
have been outlined earlier.

TELEPHONE FOLLOW-UP (Event 10)
Of all the cases analyzed, only three cases evidenced this
event. By Program standards, its occurrence was long over-
due (mean=22, median=22), given that follow-up calls are
supposed to be made within 48 hours of the anticipated
receipt of the initial letter. However, as was mentioned earlier, this event may occur more regularly, but simply is not recorded on a regular basis. Therefore, the time of occurrence for this event may be viewed with suspicion, since it was based on only two observations.

INTAKE INTERVIEW ARRANGED (Event 11)
The occurrence of this event in only 2 cases makes the mean time of occurrence (2 days based on 1 observation) unrepresentative. This event obviously occurred more regularly, but apparently was not recorded on a regular basis.

RETURN TO COURT WORKER DISCRETION (Event 12)
This event, which is a Worker prerogative after the "Intake Interview", was exercised in five cases, four of which were amenable to measurement. The low frequency of occurrence would indicate that few offenders are "generally out of control", which is a reason for returning a case to court, as outlined in the Program literature.

SOCIAL PROFILE (Event 13)
This event was documented in 71 cases, and is again characterized by a high degree of variability in time of occurrence (S.D.=27.3, M=340, Q1=7), which may be the result of different rates of processing. The absence of this event for the remaining 25 cases may be explained if some clients
were returned to court early in the process, before the worker had the opportunity to compile a social profile. However, it was also found that this event occurred before the undertaking of a plan in only 31 cases. As in previous instances where this was found, it suggests that the "treatment" phase began before the "assessment" stage had been completed.

ADMINISTRATOR CONSULTED RE: RETURN TO COURT (Event 14)
This event was documented in only three cases, which makes it difficult to speculate on the significance of its sequencing. The fact that it was documented in only three cases raises questions as to whether this required part of Program procedure did occur in the remainder of the cases. The standard documentation of the Program does not provide for the systematic recording of this event. The only instances in which it could be discerned that it had occurred, was a closing letter to a children which mentioned that the Administrator had been consulted.

FOLLOW-UP TO TASK (Events 15-34-35)
The three events signifying "Follow-up to Task" will be dealt with here. As can be seen (Total Freq=1, 14, 3), these events occurred relatively infrequently. The infrequency of these events may be explained by the fact that perhaps these participants were returned to court before
these events could occur. However, in the cases where these events were recorded, they all took place after the task had been completed, or after the child had been returned to court. This again, raises questions as to the purpose of these follow-ups: monitoring, or confirmation of the completion of tasks.

RETURN TO COURT AFTER INTAKE (Event 16)
The relatively infrequent occurrence of this event (2 cases) suggests that few diversion candidates were "generally out of control", the criterion used to initiate this action.

COMPENSATORY TASK AGREEMENT (Event 17)
The relatively high number of participants who were not assigned a Task (49 cases) may be partly explained by the possibility that the participants could have been returned to court prior to having been assigned a task, or, other measures such as a Referral Agreement may have been undertaken instead. However, it was found that in two cases, a task was undertaken without evidence of a contract having been signed. Since the Program's method of operation is based on "contracting" this represents a contravention of Program procedure.
COMPENSATORY TASK STARTED (Event 18)

This event was documented in only 16 cases, and as mentioned previously, was probably not recorded more often because the Program may allow such details to be worked out by the client and the community resource. Such flexibility would allow the child and the resource to work out mutually convenient times for the work to take place.

VICTIM CONTACTED (Event 19)

In only twelve cases was there evidence that the victim of the offence had been contacted. However, in only six cases did this event occur before the diversion plan was undertaken. This would appear to contradict the Program's policy of involving the victim in the planning of a diversion plan. While this may seem to be in contradiction to the Program's goal of involving the victim, this result may be due to other factors. It is possible that in some cases, the offences were "victimless". Also, this event may have occurred more frequently but was simply not recorded, particularly in cases where the victim chose not to participate.

PROMISE NOT TO SUE (Event 20)

This event was described earlier, and in "Return to Court" cases, occurred in only two cases. The infrequency of occurrence suggests that this was not a standard part of the process. Perhaps only a few of the community resources
insisted that this precautionary step be taken. Conversely, the practice may have been widespread, but recorded only sporadically.

PLAN FORMULATION (Event 21)
As this event is part of the "Social Profile", its occurrence (mean=39, median=29) several days later than the "Social Profile" (mean=29, median=23) suggests that "Social Profiles" which include a Plan Formulation are, on average, completed later than those which do not incorporate this event. Alternately, some clients may have been returned to court prior to a plan being finalized and included in the "Social Profile".

REFERRAL AGREEMENT STARTED (Event 22)
The infrequency with which this event was recorded (4 cases) suggests that the Program is not acutely concerned with when a client begins the referral. The starting time may be left to be negotiated between the client and the agency. In a single case it was found that a referral was undertaken without a contract having been signed.

CLOSING LETTER TO CHILD (Event 23)
In 11 cases, the worker's decision to return the case to court was sent by letter, in the form of a closing letter. Why this event occurred in only a few cases is not clear.
The Program does not require this event to occur, and therefore why it did occur in these cases and not in others is not clear.

REFERRAL AGREEMENT (Event 24)

In 23 cases, a referral contract was enclosed in the files. The occurrence of this event was subject to high variability (S.D.=32.1, Q3=54, Q1=19.25) which may be interpreted as being the result of different rates of processing.

COMPENSATORY TASK COMPLETED (Event 25)

This event was recorded for 6 cases and displayed high variability in time of occurrence (S.D.=20.5, Q3=74, Q1=34). It must be assumed that since these cases were eventually returned to court, that these clients had not yet fulfilled all their commitments to the Program.

COMPENSATORY TASK ALTERED (Event 26)

Only one case occurred where the original task undertaken by a child was altered. This may reflect soundness in planning the tasks, since so few were subsequently altered.

REFERRAL AGREEMENT COMPLETED (Event 27)

Only three cases evidenced this event, which may account for the high variability in time of occurrence (S.D.=38.9, Q3=84, Q1=29). Since these cases were eventually returned to
court, we must assume that in these cases, the obligations to the Program had not yet been totally fulfilled.

RETURN TO COURT: DID NOT APPEAR FOR INTAKE (Event 28)
In five cases, candidates were returned to court for not appearing for the intake interview. The times of occurrence for these events (in one case, nearly two months after the initial letter) indicate that Program staff took quite some time in reaching this decision. It may be interpreted however as evidence that the Program was prepared to afford every opportunity to candidates to receive consideration for entering the Program.

FILE CLOSED (Event 29)
The average time for the closing of "Return to Court" cases was approximately two months, as measured from the baseline. However, this measure is subject to high variability (S.D. = 41.4, Q3=89, Q1=21), which is characteristic of most Program events. Again, this may reflect different rates of processing.

RETURN TO COURT: NEW CHARGE (Event 30)
As measured from the baseline, this event occurred after approximately a two month period. This reason for returning cases to court accounts for over one-third of such cases.
CLIENT COUNSELED (Event 31)
The low frequency for this event (10 cases) suggests, as mentioned earlier, that contract between client and worker may be restricted to the planning and follow-up stages. Additionally, in these cases the opportunity for such contact may have been restricted, by the clients being returned to court prior to the opportunity for such contact to occur.

RETURN TO COURT: NON-COMPLIANCE WITH REFERRAL AGREEMENT (Event 32)
This reason for returning cases to court accounted for only six cases. This may reflect a reluctance on the part of Program staff to enforce such a measure. The idea that "treatment" may not be forced upon a client may explain the Program's possible reluctance at enforcing this measure. Conversely, clients may not give reason for this course of action.

RETURN TO COURT: REASON UNKNOWN (Event 33)
This event occurred if five cases and signifies that the Worker returned the cases to the court process, but did not indicate why this action was taken.

FOLLOW-UP TO REFERRAL (Events 36-38)
All the follow-ups will be dealt with here. As can be seen, the follow-ups to the Referral Agreement occurred more
systematically than the follow-ups to the task. The decline in follow-ups after the first one may be due to the clients having exited the Program before the subsequent follow-ups could be made. It should be noted that the onus of responsibility for the occurrence of this event is placed on the Referral Agency. Therefore, the agencies are required to initiate the follow-up.

RETURN TO COURT: NON-COMPLIANCE WITH COMPENSATORY TASK (Event 37)

This event accounted for 22% of the cases which were returned to court. The variability in time of occurrence is still relatively high (S.D. = 37.4, Q3 = 110.5, Q1 = 54.5), again reflecting different rates of processing.

AGENCY REFERRAL ADDED (Event 39)
The single occurrence of the event suggests that the original plans conceived for the child are not altered frequently.

OTHER EVENTS OCCURRING IN "RETURN TO COURT" CASES

Table 9 summarizes additional events which occurred in these cases, but which were not measurable from the established baseline.

As can be seen, in two cases youths were ordered into the Program by the court. The implications of this event were discussed earlier, and it would seem that this event ques-
### TABLE 9
OTHER EVENTS OCCURRING IN "RETURN TO COURT" CASES

<table>
<thead>
<tr>
<th>Event</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordered into Program by Court</td>
<td>2</td>
</tr>
<tr>
<td>Ask Police to Amend &quot;Information&quot;</td>
<td>2</td>
</tr>
<tr>
<td>Child Declines Initial Interview</td>
<td>1</td>
</tr>
</tbody>
</table>

tions the Program's authority and mandate. Also, on two occasions the Worker asked the Police to amend an Information, based on the child's request. Finally, a single case of the child declining the initial interview was recorded.

**DISCUSSION OF FINDINGS IN "RETURN TO COURT" CASES**

The processing of these cases was also marked by high variability in the timing of events. Beyond this finding however, two events stand out.

First, there were only three instances where the records indicated that the Program Administrator had been consulted prior to returning a case to court. Though this is part of the Program policy, there have been no provisions made to document whether this event ever occurs.

Second, although there is a provision for clients to appeal to the Committee if they feel they are being unjustly treated by being returned to court, not a single client in
the first six years of operation has appealed such a decision. Although it may be that clients have never felt unjustly treated, the absolute non-use of this right by clients is questionable.

The possibility that the clients are not aware of this right must be considered, though the initial brochure that is mailed to the clients by the Program does explicitly state this right. It is possible that clients forgot about this right however. In order to insure that this is not the case, the Program might adopt a standard form letter (as they have for clients who complete the Program) which not only states why they are being returned to court, but also that they have a right to appeal that decision.

5.2.4 ANALYSIS OF "VERBAL CAUTION" CASES

The results of the statistical analysis of "Verbal Caution" cases, as measured from "Initial Letter" are summarized in Table 10.

The figures in Table 10 are rounded to the nearest day, and the events are arranged sequentially from the earliest occurring event to the latest occurring event, as measured by the mean number of days for occurrence. The column headings are defined as follows:

1. Event: figures in this column refer to the numbered summary paragraphs which follow the Table.
TABLE 10

EVENTS IN "VERBAL CAUTION" CASES: BASELINE INITIAL LETTER

<table>
<thead>
<tr>
<th>Event</th>
<th>Total Freq.</th>
<th>N.</th>
<th>Mean</th>
<th>Median</th>
<th>Standard Deviation</th>
<th>Q3</th>
<th>Q1</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>5</td>
<td>2</td>
<td>14</td>
<td>14</td>
<td>7.1</td>
<td>19</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>26</td>
<td>20</td>
<td>19</td>
<td>13.5</td>
<td>13.7</td>
<td>29</td>
<td>8</td>
<td>49</td>
</tr>
<tr>
<td>4</td>
<td>26</td>
<td>20</td>
<td>19</td>
<td>13.5</td>
<td>13.7</td>
<td>29</td>
<td>8</td>
<td>49</td>
</tr>
<tr>
<td>5</td>
<td>24</td>
<td>20</td>
<td>19</td>
<td>13.5</td>
<td>13.7</td>
<td>29</td>
<td>8</td>
<td>49</td>
</tr>
<tr>
<td>6</td>
<td>24</td>
<td>21</td>
<td>19</td>
<td>14</td>
<td>12.8</td>
<td>28.5</td>
<td>8</td>
<td>44</td>
</tr>
<tr>
<td>7</td>
<td>28</td>
<td>22</td>
<td>21</td>
<td>16.5</td>
<td>15.1</td>
<td>28.75</td>
<td>8</td>
<td>63</td>
</tr>
<tr>
<td>8</td>
<td>14</td>
<td>7</td>
<td>23</td>
<td>19</td>
<td>13.9</td>
<td>33</td>
<td>10</td>
<td>39</td>
</tr>
<tr>
<td>9</td>
<td>10</td>
<td>7</td>
<td>34</td>
<td>33</td>
<td>11.0</td>
<td>44</td>
<td>21</td>
<td>26</td>
</tr>
<tr>
<td>10</td>
<td>15</td>
<td>9</td>
<td>35</td>
<td>28</td>
<td>27.2</td>
<td>45</td>
<td>14.5</td>
<td>90</td>
</tr>
<tr>
<td>11</td>
<td>30</td>
<td>21</td>
<td>35</td>
<td>37</td>
<td>-24.9</td>
<td>45.5</td>
<td>16</td>
<td>111</td>
</tr>
<tr>
<td>12</td>
<td>28</td>
<td>19</td>
<td>39</td>
<td>31</td>
<td>26.9</td>
<td>48</td>
<td>19</td>
<td>106</td>
</tr>
<tr>
<td>13</td>
<td>16</td>
<td>12</td>
<td>41</td>
<td>39.5</td>
<td>29.6</td>
<td>55.25</td>
<td>17.25</td>
<td>11</td>
</tr>
<tr>
<td>14</td>
<td>1</td>
<td>1</td>
<td>68</td>
<td>68</td>
<td>68</td>
<td>68</td>
<td>68</td>
<td>0</td>
</tr>
</tbody>
</table>

2. Total Freq.: figures in this column refer to the total number of "Verbal Caution" cases in which this event occurred.

3. N: figures in this column refer to the number of "Verbal Caution" cases in which this event occurred.
and was measurable from the baseline "Initial Letter". The descriptive statistics are therefore based on "N" observations.

4. **Mean**: the sum of "N" values of the event-time divided by "N".

5. **Median**: the value of the event-time that falls in the middle, when the values are arranged in order of magnitude.

6. **Standard Deviation**: measure of variability about the mean, in days.

7. **Q3**: the value of the event-time (in days) that exceeds 75% of the values, and is less than the remaining 25%.

8. **Q1**: the value of the event-time (in days) that exceeds 25% of the values, and is less than the remaining 75%.

9. **Range**: the difference between the largest event-time and the smallest event-time.

**EXAMPLE:**

<table>
<thead>
<tr>
<th>Event Freq.</th>
<th>N</th>
<th>Mean</th>
<th>Med</th>
<th>Deviation</th>
<th>Q3</th>
<th>Q1</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>401</td>
<td>301</td>
<td>17</td>
<td>14</td>
<td>11.7</td>
<td>21</td>
<td>9</td>
</tr>
</tbody>
</table>

1. **Event**: Intake: Interview.

2. **Total Freq.**: documented in 401 "Verbal Caution" cases.
3. N: time of occurrence measureable from baseline "Initial Letter" in 301 cases.
4. Mean: mean time of occurrence is 17 days after "Initial Letter", bases on 301 cases.
5. Median: the midpoint value for the time of occurrence for this event is 14 days after "Initial Letter".
6. Standard Deviation: approximately 68% of the "times of occurrence" for this event were between 5.3 days and 28.7 days after "Initial Letter".
7. Q3: 25% of the times of occurrence for this event were greater or equal to 21 days after "Initial Letter".
8. Q1: 25% of the times of occurrence for this event were less than or equal to 9 days after "Initial Letter".
9. Range: the difference between the highest and lowest time of occurrence for this event was 76 days.

The following is a summary of the pertinent aspects of the events which occurred in the "Verbal Caution" cases.

INITIAL LETTER (Event 1)

This event occurred, in dated form, for 25 cases, and was therefore used as the baseline for these cases. The absence of this event for the remaining five "Verbal Caution" cases may be due to the event having occurred, but not having been
recorded, or, the candidates may have been contacted by other means.

VICTIM CONTACTED (Event 2)
This event was evidenced in few cases (5), and its mean time of occurrence (14 days) was before the "Intake Interview" (21 days), as measured from the baseline "Initial Letter". While the Program states that it seeks to involve the victims of offences, few cases evidenced the occurrence of this event.

LEGAL COUNSEL RECEIVED (Event 3)
This event was documented in 26 cases, and as measured from baseline "Initial Letter" had a shorter elapsed time (mean=19, median=13.5) than did "Intake Interview" (mean=21, median=16.6). However, detailed analysis revealed that on 24 occasions, this event occurred on the same day as "Intake Interview" as per Program guidelines.

GENERAL ADMISSION OF FACTS (Event 4)
As measured from the baseline, this event has identical measures of Central tendency and dispersion as the previous event, which suggests that they occurred on the same day, which is in accordance with the Program guidelines. It was in fact found that this event occurred on the same day as the "Intake Interview" in 23 cases.
RELEASE OF INFORMATION (Event 5)

Again in this case, measures of central tendency and dispersion are identical to those for "Legal Counsel Received", and it was found that this event occurred on the same day as the "Intake Interview" in 23 cases.

LETTER TO POLICE (Event 6)

This event was documented in 24 cases, and occurred shortly after (mean=21) the three previous contiguous events, as measured by the mean. Apparently, this event is standard procedure, since it occurs in the majority of cases. Its occurrence suggests attempts by the Program to keep the police apprised of the juvenile's participation in the Program.

INTAKE INTERVIEW (Event 7)

As mentioned earlier, the mean for this event (21 days) is greater than that for the previously discussed events, which may be due to the measures being based on a differing number of observations. It was found that in most cases, the events "Legal Counsel Received", "General Admission of Facts", and "Release of Information" occurred on the same day as this event. As measured from the "Initial Letter", the mean for this event just meets the prescribed time frame of two to three weeks. A high dispersion in scores is again evident with 25% of the cases not having had the "Intake
Interview" until after the 29th day, which exceeds the prescribed time-frame of two to three weeks after the "Initial Letter" is sent.

VERBAL CAUTION AFTER INTAKE (Event 8)
This event was recorded a total of 14 times. The dispersion of scores is high (S.D.=13.9, 03=33, 01=10), as measured from the baseline.

PLAN FORMULATED (Event 9)
This event occurred in 10 cases, and is probably linked to the cases which received a "Verbal Caution" later in the Program. As it is part of the "Social Profile" (which was documented in 15 cases) its non-occurrence for five cases may be due to the plan not having been finalized at the time of writing of the "Social Profile".

SOCIAL PROFILE (Event 10)
The event "Social Profile" was documented in 15 cases, and as with all other events reviewed, its time of occurrence was highly variable (S.D.=27.2, 03=45, 01=14.5). As proposed earlier, this may be the function of different rates of processing for different clients.
FILE CLOSED (Event 11)
The occurrence of this event was documented for 30 cases. Though the mean is slightly over one month as measured from "Initial Letter", its variability in time of occurrence (S.D.=24.9, Q3=45.5, Q1=16) is high, indicating different rates of processing for different clients. As later events are subject to the time consumed by prior events, the time of closing of the file is subject to any disruptions or delays in process, which may have occurred earlier.

CLOSING LETTER (Event 12)
This event was documented for 28 cases, and the statistical measures of dispersion are high (S.D.=26.9, Q3=48, Q1=19), indicating again the different rates at which clients were processed.

VERBAL CAUTION ANY TIME IN PROGRAM (Event 13)
This event occurred in 16 cases, 12 of which were dated. The high variability in scores (S.D.=29.6, Q3=55.25, Q1=17.25) is the most significant statistical feature, reflecting the varying rates at which clients were processed.

COMPENSATORY TASK AGREEMENT SIGNED (Event 14)
The event occurred in a single case, indicating that most clients who receive "Verbal Cautions" are not usually assigned tasks or referrals.
OTHER EVENTS OCCURRING IN "VERBAL CAUTION" CASES

The only other event which occurred in these cases, but was not measureable from the baseline, was a single occurrence of "Letter to Victim Explaining Task". As was discussed previously, the infrequent occurrence of this event suggests that it is not a usual part of Program process.

DISCUSSION OF FINDINGS IN "VERBAL CAUTION" CASES

As was the case for other outcomes, the processing of cases with this outcome was marked by a high degree of variability in the time of occurrence for most events. While this variability might suggest an unsystematic process, an alternate explanation would be that the rate at which clients are processed is a function of, among other things, the particular needs and capabilities of the different clients.

The fact that evidence could not be found as to whether the Administrator was consulted prior to the issuance of a "Verbal Caution" would indicate a contravention of formal Program procedure. Although this consultation may have occurred, provisions were not made in the Program to document the occurrence of this consultation. A simple way to document this event would have been to have two signatures on the closing letter: that of the Diversion Worker, and that of the Program Administrator.
5.3 ANALYSIS OF THE ASSIGNMENT OF PROGRAM ELEMENTS

Part of the process of the Essex County Diversion Program is the formulation of a diversion plan which clients undertake instead of proceeding to court. This plan may include a referral to an agency for counselling or a compensatory task which can range from an apology to the victim of the offence, to the performance of a specified number of hours of voluntary work.

The Program literature states that the assignment of Program elements to clients is guided by the principle that "the plan is to be specific, time limited and individualized to meet the child's needs" (Reynolds et al., 1976, p. 185). For example, it is the Program's position that "only those children whose social profiles indicate the need for ongoing intervention and support are to be referred to agencies for services" (Reynolds et al., 1976, p. 186). In the case of Compensatory Tasks, this same source states that "work values for offences are determined by the victim and the community, police time, personal suffering inconvenience [sic] incurred by the victim, and the 'child's age' and work capacity" (Reynolds et al., 1976, p. 186). The plan that is developed is therefore presumably a function of a wide range of personal, social, and circumstantial factors.

Given this premise, this part of the analysis sought to determine if the assignment of Program elements (Agency Referrals and Compensatory Tasks) was associated with a
range of client attributes and social or circumstantial factors about their situations at the time they entered the Program. The following analysis was therefore undertaken on cases which had been assigned at least one of the two Program elements. Cases which were not assigned either of these elements were excluded from the analysis, since otherwise, they would have lead to misleading results. For example, cases where the clients chose court after the intake interview were not in a position to have been assigned a "Compensatory Task"; to include such cases as part of the analysis would therefore lead to erroneous results and conclusions. Based on these considerations therefore 67.5% (N=451) of the sample met the criteria of having been assigned at least one of the two Program elements.

The following is the list of factors for which an attempt was made to determine if they were associated with the assignment of Program elements:

1. Program year.
2. Client's sex.
3. Client's age.
4. Client's school grade.
5. Specific offence.
6. Type of offence.
7. Sellin-Wolfgang score.
8. Police Department.
9. Worker.
11. Who the Child was living with.

In addition to trying to find associations between the assignment of Program elements and the above variables, the analysis also sought to determine whether the characteristics of the plans developed for the participants were associated with the previously defined factors. The characteristics of the plans that were examined were the following:

1. Who was the beneficiary of the task.
2. Number of hours assigned.

5.3.1 ASSIGNMENT OF COMPENSATORY TASKS

Two facets of the assignment of Compensatory Tasks were examined. First, an attempt was made to determine if the assignment of tasks was associated with the list of variables defined earlier (i.e., Program Year, age, sex, etc.). Second, an attempt was made to determine if the nature of the assigned tasks (i.e., type of location and hours assigned) was related to the list of variables defined earlier. As can be seen in Table 11 in only 10 cases where a diversion plan was undertaken, was a Compensatory Task not part of the plan.
TABLE 11
Compensatory Tasks as Part of Diversion Plan

<table>
<thead>
<tr>
<th>Compensatory Task Assigned</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>441</td>
<td>97.78%</td>
</tr>
<tr>
<td>NO</td>
<td>10</td>
<td>2.22%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>451</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

The fact that so few clients did not receive a Compensatory Task presented difficulties for the proposed analysis. When the analysis was performed, all chi-square tests of independence proved invalid, due to over 20% of the cells having expected frequencies of less than 5. In cases where the expected frequency in a cell is less than 5, the validity of the test is questionable. Efforts to logically combine categories of the client variables failed to produce valid chi-square tests. Therefore, no valid conclusions can be drawn regarding associations between the assignment of Compensatory Tasks and demographic and social factors about the client. However, the fact that very few diversion clients did not receive a Compensatory Task is in itself an interesting finding.
This finding first suggests that the decision of whether or not to assign a task to a client is, in practice, not actually a decision: it would appear to be a foregone conclusion that juveniles who enter the Program will be required to undertake some form of a Compensatory Task.

Secondly, this finding suggests that, in the Program's view, nearly all children are "in need" of the benefits presumably provided by the undertaking of a Compensatory Task. It should be mentioned however, that the nature of the tasks can be quite varied, so that although nearly all children undertake a task, the nature and duration of the tasks are not necessarily the same for all clients. This aspect of the assignment of Compensatory Task is the topic of following section.

NATURE OF ASSIGNED COMPENSATORY TASKS

Two facets of the nature of the Compensatory Tasks were examined: location and number of hours assigned. An attempt was made to determine if the facets of the tasks were related to the demographic and circumstantial factors about the clients. In Table 12, the beneficiaries of the Compensatory Tasks are listed.

As can be seen, the victims were the single largest category of beneficiaries, accounting for over one-quarter of the beneficiaries of Compensatory Tasks. The class "Other/Unknown" consists of organizations whose nature could not be
TABLE 12
BENEFICIARIES OF CLIENT'S COMPENSATORY TASKS

<table>
<thead>
<tr>
<th>Beneficiary</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim</td>
<td>113</td>
<td>25.62%</td>
</tr>
<tr>
<td>Church or Religious Org.</td>
<td>81</td>
<td>18.37%</td>
</tr>
<tr>
<td>Sr. Citizen's Facility</td>
<td>41</td>
<td>9.30%</td>
</tr>
<tr>
<td>Recreational Facility</td>
<td>37</td>
<td>8.39%</td>
</tr>
<tr>
<td>Social Service Agency</td>
<td>35</td>
<td>7.94%</td>
</tr>
<tr>
<td>School or Day Care Centre</td>
<td>27</td>
<td>6.12%</td>
</tr>
<tr>
<td>Community/Civic Centre</td>
<td>20</td>
<td>4.54%</td>
</tr>
<tr>
<td>Private/Public Business</td>
<td>12</td>
<td>2.72%</td>
</tr>
<tr>
<td>Humane Society</td>
<td>8</td>
<td>1.81%</td>
</tr>
<tr>
<td>Hospital</td>
<td>7</td>
<td>1.59%</td>
</tr>
<tr>
<td>Other/Unknown</td>
<td>60</td>
<td>13.61%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>441</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

determined, individuals whose affiliations were unknown, and tasks of the "community service" type, where several individuals or groups may have been the beneficiaries of the tasks.
Unfortunately, as was the case in the previous section, the sparsity of most of the Tables precluded the determination of whether the client's characteristics were associated with the location of the Compensatory Task. A single valid chi-square test of independence was obtained, the results of which are presented in Table 13. This Table compares the beneficiary of the Compensatory Task by the Police Force which had laid the charge against the juvenile.

As can be seen, there is a significant association between Police Force and the beneficiary of the Compensatory Task, though the strength of this association is low. It is difficult to assess the precise nature of this relationship, since the differences in many cells are only slight. Assuming that the Police Force which laid the charge also represents whether the offender was or was not a resident of Windsor may help to explain the differential use of community resources.

Those juveniles charged by the Windsor force were more often placed at Senior Citizen's facilities, Social Service Agencies, and Community and Civic Centres. Such community resources may not exist in large numbers outside the city of Windsor, which would preclude diversion clients who lived outside of the city from being placed at such resources. Conversely, clients who were charged by Police Forces other than the Windsor Police Force were more often placed at Recreational Facilities and Schools or Day Care Centres,
<table>
<thead>
<tr>
<th>Beneficiary of Task</th>
<th>Windsor Police</th>
<th>County Police</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim</td>
<td>52</td>
<td>59</td>
<td>111</td>
</tr>
<tr>
<td>Church or Religious Org.</td>
<td>41</td>
<td>39</td>
<td>80</td>
</tr>
<tr>
<td>Sr. Citizen's Facility</td>
<td>32</td>
<td>9</td>
<td>41</td>
</tr>
<tr>
<td>Recreational Facility</td>
<td>5</td>
<td>31</td>
<td>36</td>
</tr>
<tr>
<td>Social Service Agency</td>
<td>20</td>
<td>13</td>
<td>33</td>
</tr>
<tr>
<td>School or Day Care Centre</td>
<td>9</td>
<td>17</td>
<td>26</td>
</tr>
<tr>
<td>Community/Civic Centre</td>
<td>16</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Private/Public Business</td>
<td>6</td>
<td>5</td>
<td>11</td>
</tr>
<tr>
<td>Humane Society</td>
<td>7</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>Hospital</td>
<td>5</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Other/Unknown</td>
<td>11</td>
<td>24</td>
<td>35</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>204</strong></td>
<td><strong>204</strong></td>
<td><strong>408</strong></td>
</tr>
</tbody>
</table>

*Note.* Cases where Police Force was unknown were excluded.

Chi-square = 54.02  df = 10  *p<.05  Cramer's V = .364
which may be more numerous than other types of resources outside the city of Windsor.

This explanation would receive additional credence, if it were found that the juveniles who had been charged by Police Forces other than the Windsor force had not been Windsor residents.

Other than this association, no other valid chi-square tests were obtained, despite several attempts to logically combine categories to obtain valid chi-square tests. Therefore, while associations between client variables and the location of the task may exist, this study, could not validly assess such possible associations.

The second facet of the assigned Compensatory Tasks to be evaluated was the number of hours assigned. An attempt was made to determine if this facet was associated with the client variables outlined earlier. The number of hours assigned to diversion clients were divided into four categories, the frequencies of which are summarized in Table 14. As can be seen, two-thirds of the clients who were assigned hours of work to perform, were assigned between one and twenty hours. Relating this finding back to the Program's principle on the criteria used when assigning tasks, it would appear that the "needs" of most children are deemed to require twenty or less hours of voluntary work, by Program standards.
TABLE 14
FREQUENCY OF HOURS ASSIGNED TO DIVERSION CLIENTS

<table>
<thead>
<tr>
<th>Hours Assigned</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>110</td>
<td>30.64%</td>
</tr>
<tr>
<td>11-20</td>
<td>130</td>
<td>36.21%</td>
</tr>
<tr>
<td>21-30</td>
<td>71</td>
<td>19.78%</td>
</tr>
<tr>
<td>31-40</td>
<td>48</td>
<td>13.37%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>359</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Note: Clients who received tasks that did not involve hours of work were excluded.

Fortunately, a number of valid chi-square tests of independence were obtained for this facet of the assignment of Compensatory Tasks. In Table 15, the categories of assigned hours were compared to Program Year.
As Table 15 reveals, there is a significant association between Program Year and the number of hours assigned to diversion clients, though the strength of this association is low. However, it appears that in the last three years of Program operation, more frequent assignment of hours between 21 to 40 has been taking place. Of those cases which were assigned between 21 to 40 hours, 78.15% occurred in the last
TABLE 15
HOURS OF WORK ASSIGNED BY PROGRAM YEAR

<table>
<thead>
<tr>
<th>Program Year</th>
<th>75-76</th>
<th>76-77</th>
<th>77-78</th>
<th>78-79</th>
<th>79-80</th>
<th>80-81</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>23</td>
<td>21</td>
<td>27</td>
<td>29</td>
<td>6</td>
<td>4</td>
<td>110</td>
</tr>
<tr>
<td>11-20</td>
<td>21</td>
<td>20</td>
<td>12</td>
<td>34</td>
<td>29</td>
<td>14</td>
<td>130</td>
</tr>
<tr>
<td>21-30</td>
<td>9</td>
<td>3</td>
<td>6</td>
<td>15</td>
<td>11</td>
<td>27</td>
<td>71</td>
</tr>
<tr>
<td>31-40</td>
<td>2</td>
<td>.2</td>
<td>4</td>
<td>11</td>
<td>11</td>
<td>18</td>
<td>48</td>
</tr>
<tr>
<td>TOTAL</td>
<td>55</td>
<td>46</td>
<td>49</td>
<td>89</td>
<td>57</td>
<td>63</td>
<td>359</td>
</tr>
</tbody>
</table>

Chi-square= 87.76 df= 15 *p<.05 Cramer's V= .285

Over the three years of Program operation. Conversely, less than 45% of the juveniles who were assigned hours during the last two years were assigned 20 or less hours. Therefore it would appear that the trend has been to assign a greater number, in progressive years.

In attempting to explain this relationship, it may be that in recent years, offences by juveniles have entailed greater suffering and inconvenience to the victims, and involved more police time than in the past. Since these are
some of the criteria the Program uses to determine the number of hours to assign to clients, this may explain why there has been an increase in the assignment of hours in the 21 to 40 hour range, and a relative decrease in the assignment of 1 to 20 hour range. Also, the "child's age and work capacity", another criterion used to determine the number of hours to assign, may have increased over the years, thereby allowing the Program to increase the number of hours that it assigned to clients.

Four other valid chi-square test of independence were obtained. It was found that the number of hours assigned to a client was not significantly associated with a client's sex, the Police Force which had laid the charge (Windsor Police Department compared to all others combined), the marital status of diversion client's guardian's (Married compared to all others combined), or to the employment status of the child's male guardian. It was not possible to make a valid assessment of whether the remaining variables, were associated with the number of hours assigned to a child.

5.3.2 ASSIGNMENT OF AGENCY REFERRALS
In this section of the analysis an attempt was made to determine whether the assignment of Agency Referrals was associated with a number of client variables. As was the case in the previous section, numerous potential associa-
tions could not be assessed because expected frequencies of less than 5 occurred. However, it was possible to assess potential associations in several instances. In Table 16, the frequency and percentage of the assignment of Agency Referrals assigned are summarized for cases which had undertaken a diversion plan.

**TABLE 16**

<table>
<thead>
<tr>
<th>Agency Referral Assigned</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>101</td>
<td>22.39%</td>
</tr>
<tr>
<td>No</td>
<td>350</td>
<td>77.61%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>451</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

A total of 101 diversion clients were assigned an Agency Referral as part of their diversion plans. In the following analysis an attempt was made to determine if a variety of characteristics were associated with the assignment of this Program element. In Table 17, the assignment of this Program element was assessed on a yearly basis. As Table 17 indicates, there is a significant association between Program Year and the assignment of Agency Referrals,
### TABLE 17
ASSIGNMENT OF AGENCY REFERRAL BY PROGRAM YEAR

<table>
<thead>
<tr>
<th>Program Year</th>
<th>Yes Freq</th>
<th>Yes Pct</th>
<th>No Freq</th>
<th>No Pct</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975-1976</td>
<td>41</td>
<td>52.56%</td>
<td>37</td>
<td>47.44%</td>
<td>78</td>
</tr>
<tr>
<td>1976-1977</td>
<td>28</td>
<td>44.44%</td>
<td>35</td>
<td>55.56%</td>
<td>63</td>
</tr>
<tr>
<td>1977-1978</td>
<td>12</td>
<td>17.65%</td>
<td>56</td>
<td>82.35%</td>
<td>68</td>
</tr>
<tr>
<td>1978-1979</td>
<td>12</td>
<td>11.88%</td>
<td>89</td>
<td>88.12%</td>
<td>101</td>
</tr>
<tr>
<td>1979-1980</td>
<td>6</td>
<td>8.45%</td>
<td>65</td>
<td>91.55%</td>
<td>71</td>
</tr>
<tr>
<td>1980-1981</td>
<td>2</td>
<td>2.86%</td>
<td>68</td>
<td>97.14%</td>
<td>70</td>
</tr>
<tr>
<td>TOTAL</td>
<td>101</td>
<td>22.39%</td>
<td>350</td>
<td>77.61%</td>
<td>451</td>
</tr>
</tbody>
</table>

Chi-square= 89.01 df=5 *p<.05 Cramer's V=.444

and the strength of this association is moderate. As can be seen there has been a progressive decrease in Agency Referrals, both in terms of absolute numbers, and on a percentage basis over the operating years of the Program. In fact, the first two years alone account for 68.32% of the referrals made over the first six Program years. Conversely, the last
two Program years account for only 7.92% of all referrals made over the first six years.

Several factors may account for this finding. Diversion clients may, in the opinion of the Program, have demonstrated less need for this Program element on a year to year basis. Also, the Program may have encountered resistance from clients who may have become less willing to accept such referrals. Finally, the acquired experience of the Program may have led personnel to believe that such referrals were not likely to help achieve Program goals. Whatever the reason may be, it is clear that there has been a progressive decrease in the assignment of this Program element.

A significant association was also found between the assignment of an Agency Referral and the child's age. In Table 18 the sample was divided into two parts, on the basis of age: those twelve years of age and under formed the first group, while those thirteen years and over formed the second group.

As can be seen, clients under 13 years of age were assigned an Agency Referral more often (on a percentage basis) than were clients 13 years of age and over. It must be noted however that the strength of this association is very low. However, the results would seem to indicate that, in the opinion of Program personnel, clients under the age of 13 were more often adjudged to be in need of counselling than were clients over the age of 13. Program personnel may have
TABLE 18

ASSIGNMENT OF AGENCY REFERRAL BY AGE GROUP

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Freq</th>
<th>Pct</th>
<th>Freq</th>
<th>Pct</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 to 12</td>
<td>17</td>
<td>27.87%</td>
<td>44</td>
<td>72.13%</td>
<td>61</td>
</tr>
<tr>
<td>13 to 15</td>
<td>52</td>
<td>16.46%</td>
<td>264</td>
<td>83.54%</td>
<td>316</td>
</tr>
<tr>
<td>TOTAL</td>
<td>69</td>
<td>18.30%</td>
<td>308</td>
<td>81.70%</td>
<td>377</td>
</tr>
</tbody>
</table>

Note: Client's whose age was not known were not included.

Chi-square = 4.45 df=1 *p<.05 Cramer's V=.108

interpreted a child's alleged involvement in illegal activities at a relatively earlier age as an indication of need for "ongoing intervention and support" (Reynolds et al., 1976, p. 186). However, it is also possible that other characteristics, combined with the age factor, accounts for the association between the assignment of an Agency Referral and a client's age group.

In view of the earlier finding that Agency Referrals were made more often in earlier Program years, an attempt was
made to determine if clients in the earlier years were younger than clients in the later years. If such had been the case, it would help to explain the finding that younger clients were more often assigned Agency Referrals. However, no statistically significant association was found between Program year and client age.

A significant association was also found between the assignment of an Agency Referral and the Police Force which laid the charge. In Table 19 the assignment of Agency Referrals was compared by the variable Police Force for cases where the police force was known.

As can be seen, in cases where the Police Force was known, 33.8% of those individuals who had been charged by the Windsor Police Force were assigned a Referral Agreement, while only slightly more than 11% of those charged by County Police Forces were referred for counselling. This may imply that those charged by the Windsor force demonstrated greater need for such intervention. However, if it is again assumed that the charging Police Force also represents whether an individual was or was not a resident of Windsor, an alternate explanation is also possible. Whereas the city of Windsor has a number of counselling services available, outlying areas in the surrounding county may not. Therefore, the decision of whether or not to assign an Agency Referral may have been partially based on the consideration of whether such resources were available in the youth's community.
TABLE 19

ASSIGNMENT OF AGENCY REFERRAL BY POLICE FORCE

<table>
<thead>
<tr>
<th>Agency Referral</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Freq</td>
<td>Pct</td>
</tr>
<tr>
<td>Windsor Police</td>
<td>75</td>
<td>33.80%</td>
</tr>
<tr>
<td>Other</td>
<td>25</td>
<td>11.06</td>
</tr>
<tr>
<td>TOTAL</td>
<td>98</td>
<td>22.17%</td>
</tr>
</tbody>
</table>

Note: Cases where Police Force was Unknown were deleted.
Chi-square = 33.08 df = 1 *p < .05 Cramer's V = .264

Another significant association was found between the assignment of an Agency Referral and the marital status of the youth's guardian. In Table 20 the marital status of the youth's guardians was compared to whether or not an Agency Referral was assigned.

As can be seen, in those cases where the marital status of the youth's guardians was other than married, a higher portion of such cases received an Agency Referral. Program personnel may have viewed this factor as an important deter-
### TABLE 20

**ASSIGNMENT OF AGENCY REFERRAL BY GUARDIAN'S MARITAL STATUS**

<table>
<thead>
<tr>
<th>Marital Status</th>
<th>Agency Referral</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Freq</td>
</tr>
<tr>
<td>Married</td>
<td>51</td>
</tr>
<tr>
<td>Other</td>
<td>45</td>
</tr>
<tr>
<td>TOTAL</td>
<td>96</td>
</tr>
</tbody>
</table>

Note: Cases where marital status was unknown were deleted.

Chi-square = 7.61  df = 1  *p < .05  Cramer's V = .133

In assessing whether an Agency Referral should be assigned, cases where the child's guardian(s) marital status was "Widowed", "Separated", "Divorced", or "Common-Law", may have been interpreted as indications of need for ongoing intervention and support. It should be pointed out that what was being assessed was the guardian's marital status, not the parent's marital status. Therefore, while the client's parents may have been married, the child's guardians may have been someone other than the parents (e.g., grandparents).
A significant association was also found between the assignment of an Agency Referral and who the child was living with. As Table 21 indicates, those children who lived with individuals other than their mother and father, were more often assigned an Agency Referral.

| TABLE 21 |
| Assignment of Agency Referral by Who Child Was Living With |

<table>
<thead>
<tr>
<th>Agency Referral</th>
<th>Yes</th>
<th>No</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Freq</td>
<td>Pct</td>
<td>Freq</td>
</tr>
<tr>
<td>Child Living With</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mother and Father</td>
<td>51</td>
<td>17.83%</td>
<td>235</td>
</tr>
<tr>
<td>Others</td>
<td>46</td>
<td>31.08%</td>
<td>102</td>
</tr>
<tr>
<td>TOTAL</td>
<td>97</td>
<td>22.35%</td>
<td>337</td>
</tr>
</tbody>
</table>

Note. Cases where child's residence was unknown were deleted.
Chi-square = 9.87 df = 1 *p<.05 Cramer's V = .151

Again, it may be that Program personnel determined that children who lived with individuals other than their mother and father, were more often in need of intervention and
counselling. Another possibility is that guardians other than the mother and father were less reluctant to agree to such referrals.

A number of other valid chi-square tests were obtained which indicated no statistically significant association with the assignment of an Agency Referral. It was found that the child's sex, school grade (secondary school versus other), type of offence committed (Property versus other), and Sellin-Wolfgang score (Below 5 versus 5 and over), were not associated with whether or not the child received an Agency Referral. For the remaining variables, it was not possible to make a valid assessment as to whether or not there was a significant association with the assignment of an Agency Referral.

5.3.3 SUMMARY: ASSIGNMENT OF PROGRAM ELEMENTS

As the formulation of a diversion plan is an important part of the Program process, it had been hoped that the factors which lead to the formulation of the plan could have been isolated. However, in many instances the validity of the test of association that was used was called into question, and it was therefore not possible to make valid assessments of a number of possible associations.

Despite these limitations however, a number of valid findings were obtained. First, it was found that the assignment of a Compensatory Task occurred in nearly all
cases (97.78%) that undertook a diversion plan, suggesting that the decision to assign such tasks is not really a decision: it is an almost automatic criterion of participation in the Program. Secondly, it was found that Victims were the single largest category of beneficiaries of Compensatory Tasks, even when the fact of whether or not an offence was victimless, was not controlled for. Third, it was found that the beneficiary of the tasks was associated with whether the charging Police Force was the Windsor Police Force, or a County Police Force. Fourthly, an association was found between Program Year and the number of hours assigned to a client, which appeared to indicate that in recent years, clients have been assigned a greater number of hours than clients had been in the earlier Program Years. Finally, it was found that the number of hours assigned was not associated with the client's sex, the Police Force which had laid the charge, the marital status of the client's guardians, or to the child's male guardian's employment status.

With reference to the assignment of Agency Referrals, it was found that this Program element was associated with Program Year, where there seemed to be a decline in the number of cases which were assigned this element in recent years. It was also found that clients under 13 years of age received this Program element more often than those over 13 years of age. Those clients who had been charged by the
Windsor Police Force were referred to an agency more often than were clients who had been charged by a county Police Force. Also, it was found that clients whose guardian's were not married were assigned this Program element more often, and those clients who did not live with their mother and father were also assigned this Program element more often. Finally, it was found that the assignment of an Agency Referral was not associated with the client's sex, school grade, type of offence committed, or Sellin-Wolfgang score.

5.4 PROGRAM COMPONENTS AND OUTCOMES

The final section of the analysis sought to determine if Program outcomes were associated with a number of factors about the clients and their situations. In addition, the analysis also sought to determine whether Program outcomes were associated with the different aspects of the diversion plan (i.e. location of task, number of hours assigned). The cases with outcome "Unknown" were excluded since this outcome is not an actual mode of disposition, but the possible result of omissions in recording or record-keeping.

5.4.1 PROGRAM YEAR AND OUTCOME

A chi-square test of independence was performed on the variables Program Year and Outcome. As can be seen in Table 22 a statistically significant association was found between these variables.
TABLE 22
PROGRAM OUTCOME BY YEAR

<table>
<thead>
<tr>
<th>Year</th>
<th>75-76</th>
<th>76-77</th>
<th>77-78</th>
<th>78-79</th>
<th>79-80</th>
<th>80-81</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>65</td>
<td>54</td>
<td>69</td>
<td>89</td>
<td>67</td>
<td>64</td>
<td>408</td>
</tr>
<tr>
<td>Chose Court</td>
<td>20</td>
<td>25</td>
<td>73</td>
<td>16</td>
<td>19</td>
<td>8</td>
<td>101</td>
</tr>
<tr>
<td>Returned to Court</td>
<td>23</td>
<td>14</td>
<td>6</td>
<td>25</td>
<td>10</td>
<td>16</td>
<td>94</td>
</tr>
<tr>
<td>Verbal Caution</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>13</td>
<td>7</td>
<td>2</td>
<td>30</td>
</tr>
<tr>
<td>TOTAL</td>
<td>109</td>
<td>96</td>
<td>92</td>
<td>143</td>
<td>103</td>
<td>90</td>
<td>633</td>
</tr>
</tbody>
</table>

Note. Cases with outcome "Unknown" excluded.

Chi-square = 37.62 df = 15, *p < .05 Cramer's V = .141

Although an association between Outcome and Program Year was established by the chi-square test, the strength of this association, as measured by Cramer's V, is very low. It is also difficult to discern the nature of this association. Although the comparison of the initial and latest year of Program operation reveals a percentage increase in "Completed" (from 59.69% to 71.11%) and "Verbal Caution" (from 0.92% to 2.22%) outcomes, and a percentage decrease in
"Chose Court" (from 18.35% to 8.89%) and "Return to Court" (from 21.10% to 17.78%) outcomes, the intervening years can be characterized as peaks and valleys for all outcome categories. It must also be recalled that the sample drawn was a systematic sample, which may also have artificially caused such an association to appear.

In summary therefore, while the chi-square test of independence revealed a statistically significant association between Program Year and Outcome, the strength of this association is low, as measured by Cramer's $V$. In addition, the nature of this association is difficult to assess, and may be the result of the sampling procedure.

5.4.2 SEX AND OUTCOME

A chi-square test of independence revealed a significant association between Program Outcome and a client's sex. As can be seen in Table 23, females were represented more often on a percentage basis in the "Chose Court" and "Returned to Court" outcome categories than were males, while they were represented less often on a percentage basis in the "Completed" and "Verbal Caution" outcome categories, than were males.

While the chi-square test did establish the existence of an association between the variables, the strength of this association, as measured by Cramer's $V$ is quite low. Given that an association was established however, the possible roots of this association will be discussed.
TABLE 23
OUTCOME BY CLIENT'S SEX

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Male</th>
<th>Female</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Freq</td>
<td>Pct</td>
<td>Freq</td>
</tr>
<tr>
<td>Completed</td>
<td>378</td>
<td>66.08%</td>
<td>30</td>
</tr>
<tr>
<td>Chose Court</td>
<td>82</td>
<td>14.34%</td>
<td>19</td>
</tr>
<tr>
<td>Return to Court</td>
<td>84</td>
<td>14.69%</td>
<td>10</td>
</tr>
<tr>
<td>Verbal Caution</td>
<td>28</td>
<td>4.90%</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>572</td>
<td>100.01%</td>
<td>61</td>
</tr>
</tbody>
</table>

Note: Cases with outcome or sex "unknown" were excluded.

Chi-square = 12.97  df=3  *p<.05  Cramer's V = .142

One possible explanation for this result is that the sexes may differ on some characteristic or attribute which results in a tendency for certain outcomes to result. This line of reasoning therefore suggests that the association between outcome and sex may be due to factors within the clients. Another possibility may be that the sexes may differ in terms of social factors, such as socio-economic background, parent's occupation and marital status, or even
in the type or number of offences which resulted in their being considered for the Diversion Program. A third possibility might be that the association between outcome and sex may be due to factors within the Program itself. As can be deduced from Table 23 the overwhelming majority of diversion candidates were male (90.4%). Consequently, procedures and practices may have developed which unwittingly dissuade females from initially entering the Program, or, if they do enter the Program, unintentionally present difficulties specific to females which make their completion of the Program less likely. Finally, a fourth possibility is that females may be more willing to take their chances in court than are males, and therefore choose to enter the court process more readily than do males.

5.4.3 POLICE FORCE AND OUTCOME

An initial chi-square test of independence for these variables employed all seventeen separate Police Departments, which resulted in cells with expected frequencies of less than 5, rendering the validity of the results questionable. Therefore, a subsequent chi-square test of independence was performed, using only two categories for the variable Police Force: Windsor Police Department, and County Police Forces. Since the Windsor Police Department by itself accounted for slightly less than half (48.6%) of all those candidates considered for the Program (where "Police Force" was known)
this classification scheme was seen as logical. The results of the chi-square test of independence are presented in Table 24.

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Windsor Police</th>
<th>County Police</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Freq</td>
<td>Pct</td>
<td>Freq</td>
</tr>
<tr>
<td>Completed</td>
<td>187</td>
<td>65.61%</td>
<td>219</td>
</tr>
<tr>
<td>Chose Court</td>
<td>29</td>
<td>10.18%</td>
<td>36</td>
</tr>
<tr>
<td>Returned to Court</td>
<td>57</td>
<td>20.00%</td>
<td>29</td>
</tr>
<tr>
<td>Verbal Caution</td>
<td>12</td>
<td>4.21%</td>
<td>18</td>
</tr>
<tr>
<td>TOTAL</td>
<td>285</td>
<td>100%</td>
<td>302</td>
</tr>
</tbody>
</table>

Chi-square = 13.11 df=3 *p<.05 Cramer's V=.149

As can be seen, the chi-square test of independence revealed a statistically significant association between Outcome and Police Force, although the strength of this association is low. The Table also reveals that 66.3% of the youths who
were eventually returned to court by the Program, had originally been charged by the Windsor Police Department. Also, though the numbers are small, youths charged by the Windsor Police Department accounted for only 40% of those who had received a "Verbal Caution".

This finding may suggest that youths who had been charged by the Windsor Police differed from youths charged by County police detachments, in some attributes or characteristics. An initial difference that may be suggested is location of residence: city vs. county. However, this requires that one assume that all youths charged by the Windsor Police had been Windsor residents, and that those charged by other authorities were not Windsor residents. However, differences between diversion candidates may be suggested by this finding. Also possible is differential treatment by the Program, based on whether or not youths were charged by the Windsor Police. Those youths charged by County Police Departments (which covers a wide geographical area) may be less inclined to join the Program, given the distance they may have to travel to get to the Program, or to their community placements if these are in Windsor.

For the remaining variables, valid chi-square tests of independence could not be obtained, despite efforts to logically combine the different categories of the variables.
5.4.4 SUMMARY: COMPONENTS AND OUTCOMES

It is apparent that it was not possible to validly assess the relationships between outcome and most of Program compo-
nents examined. This was in part the result of how the data was originally collected and categorized. However, numerous attempts to combine levels of variables also proved to be to no avail.

It was discovered however, that outcomes were associated to the variables Program Year, Sex, and Police Force, however tenuously. Additionally, no statistically signifi-
cant association was found between outcome and Guardian's Marital Status.
Chapter VI

CONCLUSIONS AND RECOMMENDATIONS

The following conclusions and recommendations are based on the findings obtained from the review of 668 diversion files from the Essex County Diversion Program's first six years of operation.

6.1 CONCLUSIONS

The conclusion is made that the time involved in the processing of diversion cases was highly variable. This conclusion is based on the variability which was found to exist both in the total length of time spent in the program, and the variability in times of occurrence for individual events. Two implications may be drawn from this conclusion. First, this conclusion may imply that the process of the program is not systematic. The second implication that may be drawn from this conclusion is that the process of the program is flexible and is adapted to the needs of individual clients.

The conclusion is made that the mean time of occurrence of program events were within the specified time-frames. The implication of this finding is that although considerable variability in times of occurrence was evidenced for
most events and in most cases, the Program was successful in meeting its self-imposed time-frames.

The conclusion is made that the Program's claim that the victims of offences are contacted as a matter of course, is not borne out by the existing records. The implications of this finding are that if the victims were not contacted, it represents a significant departure from the Program's stated goals of involving the victims of offences in the resolution of problems. However, if victims were contacted more frequently than was evidenced in the files, the record-keeping practices of the Program would require more diligent attention.

The conclusion is made that on the basis of the occurrence of the event "Ordered into Program by Court", the Diversion Committee's functions of establishing Program criteria, policy and procedures was, on occasion, abridged by the courts. The implications to be drawn from this are that the authority, legitimacy, and mandate of the Diversion Committee have yet to be firmly established or recognized in the eyes of the court. In ordering a juvenile into the diversion program, the court took over the role of the Diversion Committee, that establishes the criteria for participation, and the Program Administrator, who applies this criteria in the selection of candidates. The Program's legitimacy, mandate and authority were therefore called into question by the occurrence of this event.
The conclusion is made that in most cases where candidates chose to proceed to court, there was not any evidence to indicate that the candidates had received legal counsel prior to making this decision. While Program guidelines require that this event occur, provisions have not been made to document its occurrence for these cases, nor did Workers systematically record this event in the files. Therefore, while the Program insisted on due process, it did not establish the means to document due process.

The conclusion is made that for most cases which were returned to court, evidence was not provided indicating that the Program Administrator had been consulted prior to this course of action being implemented. As in the previous conclusion, while the Program established due process to protect the rights of participants, it did not establish means to document due process.

The conclusion is made that clients that were returned to court by Program personnel did not avail themselves of their right to appeal this decision to the Diversion Committee. This conclusion implies that participants believed that Program personnel were within their rights to return them to court. Conversely, this may imply that candidates were not aware of their right to appeal, may not have known the procedure to appeal, or may have been wary of becoming involved with an unknown group of persons called the "Diversion Committee". Since there is not a standard "closing
letter" for these types of cases, as there are for "Completed" and "Verbal Caution" cases, it is not possible to know if, upon being returned to court, participants were informed of their right and the procedure to appeal. Therefore it is not known if the non-occurrence of this event was due to compliance or to lack of knowledge on the part of participants.

The conclusion is made that the vast majority of participants who undertook a diversion plan were assigned a Compensatory Task Agreement. This conclusion implies that the Essex County Diversion Program has equated the concept of "diversion" to the concept of "compensatory task". This conclusion further implies that the Program believes that its goals can best be achieved by the assignment of such tasks to virtually all participants who agree to undertake a diversion plan.

The conclusion is made that over the past three years, the Program has assigned tasks involving a greater number of hours, than it had, in its initial three years. If one assumes that the criteria used in assigning hours of work had not varied since the inception of the Program, the implications of this conclusion may be that, in the last three years of operation, diversion participants had allegedly committed offences involving more police time, and more inconvenience and suffering to the victim, than participants had in the initial three years. Also, this conclusion may
imply that the participant's "age and work capacity" had increased over the last three years. Since these are the Program's formal criteria for determining work values, an increase in the number of participants receiving 21 to 40 hours would therefore suggest that the "type" of participant had changed over the last three years. However, it may also be possible that though the "formal" criteria hasn't changed, the "informal" practices may have changed, as a function of changes in the administration and staff of the Program over the years.

The conclusion is made that "Victims" of offences were the single largest group of beneficiaries of Compensatory Tasks. This conclusion implies that the Program has been successful in involving the victims of the offence in the resolution of problems. However while victims were the single largest category of beneficiaries, this group accounted for only 25.62% of the total number of beneficiaries. Therefore, for almost 75% of the tasks, a community placement or other type of task had to be developed.

The conclusion is made that the beneficiary of the task was associated with whether the charging Police Force was the Windsor Police Department or a County Police Force. Though the nature of this association is difficult to discern, it may be that the beneficiary of the task is a function of the type of resources available in the child's community. If it is assumed that the youths charged by the
Windsor Force were Windsor residents, while those charged by County Police Forces were residents of other parts of the County, the differential availability of certain resources in different parts of the County may explain this association.

The conclusion is made that the assignment of Agency Referrals was associated to Program Year, where referrals were made more often in the earlier Program Years than in the later Program Years. This conclusion may imply that the client population has changed over the years, with the participants in more recent years having been in less need for this type of intervention than participants had been in earlier years. Conversely, the Program's position regarding the assignment of referrals may have changed over the years, resulting in progressively fewer clients being assigned an Agency Referral. Therefore, while the criteria used to assign this Program element has not changed, the frequency with which it had been assigned has diminished over the years.

The conclusion is made that the assignment of Agency Referrals was associated with the age group of participants, where participants under the age of thirteen received an Agency Referral more often than did participants thirteen years of age and over. This implies that the clients from the younger age group were, or were judged to be, in need of counselling more frequently than clients in the older age group.
The conclusion is made that the assignment of Agency Referrals was associated with the Police Force that charged the youth, with those participants charged by the Windsor Police being assigned an Agency Referral more frequently than those who were charged by all other Police Forces combined. In attempting to draw implications from this conclusion, it was assumed that those youths charged by the Windsor Police were Windsor residents and those charged by County Police Forces were not residents of Windsor. Based on this assumption, the implication may be that counselling services are more readily available to Windsor residents than they are to residents of other parts of the County. Therefore, Agency Referrals may have been made more often for those persons who had comparatively easier access to these resources.

The conclusion is made that the assignment of Agency Referrals is related to the marital status of the child's guardians, where youths whose guardian's marital status was other than "married", received Agency Referrals more frequently. The implication of this conclusion is that Diversion Workers possibly view family structure and stability as an important criterion in determining the child's "need" for counselling.

The conclusion is made that the assignment of Agency Referrals is associated with who the child resides with. Participants who lived with individuals other than both
parents were assigned this Program element more often. This implies that such participants were, or were adjudged to be in need of counselling more often than participants who lived with their mother and father.

The conclusion is made that Program outcome was related to Program year. While on a year to year basis, the nature of this association was difficult to assess, the comparison of the initial and latest Program year revealed an increase in "Completed" and "Verbal Caution" cases, and a decrease in "Chose Court" and "Return to Court" cases. This may imply that the Program itself has improved over the years in its methods of processing cases. Conversely, participants may have changed over the years, and have come to view the Program as "an easy way out" of the court process, and have therefore become more willing to enter the Program, and more cautious in their behaviour so as to not jeopardize their status in the Program.

The conclusion is made that Program outcome is related to the client's sex, with females more often receiving the outcomes "Chose Court" and "Returned to Court" and receiving the outcomes "Completed" and "Verbal Caution" less often. This may imply basic differences between the sexes, in attributes, characteristics, or attitudes which may lead to different outcomes. Conversely, the Program may inadvertently have developed procedures or practices which affect males and females differently, thereby resulting in different outcomes.
The conclusion is made that outcome is associated with the Police Force which laid the charge against the juvenile. Youths who had been charged by the Windsor Police Force received the outcome "Returned to Court" more often, and the outcome "Verbal Caution" less often, than those who had been charged by County Police Forces. This might imply that the two groups of clients may differ in personal and social characteristics, or that the Program processes these groups differently.

The conclusion is made that the record-keeping practices of the Program should be improved in certain respects. The basis for this conclusion is the large amount of missing data which was encountered when collecting and subsequently analyzing data. In many cases, such basic information as the child's age, school grade, alleged offence, parent's marital status, was missing, even though such information is required to be entered in the social profile. Though the files were not originally intended to be the data base for research, the information required for practice is not unlike the information required for research; in many cases however, this basic information was not recorded. The implication of this finding therefore, is that while the Program is contemplating the incorporation of a research component, it will require greater consistency in the record-keeping practices of the Program if meaningful results are to be readily achieved.
6.2 RECOMMENDATIONS

It is recommended that the Program adopt a process monitoring technique capable of documenting the processing of clients through the Program. Such a method could be developed quite easily, and if applied consistently would permit a Worker to know immediately, the stages of the process the client has already completed, when the stages were completed, which stage the client is currently in, and which stages have yet to be completed. The flexibility in time of processing need not be abridged by such a monitoring method, and it would provide an easily referenced method of determining a client's status in the Program. The monitoring system could also serve as a basic research tool, since it could contain, in addition to the usual demographic and descriptive data about the client, a record of the client's participation in the Program.

It is recommended that more detailed and consistent record-keeping practices be instituted in the Program. As was mentioned earlier, this study encountered difficulties due to the appreciable amount of data that was not recorded in the files. The missing data in many cases involved basic items such as client's age, grade, sex, presenting offence. Since the Program is contemplating the incorporation of a research component, such basic information would be required if assessments of the Program's impact and effectiveness were to be readily made. Further, the informational
requirements of research and practice are not antithetical, but instead are in many cases complementary. Therefore, record-keeping practices could be improved, and the use of a monitoring device or technique would aid in assuring that necessary data was recorded.

It is recommended that the victim's role in each case be documented. Since one of the aims of the Program is to involve the victims, one of the basic questions to be answered is how successful has the Program been in this regard. This requires that the charge against the juvenile be known (victimless or victim) and the outcome of the efforts to involve the victim (ex: outright refusal, suggests a task, beneficiary of task). This study could not accurately assess the Program's success in this regard since in many cases the charge against the juvenile was not known, therefore making it difficult to know if there was a victim to contact. In other cases where the charge was known, it was not known if the victim had been contacted. Therefore, since the involvement of victims is a goal of the Program, a record of the Program's success in achieving this goal is central.

It is recommended that the issues arising from accepting referrals directly from the court be considered by the Diversion Committee. The practice of accepting referrals directly from the court raises questions as to who sets the policy and procedures for the Program. If the practice is
deemed acceptable, it should be stated in the Program policy, otherwise it contravenes the accepted principles of the Program. Should the practice be deemed not acceptable, the question of the Program's autonomy and mandate would have to be clarified with the courts.

It is recommended that children who decline to enter the Program after having received legal counsel be asked to sign a form stating that they received legal counsel, they understood the options available to them, and that rather than enter diversion, they chose to proceed to court. This is simply a matter of due process, to insure that the rights of children are safeguarded. While the Program requires that candidates receive legal counsel, in many cases there was no evidence to indicate that they did receive legal counsel.

It is recommended that, in cases when the child is returned to court, that evidence of the required consultation between the Diversion Worker and the Program Administrator be maintained. Further, it is recommended that for such cases, the child be informed by letter of the reasons why this course of action was taken. Again, as a matter of due process, the child should be informed of the reasons why this course of action was taken, and should also be assured that the decision to take this action was reached in the prescribed manner (i.e., a consultation between the Worker and the Program Administrator). Both these provisions could be met through the use of a form letter (as is done in
"Completed" and "Verbal Caution" cases) outlining the reasons for the action, which could then be signed by both the Diversion Worker and the Program Administrator. Finally, this letter may also inform the youth of the right to appeal and how to proceed with the appeal. Conversely, since the appeal procedure has yet to be used, consideration might be given to discarding this option.

It is recommended that the Program produce a manual outlining all Program policy and procedure. Though the diversion process is flexible in terms of time of processing, the policy and guidelines require that certain events must occur. The importance of understanding and working within policy guidelines is summarized by Archambeault (1982):

Compliance with official organizational policy directly affects not only the effectiveness of the organization, but its potential for liability as well. (p. 44)

A manual summarizing the policies, procedures and guidelines of the Program would aid in the training of new employees, as well as being a source of guidance to Workers.

6.3 FUTURE RESEARCH

The following are some topics for possible future research on the Essex County Diversion Program.

1. What has been the outcome of those juveniles who chose to enter the court process instead of entering the diversion program?
2. What impact has the diversion program had on various subsystems (ie. courts, police, probation departments)?

3. Are the different types of diversion plans (ie. restitution, agency referral, compensatory task) associated with different outcomes?

4. What happens to "graduates" of the diversion program?

5. What is the public's perception of the diversion program?

6. In what respects are the processes of other juvenile diversion programs similar/different to the process of the Essex County Diversion Program?

7. Which factors could account for the different rates at which clients are processed?
Appendix A

INITIAL LETTER
Dear,

An incident involving has been referred to this Court by

It is essential that we meet with your child and you and your husband in order to conclude this matter in the best interests of your family. We invite you to phone the Juvenile and Family Court within 48 hours, at 254-9403 to arrange a friendly, confidential conference.

A lawyer will be present to advise you at this conference unless you wish to retain your own counsel.

We trust that your co-operation in this matter will be voluntary and will not necessitate the involvement of the Juvenile Court process.

Yours truly

Helen Sarkis
Secretary
Essex County Diversion Program Inc.
Appendix H
PROGRAM BROCHURE
DIVERSION

AS A YOUNG PERSON PARTICIPATING IN THIS PROGRAM:

WHAT ARE MY RIGHTS?

WHAT ARE MY RESPONSIBILITIES?

January 12, 1977
RIGHTS AND RESPONSIBILITIES

Diversion is an agreement that is reached only after you understand the program and have received advice from a lawyer who is there to look after your best interests. Before you can proceed with Diversion, you must acknowledge your responsibility for the offence and agree that the facts as provided by the police are correct. If there is any question about your involvement, the matter must go to court where a judge can listen to all sides and make a fair decision. You have the right to go to court and be heard.

In the Diversion Program, each person — you, your parents, the Diversion Worker, the Victim, the Counsellor — has a share in making plans for the compensatory work and/or counselling. These plans should be completed within two to three weeks and it is the Diversion Worker's responsibility to make sure this happens.

The Diversion Program is not always the best way. At times, even when someone has decided to go through Diversion, the Diversion Worker may see reasons for plans not working. For instance, your situation at home may require more assistance than the program can offer to you. Two weeks after your first interview, the Diversion Worker has the right to return the charge to court. The Diversion Worker does not
make this decision alone but will discuss it with another member of the Diversion team. If you or your parents think the decision of the team is unfair, you can bring the matter to the Diversion Committee.

If you proceed into the program and there are no further changes in the plans, they are written into "contracts" which will be signed by yourself, your parents and the Diversion Worker.

By signing the contracts, you are saying that you agree with the work and/or counselling and will follow the plans until they are completed. No one in the program can be asked to work more than a total of 40 hours. The contracts are different for each person, but none will last longer than 9 months from the date that you sign them.

Your cooperation in following the plan is important. It becomes your responsibility to do the work and see the counsellor. You may find that there are difficulties, but you can talk these over with the Diversion Worker. However, if you do not do the work or do not see the counsellor, without good reason, then you are not co-operating and taking your shared responsibility. The Diversion Worker will discuss your situation with another member of the Diversion team. If members of the Diversion team decide that the original charge must be dealt with in court, the charge will be sent on to Court and you must appear before the Judge. When this happens, if you and your parents disagree with the Diversion Team's decision to return the
charge to court, you can request to meet with the
Diversion Committee before the court date.

Once the program has been successfully completed,
the charge laid by the police will be adjourned "sine
die" by the Judge. This means, that as far as the
Court is concerned, the matter is finished and nothing
else is expected of you in regard to the offence.
This also means that you are a responsible young person
who did something to undo any harm that your actions
cause to others.

Because you didn't go to court, you were not found
guilty of anything and do not have a record. However,
a file that says you were charged with an offence on
a certain date, stays at the court.

All information such as contracts, referral
reports, and school contacts are kept in a separate
file outside of court files.

As with any activity, we have the right to par-
ticipate, but we are also governed by rules that guide
our actions. You will find this to be true in sports,
in families, as well as Diversion.

In order to meet with the Diversion Committee,
call the Diversion secretary at 254-3361.
Appendix C

GENERAL ADMISSION OF FACTS
ESSEX COUNTY DIVERSION PROGRAM
JUVENILE AND FAMILY COURT FOR ESSEX COUNTY
250 WINDSOR AVENUE
WINDSOR, ONTARIO
N9A 6R5

RE: Name of Child:
Address:

We have been advised of our legal rights by a lawyer and have a general understanding of this program.

Notwithstanding the right to insist on a trial to prove the facts alleged against our child, he readily admits to these facts and we both agree to meet with the Diversion Worker and cooperate to whatever extent necessary.

_________________________  _______________________
Date                           Parent

_________________________
Parent
ESSEX COUNTY DIVERSION PROGRAM INC.
4th floor, 250 Windsor Ave.
P.O. 1508
Windsor, Ontario
N9A 6V9

RELEASE OF INFORMATION

This is your authority to release to a Diversion worker of the Juvenile Court of Essex County any or all information that you have in your possession relating to ______________ name of child

I further authorize the Diversion Worker to convey to Social and/or Education Authorities information which may be used for the benefit of the child.

Witness ______________ Parent or Guardian ______________

Date ______________

This information will be treated as confidential by the Essex County Diversion Program Inc. and used solely for the benefit of the child.
Appendix E

SOCIAL PROFILE
**DIVERSION PROGRAM**

**Social Profile**

**CHILD:**
**ADDRESS:**
**TELEPHONE:**
**DATE OF BIRTH:**
**SCHOOL:**
**GRADE:**

**Presenting Offense**

**Persons Living in Child's Home:**

<table>
<thead>
<tr>
<th>Age</th>
<th>Occupation</th>
</tr>
</thead>
</table>

**FATHER:**
**MOTHER:**
**SIBLINGS:**

**OTHERS:**

**Significant Others Living Outside Home:**
Difficulties of Child:

Profile Information Sources
1)
2)
3)
4)

At Home:
1) Your child's behaviour is generally good
   YES  NO
2) Does your child have a curfew?
   YES  NO
   If so - Time ____________________________
   Is he/she responsible to keep it?
   YES  NO  SOMETIMES
3) Has your child ever run away from home?
   YES  NO
   Reason _________________________________
   Has he/she threatened to?
   YES  NO
4) Does your child have assigned chores?
   YES  NO
   Is he/she responsible?
   YES  NO  SOMETIMES
5) Does your child accept your instruction and discipline?
   YES  NO  SOMETIMES
6) Does your child inform you of his/her whereabouts when he/she goes out?
   YES  NO  SOMETIMES
7) Does your child receive an allowance?
   YES  NO
   If so how much? ____________________________
8) Does your child bring friends home?
   YES  NO
9) Is your child under your control at home?
   YES  NO
   If no why? ________________________________
At School:

1) Does your child like school? YES NO

2) Do you believe your child has any difficulties at school? YES NO
   If so - Why? __________________________

3) Is your child's attendance
   GOOD AVERAGE POOR

4) Your child's grades are
   GOOD AVERAGE POOR

5) Does your child get along with the school staff? YES NO

School Report
1. Grades:

2. Attendance:

3. Behaviour:

4. Relationship to Teachers:

5. Relationship to Peers:

In the Community:
1) Previous police contacts YES NO
   Timing & Nature __________________________

                        
2) Do neighbours complain about your child's behavior? YES NO
   If yes - why? ______________________________
   ______________________________

3) Do you approve of your child's friends? YES NO
   If no - why? ______________________________
   ______________________________

4) Does your child use drugs or alcohol? YES NO
   If yes - How frequently?
   ______________________________
   ______________________________

5) Why did your child get into trouble with the law?
   FUN PLUKE PEER PRESSURE ANGER BOREDOM SELFGAIN UNCERTAIN

   Family Relationships:
   Between Parents:
   1) How long have you and child's other parent been:
      MARRIED  SEPARATED  DIVORCED  LIVING TOGETHER  SINGLE  WIDOWED
      ______________________________

   2) How would you describe your marriage relationship?
      Father ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      Mother ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      ______________________________
      (answer when applicable)
3) Have there been any periods of stress or separation? YES NO
   If yes - Explain ________________________________
   ________________________________
   ________________________________

4) Who sets rules and limits for children?
   FATHER MOTHER BOTH OTHER

5) Who enforces rules and limits for children?
   FATHER MOTHER BOTH OTHER

6) Do parents agree on rules and limits? YES NO
   (answer when applicable)

7) Do you like being (a) parent(s)? YES NO SOMETIMES

8) Is your method of discipline effective? YES NO SOMETIMES
   METHOD: ________________________________
   ________________________________
   ________________________________

9) Is this child your natural child? YES NO

10) Has this child ever been out of your care for a
    period longer than 3 months? YES NO
    If yes- In whose care was he/she? ________________________________
    ________________________________
    ________________________________
Between Father and Child:

1) How do you and your child get along?
   VERY GOOD  GOOD  AVERAGE  POOR  TERRIBLE

2) How do you and your father get along?
   VERY GOOD  GOOD  AVERAGE  POOR  TERRIBLE

3) Are there many areas of conflict between father and child? YES  NO
   If yes - Explain ________________________________
_________________________________________________________________________

4) Does child confide in father? YES  NO  SOMETIMES

5) Do child and father participate in activities together?
   YES  NO  SOMETIMES
   If so - What? ________________________________
_________________________________________________________________________

Between Mother and Child:

1) How do you and your child get along?
   VERY GOOD  GOOD  AVERAGE  POOR  TERRIBLE

2) How do you and your mother get along?
   VERY GOOD  GOOD  AVERAGE  POOR  TERRIBLE.

3) Are there many areas of conflict between mother and child? YES  NO
   If yes - Explain ________________________________
_________________________________________________________________________
4) Does child confide in mother?

5) Do child and mother participate in activities together?
   If so - What?

Between Child and Siblings:
1) Does child usually get along with brothers and/or sisters?

2) Are children's arguments considered to be normal?

3) Are there any extraordinary conflicts based on jealousy or resentment?

4) Have any of child's siblings been in trouble with the law?
   If yes - Explain

Other Important Information:
1) Has your child or family previously been involved with a helping person/and/or agency?
   If yes - Who?
   When?

2) What are your child's strengths?
3) What are your child's weaknesses? ________________________________

______________________________

______________________________

4) Do you think your child will be in trouble with the police again? YES NO UNCERTAIN

5) Do you feel that you need the help of an outside service agency to assist your child? YES NO

Identified Needs and Service Recommendations:

1) Compensatory work contract
   a) Number of hours _________________
   b) Placement _________________________
   c) Other _______________________________

2) Referral - Suggested to family by worker
   AGENCY ______________________________
   _______ Accepted by family
   _______ Rejected by family

3) No referral necessary ______
   Comments (if necessary)
   ____________________________________
   ____________________________________
   ____________________________________
   ____________________________________
   ____________________________________
   ____________________________________
   ____________________________________
Additional Information:


Submitted by: ______________________

Date: ______________________
Appendix F

COMPENSATORY TASK AGREEMENT
ESSEX COUNTY DIVERSION PROGRAM

Juvenile and Family Court for Essex County
250 Windsor Avenue
Windsor, Ontario
N9A 6R5

PRE-COURT SETTLEMENT - STATEMENT OF INTENTIONS

RE: Name of Child:
   Address:
   Occurrence:

I, __________________________ without prejudice, for the purpose
of settlement, acknowledge my responsibility under this
program to make restitution for any damages or inconvenience
I may have caused.

To discharge this obligation, I agree to do the following
things:

Date to be completed:

__________________________  Witnesses: ____________________________
   Child                                             Parent

__________________________  Parent
   Date

__________________________  Parent
   Parent

__________________________
   Diversion
   Worker

c.c. Police Department
Appendix G

REFERRAL AGREEMENT
ESSEX COUNTY DIVERSION PROGRAM
JUVENILE AND FAMILY COURT FOR ESSEX COUNTY
250 WINDSOR AVENUE
WINDSOR, ONTARIO
N9A 6R5

CONSENT TO REFERRAL

RE: Name of child:

Address:

1. We consent to the referral of _____________________________ to the following specified agencies for help.
   a) _____________________________
   b) _____________________________
   c) _____________________________
   d) _____________________________

2. We commit ourselves to remain cooperative and involved with the above mentioned agencies for a period of up to nine months.

3. We also consent to the release of any information about our family among various agencies that may become involved in this matter.

   _____________________________ Date _____________________________ Child

Witness: Diversion Worker _____________________________ Parent

_____________________________ _____________________________ Parent
Appendix H

CLOSING LETTER-COMPLETE
Chief of Police

Attention:

Dear Sir:

RE:

ADDRESS:

D.O.B.:

This is to inform you that the above named, who was charged in Juvenile Court by your department and entered into the Diversion Program, has successfully completed the Program.

His/her involvement with the Diversion Program has therefore terminated, the file has been closed, and the charge adjourned Sine Die.

Thanking you for your continued interest and cooperation in this Program, I remain,

Yours truly

Diversion Worker
Appendix I

CLOSING LETTER - VERBAL CAUTION
Chief of Police

Attention:

Dear Sir:

RE:

ADDRESS:

D.O.B.:

In response to an information sworn by you against the above named, this child and his/her parents were seen by a Diversion Worker of the Juvenile Court. After an assessment of this child's and his/her family's needs, it was determined that the appropriate response to the occurrence was to caution the child and send him/her home.

No further intervention or court process appears to be needed at this time.

Should you have any further contact with this young person, kindly inform the writer. Your assistance will help us to evaluate the effectiveness of the Diversion Program.

Yours truly

Diversion Worker
Appendix J

INITIAL EVENTS

1. Potential candidates selected from "Informations" reviewed, according to eligibility criteria.
2. Letter explaining Program and inviting child and family to intake interview sent.
3. Telephone follow-up if reply not received within 48 hours of anticipated receipt of letter.
4. Date for intake interview arranged.
5. Intake interview (program described, alleged occurrence explained, options explained).
6. Legal counsel received.
7. General Admission of Facts and Release of Information statements signed.
8. Social history completed.
9. Victim contacted (asked to participate, asked for suggestions).
11. Plan accepted by child (Referral Agreement signed, Compensatory Task Agreement signed).
12. Compensatory Task started.
13. Referral agency contact by child.
15. Referral agency follow-up (at 1, 3, 6, 9 month intervals).
17. Referral Agreement fulfilled.
18. File closed.
19. Closing letters sent to child, police, and referral agency.
20. Child appeals to Committee the Worker's decision that case should be returned to court.
21. Child appeals to Committee the Worker's decision affecting Compensatory Task or Agency Referral.
22. Child declines initial interview.
23. Child withdraws once in program.
24. Child declines to sign General Admission of Facts (in cases where more than one information is present).
25. Worker returns child to court: non-compliance with Compensatory Task Agreement.
26. Worker returns child to court: non-compliance with Referral Agreement.
27. Worker returns child to court: Worker discretion after Intake Interview.
28. Worker returns child to court: new charge.
29. Worker returns child to court: Worker discretion any time in program.
30. Charge adjourned: verbal caution after Intake Interview.
31. Charge adjourned: worker discretion any time in program.
32. Worker asks police to amend "Information".
33. Worker appeals to Committee the Program Administrator's non-concurrence with Worker's decision to return a case to court.
34. Compensatory Task added.
35. Compensatory Task deleted.
36. Helping agency added.
37. Helping agency deleted.
38. Compensatory Task Agreement altered (locale or task).
39. Helping agency changed.
40. Hours of Compensatory Task increased.
41. Hours of Compensatory Task decreased.
Appendix K

FINAL EVENTS

1. Potential candidates selected from "Informations" reviewed, according to Program eligibility criteria.

2. Letter explaining Program and inviting child and family to contact the Program sent.

3. Telephone follow-up if reply not received within 48 hours of anticipated receipt of letter.

4. Date for intake interview arranged.

5. Intake interview (Program described, alleged occurrence explained, options explained).

6. Legal counsel received.

7. General Admission of Facts and Release of Information statements signed.

8. Social history completed.

9. Victim contacted (asked to participate, asked for suggestions).


11. Referral Agreement and/or Compensatory Task Agreement signed.

12. Compensatory Task started.

13. Initial contact with referral agency.

15. Referral agency follow-up.
17. Referral Agreement fulfilled.
18. File closed.
19. Closing letter sent to child, police, and referral agency.
20. Child declines initial interview.
22. Child chooses court process after legal counsel has been received.
23. Child appeals to Committee the Worker's decision that he/she be returned to court.
24. Child declines to sign General Admission of Facts.
25. Worker returns child to court: non-compliance with Compensatory Task Agreement.
26. Worker returns child to court: non-compliance with Referral Agreement.
27. Worker returns child to court: Worker discretion after Intake Interview.
28. Worker returns child to court: new charge.
29. Worker returns child to court: Worker discretion any time in program.
30. Worker returns child to court: refusal to sign General Admission of Facts.
31. Charge adjourned: verbal caution after Intake Interview.
32. Charge adjourned: Worker discretion any time in program.
33. Worker asks police to amend "Information".
34. Administrator consulted regarding decision to adjourn charge.
35. Administrator consulted regarding decision to return child to court.
36. Worker appeals to Committee the Program Administrator's non-concurrence with worker's decision to return child to court.
37. Worker appeals to Committee the Program Administrator's non-concurrence with worker's decision to adjourn charge.
38. Client counselled (worker-child contact other than intake interview and interviews conducted in order to prepare social history).
39. Compensatory Task added subsequent to initial plan acceptance.
40. Compensatory Task deleted subsequent to initial plan acceptance.
41. Agency referral added subsequent to initial plan acceptance.
42. Agency referral deleted subsequent to initial plan acceptance.
43. Compensatory Task altered (locale or task) subsequent to initial plan acceptance.
44. Referral Agreement altered (agency or terms) subsequent to initial plan acceptance.

45. Hours of Compensatory Task increased, subsequent to initial plan acceptance.

46. Hours of Compensatory Task decreased, subsequent to initial plan acceptance.
Appendix L

DATA COLLECTION INSTRUMENT
C. Summary

Total Time: ___________     Over: ___________

Out-Stage: ___________     Outcome: ___________

Deviation: ___________     Deviation Stage: ___________

A-Time: ___________     B-Time: ___________

C-Time: ___________     D-Time: ___________

D. Other

Victim's Role (Event 109): ___________

Compensatory Task (Event 111): ___________

Referral Agency (Event 111): ___________

Compensatory Task (Event 401): ___________

Referral Agency (Event 403): ___________

Compensatory Task (Event 405): ___________

Referral Agency (Event 406): ___________

No. of Hours (Event 407): ___________

Other (Event 109): ___________

Other (Event 299): ___________

Other (Event 399): ___________

Other (Event 499): ___________

E. Comments

________________________________________________________________________

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VITA AUCTORIS

Andre Joseph Richard Breton was born August 10, 1957 in Port Colborne, Ontario. He received his elementary education at the French language École St-Joseph in Port Colborne, Ontario. In 1971, he enrolled in the French language École Secondaire Confederation in Welland, Ontario, from which he graduated in 1976, fluent in both French and English. Following a year of work and travel, he enrolled in the Faculty of Social Sciences at McMaster University in Hamilton, Ontario in September 1977, and the following year he was accepted into the McMaster University School of Social Work. During his course of study, he undertook fieldwork, first with the Ministry of Correctional Services as a Volunteer Probation and Parole Officer, and the following year at the Chedoke Continuing Care Centre in Hamilton, as a caseworker and where he was also in charge of developing special projects for the Centre's residents, to mark the International Year of Disabled Persons. He graduated on the Dean's Honour List, on May 30, 1981, with the degrees Bachelor of Social Work, and Bachelor of Arts (Psychology). On May 5, 1981, he was accepted into the Faculty of Graduate Studies and Research at the University of Windsor. In September, 1981, he enrolled in the Master of Social Work program, with
specialization in Human Justice and Corrections, with a concentration in Administration. A Directed Field Study was undertaken with the John Howard Society of Windsor, where he served as a community worker attached to an ad hoc community group, whose focus was juvenile delinquency. His studies at the School culminated in a thesis, titled "Process Evaluation of the Essex County Diversion Program". He expects to graduate from the University of Windsor on October 2, 1982.