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LEAGUE OF NATIONS

CHILD WELFARE COMMITTEE

**ENQUIRY INTO THE
QUESTION OF
CHILDREN IN MORAL
AND SOCIAL DANGER**

REPORT OF Mlle. CHAPTAL

Series of League of Nations Publications

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CONTENTS.

COMPARATIVE STUDY :

Introduction.....	Page 5
-------------------	-----------

CHAPTER I.—Legal Study of the Protection of Children :

Denmark.....	11
Germany	23
Italy.....	26
France	36
England.....	56
Canada	66
United States of America.....	82

CHAPTER II.—Description of Certain Types of Institution

Denmark	91
Germany	95
Italy.....	97
France	99
England	112
Canada	120
United States of America.....	132

CHAPTER III.—Defective Children

Denmark.....	139
Germany	142
Italy.....	151
France	155
England.....	164
Canada	170
United States of America.....	173

CONCLUSION

COMPARATIVE STUDY

INTRODUCTION.

I.

The purpose of the present survey is to give some idea of the comparative value of the methods employed with a view to ensuring most effectively the protection of children in moral or social danger in the seven countries we visited from 1929 to 1932.

This study will be divided into three parts, as agreed in April 1932 by the Child Welfare Committee :

I. General *legislation*, in the form adopted by each country : Boards of guardianship, offices for the protection of young people, juvenile courts with auxiliary services.

II. *Types* of institutions for protection and rescue work.

III. Detection and treatment of young *mental defectives* (abnormal, unstable, backward).

II.

Broadly speaking, legislation can be assigned to one of the three following systems : Boards of guardianship, offices for the protection of young people, and the organisation of auxiliary services attached to juvenile courts. These could even be reduced to two if the system of the German offices for the protection of young people (and of the Italian *Maternità ed infanzia* law) were to be placed halfway between the first and the third, inasmuch as it shares the characteristics of both.

At one extreme, therefore, we have the Danish boards of guardianship—now known as child welfare committees—

with their strong preventive organisation, which extends its protection from birth to the most endangered children.

At the other extreme, we have the organisation of special juvenile courts with its numerous auxiliary services, which make a study of the delinquent or endangered child as soon as he is reported to be in need of special help.

Between the two stand the German offices for the protection of young people (or the Italian district *patronati*), which, although in some cases their action leads to the juvenile courts, endeavour first to gain a knowledge of children in danger of falling into delinquency, in their own environment; to take preventive action, first by detecting them and then by removing them from their surroundings if necessary; and for that purpose to use such legal and social means as are at their command.

Since 1932, when the enquiries entrusted to us were brought to an end, various countries have made considerable changes in their child welfare legislation.

In this connection, mention may be made of the United Kingdom, with the Children and Young Persons Act, 1933; Denmark, with the Public Assistance Act of May 20th, 1933; and Germany, with various enactments with which we have not been acquainted. We shall therefore have to bear in mind the changes that have occurred in the sphere with which we are dealing; but as we cannot revisit those countries, and as, moreover, the practical changes made by recent legislation cannot have taken effect in so short a time, we shall confine ourselves, for purposes of comparison, to the facts ascertained during our enquiries from 1930 to 1932.

It should further be remarked that, in every country, a more or less rapid process of development is bringing about changes of varying degrees of importance, both in legislation and in social custom. Generally speaking, one observes, first, isolated attempts to bring about a change, then investigations and enquiries into the question that has aroused the attention of specialists, then proposals for legislation, and, lastly, the passing of a final text. It is therefore not unsafe to say that, with a little foresight, it would be possible to anticipate some time beforehand the line that would be followed by the law givers of any particular country, were it not that unforeseen and sometimes sudden changes of policy occasionally take place on account of political influences.

General tendencies may also be observed, growing stronger as time passes, in connection with the prevention of delinquency. Mention may be made of the tendency to put back the age below which a child is held "not to be entirely responsible for his actions" (United States of America); "to act without discretion" (France); "to stand in need of special protection" (Denmark); "to be unfit to undergo such a punishment as imprisonment" (the United Kingdom); "to be still under legal guardianship" (Germany); "to be amenable to the juvenile courts" (Canada, Italy), etc.

Many countries have thus recently enlarged the scope of *preventive action*, and regard anyone who has not reached the age of 17, or even 18, as a child. Obviously a lad of that age cannot yet possess much "discretion", especially if his personal upbringing and moral training have been neglected, as they too often are in certain strata of the working class.

The causes of this neglect, this waste of young human lives, are familiar, and are invariably the same.

There is first the disintegration of the family—the home is broken up—a calamity the effects of which can be found in an average of about 60 per cent of the cases investigated, not only in the countries studied in the course of this enquiry, but, we believe, in the majority of other countries.

Another cause is the absence of the mother, even when affection and mutual understanding are found in the home. If both parents are out at work, as frequently happens for economic reasons, the children are not guided or looked after. A home without a mother is only half a home; it does not fulfil its real purpose.

Mlle. de Lalieux, Secretary-General of the "Œuvres sociales féminines chrétiennes de Belgique", stated in her report to the International Congress on the "Industrial Work of the Mother and the Worker's Home", at Paris, in 1933 :

"Physical health must not be allowed alone to absorb our attention : *the education of the child* demands whatever time and love and general capacity the mother possesses; but when the mother is working, she has to leave the task of educating her child to others—to the school, to

strangers, to the street; how can she find time to cope with the thousand details which devolve upon her as her child's educator, supervisor, confidant, comforter and friend? A mother who is out at work sometimes loses all sense of her family duties, and, while recent enquiries have revealed in her a wealth of goodwill, they have shown how little notion she has of the educational work entrusted to her and the danger of her educational capacity being destroyed by the various influences of her working environment. The child is the victim of such a situation: he will feel its consequences all his life, there will have been something fundamentally lacking in his education, and nothing will ever make up for this omission.

"I do not mean to say that all children end in juvenile delinquency, but this, none the less, is strongly influenced by the absence of the mother, a view which is borne out by the following opinion of a judge in a juvenile court.¹

" ' Our reports on family investigations invariably deplore this absence of the mother from the home and the impossibility of counting upon parental assistance in the work of the judicial authorities, a situation which generally necessitates the boarding out of the minor; this is a necessary evil to which the magistrate only resorts because no better solution is open to him.

" ' The judge of the juvenile court must add the weight of his experience to the opinion of those who deplore the breaking up of the family and the absence of the mother from the home for any reason. As the pivot of the home, she plays an essential part in it; she makes up for the absence of the father, and, in many cases, acts as a mediating and conciliatory influence interposed between the severity of the father and the unruliness of the child.

" ' My conclusion is that, in 60 to 80 per cent of cases, the family surroundings are the cause of the child's downfall and of his appearance before the court. A large proportion of the various defects and shortcomings of the child may be attributed to the

¹ M. Wets, judge of the juvenile court in Brussels.

unfortunate economic conditions of the present day, which make it necessary for the wife to leave her home and, by her personal efforts, to assist in earning the household's daily bread, to the detriment of the real family interests, which should keep her in the home.' " ¹

The present world economic depression has inevitably had far-reaching effects on the situation of the child. It is very probable that the averages established some three or four years ago on the reclamation of delinquent minors have already been or may still have to be modified, perhaps in an unfavourable sense. Stricter supervision and more frequent official action have to be considered just at a time when the budgets of the Governments leave an increasingly narrow margin for the general extension of certain social reforms.

Particular attention will therefore be directed in this survey to those States which have not allowed themselves to be diverted from their benevolent care for unhappy childhood by the financial difficulties with which they have to cope. Some of them have not hesitated to modify their legislation on child welfare at a time of acute crisis and have introduced new items in their budgets or increased the amounts previously granted under certain heads. They will reap the benefit of their courageous action in the future; it will then be clear that the building up of human capital by measures of protection is a sound national investment.

III.

It has been decided in this study to follow the order given above as regards the few countries which we have investigated. Classified according to the system of legislation, the list of countries is as follows :

Denmark : Boards of guardianship, and, since 1933, child welfare committees.

¹ The solution of the problem, which is, in the first place, a question of the living wage required to support the family, would appear to lie in an increase in the family allowances for the mother who remains at home. See volume of the Congress, page 276 (Section : Vosges).

Germany : Offices for the protection of young people, 1922.

Italy : Law of 1927 on Maternity and Child Welfare.

France : Law of 1912 and subsequent laws on juvenile delinquents and the reform of delinquent minors.

England : Enactments relating to persons under the age of 18 years, amended and consolidated by the Children and Young Persons Act of 1933.

Canada : Legislation of the Dominion, and local provisions in the provinces.

United States of America : Federal legislation : special memorandum of the children's bureau.

It has seemed desirable, from the legal aspect, to include in this survey a large part of the analysis submitted to the Child Welfare Committee at its sessions in 1930, 1931 and 1932, mentioning further the chief modifications introduced since then in certain countries so far as it has been possible to obtain information on the subject. Special thanks are due in this connection to the competent Ministries in Denmark and the United Kingdom, which have taken the trouble, not only to supply the necessary documents, but also to check the accuracy of part of the personal information obtained.

Chapter I

LEGAL STUDY OF THE PROTECTION OF CHILDREN

DENMARK.

We venture to draw attention to the remarkable features of the former system, that of the boards of guardianship (or child welfare boards), adopted by various Scandinavian countries. We carefully studied the application of that system in Denmark.

CENTRAL CHILD WELFARE COMMITTEE AND MUNICIPAL CHILD WELFARE ORGANISATION.

Since our enquiry on the spot, a new law, promulgated on May 20th, 1933, has codified all the legal provisions regarding assistance, together with those connected with the protection and relief of children and young people. This law incorporates the laws on relief and places the *protection* of children and *assistance* to children under the same administrative authority. The powers of the former Central Board of Guardianship in Copenhagen therefore now include assistance and protection (or preservation) and the board is now called the Central Child Welfare Committee (*Landesnaevnet*, instead of *Oververgeraad*). This Committee possesses all the rights and duties of the former body.

All the municipal councils must appoint a "Social Committee" from among their members. They must also form a Sub-Committee (*Underudvalg*), which bears this name in the law but which, in practice, is called *Børnevaermsudvalget*, which means Child Welfare Committee. It is a

kind of permanent section, composed of at least three members. The Central Committee serves as an appeal authority for the child welfare committees instituted in the municipal councils.

The municipal councils appoint on the Committee voluntary workers, who must always be in a minority and are at liberty to grant or refuse their assistance.

Since the powers of the boards of guardianship have been transferred to the new committees, the latter carry out preventive protection and assistance and use establishments for children in the same manner as the boards. In addition, institutions of the Borstal type have been formed, which are, however, not under the jurisdiction of the committees.

All questions relating to child welfare are therefore united under the same administration. The functions of the Inspector-General of Training Homes remain unchanged; he co-operates with the Copenhagen Central Committee in the same manner as he co-operated with the board of guardianship under the former legislation. He inspects the same establishments as before. He remains in contact with the permanent sub-committees of the social committees, which perform the work of relief and protection in each commune, under the name—which has been everywhere adopted although it is not used in the law—of *Børnevaernsudvalget*, or child welfare committees.

The Child Welfare Committee constitutes a method of protecting children which is complete in itself; it possesses wide powers and the necessary means for exercising them. The Law instituting, in 1922, the Central and Local Boards provided for the existence, or creation, of the necessary establishments for carrying out the decisions taken by these boards regarding the placing of children; the best results are thereby ensured, since the management is centralised and the system is consequently strengthened. Indeed, the subsidiary agencies—State or private institutions for protecting, observing, educating, reclaiming and treating children, etc.—are of great permanent help to the child welfare committees, enabling them, as soon as a case is decided, to take the most effective action, without having to await the outcome of problematical proceedings.

A new-born child may be adopted; a child, whether of school age or not, may be placed in a day school or a

boarding school, as required; an apprentice may be sent to the most suitable home or special school; an abnormal, feeble-minded or ailing child is re-educated so far as his powers permit; a delinquent is corrected or, if incorrigible, is prevented from doing any harm; the erring child can be reformed; an intractable child is given all the training possible; incurables are protected, for their lifetime if necessary, etc.

The decisions of the Committee have a legal authority, since a judge has to attend the meetings in certain cases.

We should point out that this Committee is not tied down to the strict procedure of the ordinary courts, and may reconsider its own judgments, its decisions having authority at law. Each case is thus decided according to requirements, and the investigations carried out by the Committee on each case enable it constantly to apply the most effective physical and moral treatment to each child under its supervision and to impose the best method of education.

It may be advisable to recall here the legal constitution of the board of guardianship, as constituted under the Law of June 12th, 1922.

The institution of guardianship, as modified in 1933, consisted of a Supreme Board of Guardianship, situated in Copenhagen and composed of a President appointed by the King on the proposal of the Ministry of Social Welfare, a member chosen by the Minister of Social Welfare, two members chosen by Parliament, and the Inspector-General of Training Homes.

Local boards of guardianship were assigned to the various districts, each commune forming a district.

In the towns, boards of guardianship had to include seven members elected by the communal authorities—namely, one member possessing the qualifications required by a judge or lawyer and six members selected from persons resident in the local board of guardianship district. The latter were elected under the system of proportional representation and held office for four years; no member, when elected, could refuse to accept office (which was honorary). He could be re-elected for a further term of four years, and must again accept.

Copenhagen was divided into nineteen districts of about 30,000 inhabitants each. This division was made by the

Minister of Social Welfare, who could at any time make changes in the distribution of the guardianship districts (that is to say, he could enlarge or reduce them).

The Copenhagen Board of Guardianship was composed of a President, Vice-President and four times as many members as there were guardianship districts—*i.e.*, seventy-six, plus four supplementary members. The President and Vice-President had to possess the qualifications required by judges; they were nominated for eight years by the Minister of Social Welfare, on the recommendation of the Copenhagen municipality, and were entitled to the same salary as Government officials of equal rank.

To be elected to a board of guardianship, the person concerned had to possess a parliamentary vote. The 1905 Law stipulated that each board of guardianship should have a woman member. This clause did not appear in the 1922 Law, as women had, in the meantime, obtained the suffrage and were therefore equally eligible with men.

Since 1922, a medical man has been attached to the Copenhagen Board of Guardianship (at present the Central Child Welfare Committee).

The Law of May 20th, 1933, extends the powers of the Child Welfare Committee to :

A. *The inspection of children.* This inspection refers to :

(1) Children, whether legitimate or not, placed outside their family in another family or entrusted to a family for the day only, on payment of an allowance;

(2) Illegitimate children, up to the end of their seventh year;

(3) Children under 18 for whom the public authorities advance a certain sum of money ("the normal pension")—*i.e.*, illegitimate children and the children of women who have been deserted, who are separated from their husbands or who are divorced, and for whose maintenance the authorities advance the allowance payable by the father;

(4) Children under 18, whose parents receive permanent help at home from the public relief authorities;

(5) Children of widowers or widows, and orphans receiving grants from the public authorities.

B. *Preventive protection of children* in accordance with the general provisions of the Law of 1922.

C. *The decision to remove children from their homes and all matters connected with the placing of children.*

Children may be removed in the following cases :

(1) If the child is particularly refractory or notoriously ill-behaved;

(2) If he is exposed to moral corruption or neglect in consequence either of the depravity of his parents or other guardians or of their serious negligence or incapacity, or lack of capacity on the part of the parents or other guardians for the task of education;

(3) If the child is ill-treated and his physical or moral health or normal development is endangered;

(4) If the welfare of the child demands special treatment, because he is feeble-minded, insane, epileptic, deaf and dumb, blind, tuberculous or crippled, and such treatment cannot be given at home or the parents do not undertake to give the necessary treatment.

D. *The education and care of children who have no support* (father, mother), or whose parents are unable for temporary reasons, such as illness, etc., to take care of them and request the Committee's assistance.

In the town of Copenhagen, the protection of children is divided between the municipal administration (*Magistratens 3^e Afdeling*) and the Child Welfare Committee (*Børnenaevnet*). The administration deals with the inspection of children, preventive protection and the care of those who have no support.

The Child Welfare Committee consists of the mayor of the third division of the municipal administration as President, a Vice-President with legal training, six members of a permanent sub-committee and forty-eight local members. Urgent decisions are taken by the President, the Vice-President, the six members of the permanent sub-committee and three of the local members.

PLACING OF CHILDREN.

When a case which may involve the definite removal of the child from his home is brought before the Committee, it must make a particularly careful investigation. For this purpose, it delegates one or even several of its members and, where necessary, a specially appointed person, to visit the family and collect full information. The Committee is entitled to summon to its meetings any person whose evidence would appear to be useful. It may undertake any necessary enquiry.

Evidence is taken in the same way as in criminal cases. If a child is to be heard by the Committee, steps are taken to make sure that he can speak quite freely. The details of each case are always considered before this court of guardianship meets. The papers put in for each child relate to three separate enquiries; the police enquiry, the school authority's enquiry and that of the member of the Child Welfare Committee itself. The Committee may always ask for the help of the police when it fails to obtain the necessary information otherwise. The opinion of the school administration may include that of head masters of schools, members of the clergy, employers or master tradesmen, etc. A medical man must be called before a child can be permanently taken from his home.¹ This doctor must fill up a special form for the purpose.

A Child Welfare Committee, when deciding to place a child, must specify whether it is to be sent to a boarding school, put out to service, apprenticed or handed over to a training home, etc.

Contracts are concluded by the Committee itself or else entrusted to an approved society.

If necessary, the Child Welfare Committee is empowered to summon before it the teacher, clergyman or doctor.

As a result of the enquiry, the Committee may decide that the public relief authorities should help the child.

When the Committee is not sitting, the President may on his own initiative undertake the necessary preliminary investigations into a case. He may order a child to be

¹ This regulation explains why a medical man must be a member of the Copenhagen Central Committee.

temporarily removed from his parents until the next meeting of the Committee. The child must never be sent to a poorhouse or other public relief institution. The Committee must always be asked at its next meeting to sanction the President's action.

The Committee must always keep the Inspector-General of Training Homes informed of its decisions regarding the placing of children and notify him whether the Director of the establishment proposed has agreed to admit the child. The Inspector-General may always refuse to sanction such arrangements if he finds them unsuitable from a physical standpoint (constitution of the child too delicate for the proposed treatment) or morally (child of bad character or difficult to handle who would be a danger to the other inmates of the home). If the Inspector vetoes a proposal, the Committee must confer with him before taking a new decision in the matter.

Should the Child Welfare Committee prefer not to decide independently regarding the placing, it may ask the Inspector-General to do so, the latter then notifying the Committee of the action taken. The papers in the case must, where necessary, be communicated by the Committee to the Inspector-General.

When a certain period has to elapse before definitely deciding on the placing of a child, the Committee may send him temporarily to an observation centre. This is even recommended in all doubtful cases. When the Committee thinks that a child is not happy in a particular home or institution, it may decide on a change and, should a difference of opinion arise between the Director of the home and the Child Welfare Committee, the Inspector-General acts as the final referee. If a child has to change schools as a result of the Committee's decision, the latter must immediately notify the school attended by the child, ask for the school report to be made out and send the necessary information to the school which the child will attend. If a child was being prepared for confirmation and had his preparation interrupted by a decision as to placing, the Committee must immediately inform the clergyman responsible. If the Committee resolves to discontinue the examination of a case, it must inform the child's parents or guardian accordingly in writing.

Appeals by persons exercising the parental power (in the

case of legitimate children, the parents) cannot be lodged after the expiry of fifteen days.

If a decision to remove a child from his parents or to withdraw parental power is not supported by the number of votes required by law, the case is referred to the Central Child Welfare Committee within fifteen days from the decision, on the request of at least two members who voted for the removal. The families or guardians concerned may also appeal against a provisional placing.

When a case comes before the Central Child Welfare Committee, the latter may ask for further particulars either from the local Committee or the police. It may also call for the help of any other public authority in investigating the case. The judgment it subsequently pronounces on the local Committee's decision is final. It may amend the latter, and the local Committee must then give effect to the Central Committee's finding.

If, when a case calls for its intervention, a local Committee does not take the necessary action, the Central Committee is specially empowered to open an enquiry itself, and should a local Committee, after such intervention, refuse to decide on the removal of a child which the Central Committee thinks necessary, the latter may take the decision itself. The local Committee may appeal against this decision to the Ministry of Social Welfare within fifteen days. The local Committee must report to the Central Committee on decisions taken to separate children from their parents; such a report, drawn up on a special form, must show that the decisions were taken by the appropriate Committee with the statutory number of votes, and must give all the necessary details regarding the nature of the decision, boarding-out arrangements, contributions to be paid by the family, etc.

A similar report must be sent to the Central Committee whenever a local Committee changes the child's boarding-out arrangements or sends him to a training home. Such reports must always be at the disposal of the Inspector-General of Training Homes.

Article 34 of the Law of 1922 was of special interest. Its provisions still exist in practice. A child of school age who has repeatedly played truant or is exceptionally lazy or behaves very badly in class can be immediately put in an institution for a certain period and so separated

from his parents. The parents have the right to appeal in the manner described above.

Children under 14 years of age who have to be separated from their parents but who are not morally corrupt or troublesome have usually to be placed in a family; they must then attend school, follow apprenticeship or continuation courses, go to a workshop, etc.

A child under school age may be sent to a home for young children, a kindergarten or a school.

Delicate children are placed in accordance with the treatment they require—usually in a small home. Morally corrupt or exceptionally difficult children, contact with whom may be dangerous for schoolchildren, must be placed in a special boarding school. If a child is placed with a family, such family must not have more than three unconfirmed children¹ living at the time with them, and neither of the parents, if both are living, should be over 55. Except in the case of brothers and sisters, not more than two children are placed in the same family. Little girls and older girls, and sometimes also boys, especially when very young, are frequently entrusted to unmarried women. The child must always have his own bed, and the regulations are very strict regarding accommodation, lighting and ventilation.

The children placed in these families are always supervised. The same applies to private charitable homes. There is a large number of such homes at Copenhagen, where women, who have usually undertaken the work out of a sense of religious duty, receive up to twenty children of various ages and treat them like their own.

EXERCISE OF PARENTAL POWER AND OBLIGATIONS OF ADULTS TOWARDS CHILDREN.

The parental power can always, when the Committee has decided to separate a child from its parents, be assumed by the Committee itself, or the latter can confer it on a person selected for the purpose or an institution which will admit the child, or a society approved under the 1922 Law which will arrange for placing the child. A Committee

¹ That is, under 15 years on an average.

taking such decisions may change them at any moment as circumstances require.

If the director of an institution agrees to admit a child, he is given parental power, and he retains it as long as the child remains in or continues under the supervision of such institution.

Parents or other persons bringing up children who neglect or corrupt their own children or children in their charge may, at the instance of the Committee, be sentenced to imprisonment, or even severer punishment. The same applies to anyone who ill-treats children or checks their moral or physical development. Parents or employers guilty of such offences to children under eighteen years of age entrusted to them by the Committee are liable to the same penalties.

If it is found that a person infringing the provisions of the law is addicted to drink and that the offence is due to drunkenness, the court may decide that he shall immediately be put in a special home for dipsomaniacs for a period up to two years. This measure is, however, conditional on the Child Welfare Committee finding that, if the person addicted to drunkenness is removed, the children to whom he is a danger can be kept at home.

There are somewhat severe penalties for those who fail to warn the Child Welfare Committee that a child's circumstances are such that he is corrupted, neglected or maltreated through the fault of his parents or guardians. The law provides for a fine or imprisonment if anyone fails to report such a case either to the Committee or to the police, the penalty being pronounced at the local Committee's request.

Similarly, any person hampering the initiation or execution of measures or enquiries provided for by the Law on the Protection of Children or failing to comply with orders given under that law is liable to a fine, or even, in serious cases, to imprisonment. When a Child Welfare Committee prohibits any person from visiting a child which it has placed out, the same penalties are incurred by the person infringing such prohibition.

The same applies in the case of a person aiding or abetting the escape of a child boarded out by the Committee or of a person who, knowing that a child has run away, helps him to escape or hide.

Persons who prevent the Inspector-General from carrying out his duty of inspecting training homes or who hinder the medical supervision of children are liable to a fine.

PAYMENT OF COSTS.

The Treasury defrays the whole cost of placing children from 15 to 18 who have to be separated from their parents, as well as half the cost of boarding out younger children in similar circumstances.

The cost of the permanent medical supervision of children placed out by the Committee is borne by the State Treasury, and the same applies to the salary, remuneration and pensions of paid inspectors and members of the Central Child Welfare Committee.

An amount depending on circumstances is annually put at the Inspector-General's disposal for distribution as prizes to children under the charge of the Committee and even to children who have for less than three years been free from such protection.

In making these awards, the Inspector consults either the Committee having charge of the child or, where the latter is in a home, the responsible Director.

Under a special law, State subsidies are given to preventive institutions for children and young persons (*crèches*, kindergartens, recreation homes, etc.). The other costs are paid partly by the Treasury and partly by the beneficiary's commune of domicile.

In certain cases where a domicile is not established, the expenses incurred under the law of public relief are met from public funds. Naturally, contributions towards a child's maintenance, paid by persons who have been ordered to do so by a Child Welfare Committee, go to reduce the amounts payable by the Treasury or the relief authorities.

The communes must defray the election costs of the Child Welfare Committee and the guardian's salary in cases where the Minister of Social Welfare has sanctioned the appointment of a "permanent supervisory guardian".

The working expenses of the Committee and those entailed by legal notifications, travelling allowances and remuneration while on official missions are also borne by the commune.

The cost of accommodation for an adult in a home for curing drunkards is charged to the same budget as expenditure on delinquents.

PROVISIONS REGARDING INSTITUTIONS.

The Law of 1922 furthermore enacted rules regarding the sanction required for the various homes, temporary asylums, observation centres, schools, boarding schools, etc. Various public administrative regulations, which are legally binding, ensure the strict application of this article. All such institutions are subject to permanent local inspection and to inspection by the higher authorities; they receive large parliamentary grants.

The most varied circumstances are provided for : applications for approval of institutions, conditions to be complied with for obtaining such approval, cases of refusal of permission with possible appeal, report to be presented to the higher authorities at specific dates, conditions for the admission of children, number of staff, internal arrangement, possible closing, entrance register with individual case record for each child, punishments permitted, rewards recommended, rules of hygiene, heating, baths, etc.

A member of the Child Welfare Committee must sit on the Board of Administration of boarding schools and homes for young people (for troublesome children of 14 to 21 years). Nominations for the post of Director of such homes must be confirmed by the Minister of Social Welfare; there is permanent medical control; disciplinary regulations are laid down by the Minister.

It is interesting to note that the ordinary rules of boarding schools and family homes (paragraph 12) include the following provisions :

“ A child may complain if he has been unjustly dealt with by a teacher or ill-treated by his companions. Serious complaints of this nature shall be noted in a special register containing the personal details of each child.

“ Any pupil is entitled to appeal before the Inspector-General during his inspection of the home, make a personal complaint and ask for his help.”

GERMANY.

OFFICES FOR THE PROTECTION OF YOUNG PEOPLE.

In our preliminary report for 1930, we enumerated and made a consecutive study of the principal laws for the protection of children and young people. We should have liked to be able this year to submit to the Committee a summary of the new measures adopted in Germany during the subsequent years, and particularly, we believe, in 1932. Circumstances, however, have prevented us from studying these measures, and we shall therefore merely point out that the offices for the protection of young people look after children and young persons up to 18, or—in certain cases, where boarding out is necessary—up to 21 years of age. The work of the offices varies with the local regulations of the States composing the Reich, but they still have, as before :

(1) To protect children handed over to the care of strangers (see Articles 19-31);

(2) To act as a communal council of guardianship (*Gemeindewaisenrat*) (see Articles 32-48);

(3) To co-operate and participate in probation (*Schutzaufsicht*) and correctional education (*Fürsorgeerziehung*) (see Articles 56-76);

(4) To collaborate with the juvenile courts, as provided by the Law of February 16th, 1923;¹

(5) To help in supervising the employment of children and young people according to the legislation of the various States;

(6) To assist organisations giving relief to war orphans and the children of disabled ex-servicemen;

(7) To aid the police authorities in child welfare work, especially when boarding children out in homes in order to prevent their becoming abandoned, according to the legislation of the various States.

These communal offices must further stimulate or assist, if they already exist (Article 4), organisations for

¹ Jugendgerichtsgesetz.

the protection and welfare of mothers before and after childbirth, infants and small children, schoolchildren outside school and young persons who have left school.

If these various organisations have not been set up, it is the duty of the offices for the protection of young people to provide for their establishment.

Even in 1930, this law was giving excellent results. A Decree of June 14th, 1932, however, now authorises the juvenile court magistrate to dispense with assessors when trivial offences are being tried. The report issued by the Secretariat of the League of Nations on "Institutions for Erring and Delinquent Minors" (document C.P.E.430) gives details on this subject.

We had expressed deep appreciation in 1930 of the work done by the women welfare workers and visitors who supervise the application of the laws and the execution of educational measures in respect of children and young people, particularly at Berlin, Nuremberg, Dresden, Hamburg and Lübeck. It is to be feared that the present economic crisis has prevented an extension of these very valuable services. Let us, however, recall the very complete form of organisation found at Lübeck, which may be cited here as a striking instance of the good effects of the law which set up the offices for the protection of young people.

The Lübeck Office for the Protection of Young People is organised in sections, each constituting a complete unit. The city has a population of 110,000,¹ and is divided into twelve districts. The various private child welfare organisations, whether denominational or not, work in every district in unison with the health visitors of the Office. These visitors are women welfare workers who have received a diploma for child welfare work and a further diploma for kindergarten work, in addition to having had the two years' training required by the schools of social service. Most of them have had five years' training.

Their daily duties in these districts comprise everything affecting the child and the family : hygiene, physical

¹ Without taking into consideration Lübeck's extension to some surrounding districts, which would bring the total inhabitants of the municipality up to 135,000.

and moral attention, supervision of infants and of children of school age.

Up-to-date individual records, which are both very detailed and practical, are kept by the health visitors in respect of all children registered with the Office. They include data relating to the child's family (position, housing, etc.), its school record (health, conduct, with reports every three months), medical records and dental records; the last-mentioned have been obligatory for the past five years. For infirm or abnormal children, there are special records, which must be brought up to date by the visitor every three or six months, or more frequently if necessary.

Lübeck fully applies the Reich Law on the Protection of Youth, but, in addition, a special Child Welfare Law¹ is in force, as in all the States of the Reich, as well as decrees regarding the boarding out of children, and the application of paragraph 22 of the Reich Law (conditions for obtaining authorisation to board out and withdraw children and the re-grant of authorisation).

But, in Lübeck, the point of special interest is that the Law of March 26th, 1929, sets up a Labour and Relief Department which is in constant touch with private relief organisations, as well as with health and popular education societies and with the various charitable institutions and foundations. It also provides for maternity and infant welfare, the prevention of social diseases and evils and is fully applied to-day.

The Superintendent of the Office for the Protection of Young People considers that the duty of the municipalities in regard to child welfare extends to all problems relating to the mother and the child; special attention must be paid to problems connected with housing (*Wohnnot*), the home (*wirtschaftliche Not*), and education (*Erziehungsnot*), especially as they differ according to the social group to which they apply. They are not the same in the case of an illegitimate child living with its mother or a family which has lost its breadwinner. The child must not be "uprooted" like a plant, and motherhood is entitled to the effective protection of the State.

¹ Gesetz über die öffentliche Wohlfahrtspflege (March 26th, 1929).

As far as possible, the mother and her child must be considered as a "biological entity", although this is often difficult of realisation. As regards relief, therefore, it has been found necessary to differentiate families with, and those without, minor children; 90 per cent of the families assisted and supervised by the Lübeck welfare organisations are families with children under age.¹

The Lübeck Office for the Protection of Young People aims, as far as possible, at studying the individual requirements of each child separately and, when at all possible—as is usually the case—in agreement with the parents. It is rare that a child has to be withdrawn entirely from his family; usually it is desirable to admit him to a day home (*Tagheim*), and the parents then realise that the child suffers if he does not receive regular instruction.

Weak-minded or psychopathic children have often to be placed in boarding establishments, although there are auxiliary schools (*Hilfschulen*) at Lübeck for this class of abnormal children. They are under observation from the time they enter the kindergarten (pre-school age) and continue to be so during school age and, in the case of girls, during the age of apprenticeship.

ITALY.

The Maternity and Child Welfare Law, the application of which we studied on the spot in 1930, remains, in Italy, the children's charter. The following are its main provisions :

LOCAL "PATRONATI" COMMITTEES.

One of the most interesting is the institution of local *patronati* committees, which have to be set up in every commune of the country.

The law promulgated on December 10th, 1925, set up in Rome an autonomous association called the "National Society for the Protection of Mothers and Children".

¹ Relief at present given to unemployed is strictly calculated in accordance with the number of young children.

Under Article 10 of the law, the conduct of the work undertaken by the National Society is entrusted, in each commune, to *patronati* of either sex selected by the Administrative Council of the Provincial Federation from persons of the highest character, with experience, whenever possible, of maternity and child welfare work.

COMPOSITION OF “PATRONATI” COMMITTEES.

Each commune may have one or more *patronati* committees, the number being fixed in proportion to the population by the Administrative Council of the Provincial Federation, whose decision must be endorsed by the Executive Committee of the National Society.

The *ex officio* members of each committee include the communal medical officer, the head master or an assistant master of the local school, a magistrate and a parish priest selected by the prefect. In towns where there are several *patronati* committees, doctors responsible for communal health supervision must be members. The committee meets in premises provided free of charge by the commune.

Patronati failing to carry out their duties or not showing sufficient zeal are removed by the Administrative Council of the Provincial Federation.

The members of the Central Board of the Executive Committee, the administrative councils and the provincial federations, as well as local *patronati*, receive no payment for their services.

POWERS AND DUTIES OF “PATRONATI” COMMITTEES AND OF THEIR MEMBERS.

Patronati are :

(1) To organise and provide assistance for mothers and infant children along the lines laid down by the law;

(2) To supervise the health, education and morals of children under 14 years of age who are not living with their parents or guardians but with nurses or in families, or in public or private benevolent or philanthropic

institutions, and provide assistance, medical care, instruction and education for foundlings;

(3) Jointly with the charitable associations, to assist and protect abnormal children and materially or morally neglected children; this along the lines of the Law of July 17th, 1890;

(4) To watch over children and young persons, to notify the judicial authorities, where necessary, of any facts which come to their knowledge and might make it necessary to deprive the persons concerned of the paternal power, legal guardianship and the capacity for guardianship, and to see that, in such cases, provision is made for the legal representation of the children;

(5) To report facts coming to their knowledge which constitute infractions of child-labour legislation or other regulations issued on guardianship;

(6) To take all other steps necessary to protect and assist mothers and children in the various communes and request the sub-prefects where necessary to apply the measures referred to in the Royal Decree of December 30th, 1923.

In the exercise of their functions, *patronati* may apply for direct action on the part of police officers and of factory and labour inspectors.

Further, the *patronati* committees are responsible for the physical and moral protection of children of pre-school and of school age. They must organise physical training courses in the day schools or boarding schools and institutions; encourage the opening of kindergartens and crèches for children of from 3 to 6 years of age during the working hours of their parents; supplement the measures taken by the communes, mutual assistance organisations and school committees to provide meals in school (school canteens for poor children), to promote physical education and even to improve the school teaching and the children's recreation.

It is provided in Article 164 of the Detailed Regulations of April 15th, 1926, that *patronati* committees must, jointly with the local educational authorities and the various school committees, organise in the elementary schools of each commune special "differential" classes to bring backward children up to the normal standard, if possible.

“ Backward ” pupils are children presumed to be mentally abnormal, children with defective senses (hearing, sight, etc.) and all who are physically below the normal level owing to constitutional weakness, lack of concentration, instability, stammering, defective hearing and sight, etc.

Patronati committees must arrange for the admission to asylum or special schools of the pupils from the “ differential ” classes of public or private schools, or of such children as have, after a period of observation, been medically recognised as unsuitable for normal schooling — for example, children definitely or chronically abnormal or feeble-minded, unstable and immoral children, children with afflictions of the senses, deaf or stammering children, etc., who can, however, be improved and adapted to social life.

The *patronati* committees must also make the necessary arrangements for the admission, as far as possible, into the proper institutions of children and young people suffering from infirmities of the motor centres (crippled, infirm, paralysed) or sensorially afflicted (blind or deaf-mutes), or those (feeble-minded) recognised as unadaptable, epileptic and insane children or children suffering from brain lesions, when they cannot be given at home the attention which their special condition requires.

They must, furthermore, arrange (*a*) that all cripples who can be physically improved and trained for some occupation are placed in institutions where they can receive the necessary surgical and orthopædic treatment, and be educated for a trade suited to their special infirmity ; and (*b*) that the blind and deaf-mutes, not otherwise disabled from complying with the school-attendance regulations, obtain in schools or institutions the prescribed training and a suitable professional education ; that exceptionally feeble-minded children and young people be placed in homes or institutions where they can receive, at least, the rudiments of education based on adapting the senses and the attention and on developing a partial capacity for work.

Expenditure incurred by the organs of the National Society for aiding mentally diseased children and blind and deaf-mutes must be refunded to the Society by the province, within the limits laid down in earlier laws

(1904 and 1905) and in the Royal Decree of December 30th, 1923.

Children or young people who are delicate, sickly or predisposed to tuberculosis, etc., must be placed in institutions where they can be given the attention and the hygienic and sanitary treatment which their condition requires.

The supervision of *patronati* committees ceases on the child reaching the age of 18. The committee, however, must find employment for the inmates of institutions who have reached (or are over) the age at which they must be discharged. The committee must in every case continue to give discreet and appropriate assistance to girls, even when they are over 18, until they find suitable employment; for this purpose, it will make use of the services of patronesses and women visitors.

The aim of the 1926 Regulations is that legal protection should be extended to every single child and mother. Under Article 113, each *patronati* committee must keep :

(1) A register of expectant mothers and nursing mothers obviously needing continuous economic, moral or legal assistance;

(2) A register of foster-mothers or other persons who are accustomed to rear or take charge of children under 14 years of age not living with their parents or who regularly undertake these duties;

(3) A list of maternity and child welfare institutions and the accommodation available in each;

(4) A register of children under 18 years of age not in homes or otherwise suitably accommodated who, for any reason whatever, need protection and assistance, and of children under 14 years of age not living with their parents but with foster-mothers or guardians or in public or private charitable or child welfare institutions.

Such minors must therefore be notified to the responsible authorities.

The Maternity and Child Welfare Law makes it compulsory for the *patronati* committee, simultaneously with the new duties defined therein, to put certain older provisions of the Civil Code into operation. Article 221 of this Code states that the President of the Court may, without giving

any reason therefor, decree that a minor be taken away from his parents (and, by a development of the principle, from his guardian or any other person with whom he is residing) and decide to place him in a home, family, etc. This decision may follow on a notification of any origin whatever, even anonymous, as this inspection must immediately lead to an enquiry.

Nowadays enquiries into such cases must be carried out by the *patronati* set up by the new law in each district.

In such cases, as in all those covered by the 1925 Law, *patronati* may apply for the assistance of the public authorities; they are themselves "public officers" and may avail themselves of their position, with the help of the police, to suppress abuses and even to have indecent newspapers, engravings and publications removed from shops situated near schools. This shows again how effective the 1925 Law is in securing the enforcement of earlier laws, for the Regulations on Indecent Publications or Pictures is usually rather difficult to apply, unless private individuals take the matter up energetically.

By showing his official card, a *patronato* may insist on the removal of any obscene pictures exhibited in a shop. He may also enter other premises in the company of a police officer. As children under 15 are not allowed to smoke, he can instruct a police officer to bring a charge against any child he sees smoking a cigarette. A minor smoking in public is liable, not merely to have his tobacco taken from him, but to a fine of 5 lire. Similarly, if they find a shopkeeper supplying a minor with drink, *patronati* may, and must, report the offence; the shopkeeper then loses his licence.

HELPERS FOR THE "PATRONATI".

The 1926 Regulations (Article 119) create special child welfare officials whose duties are to help *patronati* in tracing and reporting children morally or materially neglected, to look after children under 14 years of age not living with their parents, to protect ill-treated children, to supervise the execution of Article 21 (public performances, cinemas where the employment of children is

prohibited), Article 22 (certain performances which children are forbidden to attend), Article 23 (alcoholic liquor) and Article 24 (prohibition of smoking).

Furthermore, under Articles 117 and 118, voluntary women visitors are chosen in each committee from persons—they may be members of religious orders or not—who freely offer their services for the work and who have, for at least two months, attended the health and maternity courses instituted by Article 59 of the same Regulations. Such visitors should be chosen preferably from the associate members¹ of the National Society or from qualified nurses of the Italian Red Cross.

A list of voluntary visitors, to which is attached their certificates of attendance at the courses prescribed, is forwarded to the National Society.

There are also assistant workers paid by the National Society. These are chosen among graduates from schools of puericulture, preferably among such as reside in the commune where they are to work.

Article 118 states that visitors, whether paid or unpaid, shall act as liaison officers between the welfare agencies and the families assisted: they help at medical or obstetrical consultations as well as in children's dispensaries, they visit expectant mothers, mothers and infants, report on the environment, see that women attend clinics and dispensaries, undertake any treatment to be given at home during confinement, supervise breast-feeding, show mothers how to carry out the doctor's orders and help to keep watch over children under 14 years of age not living with their parents. They must, moreover, in conjunction with the doctor, advise on health and diet and, in the doctor's absence, they give first aid to assisted children.

Patronati committees may appoint visitors for the duties devolving upon them and put them at the disposal of the local welfare institutions, provided the latter agree.

In all cases where exhaustive technical preparation is essential, non-professional welfare workers may not be engaged.

¹ Associate members are subscribers to the National Society.

PROVINCIAL FEDERATIONS; SOME OF THEIR DUTIES.

The Law of October 21st, 1926, reinforcing Article 4 of the Law of 1925, defines the constitution and duties of the Provincial Federations, which are indispensable for enforcing the Law on Maternity and Child Welfare and are constantly referred to in the Regulations of April 15th, 1926.

The administrative councils of the Provincial Federations must see that there are set up in each province: (1) Consulting clinics under medical specialists in infantile neuropsychiatrics, as well as laryngological and ophthalmological clinics for diagnosing and treating abnormal children and young persons, who must be sent to such clinics by the school doctors, teachers and families; (2) asylum-schools or special schools for day pupils, boarders and day boarders, the purpose of which is to train mentally abnormal children to take their place, as far as possible, in ordinary life and make them socially useful, to provide effective measures of social protection against juvenile delinquency and prostitution, and also to establish some co-operation between the homes of the children and specially qualified doctors and visiting nurses.

The administrative councils of the Provincial Federations must take steps to see that, apart from the provincial welfare organisations, special observation departments are set up for investigating and studying the physical, intellectual and moral condition of each child and young person, materially or morally neglected, erring, awaiting trial or discharged from prison, whom the provincial *patronati* committees undertake to protect and assist, whenever such investigations prove necessary or advisable. In all such departments, the work of observation must be under the charge of a medical man assisted by child health visitors and "differential" teaching experts.

As regards legal protection, it is interesting to note that M. Scotti, barrister-at-law, has, since May 1924, tried in Rome to give moral assistance to young people of both sexes. We noted in the statutes of the welfare institution founded by him an Article 2, which contains the germ of what the Law of 1925 has since made obligatory throughout Italy:

"Article 2.—The object of the Institution is to provide legal protection and moral assistance for minors of both

sexes domiciled for relief purposes in Rome and, more particularly :

“ (1) To take legal steps to establish the identity of minors, defend their interests and also, where necessary, assist them materially by arranging for and securing their accommodation in suitable institutions;

“ (2) To make a careful study, with the help of the legal authorities, of their environment, origin and way of life;

“ (3) To supervise the constitution and operation of family councils and councils of guardians and draw up a list of suitable guardians;

“ (4) To take a census of illegitimate minors with a view to their legal and professional guardianship, the object being to supplement the guardianship entrusted by the administration to societies or institutions assisting minors in danger;

“ (5) To look after legitimate minor children employed in industry and see that the laws regarding child labour applying to them are strictly complied with;

“ (6) To afford appropriate assistance and help to minors of both sexes exposed to danger;

“ (7) To exercise actual guardianship when required by public authorities or private individuals;

“ (8) To supervise young male delinquents and female prostitutes by means of the administrative and legal measures suited to the special requirements of each particular case;

“ (9) To supervise abnormal minors;

“ (10) To give legal advice on questions of guardianship and the protection of minors and, in order to facilitate such consultation, to compile a list of qualified persons capable of giving disinterested help.”

In an interesting study on the execution of the law, M. Scotti points out that there is no doubt that most of the *patronati* are now unable to carry out the various judicial and social functions required by the law.

“ They therefore seem to need the assistance of barristers and public prosecutors in the case of legal

investigations, and of lawyers in the case of consultations. The law also contains other provisions where a lawyer's help seems essential—for example, in connection with penalties imposed on offenders.

“Article 21 provides that criminal proceedings may be taken against those who fail in their duties as employers of children of either sex under 15 years of age employed as actors or supernumeraries or in any other capacity in the preparation of cinematographic films or in public performances given in variety theatres, cinema theatres, circuses, or other public places or in acrobatic and gymnastic performances and other dangerous exercises.

“For carrying out the provisions of this article as well as the articles mentioned above (22, 23 and 24), men with legal experience can be extremely useful to members of *patronati* committees.”

Just as medical and technical advice is sought when hygienic and sanitary assistance is given to mothers and children, so the advice and suggestions of magistrates, professors of law, barristers or public prosecutors, notaries and police and other officials are required for dealing with the legal and social sides of this question.

As regards the parental authority, previous laws laid down¹ that the public register of each district should note on a special record card the death of one of the parents of a minor or the marriage of a widowed mother who exercised the parental power over the child, and that such cards should be sent to the welfare institution² responsible for the assistance to be given to such children under the Law of July 17th, 1890.

In its turn, the Institution, after taking a copy of the card, had to forward it to the Public Prosecutor who, under Article 250 of the Civil Code, should already have been notified to enable him to arrange for the guardianship provided for in the law. He was asked to return the card with a note on the back indicating the measures taken. According to M. Scotti, in the seven years during which he had collaborated with the authorities of the

¹ See Article 56 of the Regulations of January 1st, 1905, converted into a Royal Decree.

² Congregazione di Carità.

Rome Charitable Association, he had not received one such communication from the authorities.

It was this failure which led M. Scotti in 1924 to found the special society referred to above, Article 2 of whose Statutes contained the germ of the chief legal provision for the protection of minors embodied in the 1925 Law.

The gaps in the legislation existing before 1925 may now be said to have been happily filled.

FRANCE.

French legislation on the subject of children in moral danger and on juvenile delinquency is contained in a great number of different texts. The earliest mention, so far as we are aware, is found in the Penal Code of 1810. Article 66 of that code provided for a "penal minority" (up to the age of 16), power being conferred on the *tribunal correctionnel* to declare that a minor under 16 years of age had acted without a due understanding of his offence.

Under the provisions in question, he was accordingly acquitted, handed over to his relatives, or placed in a reformatory. If the court found that the minor had acted with due understanding, he was given the benefit of extenuating circumstances and was punished less severely than an adult.

In 1850, a law was passed setting up penitentiary colonies for minors sentenced to a term of detention of not less than six months, and for minors who had acted without due understanding and who had been ordered, as a result of a declaration to that effect, to be placed in an institution.

Before this date, there was only a single special home for juvenile delinquents in France. The colony founded at Mettray in 1839 seems to have been the first set up for reclaiming juvenile delinquents.

Mention may also be made, for the sake of completeness, of the Law of 1874 concerning minors under 16 years of age employed in travelling occupations, though this law contains only one provision relating to our enquiry; begging by children under 16 is forbidden and imprisonment is imposed for this offence. In addition, the father

or mother of a child arrested for this offence might be deprived of the paternal power, and a guardian of his guardianship.

In 1889, it became possible to deprive a parent of his or her paternal power when there was *prima facie* evidence of neglect. Parents lose the paternal power *ipso facto* if convicted of ill-treating their children, and also for notorious and scandalous misconduct, for habitual drunkenness and in certain other cases.

In 1898, a new law was passed for protecting children in moral danger. One of its objects was the prevention of cruelty. It supplemented the provisions of the Law of December 7th, 1874, by punishing traffic in children; the provisions of the Penal Code were strengthened by the enactment of severe penalties for persons guilty of cruelty to children, if these resulted in injuries, in temporary or permanent incapacity for work, or, *a fortiori*, in death. In such cases, more severe penalties are provided where the guilty parties are the parents or the persons having the custody of the child.

With regard to the child himself, the law in question confers on the examining magistrate provisionally, and on the court definitively, power to decide on his custody and to entrust him to a relative or other person, to a charitable institution, or to the public relief authorities.¹

Loss of the paternal power and the civil consequences of this loss are dealt with in a Law of 1889, which was supplemented by further provisions in 1916 and 1921.

The paternal power is forfeited under the law in certain circumstances—*e.g.*, when the father and mother have been convicted as principals or accomplices in a crime against the person of one of their children, or as associates in a crime committed by the child, and after a second conviction for habitually inciting a minor to immorality.

Forfeiture of paternal power may be decreed by the court in certain definite cases, such as illegal confinement or abandonment of a child or children, vagrancy, incitement of minors to immorality (first offence), or in cases where the children have been placed in a reformatory or convicted (Article 67 of the Penal Code), or for other causes such as

¹ A. MOSSÉ: "Les prisons et les institutions d'éducation corrective".

notorious misconduct, drunkenness, failure to show the necessary care, etc.

Unfortunately, the procedure is still a slow one; a forfeiture action must first be instituted by the submission of a memorial, accompanied by evidence, to the President of the Court; this memorial must be duly registered, a report thereon must be made by a specially appointed magistrate, and the family council may, in addition, be summoned. The court sitting in Council Chamber then proceeds to the examination of the matter after consulting the family council or the Justice of the Peace, and after hearing the parents or other persons and the public prosecutor. Judgment is finally delivered in open court. All this takes time and, in spite of the provision contained in Article 5, by which the court sitting in council chamber is authorised to take any provisional measures that it may consider necessary for the custody and education of the children, there is considerable danger of the entire procedure proving abortive if the parents in question have been guilty of ill-treatment in the interval, or have, as may unfortunately happen, disappeared with the child.¹

Legal guardianship is provided for the child in every case in which the paternal power of the parents has been declared to be forfeited. This guardianship may be entrusted by the court to the public relief authorities, an educational establishment or a private person.

By a special Law of April 12th, 1906, Article 66 of the Penal Code was modified, the age of the "penal minority" being raised to 18 and a distinction being made between minors under 16 years of age and those between 16 and 18. The most important law, however, which still governs cases of children in danger or delinquent children, is that of July 22nd, 1912. This law deserves more detailed examination.

Under Article 1 of this law, the "penal minority" was again lowered and fixed at 13 years of age. Up to this age, no child can be punished by any court.

"Measures may be taken, according to circumstances, for the guardianship, supervision, education, reclamation

¹ The Higher Council of Public Assistance, at its session on January 31st, 1934, passed a recommendation urging the amendment of this legal provision with a view to a more rapid decision

and assistance of the child; these measures shall be ordered by the civil court sitting in council chamber.”

The following articles lay down that when the Public Prosecutor is notified that an offence has been committed by a minor under 13, he refers the matter to the examining magistrate, who can provide for the child :

“ . . . either by placing him provisionally under the care of a person of good repute, or by sending him to a charitable institution recognised as a public utility organisation or designated by decree of the Prefect, or by handing him over to the public relief authorities; the examining magistrate may also order the child to be kept in a hospital, hospice or in any other place that he may appoint at the seat of the court. He must without delay inform the parents, the guardian, or the person who has the custody of the child, when these are known, and notify the Chairman of the Committee for the Legal Defence of Young Offenders of the opening of the proceedings. He will appoint counsel for the accused or arrange for such appointment by the *bâtonnier* (President of the Corps of Barristers). If, however, the charge is a criminal one, the examining magistrate may decide, by means of an order, with a statement of the reasons therefor, that the child shall be kept in custody, but apart from other prisoners.”

The examining magistrate must ascertain whether the minor has in fact committed the offence of which he is accused. If there is not sufficient evidence, he dismisses the case. If, on the contrary, it appears that the child is guilty of a crime or misdemeanour, enquiry is made into the material and moral circumstances of the family, the character and previous history of the child, the conditions of his life and upbringing, and the best measures for securing his reclamation. This enquiry may be supplemented, if necessary, by a medical examination.

The examining magistrate may refer this supplementary enquiry to a rapporteur selected from a list drawn up by the court sitting in council chamber at the beginning of the legal year, and preferably from the following classes of persons; magistrates or ex-magistrates, men and women barristers, attorneys or honorary attorneys, and

men or women members of Committees for the Legal Defence of Young Offenders.

“ The rapporteur hears the child, collects information from all sources, and makes any enquiries that appear necessary in the interests of the minor. If he meets with any opposition in carrying out his task, he immediately makes application to the examining magistrate. He submits to this magistrate a written report setting forth the results of the enquiries, to which the magistrate may make any necessary additions.

“ When the preliminary enquiry is completed, the examining magistrate communicates the results to the Public Prosecutor and, if necessary, sends the minor before the court sitting in council chamber.

“ The court sitting in council chamber then delivers judgment after hearing the child, the witnesses, the parents, the guardian or the person having custody of the child, the rapporteur, if necessary, the Public Prosecutor and counsel for the defence. It may take any one of the following steps :

“ (1) It may return the child to his family ;

“ (2) It may order him to be placed until he comes of age in the care of a person of good repute, in a home or appropriate institution, or in an establishment for abnormal cases or a charitable institution recognised as a public utility organisation or designated by decree of the prefect ;

“ (3) It may hand over the child to the public relief authorities.

“ In cases in which the court sitting in council chamber has ordered that the minor shall be handed over to his family, a person or a charitable institution, it may also appoint a probation officer to be responsible to the court for the supervision of the minor.”

The cases before the court in council chamber are heard in private, but the decision, with a statement of the reasons therefor, is given in a public sitting.

When a minor under 13 years of age is concerned in the same case as one or more accused persons over 13, the preliminary legal enquiry must, under the provisions of

Article 8 of the Law of 1912, be carried through in accordance with the rules of ordinary law. Nevertheless, the provisions previously quoted in favour of minors under 13 must always be complied with.

Under Article 11, the court sitting in council chamber may decide on its own authority, either on the application of the public prosecutor or at the request of the child, that the latter shall be returned to his family or that the decision placing him in a family or institution should be given formally and be accompanied by a statement of the reasons on which it is based. The minor's request, if rejected by the court, cannot be re-submitted until after the lapse of one year.

Article 14 lays it down that minor offences committed by children under 13 years of age must be heard before an ordinary police court, sitting in the room of the Justice of the Peace, in the presence of the parents or of a guardian or other person having the care of the child, but in camera. If the child is found guilty of the offence, the judge reprimands him or the parents. This reprimand is entered in a special register, and the minor and his parents are warned of the consequences of a second offence. If a second offence is committed, the minor is brought before the civil court sitting in council chamber in accordance with the articles dealing with this matter.

The following provisions apply to minors between the ages of 13 and 18 :

“ Offences punishable by imprisonment, if committed by minors between the ages of 13 and 18, must be referred by the examining magistrate or the examining court to the court of summary jurisdiction.”

The following provision was added in 1921 :

“ The right to prosecute for an offence in respect of which such right belongs to the public administrations shall be exercised by the Public Prosecutor.”

In the case of crimes or misdemeanours committed by minors between the ages of 13 and 18, the examining magistrate, after hearing the public prosecutor, may order the minor to be placed in the care of his family, a relative, a suitable person or a charitable institution recognised as a public utility organisation or specified in

a decree of the prefect. The magistrate may also of course decide to hand over the child to the public relief authorities. A decision of this nature can be revoked at any time; but it remains in force until the preliminary examination of the case is terminated by dismissal of the accused, or until the final judgment, if the case is sent for trial.

At this stage is introduced what is known in France as *liberté surveillée* (probation); it is provided in the following paragraph of Article 16 :

“ If the provisional custody of the minor is left to his family, a relative or another person, the examining magistrate may order that it should be exercised under the supervision of a person of good reputation nominated by him.”

Articles 17 and 18 set up the juvenile courts as follows :

“ In the courts in which there are several examining magistrates, one or more of these nominated by the First President on the proposal of the Public Prosecutor shall be specially entrusted with the preliminary investigation of cases concerning minors under 18 years of age.”

The following paragraph again makes mention of the interesting organisation known as the *Comité de défense des Enfants traduits en justice* (Committee for the Legal Defence of Young Offenders). It is here laid down that the examining magistrate :

“ . . . having made enquiries, not only into the actual facts alleged, but also into the material and moral situation of the minor and his family, must notify the hearing of the case to the Chairman of the Committee for the Legal Defence of Young Offenders. He nominates counsel for the defence or arranges for this nomination by the *bâtonnier*. If necessary, he has the minor medically examined.”

Under Article 18, the court of first instance in each *arrondissement* must sit as a juvenile court and try, at a special hearing, minors from 13 to 16 years of age who are charged with misdemeanours or crimes, and minors between the ages of 16 and 18 charged with misdemeanours only.

Furthermore, in the Tribunal de la Seine and in courts composed of several members, a special chamber, known as the juvenile court, is set up as a division of the court of first instance to try the minors mentioned above.

Appeals are decided, if necessary, by the court of appeal in a special hearing, and under the same conditions as those in which the case was originally heard.

When a minor between the ages of 13 and 18 is charged as the main offender or a joint offender or an accomplice in a case together with older prisoners, the matter is brought before the ordinary courts.

Article 19 excludes the public from cases concerning minors and lays down what persons can be admitted—namely, witnesses, near relatives of the minor, his guardian or deputy-guardian, members of the Bar, representatives of the public relief authorities and (subject to the approval of the court) members of “patronage” societies, legal defence committees and other charitable organisations dealing with children, persons deputed by the court, and, in special circumstances, Press reporters.

No report of the proceedings in the juvenile courts and no photograph or picture of a young offender may be published. Any person infringing this provision is brought before the *tribunal correctionnel* and is liable on conviction to a fine of from 100 to 2,000 francs.

Section III of the Law of 1912 deals exclusively with the probation of minors under 18 years of age.

It should be noted that the provisions contained in this section—*i.e.*, Articles 20 to 27 of the Law of 1912—have been considerably amended by the Law of February 22nd, 1921. The latter law has, in particular, strengthened the distinction between measures relating to adults and those applicable to minors under 18.

Article 20 of the Law of 1912 empowers the court to order a minor of 13 to 18 years to be released on probation and placed “under the care of a person or a charitable institution nominated by the court and acting under its instructions”. The court has the right, if the minor is handed over to his parents, a person, or a charitable institution, to order that he shall be placed on probation up to the age of 21, but not over that age. On the expiry of the period fixed by the court, a fresh decision is taken on the application of the public prosecutor. If there is

an appeal (Law of 1921) against the decision by which the minor is placed in a penitentiary colony, the sentence is suspended pending appeal, unless otherwise ordered.

Article 22 provides for probation officers :

“ A number of persons of either sex are entrusted, under the direction of the court, with the duty of arranging for and supervising the release on probation of young offenders. These persons are preferably appointed from among the members of ‘patronage’ societies, legal defence committees and approved charitable institutions; they may also be private persons nominated direct by the court.”

Article 23 provides that, during the period laid down, these officers shall visit minors on probation as often as necessary, and shall report on their conduct to the President of the Court. If the minor on probation misbehaves or is in moral danger, or if the supervision is systematically interfered with, the President may, whenever he considers it necessary, either on his own authority or at the request of the officer, order the minor and those entrusted with his care to be summoned before him at an early date, in order that a fresh decision may be taken.

If a probation officer dies or is unable to carry out his duties, a successor is nominated by decree of the President of the Juvenile Court.

“ The President, ¹ either acting on his own authority or as a result of an application for the termination of custody or supervision, may, if he thinks it advisable, give all necessary instructions to secure the person of the minor. He may, by means of an order accompanied by a statement of the reasons on which it is based, decide that the minor shall be arrested and kept in detention separate from other prisoners. If this is done, the minor shall be interrogated within twenty-four hours by the President, and the case must be examined by the court at its next sitting.

“ The court may order the provisional execution of its decision, notwithstanding any objection or appeal.

“ Any incidental demands or claims for modifying

¹ Paragraph 3, added by the Law of February 22nd, 1921.

the decisions given under the Law of July 22nd, 1912, shall be submitted to the court which gave the original decision, unless this court has delegated its powers either to the court competent for the domicile of the parents or the person or the charitable institution to which the minor has been entrusted by a judicial order or else to the court of the *arrondissement* within which the minor will be placed.

“ If the matter is pressing, urgent provisional measures may always be ordered by the court of the *arrondissement* in which the minor will be placed.

“ This court shall also be competent to hear and determine all incidental demands and claims relating to the measures ordered under Articles 20, 21, 22 and 23, if, in the absence of the express delegation of powers provided for in paragraph 5 of the present article, the release has been ordered by a court which is not of a permanent character or by an invalidating decree of a court of appeal.”

Article 24 :

“ In the event of the death, serious illness, change of residence or unauthorised absence of a minor released on probation, his parents, guardian or other persons in charge of the minor, or his employer shall inform the probation officer without delay. The latter must notify the President of the Juvenile Court.

Article 25 :

“ The release on probation of minors under 13 years of age which, under Article 6, may be ordered by the court sitting in council chamber, shall be governed by the provisions of the previous articles.

“ An appeal for the modification of a decree ¹ in the case of a minor under 13 years of age at the time of his release on probation or his being placed with one of the persons or institutions mentioned in Article 6 shall be heard by the juvenile court if the appeal is based upon facts occurring after the minor has reached the age of 13. This court shall prescribe the educational measures laid down in Article 21.”

¹ Paragraph 2, added by the Law of February 22nd, 1921.

Article 69¹ provides that the sentence passed on a minor between 13 and 16 years of age, who is guilty only of a simple misdemeanour, shall not exceed one half of that to which he would have been liable if he had reached the age of 16 years.

It should also be noted that the Clerk of the Court must keep a special register, not open to public inspection, in which are recorded all decisions concerning minors under 18 years of age.

We desire to point out here that the good effects of the Law of 1912 are much more noticeable in places in which the probation system has been thoroughly organised. In the conclusion of the very interesting report by M. Danjoy² in the publication of the League of Nations Child Welfare Committee (document C.975.M.540.1931.IV), the author mentions his regret that this very useful measure has not, up to the present, been carried out thoroughly enough. We are now able to report a real progress in this direction.

SPECIAL PROVISIONS.

We made a study on the spot of the application, in the reannexed departments of Alsace and Lorraine, of French legislation combined with certain provisions of the local law specially effective in safeguarding and protecting children.

On November 25th, 1920, the Law of 1912 was introduced and put into force, in close conjunction with the provisions regarding "compulsory education".³ Later, the Law of June 1st, 1924, adjusted certain provisions to the legal status of minors. Mention might be made of a judgment by the Colmar Court of Appeal in execution of the law regarding Family Desertion.⁴ This law is rightly considered to have excellent effects in safeguarding young people.

It is interesting in the same connection to note the

¹ Of the Penal Code, as modified by the Law of 1912.

² Dated 1927.

³ See Fritz SCHNEPP: "La protection des incapables après l'introduction des lois françaises", etc. Strasburg.

⁴ Law of February 7th, 1924.

arrangements made regarding the loss of the paternal power. The French Law of July 24th, 1889, was introduced, together with its amendments, but it was decided to apply concurrently therewith the provisions of the local law regarding compulsory education. These are preventive measures which experience has shown to be effective and which can easily be reconciled with French legislation, hitherto incomplete in this respect. Account must also be taken of the jurisdiction conferred by Article 84 of the Law on the cantonal court in regard to the loss of the paternal power. This jurisdiction replaces that of the civil court.

The main idea underlying the organisation of guardianship, in local legislation, is the following : it was desired, and this was all, that the guardianship court should take the place of the French family council. This result has been achieved by retaining the cantonal magistrates in the local judicial organisation.

The foregoing has led to consequences of two kinds. In the first place, the reasons for appointing guardians for minors of legitimate birth are governed by local law. In the second place, the organisation and operation of the guardianship of minors continue to be subject to certain provisions of the local civil code, particularly in the case of the guardianship court and the council of orphans.

Other provisions of local law or custom in Alsace and Lorraine continue in force, particularly in connection with the social welfare work carried on by the offices for the protection of young people.

The social worker who carries out these measures in Strasburg does important work and discharges practically the same duties as a woman police officer, combined with those of a probation officer in certain cases. She is responsible for the supervision of certain places of amusement, such as cinemas, and must from time to time make personal inspection to see that there are no children under 16 years of age present in the audience.

She can turn such children out under a rule in force in the city of Strasburg, since no boy or girl under 16 may be present at a cinematograph performance unless accompanied by a member of his or her family. The social worker, as was stated above, acts as a probation officer. She is, in particular, entrusted by the court with the

supervision of a number of minors, with whom she keeps in touch when, by order of the court, they have been placed in a reformatory or public or private institution for re-education.

We made a number of visits in this official's company to institutions in the neighbourhood of Strasburg and were able to observe the valuable results of the co-operation between her and the matrons in charge of boarding establishments.

Notwithstanding the work still done by the Office for the Protection of Young People, committees for the legal defence of young offenders have been established in accordance with the Law of 1912. After a few years' working, the results of this co-ordination afford a very interesting study.

The committees for the legal defence of young offenders are deserving of special mention at the present juncture. They were set up at the instance of the magistrates or advocates in the chief towns, such as Bordeaux, Marseilles, Montpellier, Lyons, Lille, St. Omer, Boulogne, Toulouse, etc.

These committees act, in general, on behalf of delinquent minors, in conjunction with the various "patronage" and rescue societies existing in eighty-six towns in France. The same persons frequently belong to the two bodies, thus ensuring perfect understanding and co-ordination.

A circular of the Garde des Sceaux, dated June 20th, 1931, has contributed very largely to this progress by stimulating the interest of magistrates in questions relating to the protection of children. In this circular, the Minister stresses the necessity of training judges who have specialised in the work of juvenile courts, are keenly interested in minors and are capable of collecting around them :

" . . . men of kindly disposition and goodwill concerned with the reformation, not only of minors, but also of adult prisoners who have served their sentence, by assigning them a more important rôle under the authority of the magistrate. It will thus be possible, if not in every court, at all events perhaps in every department, to set up or extend 'patronage' societies, whose action will be specially effective by reason of the

fact that it will be for the benefit of individuals in the same district.

“ These local welfare societies would have the immense advantage of giving permanence to efforts which might be nullified by changes in the personnel of the courts just when the first results were being attained. Those who are prepared to devote themselves to this work will be able to obtain initial information by applying to their colleagues who have preceded them. They will find it advisable to visit the principal benevolent institutions, penitentiary establishments, etc.

“ The following will always be able to supply any information that may be necessary : L'Association amicale des Délégués à la liberté surveillée, 36, quai des Orfèvres, Paris, I; Le Service social de l'Enfance en Danger moral, 2^{ter}, rue Surcouf, Paris, VII; La Sauvegarde de l'Adolescence, 15, rue Bertin-Poirée, Paris, I; L'Union des Patronages, 14, place Dauphine.”

The Minister had insisted previously on the utility of regular liaison between the court and the communal school, with a view to the prevention of delinquency and the better protection of children of school age.

“ Regular attendance at school is the first proof that a minor is behaving satisfactorily and leading a useful life, and, to secure this result, there should be constant collaboration between school inspectors, teachers and the judge of the juvenile court. The judge, while acting with tact as well as moderation, is able to impose his authority on negligent parents and truant children alike.

“ These relations should permit of services in return, and the judge might thus discover in the majority of the teachers in his district delegates specially qualified to supervise minors who are restored to their families.

“ This work is bound to take time; it cannot be completed at once in its entirety, but must depend on long experience inspiring confidence and interest in the public.”

This circular might well be quoted in full, as it is an important official document, the results of which were apparent even at the end of the year 1931. A number of

provincial magistrates applied to the bodies mentioned in the circular for information concerning their working. New centres were opened for the Service social de l'Enfance en Danger moral, and centres already established have been given the necessary encouragement to develop their work.

By way of example may be mentioned the section, established in the Haute-Garonne under the authority of the Protection Toulousaine de l'Enfance, which was recognised as a public utility organisation in 1929.¹

Its purpose is to maintain a group of specially trained women visitors for children. They visit every family in which a child is born, give advice with regard to hygiene and social assistance, and offer friendly and practical aid.

The visitor, if she is to help a child to grow up normally, cannot ignore the family surroundings. Accordingly, the Protection Toulousaine de l'Enfance decided to give one of its visitors specialised training in the care of morally abandoned or delinquent children; she was sent to Paris to work under the Service social de l'Enfance en Danger moral, which is attached to the Tribunal de la Seine, and has, for the last three years, been employing the same methods at Toulouse.

The number of families visited by the Protection Toulousaine remains constant at about 3,000. Any case in which unfortunate or delinquent children appear to be concerned is handed over to the specially trained visitor, who carries out an exhaustive enquiry of the type of those instituted by the Service social de l'Enfance en Danger moral in Paris, arranges for the child to undergo medico-psychiatric examination, sees, if necessary, that medical treatment is provided and devises a solution consistent with the family's circumstances and medical opinion.

Following on a circular addressed by the Garde des Sceaux to all the courts in France, requesting that enquiries into cases of delinquent minors should be entrusted to specialist social services, we were appointed Rapporteur and the examining magistrates were instructed to hand over to us all such enquiries. One magistrate, M. Serus, even applied to be appointed to specialise in cases relating to minors.

¹ Extract from a report addressed to the Service social de l'Enfance en Danger moral, Paris, June 1933.

ENQUIRIES.

The very exhaustive enquiry carried out covers the child, his surroundings, all the circumstances of his life that have been observed and noted, his family conditions, his habits, the way in which he is cared for, treated or neglected in his surroundings, the opinion of his school teachers and of his employers, information obtained from neighbours, etc. Very precise data are collected concerning his heredity (alcoholism, tuberculosis, syphilis). Lastly, a medico-psychiatric consultation is held at La Grave, preceded by a test by our woman assistant in psychology, who holds the certificate of the Comité national de l'Enfance déficiente, in Paris.

This consultation, backed up by all the social data furnished by our enquiry, makes it possible to "place" the child mentally and psychologically, and to find for him the situation or occupation which will provide the first means for his reform.

LIBERTÉ SURVEILLÉE (PROBATION).

Having also been appointed probation officer, we exercise regular, strict and friendly supervision over minors entrusted to us by the court.

They are seen at least once a month—in their own homes, at their employers' or at the offices of the organisation. A detailed report on them is sent to the court every three months.

If, before the end of the three months, the child's conduct is such as to necessitate stricter supervision and a change of environment, a fresh report stating the facts is submitted to the court, which takes the necessary measures.

Almost invariably, this legal supervision develops into relations of confidence and friendship, which, in most cases, lead to a real improvement in the child.

At the present date, there are twelve probation cases. We trust that there may be a further extension of this important branch of our activities.

DELINQUENTS ENTRUSTED TO RESCUE ORGANISATIONS.

Through the instrumentality of the service, sixteen delinquents—ten boys and six girls—have been placed in a suitable environment. Several of these cases are very promising.

CHILDREN IN MORAL DANGER.

In addition to the branch of official assistance attached to the juvenile courts, there is an entire branch known as the Moral Danger and Pre-delinquency Branch.

This long and arduous work assumes two main forms. The first consists in entering the homes of unsatisfactory families and ensuring a healthy social and better-balanced life for the child by means of gradual social, moral and friendly action.

The second consists, in cases in which the surroundings are unworthy or impossible and the family is nothing more than a name, in removing the child and placing it in a healthy environment.

At present, 105 children are in the care and under the supervision of the Moral Danger Service, and, in thirty-six cases, where this was absolutely necessary, children have been placed, in agreement with their families or with the semi-official support of the magistrates who summon and admonish the recalcitrant parents.

In such cases, the children are placed with families in the country or with small employers, in domestic-science schools or with various agricultural organisations.

Our service has intervened in the unhappy sphere of the deprivation of paternal power or divorce and has been instrumental in rescuing some ten children who, owing to the worthlessness of their parents, had no settled home or had been abandoned.

Lastly, twenty-two cases of the deprivation of parental power were investigated and closely followed with the support of the magistrate, and ten cases were successfully settled without the deprivation of parental power. To sum up, 222 children have been taken in hand and their cases carefully looked into by the service, which, in 1933, was granted a first subsidy by the Ministry of Justice.

This type of organisation is now becoming more common in France, on the model of the Social Service in Paris attached to the juvenile court. The latter, which has been installed for the past year in premises built by its founders at 19, rue du Pot-de-Fer, exercises considerable influence over minors exposed to delinquency and over their families.

The work of the service consists of two equally important parts; one, study and documentation, and the other, care and education properly so called.

The women assistants of the Social Service act as liaison agents between the magistrate, the child's family, the child himself and the public or private institution dealing in any capacity with child welfare.

Their work is threefold :

(1) They carry out social and family enquiries regarding the child and his environment, and such enquiries, supplemented by the medico-psychiatric and syphilitic consultations of the service, supply the magistrate with data concerning the child's history and the real causes of the difficulties awaiting solution;

(2) They make recommendations to the judge (measures of education, treatment, change of environment);

(3) They carry out certain measures that have been decided upon and, in particular, exercise friendly supervision and prolonged educational influence over the child and his family.

The *first branch* of the Social Service was attached to the Juge des Corrections Paternelles. The law, which has largely fallen into disuse, provides only for the imprisonment of a child or adolescent whose parents have had reason to complain; the Paris magistrates have interpreted this very primitive provision in the widest sense. They have arranged for certain children to be given treatment or special reformatory education and have given others the necessary protection against parents who were exploiting them.

The second important branch of the service is that relating to the deprivation of paternal power. Here women assistants help the Deputy Public Prosecutor responsible for protecting children reported to be

ill-treated or in danger. According to the results of their enquiries, the magistrate decides whether it is necessary to order the deprivation of parental power or if, on the contrary, it may be possible to improve the child's situation through properly regulated influence. Often, thanks to the magistrate's authority and the assistant's influence, parents consent either to place their children, as they are advised, or to make an effort to take better care of them, and the family remains under the supervision of the Social Service.

The third branch of the service is that of rapporteur attached to the examining magistrates for certain young delinquents in the Department of the Seine.

The penitentiary administration sometimes entrusts to the Social Service supervision over and the guidance of wards who, by reason of their good conduct, have been granted conditional release from the penitentiary institutions before reaching their majority. The Prefecture of Police applies to the Social Service for the purposes of the examination and protection of children whose parents have had to be interned on account of mental disease. Lastly, the service assists parents or adolescents who apply to it of their own accord.

In a large and populous area such as the Department of the Seine, the number of negligent parents and of children who are in danger is much greater than might be imagined. Apart from young delinquents proper, there are children who are inevitably destined to become delinquents : neglected children who are given no schooling or education, although the public institutions are ready to give them the necessary care and instruction. The service protects these children, who are reported from different sources, and entrusted to it by the Deputy Public Prosecutor of the juvenile court. It supports parents who are weak or incapable and helps them to perform their duty. In this work of protection and education alone, contact was maintained in 1932 with 568 families with some 1,600 children, regular and effective guardianship being exercised over the latter. In the services as a whole, the situation of 5,135 families was examined, which means that upwards of 10,000 children and adolescents were studied and given guidance.

Each year, the magistrates make increasing use of this

organisation, which has been obliged to open an auxiliary section attached to the Petit Parquet.

After beginning in May 1923 with one professional woman assistant, it now has twenty-eight and five secretaries, who keep the dossiers of supervised children up to date. Four medico-psychiatric consultations are held each week at the administrative headquarters, where examinations for vocational guidance also take place. Lastly, annexed services—classes, library, clothing club, etc.—under the direction of ladies who give their services free of charge, are in regular operation.

As to the Committees for protection properly so called, their work varies in every town according to the requirements to be met.

We paid personal visits to a number of towns, including Bordeaux, Marseilles, Montpellier, Lyons, Lille and St. Omer, and found that in every case the members of these societies showed great understanding of the child in danger and a thoroughly practical knowledge of the best ways of reclaiming him.

Among the most active of these bodies is the organisation, with its centre at Lille, which covers the area of the north and offers several points of particular interest.

The Committee for the Legal Defence of Young Offenders was founded at Lille in 1898 and works in collaboration with the northern branch of the *Patronage* for the Assistance of Morally Neglected Children and Discharged Prisoners, which was set up in 1895 and was recognised as a public utility organisation in 1923. The activities of the Society extend over the whole of northern France and cover eight departments. In the suburbs of Lille, it has a hostel for boys, and there is also one for girls which has recently been enlarged and modernised to provide complete facilities for observation of individual cases, for medical treatment, re-education, apprenticeship, etc.

When the mental or moral state of the minors makes it unnecessary, or no longer necessary, that they should be kept in a boarding establishment, homes are found for them outside, and, if possible, in the families of local representatives of the *Patronage* Society. In this way the benefits of a real family life are enjoyed both by those who are apprenticed to a trade in the smaller towns or even at Lille, and by those who, having shown a natural aptitude

for agriculture, are being trained on a farm. Suitably varied conditions are thus provided for winning back young delinquents, difficult children and those who are morally neglected.

Alongside the juvenile court, whose present Deputy Prosecutor is an expert in such matters, a complete social service has grown up for the preparation and arrangement of documents and for facilitating the examination of young delinquents at the Forensic Medicine Institute Faculty. The students at a Training School for Visiting Nurses also take part in this useful work.

At the beginning of the legal year, the probation system was re-organised, and the lists of probation officers and rapporteurs revised and extended. The latter have formed themselves into an association based, as far as possible, on that in Paris. Arrangements have been made for close co-operation between probation officers, for whom lectures are being or will be given on various problems connected with delinquent and neglected children.

The influence of the Lille centre has spread over all the adjoining departments, and subordinate centres have recently been formed, or are in course of formation, in several towns, thus completing a network of branches which has already been in operation for some time. Sixteen different centres are working on the same lines, and a wide choice is thus provided for the suitable placing of the children according to their individual needs. It will be readily understood that this centralisation of influence will gradually lead to a real improvement in the condition of children in moral danger.

The Lille centre has four paid inspectors, who are provided with cars to enable them to visit the neighbouring districts and ensure the effective supervision of minors who are being allowed semi-liberty.

ENGLAND.

In the case of England, it seems necessary to make first of all a few observations on certain administrative characteristics.

There is, in England, a minimum of centralisation, and consequently there is a rather large measure of variety

in the application of the regulations for the protection of children—so much so that it is often surprising to meet with a somewhat informal administration in some places and a legal practice which is completely modern, whilst, in other places, the possibilities that are more or less hidden in certain of the legal enactments have not been developed with as much ingenuity. It should also be observed (and this is not always discoverable in the laws) that there is so close a co-operation between voluntary work and private initiative on the one hand and official institutions and officials on the other, that perfect co-ordination between the two, which is the ideal for every country, is very near attainment.

The welfare of infants, of the unmarried mother and of children of school age is, thanks to this co-ordination, provided for in a very satisfactory manner. Voluntary organisations carry on their work and establish their institutions freely, whilst receiving most generous assistance from the State,¹ with an official supervision which gives proper guarantees of the seriousness of the work.

Abnormal children (whether physically or mentally defective) receive education and special training in classes or in schools organised by the local education authorities. The Ministry of Health inspects these schools in co-operation with the Board of Education, which gives them grants, and the Board of Control, the official department for all matters relating to mental deficiency, is responsible for the treatment and re-education of such children.

Destitute children or those in material distress come under the Public Assistance authorities, who administer the Poor Law.

As regards young persons under 17 who are in moral danger, they can be brought before the juvenile courts by the local authorities, the police or specially authorised persons or societies.

The effects of the Act of 1933 have been extended to cover minors under 17, and, in addition, the Act lays down that, whenever a minor is brought before a juvenile court, the case must at the same time be notified : (a) to the Probation Officer for the probation area in which

¹ Even during the present economic depression (see in particular extract from the Act of 1933, Section 80).

the court sits, (b) to the local authority for the district in which the child or young person is resident (see Section 35 of the Act of 1933).

We need hardly emphasise the practical utility of this clause, which ensures that any child, whatever the reason for which he is brought before the court, will have the benefit of the assistance of the persons best qualified to secure the most appropriate decision on his case.

At the date of our enquiry on the spot, proposals were under consideration for introducing into a number of legal provisions amendments of considerable importance, particularly as regards minority from the standpoint of the criminal law, the classification of special schools for the re-education of youth, the prevention of offences by measures of protection in regard to minors in moral danger, the leniency to be exercised by judges in regard to the latter, the necessity of ensuring the strictest separation of young offenders from adult offenders, and, for this purpose, the general introduction of the system of Remand Homes, etc. All these measures received legal sanction in 1932 and, thanks to the Act of 1933, which has consolidated the previous enactments relating to child welfare, we now possess the complete text of the legislation in force.

It may be well to quote here a passage from the circular published by the Home Office with regard to this legislation on August 9th, 1933 :

“ One of the considerations which has governed the treatment of the young offender, especially in recent years, is the recognition of the need for studying the individual and his circumstances with a view to preventing him from following the path of anti-social conduct. It has also been recognised that bad surroundings lead to delinquency and that those who suffer from neglect need to be looked after equally with those who are found committing offences. The Act gives effect to these considerations in the provision that :

“ ‘ Every court, in dealing with a child or young person who is brought before it either as being in need of care or protection or as an offender or otherwise, shall have regard to the welfare of the child or young person and shall, in a proper case, take steps

for removing him from undesirable surroundings, and for securing that proper provision is made for his education and training.’¹

“ It will be noticed that the methods available to a court for dealing with a child or young person, whether charged with an offence or brought before a court as needing care or protection, are closely assimilated.”

The new Act has thus accentuated the tendencies we observed during our enquiry of 1932—namely, to treat the young offender (apart from exceptional cases) as a person who is exposed to danger by his environment and whose lapse is to be attributed more to the conditions in which he was placed than to his own acts, for which he is not wholly responsible; to seek every means of bringing him back into the right path by suitable measures, such as removal from the family environment if it is a bad one, and education or re-education suited to his degree of intelligence and real abilities.

The raising of the age of penal minority to 17 instead of 16 is now an accomplished fact. This measure relates, as we said above, not only to young offenders, but to young men and girls brought before the court simply because the conditions of moral neglect in which they live expose them to the risk of forming regrettable or dangerous habits. Any child or adolescent whose surroundings may have a bad influence may be reported to the special judicial authorities, which are empowered to order, among other measures, removal from these surroundings and placing either in a duly selected family or in an “ approved school ” (*i.e.*, an officially recognised school).

Until 1932, the Act of December 21st, 1908, was the principal statute governing the protection of children in England. It is now part of the new Act of 1933, which also includes the provisions enacted in 1932.

We will briefly enumerate various legal provisions, some being very important, which are to be found in other laws passed before or after the Children Act of 1908.

First, there is the law entitled the Probation of Offenders Act, 1907, which had already made provision for the

¹ Circular of August 9th, 1933, pages 2 and 3.

supervision of delinquent children. This law has been successively amended, notably in 1914 and in 1925.

The laws of public assistance are closely co-ordinated in their relation to child welfare laws. Even if, formerly, a destitute child received a treatment which seemed to cut it off from all possibilities of family life, a very important change took place in this respect in 1930, when the old boards of guardians were finally abolished and all their duties transferred to county councils and district councils, which were already carrying out in England the bulk of local government work. The practical advantage discernible from this change, as far as children are concerned, is that public assistance children will, in future, be more and more treated like the other children of the country and will be less and less stigmatised as a class apart. In many districts, the newly appointed authorities have decided to place the education of these children entirely under the education authorities and not to leave it any longer as a matter for the public assistance committee.

COMPARISON OF CERTAIN PROVISIONS OF THE ACTS OF 1908 AND 1933.

Part I of the Act of 1908 concerns the boarding out of children under 7 years of age and, consequently, does not enter into the scope of the present enquiry. It was amended by the Act passed in 1932, but was not embodied in that of 1933.

Part II of the Act of 1908 was called Prevention of Cruelty to Children and Young Persons. It dealt not only with this prevention, but also with penalties to be applied to those who commit crimes against children or who neglect or abandon them or who cause injury to their health or morals. It specified that any person over the age of 16 who had the custody or charge of a child or young person, and who had ill-treated, neglected or abandoned it, either by or through his actions, would be liable, if convicted on indictment, to a fine (maximum £100) and to imprisonment with or without hard labour. A parent or legal guardian responsible for the care of a minor was considered to have neglected the latter to a punishable degree if there had been failure to provide him with food,

clothes or lodging or the necessary care, and this was so even if poverty was the cause of this failure, seeing that help from the Poor Law is always available in such cases. All these provisions have been embodied in the Act of 1933.

Children whose home circumstances are not normal are generally classified as follows : destitute children, who fall into the category of public assistance cases; morally abandoned (neglected) children, whose cases come before juvenile courts. These two categories cannot, however, be always kept separate.

Destitute children are under the care of local authorities. These children can be boarded out in families, or placed with voluntary societies, or in certain types of institution belonging to local authorities. This work is under the supervision of the Ministry of Health.

Neglected children under 17 years of age may be brought before a juvenile court by an authorised person in all the circumstances detailed in the Act of 1908 as amended in 1932 : begging, vagrancy, destitution, etc., parents in prison, parents unfit by reason of drunkenness or criminal habits or on account of immorality, etc. In the same way, delinquent children under 17 and children beyond control are brought before juvenile courts.

Destitute and neglected children, as well as delinquent children who have not come before the juvenile court (their offence not being known to the police) may be helped and taken care of, without any official action, by voluntary organisations.

An important section provides that if anyone having the care or custody of a child or young person between the ages of 4 and 16, permits that child or young person to reside in or frequent a brothel he will be punishable on indictment or before a court of summary jurisdiction with a fine not exceeding £25 or with imprisonment with or without hard labour. In the case of a young girl, the penalties are still heavier.

The Act of 1908 dealt with the case in which a parent or guardian exposed a girl under the age of 16 to the risk of moral danger and provided that the court " may adjudge her parents or guardians to enter into a recognisance to exercise due care and supervision in respect of the girl ". The Act of 1933 amplifies provisions which were not

sufficiently severe by stipulating (Part I, section 2) that :

“ If any person having the custody, charge or care of a girl under the age of 16 years causes or encourages the seduction . . . or prostitution of, or the commission of an indecent assault upon her, he shall be guilty of a misdemeanour and shall be liable to imprisonment for any term not exceeding two years.”

The section which provides that a child who had been ill-treated might be removed from its parents and placed in an institution or family is maintained, together with the provision which enables minors in moral danger through the act of their guardians to be moved to a place of safety. The child may in that case be again brought before the Juvenile Court, which will decide whether or not he should be placed in an institution or family.

A child can be taken to a place of safety or to a temporary place of detention until its case can be heard by the juvenile court, and it may be kept in this shelter until the court reaches a decision. These temporary shelters exist throughout England under the name of “ Remand Homes ”. The new law enjoins their institution by local authorities throughout the country. They may consist, in small localities, of a simple room in the house of a married policeman. The Home Office inspects these establishments.

The court ordinarily disposes of the child's case by placing it in the care of a “ fit person ” or under a probation officer, or sends the child to one of the Home Office schools.

The Act of 1933 provides that, in future, a boy or girl committed to the care of a fit person will remain under supervision until the age of 18. The most important modification, however, consists of authorising the local authority to act as a fit person for this purpose. The authority may receive subsidies from the Government to defray the expenses of this service, and those who undertake the work must place the child in a family where it will be boarded and lodged, and the Home Secretary has the right to direct and supervise the conditions under which the children are placed through his inspectors.

Section 22 of the Act of 1908, which was specially interesting from our point of view, is embodied in the Act of 1933 as follows :

“ I. The person to whose care a child or young person is committed by any such order shall, while the order is in force, have the same rights and powers and be subject to the same liabilities in respect of his maintenance as if he were his parent, and the person so committed shall continue in his care, notwithstanding any claim by a parent or any other person (section 75, sub-paragraph 4).”

And further on (section 85, sub-paragraph 3) :

“ Any person who knowingly (*a*) assists or induces a child or young person to run away from a person to whose care he has been committed or with whom he has been boarded out by a local authority under this Act, or (*b*) harbours or conceals a child or young person who has so run away, or prevents him from returning, shall, on summary conviction, be liable to a fine not exceeding £20 or to imprisonment for a term not exceeding two months, or to both such fine and imprisonment.”

Section 87 of the Act of 1933 reproduces the clause which specifies that any court which has the power to commit a child or young person may order any person who is liable thereto to make contributions in respect of the child or young person, requiring him to contribute the costs of maintenance for the period specified by the court. These costs must be proportionate to each case.¹

The Act has also retained the section which lays down that when a child is so committed it should be placed in the care of a person of the same religion or of a person giving sufficient undertaking to satisfy the court that the child will be brought up in its own religion. This provision must be mentioned in the order. If this order is not observed, the court which made it is able to remove the child and place it with another person (section 84, sub-sections 3(*b*) and 7).

¹ Under section 86, the persons liable to be ordered to make contributions are those defined in relation to the child as : (*a*) his father or step-father, (*b*) his mother or step-mother, (*c*) any person who, at the date when any such order is made, is cohabiting with the mother of the child, whether he is his putative father or not.

The Act of 1933 also reproduces all the following provisions which are very useful for the effective protection of children : If, after information laid, it seems to the Justices that a child or young person is ill-treated or neglected, action may be taken, and the Justice can issue a warrant authorising a police officer to remove the child or young person and to put him in a place of safety until the court has come to a fresh decision. The officer authorised to search for or remove a child may enter the house, by force if necessary, to take the child away.

The Minister may cause any voluntary institution, whether subsidised or not, to be inspected by one of his officers and if anyone obstructs him in the execution of his duties this person shall be liable to a fine not exceeding £5.

Most of the provisions contained in Part III, including the prohibition to sell tobacco to young people, are reproduced in the Act of 1933 (Section 7).

Part IV of the Act of 1908 dealt with reformatory and industrial schools the latter of which particularly concerned the child in moral danger. These establishments were, in subsequent years, very considerably developed and modified in their practice. They now form a single category known as "approved schools", but they are divided by an administrative classification according to the age of the pupils and the nature of the training to be given in each.

The Act of 1933 stipulates that a child under 10 may not ordinarily be sent to one of these schools. Children under 12 on committal may normally be detained until 15. For older children, the ordinary period of residence in these schools will be three years, but it will be possible, in exceptional cases, to extend this period to a maximum of six months more. In any case, however, a young person will not be kept in the school after 19.

After leaving these schools, pupils remain under supervision during a period of about three years, and, during this time, it is possible, if they are under 19 years of age, to bring them back to the school for their own protection for a period of three and, in exceptional cases, for a further six months.

The Home Secretary has developed to a remarkable extent the professional capacity of the heads of these special

schools, and, thanks to intelligent and frequent inspections, no little progress has been made in this field of work.

The necessary sorting out of children removed from their families after medical observation has become the basis of all constructive work, and it is in this sense, perhaps, that the new legislation will have its happiest effect. These results can hardly be expressed in the form of statistics as yet.

The Probation of Offenders Act, 1907, provided for probation and for the appointment of probation officers for this purpose. This method has, notably since the end of the war, been greatly developed, and one cannot but be delighted with the results thus obtained. The organisation which has grown up in England has a solid basis. The provisions relating thereto are contained in the Probation of Offenders Act, 1907, amended by the Criminal Justice Administration Act of 1914 (sections 7, 8 and 9) and by that of 1925 (Part I). The new Act does not modify the application of this system, but may be said to facilitate it still further by strengthening certain powers of the juvenile courts.¹ The list of probation officers is published every year. In London, moreover, besides the probation officers specially attached to each juvenile court, there exist a number of social workers, Care Committee workers, etc.

Part V of the Act of 1908 dealt with juvenile offenders. Its provisions are retained with certain modifications.

The Act of 1933, by raising the minority age to 17, has rendered possible special measures differentiating still more completely the young offender from the adult offender. It reinforces the powers of the juvenile court and provides that a person under 17 shall not be tried by an ordinary criminal court, unless he is accused at the same time as a person over 17 or unless a court has begun to hear a case without knowing that a minor was implicated therein. Logically, it is also stipulated that if, on the other hand, a juvenile court has begun a hearing and it is then discovered that the person in question is not a minor, the court may proceed with the hearing.²

¹ See Circular explaining Legislation 665, 560/2, dated August 9th, 1933.

² See Act of 1933, section 48, sub-section 1.

To sum up, the legal measures voted by the British Parliament provide evidence of the growing interest aroused in the country by questions relating to the protection of youth. The importance of this question is increasingly apparent to all, and it is realised in competent official and private circles that the future of a country depends on the moral training of the younger generation. The experience of particularly difficult and significant years has shown that a nation's wealth does not reside in material possessions, and a considerable proportion of the State budget has been appropriated for the purpose of developing higher values. Despite the grave economic difficulties of the present time, the legislators of the United Kingdom are steadfastly pursuing their aims, and, thanks to them, we may be sure that the protection of "childhood in danger" is in good hands.

CANADA.

Our report concerning children exposed to moral and social dangers in Canada is based upon our own investigations, carried out during 1929 in the Provinces of Ontario and Quebec, and supplementary information recently received from the competent Canadian authority regarding all the nine provinces.

The division of Canada into nine distinct provinces, each of which has its own separate Government and in some of which two languages are spoken, presents certain difficulties to anyone wishing to make a survey of the organisations in which we are interested. Eight of the provinces are English-speaking; one, Quebec, uses French as its official language.

Legislation concerning the protection of children in danger of neglect is not Federal but provincial in scope and so varies in the different provinces, while in several of the English-speaking provinces a fairly clear distinction is drawn between the care of the neglected and dependent child and the child dependent merely from economic causes. There is also a clear-cut distinction in the care of these children as compared with delinquent children.

Chapter I.—Legislation.

A. CHILD PROTECTION.

I. *English-Speaking Provinces: Children's Aid Societies.*

The child-protection system of the eight English-speaking provinces (and which has now been reported on favourably in Quebec) is a unique combination of public and private philanthropy, and of centralised supervision, but local autonomy. The system contemplates:

1. The constitution by the provincial (State) public body of one central provincial authority—perhaps a whole Department of Welfare, perhaps a Child Welfare Division, perhaps merely a provincial child-protection superintendent—definitely charged with general stimulation and supervision of the child-protection programme for a whole province.

2. To this responsible authority is then definitely assigned the development and administration of a province-wide system of child protection.

3. This system has been developed in all of the provinces but one, with emphasis on two fundamental features: (*a*) regard for the local autonomy of the municipal unit, and (*b*) regard for the preservation of voluntary philanthropy.

4. As provincially, so locally, in all but one province, definite units of local responsibility have been constituted through local *Children's Aid Societies*, which are incorporated bodies of private citizens, with recognised statutory responsibilities for the care and protection of child life within their areas of jurisdiction.

5. These local units of responsibility have been developed by providing for the creation of associations of citizens within each municipality in the larger municipalities, and on a county or district basis in the smaller communities, but which may only operate under provincial recognition and charter, and which, as just stated, are known and described as *Children's Aid Societies*.

6. In districts too small or too scattered to support societies, the provincial authority acts directly through the

central provincial authority, often in collaboration with a local committee.

7. Provision exists for the creation and recognition of these societies, where necessary, along such demarcations of religious faith as circumstances may warrant.

8. No organisation is authorised to function as a child protection society unless recognised and granted incorporation for this purpose by the Lieutenant-Governor-in-Council.

9. On these societies there is definitely placed by statute the responsibility of protecting children from cruelty and neglect within the areas of their jurisdiction.

Thus, remedial action, which is otherwise left to chance, or the possible casual interest of some individual, or forced by circumstances, becomes a definite part of the responsibility of these organised societies of citizens.

10. The purposes of the societies are thus defined in order to assure that they will be required to do preventive work in the actual community by co-operating with the religious authorities, the schools, etc., in preventing children from reaching such a state and need of protection that their court appearance and commitment may be necessary.

For instance, in a typical year in Winnipeg (Canada's third largest city), of a total of 1,881 children protected by the Children's Aid Society, 1,628 were given protection in their own homes, or without court hearing (*i.e.*, 86.55 per cent). Only in 253 cases (13.45 per cent) was it necessary for the society to resort to the court.

In Toronto (Canada's second largest city), of 2,756 involved in a typical year's work, 214 only were taken from their parents by court action, 103 being committed temporarily, and 111 permanently, to the Society's care.

11. Provision is made in the legislation of these provinces for the setting up, by each Children's Aid Society, of a "place of safety" known as a "shelter" in each municipality, county, district, etc., which must be a place where any child may be taken for care; generally, the legislation also provides that any industrial school, orphanage, crèche, etc., and any private family home by certificate of the provincial authority may be designated a "place of safety" under this Act.

12. Maintenance in these “places of safety” is provided, in all but two provinces, at the cost of the municipal or local authority at such a rate *per diem* that, if the actual “place of safety” is provided by the society or a private philanthropic agency, due allowance will be made, in the rate paid, for the maintenance costs due to capital, interest and depreciation charges.

13. *Disposition of Case.*—The legislation of most of the provinces provides :

(a) That the society, after it has apprehended a child, within a specified period (from four days to one week) after apprehension, may return that child to its own parents, if satisfied that this procedure is in the child’s interests; or

(b) That the child be brought before a judge for examination within the same period after apprehension (with such an interpretation a well-organised society can handle scores of its cases as family problems, continuing the child under supervision without ever bringing child or parents to court);

(c) That no case may proceed to a hearing before the court unless the parents or guardians of the child have been notified, or it is shown that every effort has been made to notify them;

(d) That upon the judge is placed the responsibility of :

(i) Ascertaining the age, name, residence and religion of the child and its parents;

(ii) Deciding whether the child is a child in need of care and protection as described in clauses which specifically set forth the conditions under which a child is to be so considered;

(e) That the judge may entrust to the society a further opportunity of adjusting the child’s need within the community :

(i) The case may be adjourned *sine die* and the child returned to his parent or guardian, etc., subject to inspection and supervision by a Children’s Aid Society. (Of course, when the child is brought before the judge, he does not have to find the child neglected or dismiss the case. He may adjourn the case from time to time, pending its hearing or during

its determination. It is by and during this process and such disposition as the return of the child to its own home under supervision that much of the finest preventive and protective work of a society is done.)

(ii) The child may be temporarily committed to the care and custody of a society for any specified period up to a maximum of twelve months. (Temporary commitment is provided in some of the provinces only.)

(iii) The child may be permanently committed to the care and custody of a Children's Aid Society.

14. *Guardianship*.—And here one comes to the very crux of any system, public or private, of child care and protection, and the distinguishing mark of Canada's legislation.

Natural guardianship is vested in all the Canadian provinces in the legal parents of a child; but, when this guardianship is lacking, as in the case of a child deserted by an unmarried mother, or inadequate or impaired, or so unsatisfactory that the child must be removed from it, there must be legal recognition of the fact that the child's natural guardianship has failed, and corresponding public provision for the constitution of other new and responsible guardianship.

In all the provinces but Quebec, provision for the transfer of guardianship by court order is made under the children's protection legislation, and, if guardianship is so transferred from the natural parents, it is vested in the Children's Aid Society under provincial supervision, or in the provincial child protection authorities until the child is 21 or legally adopted.

15. *Society's Power over Wards*.—The society may then move the child about for care, training, education, medical treatment; may arrange for its admission to a crèche, home, orphanage, industrial school, etc., or a private home; but always, regardless of who has the child under actual care, the guardianship responsibility for his actual well-being rests with the Children's Aid Society under responsible Government supervision unless or until a new parental guardianship is created by adoption, or the child attains majority.

The society may do all that a parent could be required to do for a child, and thus the nearest thing to a responsible parental guardianship is provided for the child whose natural guardianship has failed.

16. *Children in Orphanage Care.*—Provision is also made in this legislation in most of the provinces whereby any orphanages, homes, etc., may apply to the courts to have the society made legal guardian of any of their children in need of such legal protection. (Of course, prior notice has to be given to the society by the home, etc., of its intention to apply for a commitment order. Maintenance payments are then made, as prescribed by the statute to the society, which may maintain the child in the same home or orphanage or in any home in which it may then place the child.)

Thus, while legal guardianship of children in need is thus made generally and easily available, it is vested as a general rule in only one responsible centralised agency.

17. *The Child's Religion.*—Provision is also made for safeguarding the religion of a child. No child may be transferred or placed under the care of persons of other than its own religious faith.

18. *The Children's Aid Society as a Child-Caring Service.*—The Children's Aid Society is thus visualised in most Canadian child-protection legislation as essentially a child-protection agency with the assurance and exercise of guardianship as its primary function. Most of the provincial statutes, however, recognise that the society may be called on for child care—for instance, children may be brought to a society for care by their own parents in exactly the same way as they might be brought to an orphanage.

Provision is therefore made for the society accepting these children, where investigation shows that this is necessary, without transfer of their guardianship, leaving this parental responsibility with the parent, unless circumstances develop to make this unwise in the child's interest. These children are dealt with by the society exactly on the same basis as if they were in an orphanage or children's home, and they are given care during the period of need, with or without contributions from their

parents. In a district where well-organised orphanage or private home care is developed, the society may co-operate by arranging to have such children referred to it cared for through these services, or, if accepting such children for care, may then board them with the orphanage or home.

Finance.—Obviously, in such a system, provision must be made for public assistance in the financing of the Children's Aid Societies in so far as they act as the central guardianship and correlating service in a provincial programme.

They are, however, voluntary private charities, organised under provincial incorporation and inspection. As such, they perform a variety of private functions, and therefore a fair proportion of financial responsibility rests upon them to be met from private funds.

However, in view of the fact that they are the specific guardianship agencies to which is delegated by statute the public function of providing a reasonably safe and adequate guardianship during the years of their minority for the children committed to their care, there is a direct responsibility upon the public authority to reimburse them for the full care of such "wards".

The child is entitled to reasonably adequate guardianship, by simple right. That guardianship is non-existent or wiped out by the courts for just cause—therefore, another guardianship must be provided; and, while this is done through the Children's Aid Societies, the ultimate responsibility for seeing that it is done, and for providing the ways and means thereto, rests upon the State.

Generally summarised, the principles prevailing in respect to the support of Children's Aid Societies in the various provinces contemplate :

(a) Lump-sum contributions from the public authority towards their protective work about children in their own homes and in the community, and towards their home-finding and child-placing work, all of which obviously could not be paid on a *per capita* cost basis.

(b) Maintenance grants for children in care. Maintenance of children committed to the care of the societies by court order is regarded as a definite liability of the public authorities, in all the provinces but two.

Where, however, children are not committed, but admitted to the care of the Children's Aid Societies, etc., on voluntary admission only, they are kept on the same basis as children in the care of other private charities (such as orphanages, etc.), and maintained from the Society's private funds. Therefore, in most provinces, a Children's Aid Society is entitled to :

(i) The entire cost of maintaining a child committed on court order to the care of the society, as shown by the audited statement of the preceding year as the average *per capita* cost of all children in care; and this must by statute be met by the municipality of the child's residence.

(Provided, however, that due notice of the intention to commit any child to the care of such a society prior to commitment has been given to the municipal or provincial authority to whom the said maintenance would be chargeable, so that the said authority might have appeared and been heard in reference thereto.)

(ii) Similar reimbursement on behalf of children, whose residence cannot be established in any municipality within the province, by the provincial authority.

II. *Quebec (the French-speaking Province of Canada).*

(a) *Neglected and Dependent Children.*

The child-caring system of Quebec is entirely different from that of the other eight provinces. There is no Children's Protection Act, and, consequently, no similar protective Children's Aid Societies. A Royal Commission has, however, recently recommended the adoption of this system.

The "Industrial School" is an entirely different institution from the Industrial School of the other provinces—the "Reform Schools" of Quebec, of which there are five or six, corresponding to what are described as industrial schools in the other provinces.

In Quebec, the industrial school may be an institution that is so certified under the industrial schools Act of the province for the care of neglected, dependent or

incorrigible children from the ages of 6 years to 14 years. If incorrigible, etc., they may be admitted on the order of a court, approved by the Provincial Secretary's Department at the request of the municipal authorities or their own parents. If they cannot be cared for within an industrial school, they may be transferred to a reform school.

Thus, in Quebec, an industrial school may have in care neglected, dependent and delinquent children, admitted through court orders on various sources of applications. In addition, an industrial school may admit children directly to care on parental application in its capacity as an orphanage or children's home. It may, therefore, have in care dependent and even handicapped children in addition to these other classes. These, however, do not receive grants at the same schedule as the industrial school group. The industrial school may :

- (1) Place a child back in its own home;
- (2) Maintain it in the school;
- (3) Place it in a free home, on agreement;
- (4) Board it out in a private home.

(b) Dependent Children.

Orphanages and children's homes admit dependent children from 6 to 14 years of age directly to care. The orphanages may place children in the same way as an industrial school.

The crèches, foundlings' homes and maternity hospital nursery divisions receive babies for care, and generally maintain them under this division until they are 6 years of age. They may place babies out in private homes, free, in board homes or in adoptive homes.

There is no system of mothers' allowances in force in Quebec at present, but a Royal Commission has recommended their adoption.

(c) Delinquent Children.

In Quebec, the Juvenile Delinquents Act is in force only in Montreal, where there is a Detention Home.

The reform schools receive any child committed on court order for any period of incarceration as a juvenile delinquent, or under any other similar legislation. The reform schools also accept a limited number of delinquency

problem cases, on application of parents or guardians. Any child so committed may be,

- (a) Retained in the school,
- (b) Placed out after six month's detention, in
 - (i) A free home,
 - (ii) An apprenticeship home, without wages.

III. *Special Types of Child Protection.*

(a) *Children in Social Danger because of Illegitimacy.*

Six of the provinces of Canada have legislation on this subject modelled on the Norwegian, whereby financial liability for the maintenance of such children is imposed, if possible, primarily upon the putative father and, if she be able to contribute, upon the mother. On the whole, the standards of care in these provinces are fairly high. Where such children become dependent or neglected, they are sheltered and assisted either through the private child-caring homes, or, if the danger of neglect or the question of guardianship be involved, through the protection services of the Children's Aid Societies.

The administration of this legislation rests with the same Department of Provincial Government as that which supervises the Children's Protection Services.

In Quebec, the legislation on this subject derives from the old French Civil Code and care is given through private philanthropic organisations.

In Nova Scotia and New Brunswick, the legislation derives from the old English bastardy provisions and care for this type of case must be provided through private infants' homes or the parish poor relief resources.

(b) *Protection of Juvenile Immigrants.*

Children are brought into Canada from Great Britain under Juvenile Immigration Societies, of which there are several, and placed out in free or wage homes on contract. The societies engaged in this work operate their own homes and systems of child-placing; they are, however, subject now to provincial licensing, and are supervised by a special branch of the Dominion Department of Immigration.

Since, in the last forty years, over 80,000 children have been brought to Canada by these agencies, it will be seen that the group in private homes or in the shelter homes of these societies is considerable.

B. THE CANADIAN JUVENILE COURT IN CHILD PROTECTION

The Juvenile Delinquents Act was originally passed by the Dominion Parliament in 1908 and is now embodied in Chapter 46 of the Statutes of Canada of 1929. The Act does not provide for the establishment of juvenile courts, since the constitution of courts is a matter within the exclusive jurisdiction of the provincial legislatures. It provides the necessary legislation for courts already in existence.

A child is defined as a boy or girl apparently or actually under the age of 16 years, but there is provision whereby, in any province, the age may be raised to 18 years.

A juvenile delinquent is defined as a child who violates any provision of the Criminal Code or of any Dominion or provincial statute, or of any by-law or ordinance of any municipality, or who is guilty of sexual immorality or any similar form of vice, or who is liable, by reason of any other act, to be committed to an industrial school or juvenile reformatory, under the provisions of any Dominion or provincial statute.

The keynote of the Act is sounded in Section 38, which reads :

“ This Act shall be liberally construed to the end that its purposes may be carried out, to wit : that the care and custody and discipline of a juvenile delinquent shall approximate as nearly as may be that which should be given by its parents, and that, as far as practicable, every juvenile delinquent shall be treated, not as criminal, but as a misdirected and misguided child, and one needing aid, encouragement, help and assistance.”

It will be observed that no act of a child, however serious, is a crime, and that a child is never a criminal. His default is a delinquency and he is a delinquent.

The juvenile court is given exclusive jurisdiction in the case of every juvenile delinquent, no matter how serious

the offence would be in an adult, even though it be a capital offence, unless the juvenile court itself makes an order remitting the case to the criminal court.

Whenever there is any conflict between any provision of the Juvenile Delinquents Act and a provision of any other Act, the former must prevail.

Newspapers are forbidden, without the special leave of the judge, to publish any report of a delinquency committed or said to have been committed, or of the trial of or concerning a child in which the identity might be indicated.

Children must be held in detention homes and incarceration in any adult penal institution is prohibited, unless the child cannot be safely held in any place other than the jail or lock-up.

The court is given power :

- (a) To suspend final disposition;
- (b) To adjourn the hearing or disposition of the case from time to time for any definite or indefinite period;
- (c) To impose a fine not exceeding twenty-five dollars, which may be paid in periodical amounts or otherwise;
- (d) To commit the child to the care or custody of a probation officer or of any other suitable person;
- (e) To allow the child to remain in its home, subject to the visitation of a probation officer, such child to report to the court or to the probation officer as often as may be required;
- (f) To cause the child to be placed in a suitable family home as a foster home, subject to the friendly supervision of a probation officer and the further order of the court;
- (g) To impose upon the delinquent such further or other conditions as may be deemed advisable;
- (h) To commit the child to the charge of any children's aid society, duly organised;
- (i) To commit the child to an industrial school duly approved.

Either the parent or the municipality may be ordered to contribute to the child's support, and the child may be brought back to the court for further action at any time before the child has reached the age of 21 years,

notwithstanding that there has been no further offence. When so brought back, the case may be dealt with on the report of the probation officer, without the necessity of calling any further evidence.

The religion of the child is carefully safeguarded.

A section of great value in child protection provides a fine not exceeding \$500 or imprisonment not exceeding two years, or both, in the case of any person who knowingly or wilfully encourages, aids, causes, abets or connives at the commission of a delinquency or does any act producing, promoting or contributing to a child's becoming delinquent, or likely to have that effect; or who, being the parent or guardian of the child, wilfully neglects to do that which would directly tend to prevent a child's being or becoming a juvenile delinquent, or wilfully neglects to remove the conditions which render or are likely to render a child a juvenile delinquent.

The Act has already been proclaimed in practically all of the Province of British Columbia; in the whole Province of Alberta; in the whole Province of Saskatchewan; in the whole Province of Manitoba; in 10 cities, 5 towns, 8 counties and 3 districts in the Province of Ontario; in Quebec, only in the city of Montreal; in New Brunswick, only in the city of Moncton; in Nova Scotia, in 1 city and 5 counties; and, in Prince Edward Island, in 1 city and in 1 town.

Comment.

The impression formed in Canada, when considering the present methods of protecting children, is highly favourable. It may be summed up as follows :

1. Judging by statistics, it might appear that there were a greater number of children in receipt of public and private care in Canada at present than twenty or thirty years ago. Representative opinion, consulted on this question, and the opinion of the Canadian Council on Child and Family Welfare, however, is not that the extent of the problem has actually increased. In fact, cases of neglect are less numerous. The rapid development and comparative prosperity of Canada have led to a high standard of living, with consequent good levels of education and understanding of social needs.

This has resulted in higher standards of child welfare legislation and care for the treatment of all social problems. For instance, the morbidity and mortality statistics never revealed a better general standard than they do to-day, yet in the years 1927-1930 more was spent on public health measures than ever before.

Likewise, the apparent increase in the number of dependent and neglected children is not due to a straight increase so much as to the fact that conditions inimical to child life, ignored or considered passable two decades ago, will not be tolerated to-day by an informed and comparatively prosperous and happy Canadian people.

2. Legislation in most of the provinces is being increasingly adapted to actual facts and needs. In order to save a child from some moral danger before it is too late, the existing laws and regulations must make it possible, if need be, to remove the child immediately from the dangerous atmosphere—that is, in many cases, from its own family. The Canadian system is easily set in motion. It is, however, surrounded with many practical safeguards.

3. On the whole, Governments accept the principle of public liability in the assistance of children thus separated from their own families, and thus, especially in the case of full payment of the costs of wards, the public provision can insist upon prohibition of the placing of a child in surroundings inimical to its welfare or its re-education.

4. Private societies co-operate closely with the courts or the welfare authorities and, in practically all the provinces, grants and allowances are given in aid of their work, so that private philanthropic associations are assured of a certain fairly well maintained income from public grants for the continuance of minimum services, should voluntary funds be uncertain. The Children's Aid Societies, above all, are, on the whole, soundly organised and their work is constantly being extended, even in the smallest townships of a large province such as Ontario.

We had the privilege of seeing for ourselves the useful work done and the happy results secured by some typical child welfare organisations. At Toronto,¹ where the first temporary Children's Aid Shelter was opened in 1892, an

¹ The population of Toronto is rather over 600,000 inhabitants.

increasing amount of good work is done each year. In this city, where welfare and public health organisations are admirably co-ordinated, the work is especially interesting to the visitor. The whole is conducted and managed on proved lines and, although there are a large number of services to meet the most various needs, the general organisation of the work is not interfered with. Here, the Children's Aid Society maintains a Family Protection Department which is characteristic of all the larger Children's Aid Societies. This department is of special interest to us because, through trained visitors, it supervises the children in their own homes. A child thus watched by a welfare worker, who gains its confidence and becomes the friend of the whole family, will be saved, if salvation is possible, from any latent dangers in its environment. This in our judgment is the most successful attempt that has yet been made to avoid removing children from their homes, which is desirable because home conditions steadily improve under the beneficent influence of the visitor.

Moreover, as pointed out in the summary of the legislation, as soon as there is any real danger entailing the child's removal from its family, this step can be taken almost in a moment through the juvenile court, whose decision takes effect immediately. Any child thus withdrawn from undesirable surroundings and made a ward is placed temporarily and for as short a time as possible in the society's temporary shelter, from which it is removed to private family care on a supervised paid board basis or on probationary placement for adoption. Free placements or placement on a work or wage basis are used only after the most detailed investigation.

5. As regards the protection of children in moral danger, remarkable progress has been made. As we have stated elsewhere, the Federal law allows the juvenile court to remove a child from his family if he is in danger there.

At first, the measure was applicable only to children under 16. An amendment was, however, accepted by the Federal Parliament in 1921 raising the age to 18. This amendment has been ratified by certain provinces¹ and will, in all probability, be adopted gradually by the rest.

¹ The first two were British Columbia and Manitoba.

After being present at the hearing of a large number of cases in Ottawa, Toronto and Montreal, we concluded that the magistrates of the juvenile courts did not hesitate to use the means placed in their hands by the law.

As regards reformatories and training-schools proper, we visited an institution at Montreal which we thought admirable to which boys under 16 are sent by the city juvenile court and by other juvenile courts. We inspected in detail the work and playrooms, classrooms, workshops and dormitories, and talked to several of the boys, who, once placed in care, remain at the school until the age of 21. When they leave, they are given a sum of money and have learnt a trade by which they can earn their living. It is true that they are interned, but the method used by the Brothers was described to me, by some of their officials, as such that even if the doors were left open they would not attempt to run away.

We passed through several courtyards in which children were playing by themselves, and noticed that the doors were half open so that apparently they could have escaped had they cared to do so. The Director, explaining his principles, said that, if their families were deemed responsible, boys were allowed to spend from Saturday to Monday at home. No boy so released had ever taken the opportunity to run away.

The boys are taught various trades; the majority learn to be tailors or shoemakers, and obtain well-paid work when they leave. They have organised games, go in for sports, form football teams, etc., which compete with outside teams. The brass band of the School of St. Antoine is famous, and is asked to take part in all the celebrations in the town. There is also a good choir, which participates in religious ceremonies. In going through this vast institution, the thing which struck me most was the trusting and happy expression with which the boys greeted the Director, who spoke kindly to them as he passed.

My only regret was that this method of moral re-education is not extended to children who can remain in the institution long enough to derive real benefit from their stay. A special section is at present reserved for young delinquent boys whom the Montreal court merely wishes to punish to teach them a lesson. They spend two or

three days in the institution—a fortnight at the outside—in temporary detention, the only result of which in my opinion can be to make them afraid, while in some cases they meet other boys who are being punished like them, but who have already become vicious.

6. Very extensive use is made in Canada of the probation system, especially in the English-speaking provinces. In the well-organised centres, the probation officers receive practical social training for their difficult work. At Toronto, where I had an opportunity of talking with the deputy magistrate, who himself acted as probation officer for some time, I was struck by the results obtained. It must, of course, be borne in mind that, in this well-organised centre, co-ordination among the various associations is so well developed that all the methods employed appear to produce their maximum effect.

At Montreal, the number of probation officers is too small to enable one to judge results. With all their zeal, one English-speaking and one French-speaking probation officer cannot possibly cover the whole ground. The magistrate of the juvenile court has also a great deal to do, owing to the diversity of the offences. He has to deal equally with cases of riding bicycles without lights and cases of seducing girls under age. Although the magistrate sends a large number of offenders to institutions, the majority are returned to their families after being admonished; a certain number of boys are sent for a few days to institutions similar to the one mentioned above. This system is peculiar to Montreal; in other large towns, temporary shelters called “detention homes” are used for this purpose.

Note.—Since 1928, Montreal has erected a Special Detention Home also.

UNITED STATES OF AMERICA.

As the study *in situ* carried out in 1929 in various States—including more particularly Pennsylvania, Michigan, Massachusetts,—as well as in New York and Detroit—is incomplete, we shall only utilise, for our account of child

welfare in the United States, the memorandum submitted to the Committee in 1931 by the Children's Bureau of the United States Department of Labour.

PROGRAMME OF PREVENTION AND PROTECTION.

A complete outline of a programme for safeguarding children from moral danger would include all movements for the improvement of conditions affecting child life. For example, better housing, especially the reduction of overcrowding, is directly related to the prevention of delinquency. The effect of unemployment in breaking down family morale, disturbing the child's sense of security in his family and its status in the community, necessitating crowding in with relatives or strangers, and curtailing educational opportunity, make the stabilisation of industry and the development of measures for more equitable distribution of the costs of unemployment of first importance in a programme for the prevention of delinquency. Other measures of basic importance include maintenance of adequate wage levels, compensation for industrial accidents or disease, mothers' pensions, and prevention of family breakdown through social and clinical services.

Also among the essential items of a programme of child protection are the following : Dissemination among parents of information concerning the best methods of child care and training; special assistance to parents in the early diagnosis and treatment of problems of personality and behaviour; provision for wholesome recreation; protection of children from demoralising influences in public places; adaptation of school programmes to individual needs; more effective development of church programmes for reaching children and young people, and further consonance between the church's application of its teachings and the conditions of modern life; and equipment of all agencies concerned with behaviour problems, with resources for scientific study and treatment.

Information concerning the present extent and development of some of the items in the programme mentioned above is not readily available. A brief summary of such information as is at hand concerning the principal items is given below.

PREVENTIVE WORK IN THE HOME.

1. *Improvement of Economic Conditions.*—The vital importance of a more stable economic order, in which families will be enabled to provide the necessities of life for their children with at least a fair measure of security and adequacy, is made more manifest each year. It is estimated that, by the spring of 1933, somewhere in the neighbourhood of one-fifth of all pre-school- and school-children in the United States were showing the effects of poor nutrition, inadequate housing, and lack of medical care. Many, too, were reported to be showing the effects of the anxiety and sense of insecurity that prevails when the father is unemployed for long periods. Social workers find the needs of children have increased as one abnormal year has followed another, and all agree that regular and adequate pay for the fathers is the first need of both farm and city children. As has been pointed out by the Chief of the Children's Bureau :

“ Progress toward this end may be officially described as progress in the industrial or farm recovery programme, but children's agencies record it also as child welfare progress.”

Among the economic measures which are basically important in the protection of children and young people from moral dangers are the following : Adequacy of direct unemployment relief; special provision for transient boys and girls whom the depression has driven to the highways in great numbers; employment on public works or civil works programmes as a transition from relief to ordinary employment; re-employment for specified wages and hours in private industry under the National Recovery Act; plans for unemployment reserves or unemployment insurance; elimination of child labour; minimum wage laws for women and minors, and public-housing and slum-elimination programmes.

2. *Prevention of Broken Homes and Assistance to Homes deprived of Father or Mother.*—Improved health conditions and industrial safety campaigns resulting in a lower death

rate among adults save many homes intact. Workmen's compensation laws, which have been enacted in forty-four States and the District of Columbia, have supplied regular incomes to thousands of families in which the father is dead or disabled and have thus enabled the mother to keep the home together.

Laws providing public aid to dependent children in their own homes, mainly children of widowed mothers or children whose fathers have deserted their families or are incapacitated, have been enacted in forty-six States and the District of Columbia, though, in many localities, funds have not been made available to carry out the purpose of the law. There has been definite growth, however, in the number of local units granting mothers' aid. A nationwide survey made by the United States Children's Bureau in 1931 showed more than 250,000 children receiving aid on a specified date in 1931.¹ This form of social assistance held its own remarkably well during the earlier years of the depression. Recently, it has been discontinued in some communities, and in others the allowances to the families have been seriously reduced. The financial aid and the guidance and supervision given the families receiving assistance under mothers' aid laws have done much to lessen the damage resulting to the children from the loss of their fathers by death or otherwise.

Case work by family welfare agencies, public and private, has helped to prevent family disorganisation. Family case work before the depression was confined largely to cities, though some States had made progress in the development of public social welfare administration in rural areas with the county as a unit, under the general guidance and leadership, and sometimes with the financial aid, of a State welfare department. The great burden of unemployment relief has had a tremendous effect on family case work. In many cities, there has been rapid shifting from private to public support. Many small towns and rural areas have had some experience with social work for the first time, under the Federal and State unemployment relief programmes. In some areas, homes have been kept together and strengthened, from which,

¹ *Mothers' Aid, 1931* : U.S. Department of Labour, Children's Bureau; Publication No. 220.

under former conditions, children would have been removed for placement in institutions or foster homes. On the other hand, mass relief and heavy case loads have tended in many places to lower the standard of case work. This situation, combined with curtailment of funds for child-caring programmes in many sections, undoubtedly has resulted in some children being kept, with public assistance, in demoralising and vicious homes. In the resolutions adopted by a small but representative conference, which met in Washington, December 16th, 1933, on the call of the Chief of the Children's Bureau, to consider present emergencies in the care of dependent and neglected children, the following summary, entitled "What is happening to some Destitute and Neglected Children", is given :

" 1. In many instances, the emergency relief now given to families with children is insufficient to protect their health and welfare and to prevent their removal from their own homes; an extreme instance is the very general non-payment of rent, the consequence of which has been that many relief families in which there are children have been evicted and set upon the street.

" 2. In some localities, normal children are being sent to almshouses, to mingle with the miscellaneous population of such institutions, including the depraved of both sexes.

" 3. In some States or localities, appropriations for widows' pensions and mothers' aid have been seriously decreased and allowances are now much less adequate. Mothers who have been approved as needing help are kept waiting for longer periods before receiving aid.

" 4. In some localities, children who have been removed from their homes because of neglect or cruelty have been returned to their homes, in which conditions are unimproved.

" 5. Some children are permitted by relief officials or courts to remain in homes where neglect, cruelty, or depravity exist because no money is made available for their support elsewhere.

" 6. Funds are inadequate for the support of homeless children in institutions and boarding homes.

“ 7. No employment is available for needy boys and girls reaching the age of 16, so that child-caring institutions and agencies are overcrowded and understaffed.”

The conference suggested some specific ways of meeting these problems and authorised a continuing committee to act for it in the formulation and carrying into effect of such methods and plans as from time to time may seem desirable and practicable.

3. Development of Specialised Courts dealing with Family Problems.—The growth of special court organisation for dealing with problems of non-support, desertion, divorce and the support of children born out of wedlock is intended to strengthen family relationships. Partly as a result of the extension of the ideas underlying juvenile courts and partly as a result of the development of probation in criminal cases, a number of tribunals, referred to generally as “ courts of domestic relations ” or “ family courts ”, has been created. The earliest development was the extension of the jurisdiction of juvenile courts to include various types of adult cases, connected with dependency and delinquency, and, in some jurisdictions, non-support or desertion of minor children, determination of paternity and support of children born out of wedlock, adoption and commitment for care and treatment of physically handicapped or mentally defective children. A somewhat different line of development began with the establishment in Buffalo, in 1910, of a court of domestic relations with adult jurisdiction only. In 1914, the first special family court in the United States to exercise jurisdiction over both domestic-relations (including divorce) and juvenile cases was created in Hamilton County (Cincinnati), Ohio, as a division of the court of common pleas.

At the present time, in addition to the many States in which the juvenile court has more or less broad jurisdiction over domestic-relations cases, the family court combining juvenile jurisdiction with jurisdiction over certain types of adult cases has been established throughout the entire State in New Jersey and Virginia, in seven counties in Ohio, and in one or more communities in Alabama, Missouri, New York, North Carolina, Oregon, West Virginia, Wisconsin and the Territory of Hawaii. The domestic-relations court with adult jurisdiction only has been

established in parts of four States—Illinois, Massachusetts, New Jersey and New York. In other States, including Iowa, Nebraska, Pennsylvania and Massachusetts, organisation for juvenile and domestic-relations work has been developed by municipal and district courts.¹ In many courts without special organisation for domestic-relations work, probation officers are assisting in the collection of money and, to a limited extent, are supervising families dealt with in non-support cases. Legal aid societies and other private organisations are also dealing with the problem of deserting fathers.

The importance of the family court movement as related to delinquency is indicated by statistical studies of the interrelation of juvenile and family cases. In a group of 1,323 Philadelphia families dealt with in desertion or non-support cases, in which there were children between the ages of 10 and 21 years, 17 per cent had had one or more children known to the municipal court at some time because of delinquency or crime.²

In the conclusions of the family court study made by the Children's Bureau, it was pointed out that a nationwide formula for the adjustment of family problems coming before the courts is impossible, because of wide differences in constitutional provisions and court systems and in the degree of public interest in a social approach to legal problems involving child welfare and family life. "Nevertheless," the report states, "efforts of all interested groups should be directed toward the establishment and maintenance of tribunals that will have broad powers to deal with family problems". The report also points to the contribution to the understanding and solution of marital difficulties and other domestic-relations problems which could be made if funds were available for the development of domestic-relations clinics in selected communities, which could be consulted by any person desiring help in adjusting troubles growing out of the

¹ "The Child, the Family and the Court : General Findings and Recommendations" (revised edition), pages 13 to 17: U.S. Children's Bureau Publication No. 193, Washington, 1933. The New York and Wisconsin Laws, establishing courts of domestic relations in New York City and in Milwaukee, were passed in 1933.

² "The Child, the Family and the Court", page 93.

marital relation.¹ Experiments along this line are being carried on in a few places.

4. *Protective Work in Homes where Parents are Vicious, Immoral and Abusive, or Neglect their Children.*—Aside from institutional care, protective work for children was one of the earliest special branches of children's work to be established in the United States. The old humane societies and societies for the prevention of cruelty to children, which emphasised mainly warnings and court prosecutions, preceded the establishment of juvenile courts by a number of years. Modern child protective agencies are developing case-work methods, recourse to court prosecution being only one of the remedies which are used. Many societies of the older type are still functioning, however.

Juvenile courts include in their jurisdiction neglected children and usually parents contributing to the neglect or dependency of children. In well-organised courts, careful investigation and supervision by trained probation officers, followed by removal of the children from their homes only when possibilities of keeping the family together have been exhausted, are the methods used. Frequently, however, the staff available for work with neglected families is inadequate in numbers and the officers are not well qualified.

5. *Education of Parents in Methods of Child Care and Training.*—The movement for organised instruction of parents in methods of care and training of children is not a new movement, though its development has been greatly accelerated in the past ten years. The National Committee for Mental Hygiene has done important pioneer work in the preparation and distribution of leaflets and bulletins for parents. Long before the establishment of this organisation, however, the Child Study Association

¹ "The Child, the Family and the Court", pages 63 to 66. The Children's Bureau published in November, 1933, in mimeographed form, "References on the Child, the Family and the Court," a revised edition of the list first published as an appendix to Publication 193. This list includes (page 11) references on "Family Consultation Services," of which the latest is "A National Survey of Family Consultation Centres," by Robert G. FOSTER, *Journal of Social Hygiene*, Vol. 19, No. 7 (October 1933), pages 355 to 366.

of America was organised (in 1886) to discuss new contributions in child psychology and educational methods. In 1890, the Association of Collegiate Alumnae undertook a project for the study of child life by college women. The successor to this organisation, the American Association of University Women, adopted in 1923 a comprehensive programme for the study of education and child problems by parents. The National Congress of Parents and Teachers, with its affiliated local parent-teacher associations, organised, in 1897, as the National Congress of Mothers and now comprising nearly 1,250,000 members, has also emphasised the education of parents in child problems. Nursery schools, which developed rapidly after the close of the world war, have been closely connected with the parental education movement, and many of them have been developed as research and teaching centres. In recent years, conferences on parenthood have been held under the auspices of national organisations, and, in 1925, a National Council of Parental Education was formed, to act as a co-ordinating agency in the field. The American Home Economics Association maintains a field service in parental education for home economics departments.¹

¹ See history of the movement in "Pre-school and Parental Education": *Twenty-eighth Year-book of the National Society for the Study of Education*, pages 7 to 43, 137 to 245, 275 to 353 (Public School Publishing Company, Bloomington, Illinois, 1929). See also "Nursery Education, Day Nurseries, Nursery Schools and Private Kindergartens in the United States," and "Parent Education, Types, Content, Method"; *Publications of the White House Conference*, The Century Company, New York, 1931, 1932.

Chapter II

DESCRIPTION OF CERTAIN TYPES OF INSTITUTION

In view of the excellent report published by the Social Questions Section of the Secretariat on "Institutions for Erring and Delinquent Minors",¹ we do not propose to enumerate the general principles governing the various types of institution in the countries covered by our enquiry.

Our aim is merely to describe certain typical institutions visited in the countries which have formed the subject of our investigations since 1929; these have been selected from among the establishments which seemed to us to have achieved the most positive results.

These institutions are run in accordance with the laws and regulations, usages and customs of each country. We shall therefore refrain from any actual comparison between the results obtained by one or other of them, leaving it to the reader to form his own opinion.

We would merely point out that the value of a reformatory lies in its moral influence. The old saying "Like father, like son", is, in this case, changed to "Like management, like results".

DENMARK.

Under this head, we propose to describe certain boarding establishments for young persons—Braaskovgaard for young delinquents; Valby, an observation centre for particularly refractory boys; Himmelbjerg, which is

¹ Document C.1.M.1.1934.IV.

intended for more or less the same category, and also to say a few words about the day homes (*Fritidshjem*) visited in Copenhagen.

We would add that the method of placing in families is usually preferred by the Child Welfare Committee whenever practicable, both for minors whose natural environment places them in moral danger and also for certain refractory children.

1. The *Braaskovgaard Institution*, which was approved by the State in 1923, can accommodate seventy-six boys. At the time of our visit, there were sixty-one inmates and fifty-three in 1933. This institution serves the purpose of a reformatory, and the Child Welfare Committee sends to it boys and young persons who are specially refractory. They are admitted from the age of 16 (sometimes 18) upwards, and may remain until 21.

The school farm is a model institution covering ninety-three hectares. Farming and stock-breeding are extraordinarily well organised and there are about forty cows, many horses, pigs and poultry. The boys look after the animals themselves and the farm produce has a high reputation. It forms, moreover, one of the Institution's sources of revenue, the eggs being shipped as far as England. The young people also work at farming, which furnishes all the necessary fodder for the farm, as well as wheat for breadmaking.

There are separate buildings containing carpenters', shoemakers', tailors' and blacksmiths' shops. The training extends over two to three years and is given by professional craftsmen who impart an excellent practical education.

Employment is found for young men when they finish their apprenticeship, provided their conduct has been satisfactory. Their subsequent behaviour is watched by their old teachers. If a boy is notoriously ill-behaved and unruly, he may be punished by two months' confinement in the enclosed section of the institution where he has to break stones and saw wood. It is a hard life, the inmates being kept under constant observation. If a boy escapes, he is soon caught and must serve a fresh term of two months. Such cases, however, are rare.

The moral effects produced by Braaskovgaard seem to be remarkable. The figures supplied to us show that the

conduct of 72 per cent of the children was admirable or had improved considerably. This figure is composed of 27 per cent whose conduct leaves nothing to be desired and 45 per cent who still require supervision. The remaining 28 per cent show no signs of improvement and may be taken as incorrigible. The above results are based on the record of five years after the boys leave the institution. We might point out here that, with a few exceptions, the average results in similar homes in many countries do not exceed 70 per cent.

We examined in detail the various sections of the Institute. These seemed to be very well kept.

The moral supervision is friendly, though necessarily rather strict. In arranging for religious services and administrations, the authorities show the greatest respect for individual freedom.

We attended a gymnastic class for the older boys, which is held several times weekly for one hour.

The exercises are highly specialised and of a rather violent character, and call for exceptional physical effort. The pupils seem to enjoy these exercises keenly and think it a punishment to be deprived of them, even though they are exhausting and require both strength and skill.

Recreation of this kind is an excellent thing for persons who are usually refractory and need an outlet for their instincts that had remained primitive. In this way, their superabundant physical energy, instead of finding a vent in rough and brutal conduct, is systematically directed into other channels. As a result, they acquire a more orderly and settled habit of mind; their physical development is improved and their violence becomes disciplined energy.

2. *Valby* is a municipal observation centre, situated at Rodovre, near Valby, Copenhagen.

Sixty boys are admitted between 16 and 18 years of age, sometimes from 14 years of age. They usually remain at Valby until 18, in exceptional cases until 21. The management is undenominational, moral influence is definite, discipline is maintained, but a great deal of freedom is allowed. If a boy runs away (the doors are always open), he is caught and sometimes kept in confinement for a few days; usually he does not repeat the offence.

Class teaching is given to children inadequately educated and trades are thoroughly taught. The special teachers for such occupations are unpaid craftsmen. In return for their services, they are entitled to execute orders for the public with the help of the free labour of their pupils : tailors, carpenters, locksmiths, blacksmiths. A fairly large number of boys also are trained for the sea with the help of a complete outfit of ship's rigging set up in the garden. A good many want to be sailors; those with a bent for cooking are given special practical training and places are found for them as ship's cooks.

The institution is well fitted up. The dormitories are divided into cubicles and there is no night supervision; the director considers it ineffective and thinks it better to separate the boys as far as possible in cubicles. The method used at Valby seems to give excellent results.

3. *Himmelbjerg* is a boarding school likewise intended for observation purposes. It was founded in 1903 in Jutland, at the highest point in the island. It can accommodate 100 boys or youths in five separate buildings. When we visited it, there were eighty boys of school age. It is a special establishment for the most difficult cases.

The institution is ideally situated; four hectares of land with farmhouse and tilled fields, where the older children work. In addition to agricultural training, there are workshops for carpentry and straw plaiting. The children carve pretty articles in wood, horn, bone, etc., and use plaited straw. They practise gymnastics and music and live an open-air and very healthy life.

The Director has made his influence felt for many years in the institution. He knows each child individually and they all seem to be very fond of him. The training given produces good results, although the children dealt with are difficult.

4. The *Fritidshjem* are day homes for looking after children of school age during the time when the school is closed to them. Such institutions are very useful, particularly in Copenhagen, where the children only attend school for half the day in turn, the reason being that the class-room accommodation is not sufficient for the number of children enrolled.

These Copenhagen day homes are usually private organisations subsidised by the municipality and occasionally by the Child Welfare Committee. The time is divided between work and play. The work consists of practical training to enable the children to follow a trade. They may also write or read for the purpose of learning their school lessons. Both boys and girls join in gymnastics and games in a courtyard or garden. They take their lunches with them and are given something to drink at definite hours.

In one such institution, which may be taken as typical, we saw a hundred boys of from 6 to 14 years of age, some of them already quite clever woodworkers.

In another such home, we saw about fifty children under a special qualified woman teacher, who had a remarkable educational influence over them. Some of these institutions have very well-run kindergartens, which prove extremely useful.

There is a home of this kind in the suburb of Saxoly, in a workers' tenement house, surrounded by very poor families. The practical and well-run organisation which the initiators of this scheme have put within the reach of working-class families deserves the highest praise. In this home, children from 1 to 3 years of age are looked after in a kind of crèche, and sewing classes have been organised for the mothers.

Some features of Saxoly remind one of the work done in the social centres customary in some countries or in the English "settlements".

GERMANY.

It was not possible to obtain recent information on institutions for minors in moral danger, except as regards those chiefly intended for children, youths or girls suffering from some degree of mental deficiency. The proportion of abnormal young persons among those commonly brought before the juvenile courts is known to be extremely high. A description of various schools or institutions of this kind will therefore be given in Chapter III.

As regards the prevention of delinquency, the youth hostels are among the most useful institutions. A special document dealing with this matter—to which we would refer the reader who is desirous of obtaining further

particulars ¹—has, however, been published since we visited Germany.

We would add that the probation system, under which the young delinquent remains at home, was extensively employed at the time of our visit in 1930.

I should like to say a few words about the "day homes" which we inspected at Berlin, as they afford a characteristic example of the preventive methods employed. These homes, which are known as *Horte* or *Tagesheime*, are chiefly intended for children of school age whom their families are unable to supervise between school hours. Their object has been clearly explained by Dr. ERNA CORTE in a chapter of her work "Die Familienverhältnisse von Kindern in Krippen, Kindergärten, Horten und Tagesheimen".² The home is open from 7.30 a.m. until school begins. The children come back after school and remain until 7.30 p.m. They are sent there either by the Offices for the Protection of Young People or by the school itself. The value of the services rendered by these homes is shown by the statistics compiled in 1930³ regarding the moral situation of the families to which the children belong. Out of fifty-three families comprising sixty-five children, twelve mothers were widows, eight were separated or divorced, ten unmarried, one had been divorced and had remarried, one father was a widower, one a widower who had married again, one unmarried mother had married a man who was not the father. Two children were living with grandparents, one being an orphan, the other illegitimate. Only seventeen families out of fifty-three were living under normal home conditions, and, of these, the majority of the mothers had outside employment. Altogether, forty-five mothers out of forty-eight were working outside their homes and two were suffering from serious diseases. There is no doubt that the best means of protecting children under 13 is to increase the number of these day homes, of which we saw excellent examples in the suburbs of Berlin.

¹ "Youth Hostels," by Elsa MATZ, 1932. Documents C.P.E.320 and C.P.E.397.

² Berlin, 1930; published by Herbig.

³ *Op. cit.*, page 61.

ITALY.

The Maternity and Child Welfare Law of 1925 was first applied, as is natural, in the great cities, and the official inspection service therefore proceeded to examine existing institutions with a view to using them in appropriate cases for purposes of placing children or young people. In 1931, at the time of our enquiry on the spot, there were, in Italy, about 1,200 establishments for the reception of children as borders, either because they had been abandoned (orphans, illegitimate children, etc.), or because they were in moral danger. By 1928, 5,654 minors in good health had been placed in certain of these educational houses and 600 curable sick or abnormal children had been admitted to institutions appropriate to their condition.

Placing in families is practised only in certain districts in central Italy where custom permits of the adoption of this method. It is easier to make use of institutions, and the National Society has encouraged the foundation of such institutions as seemed likely to meet its needs.

We had the privilege of visiting a few boarding houses for boys and girls and noted that the inspection service exercises its influence with excellent results. The grants made by the Society for the Protection of Mothers and Children (whose funds, as is well known, are for the greater part derived from the yield of the tax on bachelors),¹ provide the opportunity for a regular supervision of the way in which the funds are employed. When a house is found to be conducted in a way which meets the legitimate requirements of the inspectors, special grants may be made for certain indispensable improvements. The grants made to these houses are, in point of fact, of two kinds: (1) grants in aid of the original cost of establishment, so far as necessary; (2) regular payments for each day in respect of children placed there by the National Society.

¹ In 1931, this tax yielded 80 million lire.

We visited a certain number of these houses in and near Rome and at Florence, Trieste, etc.,—*i.e.*, in different regions presenting different types.

In many other cities (Venice, Piacenza, Verona, Padua, Siena, Modena and, further south, Naples, etc.), there are also establishments which have been recently founded or re-organised and which render the Society very great service.

The following types may be mentioned as of particular interest :

1. *Special Boarding Houses for Prisoners' Daughters*.—In addition to the important institute at Pompeii for children of either sex whose parents are in prison, two houses have been founded for this purpose, one in Rome and the other in Florence. Children, younger and older girls, are received there by the nuns in charge of this particularly moving form of human charity. There they find a home like that of a large family. The fact that they are suffering from the same misfortune does not increase their unhappiness but lightens it, since it is shared. Children of school age receive primary education; the girls help in the housework pending the time when they can be taught a trade.

2. *Houses for the Rescue of Girls and for the Protection of Young Girls who are in Danger* ("Good Shepherd" type).—These establishments are found in all the large towns and also in some smaller centres.

3. *Houses for the Re-education of Difficult Boys*.—Amongst the excellent institutions which exist, special mention may be made of the one founded at Verona under the name of the "Minorenni Corrigendi Cesare Lombroso" institute for the reformation and re-education of delinquent boys between the ages of 15 and 18 years. This foundation is connected with the juvenile court of the town.

4. *Permanent Seaside Colonies* (Ostia Marina, Citta di Fiume, etc.).

It would be difficult—and, at present, would indeed seem to serve no useful purpose—to mention all the establishments which may receive, and do in fact receive, minors placed by the *patronati* committees of the National Society. The beneficent action of this great organisation is becoming more and more marked each year.

As our recent information relates only to certain specialised establishments,¹ we would, in this connection, refer the reader to the chapter devoted to backward children.

FRANCE.

DESCRIPTION OF SOME OFFICIAL AND PRIVATE INSTITUTIONS.

*Institutions under the Ministry of Justice.*²

France has training homes and reformatories for minors between 13 and 18 years of age who have not been convicted, but who are under administrative guardianship; minors of the same age sentenced to a term of imprisonment from six months to two years, but who must not be sent to prison, and vicious wards of the public relief authorities (Law of June 28th, 1904).

The protection schools are reserved for girls from 13 to 18 years of age, coming under the categories referred to above.

There are also special institutions for certain classes of ward, whether offenders or not, suffering from chronic diseases—such as tuberculosis of the lungs, bones and glands, syphilis, mental deficiency—and for girls who have had or are about to have a child, as well as for minors (girls) suffering from syphilis.

We visited several institutions under the Ministry of Justice and will give a brief description of a few of these :

St. Hilaire Reformatory (Vienne).—This school is particularly interesting, as it really forms three separate institutions—the St. Hilaire Reformatory proper for boys between 13 and 16 years of age; the Chanteloup School for children under 13; and the Bellevue Sanatorium for children and young people suffering from curable tuberculosis.

¹ In particular, those intended for children suffering from or threatened by tuberculosis, which it would not be appropriate to mention here.

² See "Institutions for Erring and Delinquent Minors", document C.1.M.1.1934.IV, pages 149 *et seq.*

St. Hilaire is a very large estate with vast fields, a large farm and a vineyard which produces an Anjou wine of some reputation.

At the time of our visit, St. Hilaire School contained 270 boys, and we were impressed with the character of the education given them, the boys being treated like members of a family.

The inmates are trained either as rural artisans or for agricultural occupations. They can be taught various trades which are followed in the country or in small towns, such as wheelwrights, coopers, tinsmiths, joiners, masons, electricians, tailors, shoemakers, etc. The agricultural training comprises the rearing of livestock, farm work and vine-growing.

When a pupil has been consistently well behaved for a period of three months, he is moved into the good conduct section, which, at the time of our visit, contained fifty-four youths. The conduct of fifteen of these had been exemplary for a year past.

The superintendent at St. Hilaire arranges personally for the placing of youths who can be released on probation and finds them employment as apprentices in the neighbourhood, where he can be in direct contact with them and with their employers.

The latter send in monthly reports giving written replies to the superintendent's questions. We will give examples of some of these questions, which we thought were very much to the point: Is the boy tidy? Does he take care of his clothes? Is he a hard worker or is he lazy? Is he humane or cruel to animals? Does he go out on Sundays? Does he return home at the proper time? Is he inclined to drink? Questions are also put as to whether the boy's conduct is praiseworthy or blameworthy, etc.

The reports we were shown seemed to be favourable, though quite candid, both the good points and the bad being mentioned.

A portion of the profit accruing to the institution from each inmate's work is placed to his credit, and the ledger in which these accounts are kept shows that quite large amounts are saved. It is not unusual for a youth when discharged to have about 5,000 or 6,000 francs. The money thus set aside is only handed over when the boy attains his majority or has a trade.

The records show that 70 per cent of the youths whose careers were followed up over a period of ten years have turned out well, a remarkably good record for such a long period of observation.

About 10 per cent of the inmates of St. Hilaire are abnormal and mentally or psychologically backward children whose presence in the institution cannot but embarrass the authorities to some extent. The children themselves, however, do not appear to be handicapped by their inferiority, but they require very special supervision, particularly if they are unstable.

We also visited the institution at Chanteloup, which admits children up to 13 years sent by the court sitting in council chamber (Law of 1912).

This institution is managed by a woman who shows a motherly interest in her young charges. Regular lessons are given and the elementary education is satisfactory. All the children capable of doing so gain their elementary school certificate.

Games are well organised and the children's health is closely watched.

We found about sixty boys in residence, only one of whom was 14 years old. He was to leave after passing the school certificate examination, for which he was preparing.

The food in both institutions seemed to us excellent. There are four meals daily, meat four times a week and fish once or twice, with plenty of vegetables and bread. Dessert is also included, particularly in the house where the smaller children are boarded.

The medical attention given includes the examination and treatment of sick children and regular supervision of the health and growth of all the inmates.

Once a quarter a psychiatrist holds a special inspection with a view to weeding out, as far as possible, children who are mentally defective and sending them to a medico-pedagogical institute.

The superintendent at St. Hilaire encourages sports, and, at the time of our visit, there was much enthusiasm over the preparation of a basket-ball ground. Special colours are provided for the teams, a privilege which is a most effective incitement to good conduct.

There is also a band at St. Hilaire which visits the neighbourhood and plays at various local functions.

The Bellevue Sanatorium, not far from St. Hilaire and Chanteloup, occupies a suitable situation and has plenty of air. We saw there seventeen children who were suffering from mild forms of pulmonary tuberculosis.

We were interested to learn that this little sanatorium is in a position to accept tuberculous minors sent on medical certificate from the various reformatories of the district, and provides them with suitable treatment for as long as required.

St. Maurice's Training Home at Lamotte-Beuviron (Seine-et-Oise) receives more or less the same class of youths. The method also consists in the gradual abandonment of the penitentiary system, and has a definitely educational aim. To avoid repetition, we do not describe it in detail.

Belle-Ile-en-Mer Training Home (Morbihan) is of a more special character. It receives in particular: (a) young offenders suffering from tuberculosis of the bones or glands; (b) minors over 13 years who have been acquitted in virtue of Article 66 of the Penal Code but placed under administrative guardianship and already punished for offences, with or without suspension of sentence; (c) ill-disciplined wards from *patronages* and training homes; (d) vicious wards of the public relief authorities, dealt with under Article 2 of the Law of June 28th, 1904.

The institution is divided into three sections. Two of these are on land, about three kilometres apart: Haute Boulogne, existing since 1848, and Bruté Farm, organised in 1902 with new buildings and 120 hectares of ground. The third section is on sea and consists of two specially equipped ships.

On their arrival, the wards are, according to their antecedents, tastes, capacities and state of health, sent to Haute Boulogne, to Bruté or, after selection, to the marine section.

Those who have been sentenced or who are sent from other institutions for bad behaviour are, if their health permits, kept at Haute Boulogne, where they are given industrial training. Youths from the country or those whose physical constitution requires strengthening are sent to Bruté Farm.

On arrival, a ward is examined by the doctor, who enters his condition of health in a special register. The director then questions him as to why he was sentenced, his antecedents, family, relations, work, etc. He is then placed for a certain time in an observation section. He afterwards passes to the first probation section, which consists of rope-making shops, a laundry, and yards where agricultural work is carried out.

The good conduct section includes industrial sub-workshops and the gardeners' and carters' squad. The marine section consists of the best pupils likely to become good sailors.

A thorough moral education is given. Each daily occurrence in the school or outside is observed, noted down, commented on and made the subject of a moral talk. Lectures and appropriate readings are given by the masters, who endeavour to awaken and form the conscience of the pupils. Books are placed at their disposal; some newspapers and sporting literature are allowed. The disciplinary system is elastic, indulgent and benevolent, and the staff is always ready to assist pupils who are trying to behave well. Rewards are graduated according to the ordinary methods: good conduct marks, entry on the roll of honour, certificates of merit, leave before joining the army or navy, leave before discharge, transfer to the farming squad, placing in families, voluntary enlistment, provisional discharge or final discharge pronounced by the court.

There is a Roman Catholic chaplain.

The pupils are methodically prepared for physical training and sport. Educational gymnastics are taught by a monitor. Basket-ball and football are encouraged and there are matches between sections. There is a running track in the playground at Bruté. There is also a swimming school. Certificates of "good" and "very good" swimmer are given after a final examination.

A carpenters' shop, a smithy, and fitters', ropemakers', shoemakers', bakers' and tinsmiths' shops give good technical instruction. There is also a bricklayers' squad. Both on the farm and in the workshops the boys are instructed by trained workmen.

Nautical training is given on two ships: (1) the *Araock*, a fairly large sailing vessel commanded by a coasting

captain and two mates, for the training of twelve lads, who live a regular sailor's life on board and who form the ship's crew and take part in tunny fishing; (2) the *Capitaine Crubé*, a small motor coasting vessel on which eight lads are placed entirely under two master mariners, who instruct them in the various kinds of shell and ordinary fishing.

Sardines are tinned and used in several institutions. All these youths on reaching the age of 20 perform their obligatory service in the navy.

As in all other youths' training homes, each ward is given a daily wage varying with his conduct and work from 1.50 franc for those of at least a year's service to 1 franc for the others. Further, an additional annual bonus is given to the most deserving. Wages or bonuses gained in the farming squad or on placing out are credited to the individual's account and then paid into the savings bank on a book from which the ward cannot, without special authorisation, withdraw sums until his majority.

The *Eysses* (Lot-et-Garonne) and *Aniane* (Hérault) institutions are organised more or less on the same lines.

The Eysses Home receives specially difficult youths. All ill-disciplined cases from other homes are collected there, and also boys who, if less leniency had been shown them, would have been sent to prison. Thus the training must have a twofold aspect : the lads must be firmly handled so as to prevent any possibility of trouble, and they must be treated with kindness, the results of which are only seen later on. The second of these methods is, however, the one chiefly adopted in this institution.

Owing to its composition, Eysses resembles a Borstal institution rather than an ordinary training home.

The good results achieved are maintained after discharge by a *patronage* committee, which looks after 214 youths.

As regards girls, certain official institutions also deserve to be mentioned here. In the first place, at *Fresnes*, near Paris, where there was a woman's prison, separate quarters, in one part of the buildings, have been set aside exclusively for young offenders. These quarters consist mainly of an observation centre for minors in need of educational and moral reform, whose physical and mental condition has to be studied before any useful decision can

be taken. The girls are given a very thorough medical examination. Since May 5th, 1929, they all undergo serological examination and are given suitable treatment as long as this is necessary.

Each patient is treated in isolation, as is indeed essential in such cases. Individual records are kept in which full details are entered of the girl's state of health, particulars being given not only of venereal disease but also of any other ailment. Systematic measures are taken for the detection of tuberculosis, and girls who require treatment in a sanatorium are sent to suitable institutions.

A thesis prepared by Dr. Louis Faivre in 1931 describes the work done in this special section at Fresnes. We would mention as of special interest the medical-legal study contained in this work.

Since 1930, social workers appointed by the organisation known as "Les Mairaines sociales" have been allowed to visit the girls at Fresnes regularly. This action has already given encouraging results, and the good effects of these measures have been recognised by the Fresnes Juvenile Court.

Other women's *patronage* societies also visit some of the minors; the administration encourages any private social action likely to be of moral benefit to the children.

We also visited a supervised education section at Fresnes recently opened for boy offenders. Each boy's character is carefully observed, and experiments, which would appear to be successful, are being made in the direction of granting greater liberty within the school boundaries. The penitentiary administration is now endeavouring, under the energetic guidance of M. Sergent, the Governor, to modernise its methods of reclamation and education. It deserves the greatest praise for its work.

Protection Centre at Doullens (Somme).—This centre, which is intended for the reclamation and re-education of girls of bad moral character between the ages of 16 and 18, is situated in the old castle buildings, whose grim walls and immemorial trees surround it with an atmosphere of austere beauty.

At the time of our visit, 145 girls were in residence in four different sections. The buildings are quite separate from each other.

Thirty-six girls were engaged in sewing, some producing very beautiful embroidery. About the same number are employed in the laundry. Those engaged in domestic work are more numerous; if the girls employed on the farm near the castle are included, they number sixty-three. The fourth section is reserved for expectant mothers, of whom there were only seven at the time of our visit. It contains a maternity ward with a midwife, and also a nursery. In addition, the establishment has a prophylactic dispensary for girls suffering from venereal disease, cases of which are fairly frequent.

Two hours' instruction is given daily by monitresses to all the girls present, as their elementary education is in most cases very incomplete. The girls are rewarded by the grant of Sunday leave and by conditional placing out in the neighbourhood, selection being based upon merit. At the time of our visit, twenty-six girls were thus placed out after having given definite proof of amendment. A formal contract is made with the employer. The director of the establishment continues to be responsible for the girls for whom such employment is found.

Rewards are given to encourage improved behaviour, and every effort is made to reclaim these girls, in spite of the undoubted difficulties met with in dealing with this class of offender.

The *Cadillac Preservation Centre* (Gironde) receives about ninety-five girls, mostly moral and physical degenerates. Here the work is specially difficult and delicate. The staff must therefore possess special qualifications and the devotion essential to continuity in such a mission.

The educational method of the preservation centre is first of all to bring home to the child a sense of her situation, while letting her see the possibility of rehabilitation. In the case of certain inmates who are fairly adaptable, the adjustment can be effected without violent reactions; others again offer a steady resistance. But, gradually, the young offender is won over, and thereafter the most difficult step has been taken. Strictly educational methods can be applied to bring the child gradually back to a sense of order, discipline and morality, developing in her a habit and a taste for work and a desire to learn, and turning her thoughts to what is good and beautiful.

Outside school hours, lectures are given to pupils on current topics, thus enabling the child's mind to escape from the narrow circle of everyday thoughts. Guiding principles are laid down for the teaching staff, in order that they may adapt their methods of moral education to the general aims described above. Mention must also be made of the struggle against unwholesome moral tendencies, always to be feared among perverse young people; suspicious relations must be prevented or broken off, clandestine correspondence prevented, chance meetings or solitude rendered impossible, all suspicious friendships being closely watched. Moral education is completed by the practice of the Roman Catholic religion for all minors whose family has not expressed a wish to the contrary. Divine service is celebrated on Sundays and festivals in the school chapel. The chaplain attached to the institution gives moral aid to the wards and prepares them, if they so desire, for first communion.

With regard to physical training, this is given to groups of twenty pupils under a teacher. The results are tested by medical examinations and by regular weighing and measuring. An improvement in the physiological condition of the inmate is almost always to be noted. The food arrangements are constantly supervised by the domestic superintendent. The daily bill of fare consists of four meals.

Vocational training, which takes the form of mending, the making of linen and shirt-making, is given by qualified persons. The girls are also taught domestic work—in particular, cooking—by courses in domestic economy. Some of the pupils selected from amongst country girls are occupied in market gardening and work in the vineyards. As in all State establishments, elementary instruction is given to every illiterate person and to girls who intend to take the school certificate.

The administration authorises the discharge on probation of wards whose conduct and morals are sufficiently good to warrant such a course.

Institutions not under the Ministry of Justice.

Besides the institutions of the Ministry of Justice, there are, in France, twelve private agricultural establishments or colonies for delinquent or depraved boys and eighty-five

for girls (from an early age) who are either difficult or subject to moral danger in their homes and capable of re-education or improvement. All the girls' institutions, except two, are directed by religious orders of the " Good Shepherd " or " Refuge " type, but are generally modern enough for present requirements. The State subsidises a certain number of them by paying a daily sum for children of either sex sent to them by the courts.

We visited the chief types and found there in general an intelligent and broad-minded management. The very number of such institutions prevents us from mentioning them in detail; but we selected certain houses which give a fairly accurate idea of the work done by private bodies on behalf of neglected children.

1. *Boys' Training Home at Zelsheim* (Bas-Rhin).—The Zelsheim institution, directed by the Frères de la Doctrine chrétienne, was founded in 1893 as the result of an agreement concluded with the Alsace-Lorraine penitentiary administration.

It admits young offenders or difficult cases sent by the courts or by their families. These children, about 180 in number, if still of school age, receive an elementary education in the establishment. After the age of 14, they are partly employed in farming (40 hectares) and partly in gardening. Those who have the necessary aptitude and are capable of learning a trade are taught carpentering, tailoring, shoemaking, locksmiths' work or bakery for three years. They are thus prepared to enter for the Strasburg Special Commission's trade examination, which they generally pass.

Recreation consists of games, singing, walks, gymnastics and sports. The management encourages the organisation of entertainments and theatrical performances. A band composed of a fairly large number of young pupils often takes part in entertainments outside the institution.

The moral results are really noteworthy. After two years, an average of more than 70 per cent of former pupils lead exemplary lives, although the class of minors sent to Zelsheim is not of the best. There are even certain children who, from the mental standpoint, might well be re-educated in a special institution; and there are unstable and undisciplined individuals who are difficult to deal with.

One noteworthy system is employed at Zelsheim; it consists in a transitional placing of certain children on leaving that institution. These children pass to the Riedhof Farm, where they are granted a semi-liberty that puts their moral improvement to the test. This applies to the agricultural workers.

As regards apprentices and artisans, the special home of the Frères de la Doctrine chrétienne at Matzenheim enables the pupils to be reclassified before re-entering ordinary life. When minors are placed outside the locality itself, the institution hands the employer a special book and a contract of placing out, stating the wages to be paid to the youth and the balance which is to be paid every six months into his savings bank account.

The result of this post-institutional supervision is of particular interest, especially as the system inaugurated by the Brothers of Zelsheim has been in operation for more than twenty years.

2. *St. Louis Agricultural Colony, Villenave d'Ornon* (Gironde).—This institution, which was founded in 1889 by a group of Bordeaux philanthropists, admits boys of from 9 to 18 years who are abandoned, ill-disciplined or committed by juvenile courts. There are forty hectares of agricultural land divided into vineyards, pastures, flower and kitchen gardens, etc. The youths are taught these various branches of agriculture by qualified teachers and are trained in regular farm life. Some youths are also taught the coopers' trade, which is very useful in these wine-growing districts.

The life of the children and youths is interesting and varied; they have sufficient freedom to appreciate the institution and the recreations it offers—games, sports and a band which has a great reputation in the neighbourhood. Punishment is rare; it consists of being put on dry bread. The three cells in St. Louis are rarely occupied.

We took away with us a very favourable impression from this visit; it is, moreover, confirmed by consistent statistics showing the success of the institution.

3. "*Good Shepherd*" Home, *Strasburg* (Bas-Rhin).—The Congregation of the Good Shepherd, founded in the

seventeenth century, possesses many establishments in France and other countries.

Its purpose is everywhere the same: the rescue of girls who are morally abandoned and have committed an offence. Sometimes the need is for prevention; in such cases, the parents themselves place the child in the institution.

The wards placed in the "Good Shepherd" Home may be divided as follows: those sent (1) by their parents, (2) by provident associations, (3) by the public assistance authorities, (4) by the penitentiary authorities, (5) by the judicial authorities (juvenile court) either provisionally or, in some cases, finally. When visited by us, the Strasburg Home contained about 260 girls between the ages of 15 and 21, and also three or four younger children.

Education and training are given very satisfactorily by the nuns. A completely equipped domestic economy school enables all the girls to obtain a practical training before they leave the establishment. Most of the inmates have lessons in French, writing and arithmetic. Amusements are found for them and the institution seems to make the children happy. Spacious courtyards and a large garden admit of outdoor games.

The trades taught are not very varied. They consist of dressmaking, embroidery, mending, knitting, laundry-work, the domestic work we have spoken of and, for a certain class of girls, farming. Many of them, on discharge, are found situations as servants, and their work is generally satisfactory.

We must mention as of particular interest the organisation of a hostel in which a certain number of former pupils working outside may obtain board and lodging. Further, all former pupils are invited to come and spend the Sundays with their former mistresses and fellow-pupils. This practical *patronage* is of the greatest service.

4. *Sœurs de la Croix, Neuhoef* (Bas-Rhin).—This institution receives 180 girls requiring reform and re-education sent by the courts, by the public relief authorities or by their families. The Strasburg Office for the Protection of Young People also sends a number of children there. On our visit, we found 170 inmates between the ages of two and twenty-one.

The children are placed in various cottages. There is one group, for instance, composed of thirty-five difficult or depraved children, who could on no account be placed in contact with the others. Their re-education is sometimes almost impossible. In most cases, all that can be done is to prevent them from falling lower.

Children of school age receive elementary education in the institution; others learn trades, such as dressmaking, embroidery, laundry-work, ironing, domestic economy—including cooking, gardening, poultry-keeping, etc. A farm affords facilities for different kinds of work; it contains twelve cows and a fair amount of other livestock.

This institution seemed to us to have a very good influence. A remarkable proportion of the pupils for whom employment has been found upon discharge have done well and their reform has proved lasting.

5. *Deaconesses' Institution, Neuhoř* (Bas-Rhin).—This institution contains eighty pupils ranging from 10 to 21 years of age. Girls of school age go to the local school. Young women are taught certain trades in the institution.

Inmates are of the same kind as those placed in the *Sœurs de la Croix* institution, but only Protestants are admitted. The deaconesses have a second home in the country, which enables them to place about fifteen girls in open-air surroundings.

6. "*La Solitude*", *Montpellier* (Hérault), is a home directed by the *Sœurs de Marie Joseph*, the religious order which is entrusted in Paris with the supervision of women prisoners from Fresnes and St. Lazare. Their institution, subsidised by the penitentiary administration, receives wards from several departments, teaches them trades, finds them employment and continues to watch over them after their discharge. The influence is valuable and the results very satisfactory. Many former pupils marry and live an honest life.

7. "*La Miséricorde*", *Bordeaux* (Gironde), with less up-to-date methods, but worthy of study, receives 200 girls in its home in the Rue Sainte-Eulalie, and 100 others in a country home with a farm of fifteen hectares. In both divisions, the inmates are free to go away if they wish to.

Only a few ask to leave the institution after learning a trade (cooking, laundry-work, ironing, gardening, poultry-keeping, etc.). Many girls prefer to remain attached to the institution; several enter the Order of those who have trained them, having found in the *Miséricorde* the family life of which their young days had been deprived.

ENGLAND.

England is essentially the country of private initiative. The observer therefore notes the great number of social agencies which develop freely, subject, however, to official control.¹

For child welfare work, there are official institutions—organisations subsidised either by the State or by the local authorities and organisations which are supported by voluntary contributions only.

We visited one or two typical institutions in each of the above categories which serve for the protection or reclamation of young people of both sexes who are exposed to danger. These included : a Borstal institution, schools approved by the Home Office,² schools subsidised by the county councils, private institutions maintained by voluntary contributions, hospitals and homes for the re-education³ of mentally defective children of all kinds (backward, unreliable, psychologically abnormal), differential classes and occupation centres for abnormal children, medical and psychiatric consultation centres, vocational guidance centres, remand homes, private associations for the

¹ The Children and Young Persons Act, 1933, contains new rules on this subject. Persons in charge of voluntary homes or charitable institutions for the boarding of children or young persons must send prescribed particulars with respect to the home within three months from the establishment of the home, and are liable to inspection from time to time. A court, on the application of the Secretary of State, may make an order for the removal of the children from any home deemed not to be managed in accordance with the directions issued to it (section 95). After this, any person who knowingly still allows the premises to be used is liable, on summary conviction, to a fine not exceeding £5.

² Previously known as industrial schools and reformatories.

³ See Chapter III.

protection, rescue and reclamation of children, public relief organisations for all classes of children. We visited both institutions for boys and institutions for girls.

We will first describe some visits to various types of official institutions which play a very important part in the rehabilitation of young persons.

A. BORSTAL INSTITUTIONS.

Among the principal establishments intended for the reception of delinquent boys who have been brought to court, Borstal institutions are perhaps the best known to those who specialise in the prevention of criminality among the young.

The Borstal system received official recognition in the Prevention of Crimes Act, 1908, which enabled persons between 16 and 21 to be sent to Borstal institutions instead of to prison in certain circumstances.

The differences between the Borstal system and the prison regime are very great. Young persons sent to Borstal institutions, although in detention, are not treated in the same way as prisoners. Every effort—including moral persuasion—is made to encourage them to turn over a new leaf. By methods of discipline and work they are gradually inculcated with a sense of personal dignity.

There now exist one Borstal institution for girls, at Aylesbury, and six for boys, to which various categories of offenders are sent respectively, as follows :

1. *Feltham*.—Cases of slight mental deficiency and the better sort of young delinquents—*i.e.*, the most intelligent and least criminal.

2. *Lowdham*.—The least criminal and most intelligent, and also the youngest delinquents.

3. *Borstal* (the first established).—Young persons who have not been sent to any institution but who, having been placed on probation, have again committed one or two offences.

4. *Camp Hill*.—Cases similar to those sent to Borstal.

5. *Portland*.—Youths who have been through reformatories and, generally, the most criminal of these.

6. *Nottingham*.—The oldest and most hardened delinquents. The youths sent to Nottingham come nearer to the type of adult lag than to that of the delinquent minor.

We visited the Borstal institution at Feltham, which was originally a reformatory and was acquired by the Prison Commission from the London County Council. This institution covers eighty acres and has a large farm and workshops for practical trades.

Feltham accommodates 400 boys from 16 to 21 years of age (the Borstal age-range), distributed among five different houses each containing about eighty inmates. Boys are only sent to Feltham after they have been sorted out at Wandsworth Prison.

The houses themselves are subdivided into smaller groups, so that each boy gets some experience of family life. Team-work and a sense of mutual responsibility are encouraged. The work itself is made intentionally hard from the physical standpoint and occupies the whole of the daytime except on Sunday. The boys rise at 5.40 a.m. and go to bed at 9 p.m. In the intervals of farm or workshop occupations, they are always engaged either in games or in other recreations. They have two hours' study daily, as their education in many cases is defective. The boys are allotted to the various workshops or farms in accordance with their individual bent. When I visited the establishment, there were 300 Protestants and seventy-five Catholics, and ministers of both Churches are allowed access to the institutions to take care of the children.

The period of detention in a Borstal institution is seldom less than two years.

It is estimated that real reform is secured in 65 to 68 per cent of the cases on an average, this being the proportion of youths who maintain a consistent record of good conduct over at least three years.

The Departmental Committee's report on the treatment of young offenders concluded in 1927 its enquiry on this point with the statement that Borstal institutions have stood the test and that the system should be extended so as to enable a larger number of young offenders to be re-educated and trained in them. These conclusions have been adopted in practice, since there are now three more

Borstal institutions than existed in 1927—namely, at Camp Hill, Lowdham and Nottingham.

Young people discharged from Borstal institutions are taken care of by a special organisation called the Borstal Association.¹ This is a semi-official body under high official patronage with associates throughout the country in whose care cases are placed during the period—usually two years—of licence. The Government makes large grants to meet the Association's expenses, thus recognising the services which it undoubtedly renders. The representatives of the Association keep in touch with young offenders while they are still in the various schools. Three months before a minor returns to private life, a representative of the Association communicates with his or her family with a view to ensuring that, as far as possible, the young person is suitably received on discharge. An exhaustive enquiry is conducted into the family environment and the possibility of the child's being able to continue to behave well therein. In most cases, these representatives are unpaid social workers, but the Association also employs a few probation officers, refunding to them any expenses incurred for the cases entrusted to them. The Association maintains close touch with the authorities of each institution, so that temporary discharges, for instance, are only made under its supervision. The after-care thus given to minors who have been reformed constitutes an excellent guarantee that the improvement will be permanent. If, for obvious reasons, the young man cannot return to his own family, accommodation is found for him in suitable lodgings or in one of the special boarding houses known as "hostels".

Youths can thus work outside the home and still be safeguarded against the dangers of a large city. The system has been warmly recommended by the Committee of Enquiry for the treatment of young offenders.

Increasing use is being made of hostels for boys and girls brought up before a juvenile court when they were living in bad surroundings which led to their ruin. They are generally placed on probation in these boarding houses, the State sharing the cost of their maintenance

¹ Girls are taken care of by another organisation known as "Aylesbury After-Care".

with the local authorities, for a trial period of six months. These young people work near their house, the conditions of which are made as homelike as possible. Results of course vary, but, on the whole, they are excellent. Sometimes, however, it has been found necessary to bring up one of these young boarders before the court for a further decision, but such cases are rare.

The hostel system is also largely used for young unmarried mothers working outside in the large towns. The mother leaves her child at the hostel during the day. Lack of space prevents us from entering into the details of this highly interesting but special form of institution.¹

We were also able to visit a few approved schools under the Home Office.² We may first specially mention the training ship *Cornwall* on the Thames.

This is the only ship now used as an approved school, but there are three other nautical approved schools.³ We were greatly interested by our visit to the *Cornwall*, which is stationed on the Thames, not far from Gravesend.

There were 136 youths of from 14 to 17 or 18 years of age on board, most of whom remain three years on the vessel. Admiral Bush showed us round this interesting craft, the staff of which comprises a captain-superintendent, a second in command, who has under his orders three instructors, a physical-training teacher and various officials, including schoolmasters, a bandmaster and a trained nurse. The chaplain of the Seamen's Mission comes on board twice a week to give religious instruction.

The first years of training are devoted to primary education and to giving the boys their first lessons in seamanship, cookery and joinery.

The school premises are situated on shore near the vessel, but some workshops are fitted up on board. The old ship, which is very strongly built, has been most ingeniously equipped with lavatories, shower-baths, etc., in the most modern style.

¹ See the report of the National Council for the Unmarried Mother and her Child, Carnegie House, London, 1933.

² There are fifty of these reserved for boys or youths, according to the list published by the Home Office in 1933.

³ The other three are the Akbar, Wellesley and National Nautical Schools.

The boys wear sailors' uniform and are trained with an eye to a future career, generally in the merchant service. Sports, such as boxing, Swedish gymnastics and swimming, are included in the curriculum, and there are football and cricket teams. Every summer, the boys are taken to a seaside camp, and they have also two weeks' leave in August and at Christmas. They sleep on board in hammocks, like boys at sea.

When it is remembered that all these boys have been committed by the juvenile court for offences, their bearing and behaviour, both during training and after discharge, are amazingly good. As in other Home Office schools, complete success is achieved in an average of from 80 to 90 per cent of the cases.

We were greatly interested in attending a band performance and display of the traditional British sailors' dances. The enthusiasm and high spirits shown by the performers, their self-control and the obvious pleasure they took in this rather exhausting kind of entertainment testified to the excellent moral atmosphere which prevails on the *Cornwall*.

These boys are allowed some freedom and may visit their families twice a year.

During the last few years, decreased activity in the shipping trade has made it difficult to find places for boys at sea. Fortunately, however, having learnt joinery and carpentry, they are able to obtain work.

Among the other schools, we may mention Birkdale, near Liverpool. This is a Roman Catholic institution for the reclamation of youths.

There were seventy-six inmates when we visited the school. We noticed the atmosphere of freedom which characterises the discipline in this school. The superintendent seemed to understand and know personally and to enjoy the complete confidence of all the boys.

The training in cabinet-making is particularly well organised, and baking and gardening are also taught according to the individual capacities of the boys. The results on discharge are further improved by the boarders being gradually brought into increasingly frequent contact with the outer world.

The boys are permitted to leave the school on the afternoons of Saturday, provided they come back at

9.30 p.m. This privilege would of course be withdrawn at once if it were abused. But it is interesting to note that, though the system has now been in operation at Birkdale for over nine years, the police have only once been called upon to act in connection with the conduct of one of these boys. Moreover, their self-discipline and sense of responsibility are developed in the institution itself, a good deal of the supervision being entrusted to the older boys. The pupil who acts as "head boy" has an office of his own in which he receives his comrades. The moral authority he exercises over them is patent.

There are, moreover, about twenty schools for girls approved by the Home Office. The curriculum of theoretical, technical and moral training is practically the same everywhere. We will describe two visits in detail made during our enquiry—to the Ave Maria School, West Croydon, as a typical example of these institutions, and the Elm House School, the more special aim of which is, in our opinion, particularly interesting.

The *Ave Maria School* is an approved school with about fifty young girl offenders between the ages of about 10 to 16. It is carried on by the Sisters of Mercy in a spirit of very liberal comprehension.

The buildings are suited to the purpose and comprise spacious playrooms and workrooms, and there is a large garden with sports grounds in the shade of fine trees.

Children of school age are given elementary education. Some even leave the school unaccompanied to attend classes at Croydon. Girls from 14 to 16 study cookery and domestic economy and are given a complete course of training in sewing and embroidery, according to their capacities.

Games are organised under the direction of the Sisters. As in almost all British schools, great attention is paid to swimming. Teams play matches against neighbouring schools.

Music and singing are taught to all girls with any gifts in this direction. We were present at an entertainment consisting of small items played by the youngest children. We were particularly impressed by the orchestral items, conducted by a child of eight. The girls are given a little pocket-money and may go out to spend it. Every year

they go for a holiday to the seaside, where they are quite free. They are also sent to their families when the surroundings are suitable. This provides a good background for re-entry into normal life.

There is a system of after-school care by which the Sisters can continue to exert a good influence over pupils who have been discharged. The usual experience of the Ave Maria School is that girls maintain a record of good conduct.

Elm House School, Parson's Green, London.¹—This is an interesting type of school, as it admits young girls selected from the best pupils—from the moral and intellectual standpoint—in the other approved schools. In contrast to other approved schools, it never accepts young offenders directly committed by the courts.

To be admitted to Elm House, the young girl must pass a special London County Council examination—to which approved schools are invited to submit candidates—and be awarded a scholarship.

Pupils are usually admitted between 12 and 13 years of age, and are kept at the school until 16. They are first given a general education up to 14 years of age, and during the next two years they attend the London County Council training courses to prepare them for various trades, such as dressmaking, embroidery, dress designing, ladies' tailoring, upholstery, hairdressing, photography or cookery. Pupils who are not suited for any of the above occupations may be trained for business or secretarial posts. Those who wish to become saleswomen attend the special school at Westminster² for this training.

At the time of our visit, there were twenty-three inmates who were learning the following occupations: dress-making (5), upholstery (1), photography (1), retail selling (2), secretarial (3). Four were attending the Chelsea Secondary School, and seven were still receiving elementary education. Fifteen girls had been discharged in 1930, and had, with the help of the school, found excellent situations; one works in the General Post Office, another in a large bank, while several are doing secretarial work

¹ Type of London County Council school.

² School of retail distribution.

the London County Council or other administrative offices.

The girls go to their work unaccompanied and may also, with the superintendent's permission, visit their families. Games, dancing, music and singing are largely indulged in, and the atmosphere of freedom prevailing at Elm House conveys an encouraging impression.

On leaving Elm House, young girls, who, in view of their antecedents, cannot in most cases live with their families, may reside in the boarding houses known as "hostels" and attend their work from there. The management of Elm House keeps in touch with former pupils. Visits from old girls are frequent and social entertainments are often organised for them.

Bearing in mind the previous history of these girls, the general moral result achieved may be regarded as remarkable. The above twenty-three girls, for instance, may be classified in the following categories: children not amenable to discipline, 4; bad habits, 3; resided with prostitutes, 4; homeless vagrants, 2; guilty of larceny, 6; playing truant, 4.

An institution which studies individual cases in this way may therefore be regarded as a success.

CANADA.

Chapter II.—Child-caring Institutions in Canada.

As has already been pointed out, in the English-speaking provinces especially, there is a fairly clear distinction made in the care of the neglected and dependent child, the child dependent merely for economic reasons and the delinquent child.

In order to obtain any clear picture of the situation, however, it is necessary to visualise the problems and conditions which cause those children to be in need of these different types of care. Presumably, the types of care required will be influenced by the needs of the children taken into care. Generally, children in need of social care will be found within the following groups, and cared for under corresponding legislation.

IN THE EIGHT PREDOMINANTLY ENGLISH-SPEAKING
PROVINCES.

A. *Children in need of Protection and Care (generally described as "Neglected Children" in their legislation).*

These include :

(1) Children who, because of some uncontrollable situation, are left entirely bereft of the care and protection of their parents or natural guardians—*e.g.*, children both of whose parents have died, or abandoned them, or who are unknown; or one of whose parents is dead and the other unknown, etc.;

(2) Children who, because of the ill-treatment, cruelty, neglect, incapacity, culpability, etc., of their parents, are equally lacking in adequate and responsible guardianship and care.

In the eight predominantly English-speaking provinces of Canada, these two groups are cared for through the system of Children's Aid Societies (of which there are eighty-eight in Canada). Where there is no society, the provincial superintendent, in most of the provinces, may act with all the powers of a Children's Aid Society. These societies may, without warrant, remove any child from any situation exposing him to danger or neglect, and place him in "a place of safety" for temporary shelter. Such shelter may be given in any child-caring institution, or in a private home recognised for such purposes. Most Children's Aid Societies maintain such temporary homes themselves, describing them as "shelters". A child so removed from a condition of neglect, may be temporarily sheltered by the society, but must be brought before a court within a fixed period (generally seven days) for hearing. He may then be returned to his own home under supervision of the society, or left in the temporary care of the society pending further hearing and determination of his case, or he may be committed to the care of the Children's Aid Society, *as a ward*, temporarily or permanently.

A society may have children in care in :

- (a) Their own homes under society supervision;
- (b) The homes of relatives, under society supervision;
- (c) The shelter;
- (d) Private boarding-homes;
- (e) Other institutions;
- (f) Free foster-homes;
- (g) Wage homes—where older children are paid a reasonable amount for their services;
- (h) Indenture homes—where they are placed on legal contracts of indenture;
- (i) Homes in which children are under supervision, pending full legal adoption.

B. *Dependent Children.*

(3) Another large group of children will be found in need of social care, largely of an economic nature. That is, the guardianship provided by their parents, relatives, etc., would be reasonably safe, were it not endangered by economic need, or some situation presumably of a temporary nature—*e.g.*, the dependent children of the widow or widower; the children of parents unemployed over a period of time, the children of a mother in hospital (where the father is unable to pay for a house-keeper), the children of an unmarried mother, anxious to retain their custody but unable wholly to support them.

The line of sound social treatment for this group is considered to be the provision of assistance in parental care, rather than to create a new guardianship. In six provinces of Canada (Alberta, British Columbia, Manitoba, Nova Scotia, Ontario and Saskatchewan) mothers' allowances systems provide for aid to widowed mothers and other limited groups similarly placed to assist in the maintenance of these children in their own homes.

In all the provinces, however, there will be found large groups of children in need of assistance rather than protection, whose care may require shelter outside their homes. Generally, therefore, it will be found that children's homes, orphanages, etc., will be giving care to a large volume of children whose parents are still their

guardians, and who are in care for temporary or special causes. Of course, in nearly every such institution, there will also be children wholly dependent—*e.g.*, children whose parents have originally placed them there and later abandoned them, children placed there by another social agency as part of their plan for the family or case and children who are the wards or under the supervision of a Children's Aid Society and practically boarded in the care of the home or orphanage. Some of the older homes and orphanages in one or two of the provinces will be found to enjoy the actual power of guardianship over children voluntarily surrendered to them by parents or guardians. Such children will be their wards, but these cases will not be numerous.

Partial payment is often made by parents or relatives for many of the children in these homes, and infrequently full payment. However, payments fall in arrears, the parent, guardian or other relative becomes discouraged and in only too many cases the home must gradually assume all, or the major burden, of support. When guardianship definitely becomes defective to the extent that a new guardianship is desirable, the problem is handled in a comparatively simple manner by commitment to the Children's Aid Society, as outlined above.

All other children in care of such homes, however, remain definitely the responsibility of such agency, as a private charity. In nearly all the provinces of Canada, either provincial or municipal grants, on a lump-sum basis, or as *per capita per diem* grants-in-aid are payable to such institutions on behalf of such dependent children in care. However, all such grants are only "in aid", and in no case cover the entire maintenance cost, the balance of this in all cases being regarded as the responsibility of private philanthropy.

Children admitted to the Children's Aid Societies on the request of parents or guardians are generally described as *non-wards* and will not differ in need or type from children similarly given orphanage care. In respect to this group of children, the Children's Aid Society functions in exactly the same way as a children's home or orphanage.

Private Home Care.—Many of these children's homes and institutions, recognising the principle of home care for

the child, have developed admission, home-finding and child-placing services, similar to those of the Children's Aid Societies, to provide for the care of these children in their own or private family homes.¹

C. *Delinquent Children in Custodial Care.*

A third group of children are those described as "delinquent", who have been brought before the juvenile or regular courts because of infringements of the law, or acts likely to lead to their becoming delinquent.

These children may be requested to appear before the court without warrant or apprehension, in which case they are likely to be left in their own homes, pending hearing. However, if it be thought wise to provide for their care elsewhere, they are placed in a regular *Detention Home*, awaiting the hearing of their case. There are, however, but few regular Detention Homes in Canada (Halifax, Montreal, Ottawa, Toronto, Winnipeg, Regina, Vancouver, and two or three other centres), so detention is frequently provided by placing such children in the care of a shelter, children's home, orphanage, etc. Therefore, it will frequently be found that children under care as *delinquents*, will be found in agencies caring for dependent or neglected children as well, but rarely will neglected or dependent children be found in institutions caring for delinquent children.

A delinquent child, may also be remanded to a detention home, awaiting the determination of the case. A child offering a behaviour problem, but not yet actually *committed* as a delinquent, may be placed in a special type of care, by voluntary admission to a special training school—e.g., Bowmanville Boys' School, in Ontario, one division of the Homes of the Good Shepherd, Georgetown Home for Girls (Ontario, United Church), etc.

A young offender is defined as under 16 years of age (in all the provinces but Manitoba, British Columbia and Prince Edward Island, where the age is 18) and, if *committed* as a

¹ In some of the older provinces, the municipal poor-house or almshouse is still used, and children, as well as adults, are housed therein, generally without discrimination as to their age, sex, state, condition, etc. However, this is a situation that is not widespread and that is being gradually remedied in the few provinces in which it exists.

delinquent, may be placed in an industrial school for special care and training. These exist for practically all the provinces, providing care in specialised groups for boys and for girls. (In most of the provinces, children under 12 years of age must not be placed in an industrial school, but are to be cared for as neglected children.)

Also, habitually incorrigible, etc., juveniles may be committed to the care of an industrial school by order of the provincial officials, on request of a Children's Aid Society.

Persons may be committed, in lieu of an ordinary prison, to imprisonment in a "reformatory prison" under the Prisons and Reformatories Act of Canada. However, generally throughout the Dominion now, persons under 16 years of age are not committed to reformatories, but to an industrial school, and such reformatories or prison farms as exist are restricted to the special care and treatment of offenders over 16 years of age. Wherever the Juvenile Delinquents Act of Canada is in force, its terms prevail over the clauses of the Prisons and Reformatories Act of Canada in respect of any clauses of the latter which are inconsistent in reference to offenders under 16 years of age. *It would, therefore, appear logical for the purposes of this study that only the institutions caring for juvenile delinquents might be classified as child-caring or social agencies, and that the reformatories, gaols and prisons should be classified together as penal institutions.*

Delinquents committed to the care of an industrial or training-school may thus be wards of a court, of the school, or of a Children's Aid Society, or, in some cases, admitted on the request of parents or guardians. They may be in care in :

- (a) The industrial school for training;
- (b) Released on parole;
- (c) Placed on probationary release in their own homes or a foster-home;
- (d) Placed on probationary release on wage agreement.

Comment.

1. The greatest care is taken in placing children in families. In all agencies of good standing, social workers

(men and women) are sent to visit the families before any decision is reached and full investigations are made. A well-balanced co-ordination which exists among the various agencies (courts, relief services and children's agencies), especially at Toronto, where we made very exhaustive enquiries, enables each child to be placed in a family where he will receive the care best suited to his individual needs.

The placing of children in institutions is gradually being reduced to a minimum. On the whole, this service is now largely restricted to temporary care and special problem cases that are sent to institutions in the cities of Toronto, Vancouver and some of the other best organised centres. Some of the societies have even found it possible to find families who are capable and desirous of receiving and re-educating children who present distinct behaviour problems.

The following statement was made to us by the Director ¹ of the Catholic Charities Bureau of Toronto, which is the leading Catholic agency in this movement :

“ When I was made Director of the Catholic Charities at Toronto, under the Archbishop, I found that funds were being collected for a large institution with at least 400 beds, for orphans or morally neglected children. I asked for the scheme to be suspended pending fuller enquiries, and I then instituted an investigation into the question of placing Catholic children in families. With the help of part of the funds collected for the institution, a complete organisation for finding and supervising families was gradually constructed.

“ There is now no longer any need for another establishment, and it may even be possible to reduce the number of beds in our various institutions; the result has been, not merely a considerable saving in the annual cost of management, but, what is more important, a definite moral and social gain as regards the protection of children and their return to a normal life. Save in exceptional cases of bad behaviour or grave anti-social tendencies, a child should not be removed from his natural environment. He should grow up in a family circle living the normal life of his country, should go to

¹ Father Joseph Haley, since deceased.

school with other children, and should learn a trade in a workshop or factory, office or warehouse, where he will come into contact with people. He should have amusements suited to his age and social circle, games, sports, etc.”

The observation of this Catholic priest, who was a member of all the welfare organisations in Toronto and of the Board of the National Agency, reflects the views of many similar representative directors of charitable institutions or associations. Similar opinions were expressed by the heads of the Ottawa Children's Bureau, which is working energetically in the same direction. This point of view, however, does not prevail as widely in the Province of Quebec, where the tradition of institutional care is very widespread (Reference : Arthur SAINT-PIERRE, “ L'Œuvre des Congrégations religieuses de charité dans la province de Quebec ”, 1930.)

2. At the same time, the problem of the incorrigible or subnormal child is not neglected. Reformatories and re-educational schools have been organised to meet the need of various types. We visited a number of these, to which reference is made in this report.

3. One of the main objectives of the Canadian Council on Child and Family Welfare is gradually to bring about a situation whereby every child-caring agency will work with or through a well-trained field staff, whose efforts will be directed primarily towards the maintenance of the child's own family group, and, if that is impossible, provide custodial care for the shortest possible time and work towards the reconstruction of the child's life in an environment similar to his private family life.

In some of the provinces, considerable experimental work is being done in the private home care of the abnormal or maladjusted child—whether mentally defective or delinquent—and of unmarried mothers before and after the birth of their children, by placing them in families.

In Quebec, the Grancher system is being widely developed by the health authorities for the care of children from homes exposed to tuberculosis, while a Royal Commission in 1930 has recommended the establishment of Children's Protection Societies (Children's Aid Societies) in all communities over 25,000 in population.

In many centres, even where institutional care is provided, the larger institutions are arranged on the cottage plan—*i.e.*, they are divided into separate buildings, the inmates of each forming, as it were, a family.

Generally speaking, the policy of the Canadian Council on Child and Family Welfare may be said to summarise the preponderant view of Canadian social workers in the English-speaking provinces on this subject : care of normal dependent children in normal family homes, restriction of the use of institutions to receiving-home service, temporary care and training of children with personality difficulties and to permanent care of the hopelessly unadjustable.

GENERAL COMMENT ON CANADIAN SOCIAL ORGANISATIONS FOR CHILD PROTECTION.

A. Typical Urban Organisation.

The most complete co-ordinated services which it was possible to visit were in the city of Toronto. Here, in 1928, the development of the public welfare programme was under the general direction of the Municipal Officer of Health. However, under him, the services were then developed along two distinct lines—the health services, with an extensively developed public health nursing service, and the social welfare services, under their own director, a trained social worker, with a staff of welfare workers. (A detailed memorandum on the excellent health services will be filed with the Health Organisation of the League; since they deal in no way with the child protection programme, they are omitted from this report.)

In 1930-31, however, the Toronto welfare services were all transferred and became an entirely separate service of the municipal government, housed in their own building and under the direction of the Commissioner of Public Welfare.

Co-operating with the Public Welfare Department, there is a large group of private charities, offering service both to people in their own homes, or in custodial care.

The child protection work of the community is carried on through two Children's Aid Societies—the Toronto Society (caring for all non-Roman Catholic children) and the St. Vincent de Paul Children's Aid Society (caring for

Roman Catholic Children). Their budgets are provided in part from public maintenance payments and in part from private contributions. Each maintains "shelters" and full-time staffs of trained workers. Each does most of its work in attempting to protect children in their own homes; if this cannot be done, they are removed temporarily to their shelters; if they need permanent care, their parents are deprived of authority by court action, and the societies undertake to care for the children and place them out in private boarding-homes or arrange their adoption.

These societies work closely with the Public Health and Welfare Departments, with the courts, and with the family agencies. The Department of Health clinics are used for health care for their children, while provincial or city psychiatric services are also used.

Working with these societies, there are a large group of children's homes and orphanages who care for dependent children, according to age and religious faith, while the Civic Public Welfare Department provides for the administration of the public allowances in aid of widows with children under school age.

There is a well-organised juvenile court, with probation officers of different religious faiths, and a family division for domestic relations cases. The court has its own Detention Home.

Illegitimacy cases and children under 4 years of age are handled through the Protestant and Roman Catholic Infants' Homes who provide actual care, generally in private paid homes. Legal action for maintenance is taken against the putative father through a special legal and maintenance branch in the Public Welfare Service of the city and province.

If a mother cannot keep her child, by court action it becomes the ward of the Children's Aid Society, which then works with the Infants' Home in arranging its permanent care in a private home, by adoption, or in such way as the child's interests demand.

Three large family welfare organisations—Protestant (the Neighbourhood Workers), Roman Catholic (Catholic Charities) and Jewish (Jewish Welfare Bureau)—maintain a large staff of workers for rendering service to families, in difficulties in their own homes, where the problem concerns the family rather than the child. They work

closely with both the city department and the children's agencies.

Big Brother and Big Sister Associations, with full-time staff, carry on preventive services in co-operation with the court.

The entire cost of the Public Welfare Department, of children placed by the court, with the Children's Aid Societies, or in a training-school, and substantial grants to the children's homes and orphanages are met from public funds.

The private charities get their money from three big community campaigns—Protestant (\$550,000) Catholic (\$200,000) Jewish, (\$100,000)—held each autumn, in which all the agencies seek to raise their needs for the whole year in a "community chest".

For administrative purposes, the city is divided into nine districts and, as far as possible, the public health nurse, the public welfare department worker and the worker from the private charities use the same offices as district headquarters, thus assuring the most effective co-operation of their daily work.

B. Typical District Organisation.

The small town of Sudbury, situated in the extreme north of Ontario in a mining district, is another interesting example of what has been done under the stimulation of community interest, through government leadership and the work of the Canadian Council on Child and Family Welfare in extending organisation.

Sudbury may be taken as a sample of a small town which seeks to provide a well-rounded programme of the services necessary for the child's welfare, both as regards the prevention of moral and physical neglect and as regards treatment of problems that have occurred. We found that the local welfare organisation, "the Children's Aid Society", which covers the whole of a fairly populous district, seemed excellent in its contact with real problems.

Sudbury has an extremely well-equipped hospital, run by nuns who are trained nurses, a temporary shelter for thirty or forty children of all ages, run by the Children's Aid Society, a group of visiting nurses from the Victorian Order of Nurses, an orphanage for boys and girls who have no family, a consulting clinic for infants

and expectant mothers, etc. The work of the Children's Aid Society meets all the needs of the children in its care. The temporary shelter already contained more than twenty-five children, whose ages ranged from 2 to 15, although it had only been open a short time. The committee which controls this shelter endeavours, as far as possible, to place children who have had to be removed from their homes in families rather than in institutions. A certain number of children had, of course, been temporarily entrusted to the society, not on account of bad moral conditions or delinquency, but owing to illness, poverty or death of their parents.

The organisation for health, relief and preventive work at Sudbury compares very favourably with those of the largest centres.

C. Influence of the Canadian Council on Child and Family Welfare.

The work done by the Canadian Council on Child and Family Welfare at Ottawa is deserving of special mention, as it has contributed to a very large extent to the progress made in Canada during the last few years, as regards both the enactment of legislation and its application. Although this organisation was established by private initiative, it plays an important part in Canadian welfare development.

Founded in 1920, as the result of a Conference called by the Dominion Department of Health, it was created to serve as a clearing-house on all problems in the field of child welfare. It receives a grant from the federal Government, but raises over two-thirds of its budget from private contributions. It is administered under its own Board as a private social agency.

It carries on a continuous educational programme on all phases of social work, its scope having been extended in 1929 to include family as well as child welfare. It maintains a regular enquiry service and publishes information on various phases of social problems, its publications to date numbering sixty-eight reports.

One of the methods which has been employed for some years by the Canadian Council is that of social surveys. These surveys take the form of extensive enquiries carried out in perhaps one community, or perhaps the whole of a province, by persons especially fitted for this class of work,

or a survey may deal with one particular problem. Men and women who have specialised in their respective subjects and have had considerable experience of social work are selected. The laws, regulations and customs of the area are thoroughly investigated; it is ascertained whether they are satisfactory or whether reforms are desirable; visits are paid to institutions, establishments, reformatories, re-educational schools and homes of all kinds for the young; the management of public and private associations is examined; children and families in different places and districts are studied; each investigator puts questions, listens to what is going on around him and forms his own opinion. The observations are then correlated. After this work, which may be very detailed and extensive, has been completed, proposals for reform or the improvement of the conditions observed by the investigators are submitted.

These surveys are always carried out with the consent and assistance of the organisations concerned, and always upon invitation. Funds are sometimes furnished by the associations themselves. The survey undertaken in 1927 in British Columbia was financed by the Vancouver Rotary Club, which realised the necessity for an experiment of this kind, with a view to the more efficient organisation of Child Welfare.

UNITED STATES OF AMERICA.

PREVENTIVE WORK IN THE SCHOOL.

The school is in a very favourable position for discovering those early signs of adverse home conditions which forewarn of neglect and delinquency and for dealing with conduct disorders before they become so serious as to require court action. The awakening of the schools to their own responsibility for the development of the child's character as well as his mind is a sign of great promise.¹

Among the special facilities for meeting problems of

¹ For a description of this newer emphasis of the school, see "The Delinquent Child", pages 40 and 41.

school maladjustment which have been developed by departments of education are the following : School attendance departments; special day-schools and classes; parental schools; visiting teachers and school counsellors; child study departments and clinics; and vocational guidance and placement bureaux. More fundamental measures are modification of the aims and methods of teaching and mental-hygiene training and adjustment for teachers.

1. *Attendance Departments.*—The first compulsory attendance law in the United States was passed in Massachusetts in 1852. Mississippi, the last State in the Union to provide for compulsory school attendance, enacted such legislation in 1918. "Truant officers", with police powers and without special qualifications for dealing with social problems, were first employed to enforce school attendance. Communities are changing from the term "truant officer", to the term "attendance officer".

A special study of the administration of school-attendance laws in selected localities of eleven States was made by the delinquency committee of the White House Conference on Child Health and Protection. It was found that practically every attendance problem has social significance and must be dealt with on the basis of social case work. In no city in the United States is the personnel of the attendance department sufficient to enable the officers to assist the teachers and parents in discovering and removing the causes of truancy in every case. As the emphasis has shifted from law enforcement to social investigation of the individual truant and his problems, a new type of attendance officer is required. As a means of securing such workers, Indiana and California have set up State requirements for attendance officers, which include definite provisions for education and training.

Attendance service in a number of cities has been curtailed or eliminated as part of the retrenchments in school budgets during the period of the depression. Children of the unemployed have been kept out of school because of lack of clothes, and school attendance probably has been, on the whole, less strictly enforced than in normal times.

2. *Special Day-Schools and Classes.*—Special day-schools and classes for truant, unmanageable or incorrigible

children originated in 1874 in New York City, and are now in operation in a number of cities. A recent study, by the questionnaire method, covering 736 of the 762 cities which, in 1920, had a population of 10,000 and over, showed that forty-six had special schools or classes of this type.¹ They are usually characterised by the small number of children in each class, the selection of teachers especially qualified to present the subjects in a vivid and interesting way, and the large amount of individual instruction given. In some of the classes, special attention is paid to the maintenance of contacts between the parents and the school. Relatively little has been done, however, in most communities, in correlating special class work with such scientific study as is afforded by child-guidance clinics or with social work with the child and his family.

The Sub-Commission on Causes of the Crime Commission of New York State takes a positive stand against the segregation of behaviour-problem children in special groups.² The White House Conference Committee on Special Classes considered the advantages and disadvantages of this method and concluded that more rapid immediate progress will be made in the next few years by special segregation of the more serious cases, particularly in the large cities.³ Early treatment of behaviour problems in the ordinary school classroom, through such agencies as behaviour clinics and visiting teachers, avoids the invidious distinction between "good" and "bad" children, and other disadvantages of segregation.

An unusual type of special day-school has been established in Chicago. In the first of these schools to be established, the Montefiore School, the staff included one teacher for each twenty children, a psychologist, a nurse, a dentist, one full-time and two part-time visiting teachers,

¹ "Special Schools and Classes in Cities of 10,000 Population and More in the United States", by Arch O. HECK, pages 5 and 6. United States Department of the Interior, Office of Education, *Bulletin* 1930, No. 7.

² "Crime and the Community", the Crime Commission of New York State, pages 99 and 100; 243, Albany, 1930.

³ "Special Education: the Handicapped and the Gifted", Report of the Committee on Special Classes, White House Conference on Child Health and Protection, The Century Company, New York, 1931; pages 491 to 534.

two attendance officers, two recreation teachers, and a psychiatrist one day a week. Medical service was supplied by the Board of Health. For those having special difficulties such as speech defects and reading difficulties, experts were employed on a part-time basis. Boys were in school six and a half hours, five days a week, for forty-eight weeks in the year. The boys spent about half their time in academic work and the other half in activities of various kinds. Later, a second school was similarly organised.

Many cases of truancy and delinquency can be handled effectively only in classes of a different nature—classes for the physically handicapped, for pedagogically retarded and even for gifted children. Such classes exist in the great majority of cities of over 10,000 population, though they are still rather in the nature of demonstrations and serve a small fraction of the number of children needing specialised instruction.

These special educational facilities have been eliminated or curtailed in a number of cities as a result of the depression.

3. *Parental Schools*.—So-called “parental schools”, under the management of the school department, where truant and otherwise troublesome children are given institutional care were first established in Boston in 1896 and in Buffalo in 1897. The former school was closed in 1914 and the latter in 1919. The recent study of special schools and classes in cities of 10,000 population and over showed that, of the cities reporting, twenty-four had parental schools. These schools are, in fact, institutions for children with delinquent tendencies. They are usually located on a farm, and provide regular schooling and industrial or home-making training.¹ The same disadvantages of segregation pointed out in connection with special classes apply, with even greater force, to parental schools.

Interest in the parental school under a new name has been revived in the past ten or twelve years by proposals for “twenty-four hour schools”, or schools where children would be given day and night care, without the

¹ “Special Schools and Classes in Cities of 10,000 Population and More in the United States”, by Arch O. HECK, pages 3 and 4.

necessity of court appearance or commitment. Such a proposal was first made in California in 1917. The California Commission on Problem Children, created by the legislature in 1927, recommended a law authorising elementary-school districts, with the approval of the State Board of Education, to establish twenty-four hour elementary schools "as a last resort for children who, in the opinion of the board of admissions, will otherwise get into serious difficulty and into the juvenile court". The board of admissions would consist of a child psychiatrist, a child psychologist, a member of the board of education, a representative of the welfare or charities department, if one exists, and one other person designated by the superintendent of schools.¹ A law providing for such "twenty-four hour schools" was enacted by the California legislature in 1929.

4. *Visiting Teachers and School Counsellors.*—The "visiting teacher", sometimes called a "school counsellor", is a social worker, trained in mental hygiene, who studies and treats the maladjusted child in his home setting, advising with the parents and relatives, with the teacher and the school authorities and with social agencies, if these are necessary in handling the case. Teaching experience, as well as preparation for social work, is often required.

The visiting-teacher movement originated under private auspices in New York and Boston in 1906. It was greatly stimulated by the demonstrations conducted in thirty communities by the Commonwealth Fund, beginning in 1922. By 1925, there were, in the United States, 186 visiting teachers in sixty-four cities and six counties scattered through thirty-four States.²

Visiting teachers were employed by the school system

¹ Report of the California Commission for the Study of Problem Children, pages 4, 12 to 18; Sacramento, January 1929.

² "The Visiting-Teacher Movement, with Special Reference to Administrative Relationships", by Julius John OPPENHEIMER (second edition), page 1, Joint Committee on Methods of Preventing Delinquency, New York, 1925; "The Purpose and Scope of Visiting-Teacher Work", by Howard W. NUDD, in "The Problem Child in School", pages 277 to 279; Joint Committee on Methods of Preventing Delinquency, New York, 1925.

in seventy of the 171 cities above 30,000 population replying to a questionnaire sent in 1929 to the 249 cities in this population group by the United States Office of Education in co-operation with the National Education Association.¹ These services, like attendance services and special classes, suffered in the general curtailment of school budgets during the 1932-33 school year.

5. *Child Study Departments and Clinics.*—The emphasis on psychological study of schoolchildren, affording a basis for classification according to learning ability, and the child-guidance clinic movement, with its emphasis on problems of personality and behaviour, have resulted in the establishment of clinics or departments of child study in a number of school systems. Thirty-six of the 171 cities of 30,000 population and over replying to the questionnaire previously mentioned reported psychiatric clinics in the school system. In a total of seventy-three cities, psychologists were employed. The clinics vary markedly in size and personnel. Most of the school clinics give major attention to mental and achievement tests, but some are general-behaviour clinics combining mental and social study. Many schools refer problem cases to community clinics.

6. *Vocational Guidance and Placement Bureaux.*—The vocational-guidance movement as related to children began in Boston and New York in 1908. A study of vocational-guidance activities made by the United States Children's Bureau and the Junior Division of the United States Employment Service in 1922 showed that, of the cities of 10,000 population or over replying to a questionnaire sent to all cities of this class, 258, or 42 per cent of those replying, had developed some phase of a vocational-guidance programme in the public-school system or in connection with it.²

¹ For a description of methods, see "The Visiting Teacher at Work", by Jane F. CULBERT; New York, The Commonwealth Fund, 1929.

² Vocational Guidance and Junior Placement: Twelve Cities in the United States, prepared by the Industrial Division of the Children's Bureau and the Junior Division of the United States Employment Service", page XI; United State, Children's Bureau, Publication No. 149, Washington 1925.

The Sub-committee on Vocational Guidance of the White House Conference on Child Health and Protection obtained information on vocational-guidance activities from 150 of the 288 cities of 25,000 population and over to which questionnaires were sent.¹

Sometimes bureaux of vocational guidance and placement are in a department which also administer the school attendance laws. Educational and vocational guidance and adjustment bear an important relation to the prevention of delinquency. The problem of vocational guidance has been made much more difficult by the depression, and resources for carrying it on have been restricted.

7. General Attempts to prepare the School to meet the Needs of Individual Children.—Experiments in liberalising school programmes and teaching methods, and in giving teachers a better insight into the causation and methods of treatment of behaviour problems, are pointing the way towards a better adaptation of schools to individual needs. Co-operating committees on behaviour problems of children of the National Education Association and the National Conference of Social Work have emphasised the importance of “giving to all teachers, in their preliminary preparation if possible, something of the same basic understanding of human behaviour that visiting teachers are obliged to have, to the end that they may better understand individual boys and girls in school”.²

¹ “Vocational Guidance: Report of the Sub-committee on Vocational Guidance”; White House Conference on Child Health and Protection, page 43; The Century Company, New York, 1932.

² “The Preparation of Teachers for dealing with Behaviour-Problem Children”, a report of the Committee on Behaviour Problems of the National Education Association (Sub-Committee on Teacher Training) presented at the Minneapolis Meeting of the National Education Association, July 1928, page 3. See also report of the Co-operating Committees on Behaviour Problems of Children of the National Education Association and the National Conference of Social Work, adopted in Joint Session at Cleveland, Ohio, May 27th, 1926, presented, July 1926, at the Philadelphia meeting of the National Education Association.

Chapter III

DEFECTIVE CHILDREN

We have been asked to devote part of this study to the work which is being carried on in the countries visited in order to discover and to train mentally deficient children, suffering from abnormalities of intelligence or defects of character.

These unfortunates, whose fate, but a few years ago, appeared to call only for pity without hope, have more and more engaged the attention of scientists. Nowadays we can endorse the view held by the majority of those who train such children in order to fit them as best may be to take their place in society, that there are sometimes better prospects of improvement in the case of the mentally abnormal than in that of children afflicted with sensory abnormalities.

This part gives instances of the successful work which is now being done in a number of countries in connection with defective children, work well worthy of further extension, since it is common knowledge that there is a high proportion of mental defectives among juvenile delinquents.¹

DENMARK.

BOARDING SCHOOL FOR THE RE-EDUCATION OF FEEBLE-MINDED CHILDREN, GAMMEL BAKKEHUS.

This institution has just entered its seventy-fifth year of existence. The greatest difficulty encountered is to admit only such children as can benefit by the teaching it gives.

¹ See "*Statistiques de la Petite-Roquette*", page 75.

However feeble the intelligence of the children, it is not easy to tell their parents that they are quite unable to benefit by the training. The doctor is called in and, where necessary, decides to send the child later to the re-education school.

Figures prove that, in 1929-30, many children were sent to other institutions. After this weeding-out, most of the children left belonged to the category which Bakkehus can deal with.

The children are divided into three sections—A and B comprising girls and boys, while C has only boys.

Section B takes the most feeble-minded children. In 1928, a beginning was made with teaching the various elementary subjects—fourteen lessons weekly; at present, more. There is also an infants' class in the form of a kindergarten. It is better that the children should begin learning young.

Recently, M. Henry Olsen, the director, wished to remove the school to the country, so that the children could work in the open, but the surroundings of Bakkehus are sufficiently delightful for the smaller boys and girls and the urban situation is better for mental development.

In 1928, Section B was extended. A large verandah was added to the sick wards and the weaving shops were also enlarged.

On February 26th, 1930, the Ministry of Social Affairs agreed to ten of the older pupils of Bakkehus being sent to a farmer at Enoe (near Karreboeksemiade). At the same time, it was decided to found a holiday home for the bigger Bakkehus boys, so that two groups of thirty boys with five attendants could be sent there every summer for a fortnight.

An agreement between a farmer and the institution provides for ten young apprentices being placed with him. The annual grant amounts to 6,500 crowns.

This partly compensates for the inconvenience of Bakkehus being situated in a large town. The boys sent to Enoe learn farming, and it is discovered whether they can be placed in a family under supervision or perhaps trained to earn their own living.

Some of the bigger boys are taken out regularly to work with employers. As manual labour is a prominent

feature of the training, these boys are able to be useful at the farms.

The boys' work was exhibited at the International Educational Congress at Helsingör in 1923 and at the exhibition "We and our Children" (1929), where it met with recognition.

Bakkehus is well organised and has a good staff of attendants who are also friends of the children. The latter appear happy and cheerful. From morning till night children are singing in the home.

INSTITUTION FOR THE FEEBLE-MINDED AND MENTALLY- DERANGED OF BOTH SEXES, BREINING, JUTLAND.

This is a very large institution founded in 1865 by Dr. Johan Keller. It began with 1,000 inmates; at present, it has 1,400, mostly mentally-deranged adults, curable and incurable.

Of the class of children with whom we are concerned, the institution has 500 boys and girls of school or apprentice age, ranging from 7 to 18. The institution is organised on the cottage plan.

The Breining estate is very large. It contains 180 hectares of land, with an organised system of farming and stock-breeding. The buildings themselves are perfectly suited to the purpose. A staff of 226 doctors, teachers, foremen, schoolmistresses, nurses and men and women attendants looks after the inmates under the direction of a senior medical officer, Professor Keller's successor.

The children are divided into two school sections, A and B. School A admits the least unsatisfactory pupils and teaches them Danish, arithmetic, geography, history, natural history, religious instruction, singing, gymnastics and drawing. The more feeble-minded children attend School B, where theoretical instruction is not carried very far, the chief stress being laid on practical teaching—minor duties for the boys, house-keeping and sewing for the girls, etc. The children seem to be happy and are, at any rate, very well treated. Some are able to leave at the age of 18 sufficiently adapted to social life to be not entirely useless.

Boys who have passed through School B and who can be put in a family under supervision are sent to farmers

in the neighbourhood to work as agricultural labourers. They are, of course, kept under medical and mental supervision by the senior medical officer.

Children found to be absolutely incurable (chronic imbeciles) may remain in the institution as long as they live.

Breining has two subsidiary establishments; one, on an island, with 300 hectares of land, is used as a holiday home, where children enjoy great freedom while being kept under constant medical supervision.

In 1922, 129 children were received and a rather smaller number discharged. The death rate is very low: about 28 per thousand.

VOERNEBO ASYLUM.

This home for young feeble-minded girls was opened in 1916, through the efforts of a public schoolmistress who had been struck by the unhappy lot of girls unable to attend the ordinary classes and make their way in life at the apprentice stage. It is situated on Amagerbro (an island adjacent to Copenhagen) and can accommodate about twelve girls from 14 years upwards (it is at present being enlarged). The girls learn to do laundry-work, iron and sew; they live a home life with the mistresses and feel happier than with their parents, where such mental infirmity is too often little understood. The great danger confronting them in ordinary life is that of becoming prostitutes, so that this is a very important form of rescue work.

There is an official institution for re-educating abnormal youths and girls, and there are also five state-owned juvenile shelters for refractory children.

GERMANY.

We visited, in 1930, a fairly large number of institutions for the re-education of unmanageable children suffering from mental deficiency in various degrees. Before describing a few of these, however, we must deal first, in this special study, with the organisation of day classes (*Hilf-schulen*) for the mentally or psychically deficient.

The classes we investigated are organised at Frankfort-on-Main and are attached to the ordinary schools. Their purpose is to remove all the abnormal children from the elementary school and to form them into special classes adapted to the children's individual capacities. Until occupational training becomes necessary, both sexes are taught together. It is considered preferable to separate boys and girls when beginning their apprenticeship. This apprenticeship is necessarily adapted to their physical strength and can only be followed when the children have reached the age for leaving school.

We were present at several lessons given in the *Hilf-schulen* by teachers who had received special training. The children are grouped, not according to age, but according to their degree of intelligence. Some use is made of the intelligence tests and quotients employed in the Binet-Simon or other similar systems. Each master has about twenty pupils; sometimes less, but never more.

The children are taught by simple but carefully thought out methods adapted to their abilities. In the first place, efforts are made to induce them to adapt themselves to living with their companions, replying to questions and following co-ordinated movements. They are taught to count by all the usual visual methods, objects or children being placed side by side. Sometimes a feeble-minded pupil requires three months to distinguish between one object and another and to discriminate between *three* and *four*. Some are clever with their hands but cannot follow any reasoning.

According to their degree of intelligence, a few years' training fits them for almost normal conditions of life. No serious difficulty is encountered except with the children of anti-social tendencies, who, if the parents agree, are, where possible, placed in special institutions. After reaching the higher classes, where, in addition to elementary instruction, the rudiments of some simple trade are imparted, the children are, as far as possible, put in training classes adapted to their physical and mental abilities.

Special workshops have been organised for boys and girls. We noted particularly that in which young men are trained, not for a trade properly so called, but in co-ordinated movements corresponding to the various gestures made by a factory worker in operating machines. This

trains them to do the mechanical and automatic work required in a great number of industries. This method of training is useful during the present depression, when it is impossible to find work for all trained workers and the feeble-minded would be at a still greater disadvantage in competition with capable men. On the other hand, some economists think it is perhaps harmful for a country to place workers of inferior capacity on the labour market, as this would result in reducing the value of specialised work.

There is, in Frankfort-on-Main, a private child welfare society called "Kinderschutz und Jugendschutz", the purpose of which is to co-operate actively with official bodies in assisting backward, abnormal and feeble-minded children.

Its services are particularly valuable in helping children who have to leave the *Hilfsschule* to choose an occupation. On such occasions, meetings are held—usually under the chairmanship of the school superintendent—between the master of the theory class attended by the child, the teacher of manual training in whose division the child was placed, the medical psychiatric specialist attached to the school, a specialist in psychology,¹ a school welfare worker from the society who knows the child's family, a welfare worker from the Office for the Protection of Young People and a representative from the local labour office.

Prior to the meeting, a complete case-record for the child is prepared, as, in the spring which precedes the annual closing of the classes, the society records the names and addresses of children who will terminate their training and visit their respective families. If a child is peculiar in any way or has bad or vicious tendencies, the case is thoroughly investigated. After the case has been dealt with and the child has found employment, the society still supervises his progress, visits him at his place of work and sees that his "Berufsschulpflicht" is complied with (theoretical instruction in his trade given to an apprentice as required by law).

Since 1923, the society has kept in touch with a large number of children whose case-records it keeps up to date

¹ These specialists have studied for three years before obtaining the required doctor's degree and have afterwards undergone practical training.

so that the results of the education given at the *Hilfsschulen* can be ascertained. It follows the conduct of the young people of both sexes and obtains admission for them to the young people's clubs, where they find healthy recreation. These clubs are in charge of delegates of the same society, who are freely elected by their members. An interesting fact is that one of these clubs is entirely composed of former pupils of the *Hilfsschulen*, who agree well together but do not wish to admit any other elements.

At Nuremberg, a specially close study of mental hygiene has been made by the local Office for the Protection of Young People (*Jugendamt*). Feeble-minded or refractory children are examined by Dr. Mainzer who, at the time of our visit, was in charge of the consultations for and treatment of feeble-minded or psychopathic children of pre-school, school and apprentice age.¹ He himself examines them four times a year in the various schools they attend and is responsible for the choice of institutions. He has several health visitors and special welfare workers who visit the homes of the children under his charge and instruct the mothers as far as possible.

The mothers may themselves visit Dr. Mainzer, and they do so to a considerable extent. They are encouraged to seek advice from the welfare workers. Replies are always given, either by the welfare workers or, if necessary, by the doctor in charge himself.

Dr. Mainzer attaches great importance to this co-operation with the family for the welfare of children placed under observation; if the parents do not co-operate readily with him he refuses to keep the child, as he considers that he cannot improve the condition of a child if he has not obtained the family's co-operation. The children are always kept under observation, even when they stay at home, and are cared for as far as is necessary.

Apart from the already existing agencies for placing and re-educating children and young people, Dr. Mainzer has founded a very original institution called "Kindergarten in the Sun", where boys and girls from three to eight years of age are admitted and spend the whole day out of doors, or, in bad weather, in premises (wooden houses) always open to the air. Here, too, parental

¹ Erziehungs-Beratung Stelle.

co-operation is required and given. Children are brought to the garden in the morning and remain until 6 p.m. They number about thirty and are all feeble-minded or abnormal, some even disabled and sickly. They lead an open-air life, wear hardly any clothes and gradually become inured to all temperatures. They are not taught reading or writing, as their intellects are defective, but they manage to learn cleanliness and good manners, to eat without assistance and to play with other children, which is usually the main difficulty with young psychopaths. They are also taught to concentrate sufficiently to be able at eight years of age to dress unaided and manage for themselves at home.

The parents constantly co-operate in the work; the garden is cultivated free of charge by the families, out of love for the work and gratitude for what is done for their children. One of the fathers himself built the hut where the kitchen is housed, without accepting any payment.

The worker in charge of the Kindergarten, in 1930, had had special training for her difficult and complicated task and was thoroughly and intelligently devoted to the work.

We also visited at Nuremberg a very interesting school for re-educating feeble-minded boys and youths. The school is a municipal institution,¹ the director being an educationist whose main interest in life is to reform the children entrusted to him; his assistants are equally zealous in carrying out their responsible duties. They all go thoroughly into each individual case and, however slight the child's intelligence, find a form of education which is suited to its capacity.

When the children have received a fairly adequate elementary education, often very slight on account of the weakness of their intellectual faculties, the school tries to teach them a trade which, though inadequate for maintenance, at least gives them an agreeable occupation and a partial livelihood. As a result of these efforts a fairly large number of young men, after a more or less prolonged period of re-education, can return to their families without being too heavy a burden on them.

Care is taken that each child receives instruction in the religion professed by its parents, a Catholic priest and

¹ Städtisches Knabenheim.

a Protestant pastor being authorised freely to visit and teach the children.

The school is very scientifically organised, manual training alternating with various kinds of recreation, while, three times a week, concerts, lectures or other entertainments are given in the school itself. On Sundays, they attend the church of their denomination, are taken for long walks, or visit museums, etc. The programme includes physical exercises.

The Home is not a closed institution, seeing that the children may be withdrawn by their parents if the latter so desire. It is a large family where the masters share the life of their pupils and take their meals with them. Its motto is "Work and Enjoyment".

When we visited it, there were eighty boys from 12 to 20 years of age, about twenty of whom were of school age. Some do not stay more than a few months and each year about 500 children pass through the Home. Children who are psychopathic to a certain degree are accepted, and the doctor co-operates constantly with the schoolmasters.

The principle is to give instruction adapted to each individual with a view to preparing him for social life.

At Dresden, there are some fifteen institutions for the custody, education and observation of abnormal children and adolescents of both sexes. Some specialise in the observation and others in the treatment of psychopathic children. The Dresden Office for the Protection of Young People attaches great importance to this question.

The following details relate to some of the institutions which we visited in the neighbourhood of Dresden :

The *Coswig Institution* admits a large number of children sent by the Dresden Office for the Protection of Young People and the public relief authorities under the Ministry.

It occupies several buildings entirely separated from each other, but we shall deal here only with the section for abnormal children, who are grouped, for observation purposes, on a special system. Some are physically defective and most of them are mentally abnormal. There are twenty girls between 14 and 21 years of age receiving the necessary treatment, while twenty-five younger children are kept under observation for various periods.

The superintendent, Dr. Drexel, is a specialist both in

psychiatry and pedagogy and has the assistance of a nurse specially trained in psychiatry.

Schoolchildren are frequently sent here after several years of hopeless attempts at normal education. They are kept under observation and improved by all possible means. The system of trust is used; attempts are made to give the children a sense of responsibility, by sending them on small errands of trust and placing small sums of money at their disposal for any given object. Their mental and moral constitution is thoroughly studied and improvements are made approaching to a practically complete recovery. After a time, the children are sent to the Coswig elementary school to try to follow the class for children of their age.

Girls who have become normal are sent as day pupils to the Coswig Higher School.

In Berlin, we visited about ten institutions for abnormal children, whether feeble-minded and backward or psychopathic. The methods followed appeared thus very interesting, but it is impossible to go into details here. We would, however, mention a small centre for the observation and treatment of psychopathic children which seemed to be specially suited to its purpose—namely, that managed by Frau von der Leihen. We saw there, in the home in the Potsdamerstrasse, which is a very active centre, six very refractory children. This home accepts children from 3 years of age and sometimes grown-up girls of 21 or even 22. The superintendent, who has much experience in these special subjects, also arranges with parents to take difficult children as day pupils for observation.

This private institution has been in existence eleven years; it has succeeded in re-educating a number of children between 3 and 16 years of age. Two or three days a week the children under observation are invited to "afternoon games" (*Spielnachmittag*); they are given their midday meal and play freely under the observation of the superintendent or an assistant trained by her. Although not a doctor, Frau von der Leihen has made a speciality of re-educating psychopathic children and is in constant touch with psychiatrists who study the children in their consulting-rooms. She says that "the education of psychopaths is *normal* education which

takes into account the constitution¹ of the psychopathic children to be educated."

*Erziehungsheim*² "Haus Kinderschutz", Zehlendorf, near Berlin, originally a private institution, became an official one in 1920. Its purpose is to keep children under observation for periods not exceeding three to four months, though they may be re-admitted for further observation. It accepts 345 children of both sexes, mostly between 3 and 14 years, and some above the school age. Two-thirds of the inmates are definitely abnormal: feeble-minded (more or less, in accordance with the three degrees of the classifications usually adopted), psychopathic or epileptic.

This home is a compromise between an ordinary boarding school and a special school for certified abnormal children. A doctor attends twice a week and a psychiatric expert once, while teachers are attached to the institution and keep each child under observation. Meetings are held each week between these specialists and the cases are settled after close study. The home is in touch with various institutions and hostels, so that the children can be boarded out in accordance with their needs. Frequently, they are placed with families in the country, later returning to Zehlendorf obviously better for the change. According to the results obtained, the homes in which children are boarded can be changed. The foster-parents also remain in touch with the home, and women visitors may go to see them. In case of need, children may be sent to hospitals or convalescent homes.

Though the children at Zehlendorf live in a large institution, they are kept under observation "in freedom". This method is one which we found practised in all the institutions with boarders that we visited in Germany, and it is admirably defined by the expression "liberty on probation", though this term is usually applied to liberty outside an institution. A trained horse moves with apparent freedom. A child who feels himself at liberty when he

¹ Psychopathenerziehung ist normale Erziehung, unter Berücksichtigung der psychopathischen Konstitution."

² This title would seem to imply that it is an educational institution, but, in reality, it is a home for observation. (*Beobachtung*, rather than *Erziehung*).

plays or works acts as if he were really free and reveals his natural self.

Children of all denominations are admitted to Zehlen-dorf and, if the parents wish, the pupils may be taken to their respective churches. Once a week, a lesson in morals is given to all the children. Recreations are arranged according to age, such as singing, reading, music, etc.

The *Steinmühlle Institute*, near Frankfort-on-Main, was, until 1926, a boys' home under the Wiesbaden Landes-hauptamt. It is now a home for observaion, reformation and re-education under the Office for the Protection of Young People, and admits girls who are defective, but not beyond help. For a preliminary period of four to six weeks after admission, each inmate is carefully observed without ever being strictly confined. If a child is suffering from venereal disease, she is isolated and treated until she is non-infectious.

When the compulsory period of observation has expired, boarding out is resorted to, but never against the wish of the parents. Only one exception is made, and that in the special case with which our enquiry is concerned. When the family environment is bad or dangerous, the girl must at all costs be entirely removed, though this means having to tell her the truth. The provincial authorities (Wiesbaden Landeshauptamt) are then legally authorised to act for the parents and make the necessary educational arrangements.

Steinmühle can accommodate ninety girls of from 14 to 21 years, vacancies being usually filled by the court. There were eighty inmates at the time of our visit. A considerable proportion of the children are abnormal, psychopathic or feeble minded. The lady superintendent said the mentally diseased were more numerous than the physically diseased. This makes it rather difficult to re-educate and place them. Many are quite unable to do anything or understand anything. They have to be taught the first elements of housekeeping as if they were small children. Religion is taught in accordance with the denomination of the child.

During the five years that the organisation has been working in this way, it has succeeded in 70 per cent of the cases. In 1929, five former inmates were married.

The “*Erziehungsheim*” *Vorwerk*, near Lübeck, accommodates more than 200 boys and girls—mostly boys—and keeps them as long as necessary, often long after they have attained their majority. We noticed some inmates as old as 40. The superintendent has his own special method of instruction and re-education, one feature of which is the very patriarchal atmosphere which prevails. Observation of nature, particularly plants and animals, is found to be an ideal way of readapting the child to practical life. Many of the children are very defective mentally. They are divided into classes, the most elementary being composed of those whom their relatives consider to be imbeciles and permanently unfit to live outside an institution. Each inmate is treated according to his scanty abilities, and seems to be pleased with the result of his own efforts and not to resent comparison with others who are slightly more gifted. The senior class is under the special charge of the superintendent.

After a few years of such education, a number of the inmates can be made to work regularly. In 1930, there were ten earning a living in the institution itself.

ITALY.

In Italy, as in Germany, we devoted our attention to the question of physically, psychically and mentally defective children. An account of the methods employed and a description of a few institutions specially intended for ailing and abnormal children are given here.

Articles 163 to 169 of the Regulations of April 15th, 1926, provide that *patronati* committees must arrange jointly with the school authorities and school “patronage” bodies for the organisation of “differential” classes in elementary schools. The object of these differential classes is to bring backward pupils up to the normal level of the communal school. Occasionally, such children are considered physically abnormal when, in reality, they are only temporarily in bad health and have not been properly looked after, or when, for quite other reasons, they are backward in their studies. Sometimes, they are children who are physically delicate, unable to concentrate, unsettled, ordinary stammerers, or children with weak sight

or hearing who are therefore badly handicapped in following the class-teaching. The principles on which educational assistance to physically abnormal children must be organised are the following: neuropsychiatric consultations with a view to diagnosis, asylum schools for the adaptation of abnormal cases, and differential classes.

Patronati committees must send children to attend such consultations (Article 165) and, to do so, must keep a constant watch over the commune. Naturally, it would be impossible to be aware of all the special circumstances, unless the *patronati* were in close and friendly touch with the children and their environment and unless they had ready access to the schools.

In asylum-schools, teaching must be individual. Each pupil on admission must bring with him a detailed record of his hereditary and personal antecedents. The programme of such schools should comprise singing, music, elocution, gymnastics, object lessons, educational handicrafts and vocational training adapted to each pupil's capacity and opportunities.

In urban centres, asylum-schools should have the outfit, apparatus and instruments needed for teaching the simplest trades which are ordinarily followed in the district.

In rural asylum-schools, pupils should be given rudimentary training in agriculture and horticulture.

Those at the head of the social movement in Italy are at present carrying out important enquiries into the application of the Law on Maternity and Child Welfare in connection with the tracing of abnormal children. The fact that the text of the law itself, and especially that of the Public Administrative Regulations, specify in detail the duties of *patronati* in tracing abnormal children from infancy upwards, clearly shows what the legislators had in mind: "The prevention of juvenile delinquency by the timely re-education or re-adaptation of any case showing abnormal symptoms". Rather than have a sick child to look after, it is better—and it is usually possible—to prevent the disease; similarly, in the case of a child that is psychically affected or that has merely begun badly, "an endeavour must be made to supervise all the phases of his want of balance, restlessness and anti-social tendencies, which may possibly be the first

symptoms of a serious mental disturbance ”.¹ Experience shows that even a child that might have developed and lived as a healthy member of society may, in various ways, become a real delinquent.

“ Delinquency is a relative term. The difference, as far as abnormality is concerned, between a delinquent and a non-delinquent is quantitative rather than qualitative. Two groups of children, one social and the other anti-social, will perhaps act exactly alike, but the former will proceed with moderation while the latter will tend to excess.

“ It is therefore essential to make timely search for, and give early treatment to, all abnormal—even trivial—symptoms noticed in a child. In the first place, parents should be able, from the outset, to notice and understand such indications in their children in order to take the proper action without delay. But how many can really do so? Hence the necessity for at least certain prophylactic measures: propaganda in the home, discreet propaganda for physical and moral hygiene. Experienced persons of high character will readily find a way of operating simultaneously in both directions; the two are, indeed, closely related. The necessity for such propaganda in families can be realised from the following quotation from ENRICO FERRI’S ‘ Relazione al Progetto del Nuovo Codice Penale ’ :

“ ‘ Crime among young persons is traceable to a materially neglected childhood, which is much more common under modern conditions than it was in the past, and particularly to ill-treatment. The child is the victim of hysterical neurosis or hysterical epilepsy, more particularly in the mother, the drunkenness of the father, and the demoralisation caused by want, which inflicts serious damage on the child and the young generally. Given these conditions, there are necessarily large numbers of defective, undisciplined and depraved youths—potential wrongdoers and actual delinquents.

¹ Dr. A. CARELLI, *Bulletin de l'O. N. M. I.*, May 1930, pages 596 to 603.

“ ‘ So much for the family; let us now take the school. Here we notice that most children, when they first leave home, easily adapt themselves to the new school environment. Occasionally, however, we meet quite a different type of child, whose abnormal instincts, unnoticed at home, inevitably lead to conflicts in school owing to the restrictions which the latter imposes on the individual will and desire.

“ ‘ The first type, that of the child easily adaptable to new situations, will willingly co-operate with the teacher, make friends, and behave himself normally, while the other will fail to accommodate himself to his new surroundings, will be impelled involuntarily to commit offences—the typical anti-social child.

“ ‘ Experience proves that the sum total of abnormal tendencies in a child, if developed to a certain point, undoubtedly foreshadow future delinquency, but as all the more serious symptoms (or even actual delinquency) may fairly easily be detected at school, it will be for the latter to take the first step in social prophylaxis, and the sooner it is taken the more effective it will be.’ ” ¹

Italy already has a number of centres for the observation of abnormal children, certain of which have been organised in already existing institutions. Among others, we would mention, at Siena, the Psychiatric Department founded in 1911 by Professor Antoine d'Ormea at the Hospital of St. Nicholas of Siena. This special Department admitted, between 1911 and 1929, 450 mentally deficient or psychically abnormal children. The following figures show that the results have, comparatively speaking, been very satisfactory :

Cured or improved	250 (50.20 %)
Admitted a second time.....	59 (13.11 %)
Retained (not cured).....	60 (13.33 %)
Placed elsewhere	72 (16 %)
Deaths	39 (8.66 %)

¹ “ La Prevenzione della delinquenza giovanile nel programma d'assistenza all' infanzia ”, by Dr. A. CARELLI, No. 6, June 1930, *Maternità ed infanzia*, Piazza Adriana, 20, Rome (33).

The children who were given treatment and whom it was desired to re-educate suffered from serious mental defects or abnormalities. If they could not have been admitted to a special hospital they would, under the Lunacy Law, have had to be confined in an asylum.

Professor Antoine d'Ormea recommends that every fairly large psychiatric institution should have a special medico-pedagogical department for such children.

The law allows of their being placed in these institutions without an order of the court. Placing is thus an easy matter as there are no difficulties about admission. It is to be hoped that the society will take such action for the protection and treatment of abnormal children, and that the provincial *patronati* will give serious attention to finding an occupation for children leaving such psychiatric institutions after being re-educated.

At Trieste, we visited such a department in the City General Hospital; it contained about twenty children of both sexes under the direction of a woman doctor, who devotes all her time to them.

The various methods employed were almost the same as those used in other countries, but with special adjustment to the tendencies and capacities of the children treated. Excellent results have already been obtained.

FRANCE.

In 1905, M. Rollet, who was then practising as an advocate in Paris, induced the International Congress of Public and Private Assistance Organisations to adopt a resolution :

“ That children suffering from moral neglect should, before being boarded out, be medically examined, and that *abnormal cases should be sent to special institutions.*”

This was seven years before the Act of 1912 introducing juvenile courts in France was passed. Dr. Heuyer's medico-psychiatric clinic, an annex to M. Rollet's *Patronage* in the rue de Vaugirard, was only opened in 1925,

and not until 1927 did the medico-psychological observation centre, the embryo of which was embodied in the Act of July 22nd, 1912, begin functioning at the Petite-Roquette.¹ The Act stipulated that "the study of the social circumstances of a child who has committed a crime or offence shall, *if necessary*, be supplemented by a medical examination".

The example of Belgium had greatly contributed to this development. The striking enterprise shown and the results achieved in this sphere by the Belgian Government are a matter of common knowledge, but I wish here to pay them the tribute they deserve.

A survey of the classification adopted in France for mentally deficient children will serve to show the direction followed since 1925 by those working for the reclamation of abnormal children (delinquent or other) capable or re-education.

In 1926, Dr. Paul-Boncour gave the following definition of the psychically abnormal child :

"The mentally abnormal child is one who, owing to constitutional or acquired or potential defects, presents the phenomenon of a quantitative or qualitative (or both combined) deterioration of the mental and moral powers, likely to diminish his capacity to adjust himself spontaneously to the environment in which he will normally have to live."

The complexity of the problem is clear. In order to make it easier to distinguish mentally abnormal from morally abnormal children, Dr. Heuyer and Dr. Serin

¹ The first survey made by the Petite-Roquette Centre has already been issued at several congresses. Mention need only be made here of the principal figures of the statistics compiled regarding 300 youths examined in 1927; 18 per cent were mentally and morally normal; 31 per cent suffered from serious defects of character, such as impetuosity, turbulence, waywardness, unreliability, lack of balance, cruelty, perversity, abnormality; 29 per cent, besides having the above defects, were markedly feeble-minded; 18 per cent were feeble-minded but without serious defects of character; 3 per cent were epileptics 1 per cent; and showed the effects of *encephalitis lethargica*. Altogether, about 80 per cent were psychically abnormal, 64 per cent being morally deficient.

have adopted the following classification in their consultation centres for classifying young children in Paris :¹

(1) Mentally abnormal, subdivided into lazy, mentally backward, physically backward, and socially undeveloped;

(2) Morally abnormal, subdivided into two main groups—psychopaths and perverts.

Psychopaths can in turn be subdivided into : emotional, moody, wayward, epileptic and paranoiac cases.

It will be obvious how difficult it is to organise a medico-psychiatric centre, the purpose of which should be to classify the children examined with sufficient accuracy to be able to propose a solution for each case. The examination must therefore be as thorough as possible from the medical, psychological and social standpoints. We will briefly describe here the method employed at the medico-psychiatric centre of the Vaugirard *Patronage*, a clinic of the Faculty of Medicine, which has a small observation centre for boarders.

A close study is first made of the family antecedents—heredity, environment, circumstances conditioning the birth and education of the child. This preliminary investigation is made by welfare workers.

Having obtained these data, the medico-psychiatric clinic begins by ascertaining the mental standard of the child by means of tests (Binet-Simon, Terman, Claparède, etc.). This gives the “ mental profile ” relating to general intelligence, attentiveness, memory and imagination, and forms the basis of further psychotechnical and vocational-guidance investigations.

A systematic study is made of the child's physical condition, comprising an anthropometrical examination, tests of the viscera, nerves, endocrine glands, eyes, ears, and an X-ray examination. Biological tests are also made : Wassermann test, skin test, examination of the cerebro-spinal fluid, basal metabolism, miscellaneous analyses.

When a preliminary result has thus been obtained, the

¹ Detection service instituted in the “ cheap dwellings for large families ”.

child can be kept at the observation centre as long as may be necessary until it is decided to board him out.

France, unfortunately, has not enough institutions to enable all re-educable children to be given suitable accommodation, and this is at present a serious obstacle to the reclamation of the children examined. A Bill is therefore now before Parliament for the inclusion in the State budget of a special appropriation to provide grants for the establishment and maintenance of a number of special boarding institutions.

There are, however, in France, numerous private institutions for abnormal children, though many of them merely serve as homes for incurables and do not apply the new methods of character-study and social readjustment. There are thirty-three such homes for girls and twenty-four for boys, and they undoubtedly do valuable work in isolating young people who are mentally incapable or dangerous. Most of them are conducted by religious "congregations".

There are some ten schools, hostels and institutes, departmental or municipal, as, for instance, those at Hoerdt (Bas-Rhin), Asnières (Seine), and the Théophile Roussel School (Seine-et-Oise), which are described below.

Among private institutions, mention may be made of the Oberlin Home at Schirmeck, the Observation Home of the Committee for Defective Children at Eaux-Chaudes, in the Pyrenees, and especially the Foyer de Soullins, near Paris, which is connected with the Social Service for Children in Moral Danger.

Further, there are several "differential classes" for day pupils in the elementary schools of the Department of the Seine.

1. *Hoerdt Medico-Pedagogical Institute* (Bas-Rhin).—The special interest of this institution is that it receives young people suffering from mental deficiency. It is a departmental medico-pedagogical institute under the Prefecture of the Bas-Rhin, and controlled by the Inspector of Public Assistance for that department.

The feature of the Institute is that the young inmates do not come under the Lunacy Act of 1838. Wards of the Public Assistance Authorities are legally under the jurisdiction of the two Acts of June 1904 on children in

receipt of assistance and refractory wards, both these laws having been extended to Alsace and Lorraine by Decree of April 14th, 1930. The boarding out of minors by order of juvenile courts is effected under the Acts of 1912 and 1921, their status being that of persons released on probation.

The Medico-Pedagogical Institute is regarded for this purpose as a hospital, and the maintenance of children between 13 and 18 years of age is therefore a charge upon the Department and the State.

When we visited it in August 1931, Hoerdt contained 170 boys and 35 girls, making a total of 205 inmates between 7 and 21 years of age.

The children occupy a number of separate buildings in the grounds of the Hoerdt Lunatic Asylum, a circumstance which is rather a handicap to the new institute.

Only children capable of being educated are admitted, and they are classified medically as psychologically backward, unstable, nervous, psychologically undeveloped, educationally backward and morally abnormal. Imbeciles and idiots, the hopelessly delicate, perverts and epileptics are not admitted.

There are two wings for boys between 14 and 21—one for observation and the other for education in the strict sense of the term.

The observation building has an infirmary, where young children are kept in bed for five days for closer medical examination, as well as a prison infirmary with lock-up dormitory, where boys who are suspected of planning to escape, or whose morals need special supervision, are guarded by a warder.

The educational building has dormitories for 110 youths, who are apprenticed to various trades. When we visited it, they were subdivided as follows: 5 house-painters, 2 tailors, 4 shoemakers, 5 joiners, 3 locksmiths, 3 blacksmiths, 4 tinsmiths, 13 gardeners, 4 bakers, 2 firemen, 2 masons, 16 farm-workers and 3 cooks. There is also a special brushmaking shop, where twenty boys work under specially strict supervision, as they are mostly persistent runaways or specially stupid or quarrelsome boys, etc. There is also a flying squad of six boys under a superintendent, whose duty it is to give a hand all round at certain jobs and in the general upkeep of the institution.

Ninety-two children were thus engaged, leaving eighteen to do miscellaneous housework, etc.

Local circumstances have hitherto made it impossible to arrange for these trades to be taught completely, except in the case of joiners, blacksmiths, tinsmiths and bakers.

Since January 1st, 1930, employment has been found for thirty-nine youths on a wage-contract basis. It is very hard to keep these youths in their employments, not only because of their mental defects, but also because they must be kept on probation and under the jurisdiction of the juvenile court up to 21 years of age. On an average, however, 70 to 75 per cent of the boys so placed have kept their jobs. The director of the Institute also keeps youths who leave under supervision and visits them at their employers' at least once every six months.

Hoerdts has a building for schoolchildren from 6 to 14 years of age, which also accommodates youths up to 21 whose backwardness has hitherto deprived them of a proper education.

There is only one building for girls, where they receive schooling up to the age of 14, after which they are trained as sempstresses, dressmakers or laundresses.

Four nurses are attached to the institute and look after children suffering from minor complaints. One of them is responsible, under the Senior Medical Officer, for the psychological laboratory.

Special attention is given to children who are educationally or constitutionally backward. They are taught by specialised teachers on modern lines, particularly a modified form of the Decroly system.

The natural bent of each child is studied and the trades mentioned above are taught by master craftsmen. Children absolutely unsuited to any trade are employed on the large farm which forms part of the institute's property.

A few children are sent to Hoerdts by their parents, who, if unable to pay for their maintenance, may obtain a money grant from the Prefecture of their Department.

2. *Departmental Institute, Asnières* (Seine).—This boarding institution, which was at first intended solely for training young deaf-mutes of both sexes, has for several years past had special classes for backward and abnormal children capable of re-education. Extremely interesting

methods are employed, and the practical instruction given by specially-trained teachers gets the maximum results from the young pupils.

Most of these children can easily be reinstated in normal life after they leave the school.

3. *Théophile Roussel School* (Seine-et-Oise).—This is a huge institution standing in the middle of 31 hectares of arable and wooded land, and accommodates 340 boys, admitted between the ages of 7 and 14 years, on the cottage system. They usually remain until they are 16 and leave the school equipped with a trade.

The school was founded in 1895 as a penitentiary for young delinquents from the Seine Department. As the trials made up to 1901 did not give the expected results, the penitentiary was converted into a training home for the following classes of children : unmanageable or backward children, admitted at the request of their relatives; children in receipt of public assistance, admitted at the request of administrative authorities; and children sent to the school by a judicial decision.

The pupils are given a schooling which prepares them for the elementary school certificate, and those capable of benefiting by secondary education attend the Collège de St. Germain-en-Laye, where they are prepared for the *baccalauréat* examinations. Religious instruction on denominational lines is given if parents so desire.

Vocational training is in the hands of excellent master craftsmen, and the manual work comprises market-gardening, gardening, flower-growing, joinery, engineering and plumbing, depending on the bent of each pupil.

Youths leaving the institution are found good situations by the director, as the technical training given at the school enjoys a high reputation in the district.

The director of the Théophile Roussel School has made an interesting social survey of the position of ex-pupils who left the school in 1927, 1928 and 1929. Compiled in 1933, the survey thus represents the corroborated results of at least four years. The 177 former pupils in question were classified as follows on admission to the school : 23 were total orphans or public assistance wards, 7 were motherless, 17 fatherless, the fathers of 13 were widowers or had remarried after divorce, the mothers of 15 were

widows or had remarried after divorce, 6 had been deserted by their mothers, 19 by their fathers and 8 were born out of wedlock. In other words, only 69 out of 177 children had both father and mother.

The survey succeeded in tracing the whereabouts of 124 out of 177 ex-pupils; the others had probably gone too far afield.

Of these 124 children, the conduct of 85 had been excellent since leaving the school, that of 21 was passable or bad, 8 had died, 4 were suffering from physical disease and one from a mental disease and 5 had disappeared. Thus, more than 80 per cent could be reckoned as successes. The management of the Théophile Roussel School has profited by this experiment and has since paid even closer attention to the physical training of its pupils. We found a clean bill of health when we visited the school. There has been no death during recent years.

4. *Oberlin Institute, Schirmeck*¹ (Bas-Rhin).—This institute was opened in July 1930 to accommodate fifty-five children. When we visited it, there were thirty-seven boys between 7 and 16 years of age, who had been sent either by the juvenile courts under a court decision, by the public assistance authorities as neglected children or by parents or guardians.

The boys are grouped according to their psychological records, after observation which may continue for three months. Age is also a factor in deciding the classification. They are divided into the following four classes, each of about fifteen children, in the charge of one teacher: (1) pervers, who sleep in separate rooms; (2) children under observation (recent arrivals), also in separate rooms; (3) well-behaved children; (4) excellently behaved children.

Children of school age are taught in the institute itself, the commune of Labroque having taken over an elementary class and provided a trained teacher.

There are workshops for giving children over school age vocational training, more particularly in joinery and book-binding. After passing the vocational-guidance test, some youths are employed in gardening or cooking.

¹ For Protestant boys.

5. *Foyer de Soullins* (near Paris).—This is a reception and observation centre of the Social Service, which gives temporary shelter to :

(1) Children whose behaviour is eccentric or unsocial and who cannot adjust themselves to their environment;

(2) Children who need to be withdrawn from a degrading and depraved atmosphere, which has probably already injured them. The centre keeps them under observation before taking definite action.

The period of observation is usually from two to six months, and, before admission, the children undergo a medical and psychiatric examination and are tested for syphilis. Sick children or mental cases who should clearly be in a home or a mental clinic are not admitted.

There are two groups or families, one of boys and one of girls of school age, each occupying a whole section to itself. At the moment, the groups do not exceed fourteen or fifteen in number, making about thirty children altogether.

The daily routine resembles as closely as possible the normal life of a child in a big family, the inmates being kept engaged on household, school, workshop and garden tasks. At the head of each family, there is a woman teacher and an assistant, who live with the pupils and treat them as they would their own children (physical attention, supervision, practical work, walks, etc.). There are, in addition, a games mistress and monitress for gymnastics, rhythemics, making small articles, etc.

All these teachers must, in their respective spheres :

(1) Try to understand the child's difficulties—the intractable child's greatest difficulty is his own ego, which brings him into active conflict with others;

(2) Try to influence the child.

This is the way to ascertain what treatment a child will respond to and how he will react.

Children are observed at their daily activities, at their lessons, during private conversations, games, meals, manual work in the workshop and garden, and, finally, by the psychiatrist or psychologist, who studies the children constantly. These various observers make notes on each

child, meet to discuss his case and, after summarising their observations, come to a conclusion. The data thus collected make it possible to give each child the most suitable training and to supply the magistrate and relatives with a report which helps them to decide the child's future, knowing exactly the facts of the case.

As the children remain from two to six months, their education must of course be kept up, so that their stay in the Home may not mean a break in their lessons. Children with normal educational attainments—and these are the exception—are kept as near as possible to the curriculum of the class in which they ought to be. Most of the children sent to the Home are not mentally backward, but almost all are educationally undeveloped, and enfeebled by malnutrition, inadequate care and insanitary conditions. An effort is made to fill the gaps in their schooling and to take advantage of their stay at the "Foyer" to give some of them specific treatment, overfeed those who are underweight and undersized for their age and strengthen their nervous system and general condition.

The Conseil Général of the Seine recently decided to pay the Foyer de Soullins a daily subsidy for admitting refractory or nervous children between 7 and 13 years of age from the Department of the Seine. This official recognition is a great encouragement to the valuable work done by the Social Service for Children in Moral Danger.

ENGLAND.

In England, the Education Act of 1921 provided that all mentally defective children¹ of school age should be examined and observed with a view to placing them in a suitable institution. The same Act provides as a consequence for the establishment of special institutions for carrying out the decisions taken.

As regards delinquent minors, the Mental Deficiency Act of 1913 enabled the court to order that an offender found to be mentally defective and liable to be sent to an

¹ The law provides for the examination and treatment of both physically and mentally abnormal children.

approved school should be sent to an institution for mental defectives. The defective minor's degree of intelligence and sense of responsibility is, as far as possible, to be determined before he is sent to a special school (certified school).

The detection of mentally defective children is therefore facilitated and standardised, since it takes place during the school age, and re-education is effected according to each particular case, either in special classes when the child can be kept at home, or in special institutions approved by the State, of which there is a sufficient variety to meet the needs of mentally defective minors of both sexes, whether delinquent or not.

The decision of the local education authority may therefore take various forms, not only according to the child's degree of backwardness, but also according to the conditions of his family environment. Consequently, a thorough study is made, after which one of the three following legal solutions is adopted: simple statutory supervision, special supervision or placing in an institution.

1. If home conditions are satisfactory and parental supervision is considered wise, the child may be kept at home and placed under statutory supervision. He will then be visited from time to time by delegates of the local authority in order to ascertain that he is receiving proper care, re-education and adequate supervision.

2. In other cases, stricter supervision must be established. It may be found necessary to provide facilities for re-educating the minor at home or granting financial assistance. In such cases, the local authority may apply for an order to place the minor with a suitable person (guardianship), such person to be either the parents themselves or some other person considered capable of performing this duty.

3. As regards children requiring to be placed in institutions, the local authorities must provide the necessary institutions within their areas.

When a local authority proposes to place a minor in an institutions.

(1) It must obtain two medical certificates to the effect that the child is an idiot, an imbecile, feeble-minded or morally defective;

(2) It must sign a statutory declaration made before a commissioner for oaths stating the reasons why the minor is to be dealt with under this Act (Mental Deficiency Act).

(3) When submitting these documents (certificates and declaration) with other particulars, it must apply to the judicial authority for an order to send the child to an institution.

The parent or legal guardian is compelled to comply with this order, which would, moreover, be issued even if the child's guardians objected.

The number of children so registered has steadily increased since the Mental Deficiency Act was passed, and it has been found that these decisions arise principally with the special day-schools, from which certain children have to be excluded, either because they are incapable of learning or because they cannot usefully be kept there, on account of their anti-social behaviour.

The efforts of the Board of Control (which supervises lunatics and mental defectives) established in London are guided by the necessity of enabling all mentally defective children coming under the Mental Deficiency Act to be placed in institutions adequately equipped to classify them according to age and degree of intelligence and to re-educate them mentally and physically. The Act provides that all children shall be re-educated according to their mental capacity, from imbeciles of the lowest grade, who can only be taught to do manual work, to the feeble-minded of a higher grade who, when they grow up, can earn a living by practising trades adapted to their sex and capacity, such as shoemaking and repairing, basket-making, mat-making, weaving, lace-making, needlework, domestic work, agriculture and gardening.

As regards particularly difficult and intractable mental defectives who cannot be placed in an ordinary approved institution, the Board of Control has made special arrangements for their admission to State institutions.

The approved institutions for the re-education of defective children have usually limited accommodation, or, in the case of larger establishments, are divided into separate cottages, in which the various categories of mental cases can be usefully classified.

We visited a number of institutions of both kinds, and the methods applied and the results obtained appeared to us to be highly satisfactory.

Children who are not idiots, but are imbecile in various degrees or unstable or troublesome, can be reclaimed socially by re-education, and are enabled to earn their living. Some are able to provide entirely for their own needs, or, at any rate, are no longer a burden on their parents when they are sent home at the age of 16.

One of the institutions visited in 1931 appeared to us to be of a kind worth recording. It is the Besford Court Catholic Mental Welfare Hospital—a small mansion situated in the middle of a large estate with a farm and agricultural land. This establishment accommodates seventy-six boys recognised to be feeble-minded, unstable or mentally defective. It admits them from the age of 14 years, while another house under the same management admits younger children, who receive maternal care in a religious community.

The youths are studied from the physical, mental and moral points of view and are examined and observed by the most scientific methods, while, at the same time, they are guided with a firmness which in no way precludes individual development.

Mgr. Newsome, the director and founder, is the soul of the institute. He has devoted his whole life to the study of cases of mental deficiency among youths, and, in addition, he has secured the close co-operation of doctors and specialists in psychology, mental hygiene and psychiatry. The guiding principle of the institution is that, whatever appearances may indicate, every child must have in himself a value and qualities which can be revealed and developed by suitable treatment.

The environment is obviously adapted to this development, for immediately on crossing the threshold of Besford Court one is struck by the harmonious and, we might even say, artistic aspect of the whole. The main building—at first the only one—has been gradually extended and surrounded by other buildings in a sober style in harmony with the mansion itself. The appearance of this hive of intense and methodical industry would not lead one to suspect the nature of those who compose it, except for an occasional face showing signs of abnormality. Most of

the youths appear normal, especially the older ones, who have spent two or three years in the establishment.

On visiting the buildings, it is surprising to find an annex under construction and to observe that the workmen mixing cement, fitting doors, finishing the roof and soldering the waterpipes are all young pupils of the institution. The master craftsmen have from the outset received strict instructions not to do the work themselves or to handle tools except to show how they are used; their sole share in the work is to keep the young workers under constant supervision. The boys thus receive instruction in the building trades, including the most highly skilled, such as mechanics or electricians, according to their various capacities, so that, when they leave Besford Court at the age of 21, they are capable of earning their living as well as or better than a workman who has enjoyed the best apprenticeship. Besford Court also has a woodcarving workshop, which enabled Mgr. Newsome to give us a striking example. A young boarder of 15, who had been at Besford Court for a year, appeared to be incapable of improvement. He was irritable, unstable and undisciplined. He took no interest in anything, was incapable of continuous effort and made life difficult for all his masters and companions. The director, before giving him up as hopeless, asked a doctor specialising in psychical studies to take the boy and examine the case very carefully. The specialist brought the child back to Besford Court and said that he had discovered only one indication of an interest that might be awakened; the child had finally spoken to him of dreams in which he held a burin in his hand. Following this hint, Mgr. Newsome placed the young patient in a woodcarving workshop, and, almost immediately, the mental miracle took place; he possessed a talent, possibly a great talent; for, at the time of our visit, after seven months in the workshop, this young sculptor was producing a striking figure of Christ, which might have been the work of a medallist of the Salon. Moreover, the boy had become docile and pleasant in his relations with others, a fact which, on further consideration, would appear to be logical; he no longer tries to embitter the lives of his neighbours, he is happy and is developing normally in every respect.

We apologise for going into the above details, but the case is a typical one in the institution in question. We would add that great attention is paid to the physical development of the young boarders, and that, for the past year or more, all the boys have lived entirely in the open air, winter and summer, night and day; their dormitories have a roof to protect them from the rain, but the air enters freely on all sides, and the state of health is better in this establishment than in any other. There are no colds or bronchitis, and the happy appearance of all is striking. It should be added that the most surprising liberty is enjoyed at Besford Court; once a week the youths who have been a year in the establishment and have behaved well are permitted, and even encouraged, to go alone to the neighbouring town for recreation or instruction, not returning till evening. None of them has ever abused the director's confidence. Of course, there are failures, but these are so rare that we only mention them in order not to give the impression that a state of hardly credible perfection exists.

* * *

Before concluding this chapter, it would be interesting to mention the free mental hygiene clinics which exist in London and in certain urban centres under the name of Child Guidance Clinics. These closely resemble in type the organisations for detection and medico-pedagogical examination started in the United States of America.

A private committee, called the Child Guidance Council, establishes these clinics and recruits the specialised staff required: women psychological assistants, who are experienced visitors, must be attached to each centre.

In 1931, we were greatly interested in visiting the clinic established under the direction of a psychiatrist, Dr. Moodie, seconded by specialised assistants. There were a garden and playrooms where children were brought either by their parents or by voluntary workers for examination and, if necessary, treatment, and could be kept under observation for several hours each day.

Various committees or associations have been created by private initiative with the object of co-operating with the education authorities for the benefit of mental defec-

tives. We regret that we cannot go into details regarding these organisations, but would emphasise the work of the associations for assisting mental defectives and their After-Care Committees—*i.e.*, committees for protecting mentally defective children after leaving school.

The work done in connection with the detection, classification, re-education and social reclamation of young defectives in England is very encouraging and embodies the necessary elements for steady progress.

CANADA.

Chapter III.—Defective Children.

In all the groups of children needing care and protection, there may be children who, because of some mental or physical handicap, cannot be cared for within the ordinary family group or community. Some of these children require only special training; others require permanent custodial care in special institutions. Some institutions attempt to shelter indiscriminately groups of all classes of handicapped children; the general trend, however, is towards provision for care along specialised lines, such as the establishment of *training-schools* for :

- (a) Children suffering from speech or hearing defect;
- (b) Children suffering from sight defect;
- (c) Children suffering from incurable physical handicap—*i.e.*, homes for incurable children; hospitals and homes for crippled children, etc.;
- (d) Children suffering from epilepsy;
- (e) Feeble-minded children.

In most cases, the latter two groups will be cared for in the same institution, Ontario being the only province with separate provision for the care of epileptics. In all these institutions, there will be children placed as wards by Children's Aid Societies or the Provincial Governments and admitted on the request of parents or guardians. There will be some children without parents or guardians, maintained at public cost.

In the first two groups, the institutions are really training-schools. In the last three groups, many of the children are listed for permanent custodial care. In the agencies caring for feeble-minded children, some may be on parole away from the institution.

Throughout Canada, there are seven different public institutions within different provinces caring especially for mentally defective children, while, in most of the provinces, special "auxiliary" day classes exist in the ordinary school systems for the special instruction of such children living at home.

There are five excellent residential schools in different provinces for the training of the blind child, while sight-saving classes exist in many centres in the ordinary schools and the Canadian National Institute for the Blind provides field workers to instruct parents in the special treatment of the blind child within its own home.

There are nine crippled children's hospitals or homes across the country, caring especially for crippled children, while, in several provinces, special societies carry on the work of locating and caring for such children.

Comment.

Mention should be made of Canadian effort to educate handicapped children. At different centres in the country, well-organised agencies exist for the care and training of crippled children, of blind, deaf or dumb children, of epileptic children and of children who are mentally retarded or feeble-minded. While some of these are operated under private auspices, most of them are public institutions, and all receive large public grants.

Two important establishments were visited :

1. The Ontario Training School for the Feeble-Minded at Orillia (Ontario) is the largest agency in Canada, caring for 1,400 persons. We made a detailed examination of this institution, in which the most up-to-date methods of improving mentally backward children were already being applied in 1929. It was established in a large estate comprising several buildings, to provide a place for the complete re-education of mentally abnormal children from pre-school age until the teaching of a trade. The children are therefore divided into four sections—

pre-school, elementary class, higher class and industrial school—and there is a logical connection between these four divisions. In this way, each child is under observation from his admission, until he learns the trade which he is obliged to know before leaving.

Children are admitted to Orillia in the following cases :

- (1) Intellectual backwardness so marked as to prevent the child's admission to the public school;
- (2) Conditions of environment requiring separation from the family;
- (3) Children with anti-social habits;
- (4) Children living in the country and therefore with no possibility of being re-educated on the spot.

The institution is, however, regarded as a boarding-school, similar to other boarding-schools, which endeavours to reclaim the pupils to normal social conditions.

The educational syllabus corresponds in its main lines to the classified types applied to defective children, whether abnormal in intelligence or in character.

The subjects of study are selected according to their social value to the pupils, and the programmes of each course are drawn up by the teachers attached to the institution in such a manner as not to exceed the pupils' capacities and to enable them to learn the subjects thoroughly. This organisation thus aims particularly at the individual progress of each child.

Since 1930, Orillia has added a special department for training psychiatric nurses and social workers in :

- (a) Locating feeble-minded children within the family or community;
- (b) Methods of training feeble-minded children for a useful life in the community.

2. The hospital or asylum for mental cases called St. Jean de Dieu is a veritable town of 3,000 inhabitants, extending over an area of several hundred hectares in the neighbourhood of Montreal. The cottages are specialised to deal with different categories of mental cases; a tram-line runs through the estate, the cottages being several kilometres distant from one another. The children's cottage interested us keenly. It is large, light and pleasant, and

is decorated with green plants and wall-paintings for the entertainment of the children; the entire impression is very bright. The material for the object-lessons is well chosen and the methods used for arousing and holding the attention of the young pupils are most modern.

The medical specialists and nurses, the latter being recruited from the "Grey Sisters" of Canada, show a degree of willingness and ingenuity, the results of which are apparent.

The instruction given to children of both sexes is carried as far as their intelligence permits, and it is fair to say that the results obtained with children capable of re-education admitted to St. Jean de Dieu are equal to those of the most modern medico-pedagogical institutes.

In this field, too, the principle of keeping children in their families is followed, and where possible special classes in the ordinary schools are provided for the child not so seriously handicapped as to be unable to benefit.

Two or three interesting private experiments are being carried on in residential, re-educational boarding-schools for abnormal children—mentally deficient, infirm, etc. One of these, under the Canadian Council on Child and Family Welfare, was visited—Shernfold School for backward girls, founded in 1927 in the city of Ottawa on the initiative of the Council, by one of our own Committee assessors—Miss Charlotte Whitton.

UNITED STATES OF AMERICA.

EARLY DIAGNOSIS AND TREATMENT OF BEHAVIOUR PROBLEMS.

Habit clinics and child-guidance clinics are the outgrowth of clinics first established in connection with juvenile courts. From the organisation of the first such clinic in 1909, the movement grew, until, in 1929, about 475 clinics were reported in the United States. There has been some curtailment in clinic work during the period of the depression. The child-guidance clinics first dealt with children of juvenile court age, but, as the possibilities for preventive work have become more evident, emphasis is

being placed increasingly on work with younger children. The first habit clinics, limited in their scope to young children, mainly those of pre-school age, were established in Boston in November 1921. Since that time, a number of habit clinics for pre-school children from two to eight years of age have been established by the Division of Mental Hygiene of the Massachusetts Department of Mental Disease. Habit clinics have also been established in other States.

The staff of the division of mental hygiene which conducts the Massachusetts habit clinics consists of psychiatrists, psychologists, psychiatric social workers, students in training for psychiatric social work and clerical assistants. Such problems as feeding difficulties, problems concerning sex life, temper tantrums, pugnacity and shyness, destructiveness, acute personality changes and psychotic symptoms are dealt with by these clinics. The major part of the treatment consists in helping the parents to an insight into the problems of their children and the causes contributing thereto.¹

The child-guidance movement was greatly stimulated by the demonstration clinics established by the Commonwealth Fund under its programme for the prevention of delinquency adopted in 1921. Demonstration clinics were organised in a number of cities and have since been taken over by local public or private organisations. The National Committee for Mental Hygiene, through its Division of Community Clinics, continues to give advice in the organisation of clinics and to publish material. The demonstration and training clinic maintained in New York City as part of this programme under the title "Institute for Child Guidance," has recently been discontinued.

Each child accepted for full study by a child-guidance clinic is the subject of a complete social investigation, a thorough medical examination, a psychological and educational survey and intensive psychiatric study. Treatment is carried on by the clinic staff itself or in co-operation with social agencies. Types of problems studied by the child-guidance clinics are those in which

¹ "Habit Clinics for the Child of Pre-school Age : their Organisation and Practical Value"; U. S. Children's Bureau Publication, No. 135, Washington, 1924.

a lack of adjustment between the child and his environment is evidenced by his behaviour in the home, the school or the community. The educational aspects of clinic work have been emphasised by those responsible for their organisation.¹

SUMMARY.

Services for the prevention of delinquency and the safeguarding of children from moral danger must be based upon a broad concept of the nature of the problem. Delinquency and social inadequacy, in the opinion of present-day students of the problem in the United States, result from the thwarting of normal human needs for security, affection, understanding, new experience, achievement.

All movements which strengthen the economic security, the integrity and the harmonious functioning of family life tend to safeguard children from those conditions which lead to delinquency. Among these are the prevention of unemployment and adequate provision for the unemployed; maintenance of adequate wage-levels; reduction in deaths, accidents and illness, and insurance against these hazards; mothers' pensions; social case work aimed toward maintaining and strengthening family ties; development of specialised courts dealing with family problems, and protective work for children. Information for parents on methods of child care and training and assistance in the early diagnosis and treatment of behaviour problems are important aids in the creation of wholesome and satisfying family life for children.

The function of the church, the ability of industry to give satisfaction and security to its younger workers, the standards maintained by juvenile courts, child-caring institutions and agencies are also closely related to the prevention of delinquency.

¹ See "The Child-Guidance Clinic and the Community", The Commonwealth Fund, New York, 1928; especially "Community Child-Guidance Clinics", by Ralph P. TRUITT, pages 7 to 21, and "A Programme for meeting Mental Hygiene Needs in a City", by Lawson G. LOWRY, pages 22 to 41. See also "Mental Hygiene and Social Work", by Porter R. LEE and Marion E. KENWORTHY, M.D., the Commonwealth Fund, New York, 1929.

Co-ordinated community programmes for the protection of childhood and the prevention of delinquency have been developed only rarely. The small community or the neighbourhood is the logical unit for service of this kind. In neighbouring planning, all the resources available must be brought to function harmoniously and concertedly, and the spontaneity of the children's own groups must be preserved.

The schools have developed a number of specialised facilities for dealing with behaviour problems. The principle of individual rather than group treatment is emphasised by many who are engaged in the development of more adequate school facilities. Fundamental re-organisation of school programmes, so as to enable them better to meet individual needs, and enrichment of teacher training by the inclusion of specific instruction in mental hygiene and in social problems are of basic importance.

The extent to which actual developments fall short of ideal programmes has been clearly indicated. Nevertheless, the direction in which those qualified to exercise leadership in the various fields included in the prevention of delinquency would go, the objectives toward which efforts are directed, are significant. The Delinquency Committee of the White House Conference on Child Health and Protection, in the statement of principles which it adopted, emphasised the fact that all administration must be based on recognition of the fact that the treatment of delinquency involves understanding of the individual child, and that the lives of the adults who surround him are so intimate a part of his life that their understanding is essential if the child is to be known. It pointed out that the treatment of a child's difficulties requires the co-operation of all who know him, in a programme recognising his fundamental needs and the necessity for meeting them, and that there must be, in every community, an agency equipped to deal with children according to these principles, with personnel having definite qualifications for the understanding and treatment of behaviour problems of children. The importance of State-wide and national services of stimulation, guidance and research was also recognised.¹

¹ "The Delinquent Child", pages 14 and 15.

CONCLUSION.

In concluding this study, we venture to emphasise the keen interest with which we have examined the social organisations of the countries visited and our deep gratitude to those who decided upon this enquiry and those who granted us facilities.

We have doubtless been able to give only a very slight idea of what each country is doing for the moral protection of unfortunate children. During these journeys, the conviction was constantly forced upon us that several volumes would not suffice to describe everything that we had the privilege of seeing and admiring.

It is our consolation to know that the work of the Child Welfare Committee has the future before it, and that each year brings with it a more fruitful development, with fresh opportunities of ascertaining the progress made by each of the countries represented—and by many others.

It should also be pointed out—as our readers have no doubt perceived—that only a very limited comparison can be made between the work accomplished in different countries. Just as it would be rather absurd to compare the manners and customs of one nation with those of another nation situated in a completely different climate, it would be hardly wise to judge values in one locality by comparison with others. Everywhere, the efforts correspond to the peculiar features of each country and call for admiration to an extent which only varies with the proportion of real success achieved in any country.

But, while this success has a positive aspect in relation to the previous state of affairs, it can only be judged relatively. Many years must elapse before the work carried out for the protection and preservation of children and young people bears visible fruit.

A new method may be tried in one part of the world; the generation that started it will not always see the results. Time passes and sometimes destroys the highest hopes, while some neglected effort emerges and becomes of primary importance.

Let us therefore merely express the hope that many similar local investigations may be made and that they may bring far more valuable contributions to the Child Welfare Committee than our modest labours.

L. CHAPTAL.



