1944

Juvenile Delinquency in Britain during the War

M. E. Bathurst

Follow this and additional works at: https://scholarlycommons.law.northwestern.edu/jclc

Part of the Criminal Law Commons, Criminology Commons, and the Criminology and Criminal Justice Commons

Recommended Citation
M. E. Bathurst, Juvenile Delinquency in Britain during the War, 34 J. Crim. L. & Criminology 291 (1943-1944)
In Britain, as in other countries, both World Wars have seen a rise in juvenile delinquency. Delinquency figures continued to rise throughout the first World War; a decrease came only with the peace. In the present war, however, despite far more difficult conditions on the home front, a descending curve was achieved at the end of 1941 and is shown in the provisional figures for 1942; that is, as soon as the special conditions created by sustained aerial attack in 1940-41 were for the time over. Enough of the problem remains to preclude any relaxation of efforts to deal with it, though the number of delinquents in proportion to the total number of young people under 17 years of age is very small.

**Causes of Delinquency in Peace-Time**

Juvenile delinquency figures were rising between 1932 and 1938, but there was reason to think that much of the rise was due to changes in police procedure and to the fact that improvements in the Juvenile Courts resulted in increased use being made of them. This was confirmed by the report of an investigation carried out at the request of the Home Office by the London School of Economics. The investigators used the records of the first thousand boys brought before the Juvenile Courts in London after October 1, 1938, and matched them by a "control" group of the same number of children of the same age and from the same school who had never come before the courts. The enquiry was afterwards extended on similar lines to a number of typically industrial cities throughout the country.

The report also gave valuable data on the causes of delinquency:

1. 45.4% of the delinquents had parents whose treatment of them was either too strict or too lax, as against 16.8% of the controls.
2. 25.5% of the delinquents as against 8.6% of the controls were below normal in school attainments.

---

1This summary is based upon material prepared by British Information Services. In order to keep the discussion simple and within reasonable limits, the subject has been divided into headings and subheadings as much as possible. Frere Exhibitioner, University of Cambridge; Tutorial Fellow, University of Chicago; Special Fellow, Columbia University.

2Second Secretary and Acting Legal Adviser, British Embassy, Washington, D. C.; Legal Adviser to the North American Offices of the British Broadcasting Corporation and to British Information Services; LL.B. (London); LL.M. (Columbia); Solicitor to the Supreme Court of Judicature in England; formerly University Law Scholar, University of London; Supervisor in Law and Bartle

3See Table III.

4See Table IV.

5See Table II.

6Carr-Saunders, Mannheim & Rhodes *Young Offenders*, Cambridge University Press. It summarizes the report of three investigators from the London School of Economics appointed by the Home Office in 1938 to enquire into the causes of the rise in juvenile delinquency since 1933. It also contains a summary of previous British investigations into delinquency.
3. A family structure of father and mother living together in the same house as the children was found in respect of only 68% of the delinquents as against 80% of the controls.

4. Of these families only 43.1% of those with delinquents were giving "a normal home atmosphere" to the child, while 75.1% of the controls enjoyed a reasonably happy home life.

5. Out of 47 homes from the total number investigated, where the heads were not the parents of the child, but were living together as husband and wife, 43 had cases of delinquency.

6. Out of 3,923 children investigated, 144 had previous delinquency in the home and of these 183 were delinquent cases in the present enquiry.

7. 31.2% of the delinquents were unemployed at the age of 16, as against 7% of the controls.

8. With very little exception, existing evidence goes to show that 13 is the peak age for delinquent boys in Britain.

9. 80% of all juvenile offenses in London were committed during the hours of darkness.

   It is evident that in addition to the problem of these environmental causes of delinquency, there is the problem of different degrees of susceptibility to environment in the children themselves. The war prevented the investigators from making a more detailed enquiry into this aspect of delinquency, though they had planned to do so.

WAR CONDITIONS AGGRAVATE PEACE-TIME CAUSES OF DELINQUENCY

The Black-Out

   It is obvious that if 30% of juvenile offenses are committed during darkness in peace-time, the number is likely to increase when blackout conditions exist, as they have existed, roughly from an hour before sunset to an hour after sunrise. In Britain, this means fifteen hours on the shortest day of the year. There was an increase in juvenile delinquency in the darker months of the year during the last war. Most cities now cite the black-out as a cause of delinquency, especially of "breaking and entering" which accounts for three-quarters of all the indictable offenses with which children and young persons were charged in the Juvenile Courts.

   Dislocation of Home Life

   Since abnormal home conditions are one root cause of juvenile delinquency, it is less surprising that figures should have risen than that the vast majority of children and young people should have adapted themselves so well to the volcanic disturbances of home life caused by total war.

   It is estimated that by the beginning of February 1941 more than 405,000, that is five out of six, of the school-children usually living in the County of London, had been evacuated. Owing to phases of alternate alarm and quiet in the course of the war and for a variety of other reasons, there has also been a constant stream of return from reception to target areas, especially dur-

---

*For definition see Appendix, 5.*
ing the winter of 1939, and during the summers of 1941 and 1942. Some children moved four times in the first year of the war. The difficulties of making provision for their care at both ends were for a time almost insuperable. Inevitably, also, the influx of strangers upset the children already living in reception areas and there is some reason to think that they accounted for more delinquency than the evacuees.

In England and Wales, as a whole, by November 1942, one dwelling house in every five had been damaged by air raids since the war began, in some areas the figure was two or even three out of five. The London rate of damage was twice as great as that for the rest of the country. Children not only lost their homes, but ruined buildings gave endless opportunities for adventure and play which sometimes became rather wild. Toys, candies and innumerable other things attractive to children were buried under rubble and remained there, sometimes for days, until the area could be cleared. It happened on occasion that children were brought before the courts for “looting”, when they regarded what they had stolen as treasure-trove. It was, however, necessary to enforce strictly the regulations against looting.

By September 1940 air-raid and rest-center problems began to be acute. By October 1941 more than a million people were practically living in shelters and many children were spending something like 15 out of every 24 hours in them, while those in industrial work were perhaps spending twelve. Many young workers gave up going home at all except at week ends. Hours for settling down for the night were too late for both children and adolescents. At first there was not enough occupation in the shelters. The adolescents tended to drift from shelter to shelter and so lost contact with their families. Some contrived to stay in homes when their parents had taken shelter and got into trouble there. Runaways took refuge in shelters. Reports as to the amount of delinquency in shelters vary, but there is no doubt that these abnormal conditions contributed to its increase.

In Britain men with children have been liable for National Service since the beginning of the war. Civilian workers may be in mobile building or repairing squads which range far from home. Working hours are usually about 60 hours for men, 55 for women. Women with children under 14 are not conscripted for war work but it was estimated by the Minister of Labour in October 1942 that 620,000 mothers with children under 14 were in war work, of whom 510,000 were in full-time paid employment. Civilian Defense duties are exacting.

*War-Time Restlessness*

Many observers speak of the nervous tension set up in adults

---

6Reception areas are those to which children have been evacuated.
by fatigue and by anxiety about absent relatives, air attacks, rationing, transport, financial troubles and the unpredictable future. This state of mind, often subconscious, inevitably disturbs children and young people, while it makes adults less efficient in controlling them. In addition there are the tensions peculiar to young people: the desire to make sure of sexual experience while it may be had and to share the excitement of the fighting fronts or enjoy some substitute for it.

*Disruption of School Life*

Most of the schools in target areas were temporarily closed at the outbreak of war and the schools in reception areas were crowded far beyond their capacity, especially at the peak periods of evacuation. The Home Office Memorandum on Juvenile Delinquency issued in June, 1941, points out that the war has produced a new crop of truancy. Many children temporarily attended school part-time or not at all and parents often ceased to insist on regularity. Attendance officers, greatly reduced in numbers by the call-up to national service, tended to relax discipline, partly because children had lost so much sleep in the disturbances. Children were being brought before the courts every week who had not been in school since the war started.

In November 1940, at the height of the air raids, 60,000 children in London were not attending school. In the two East End boroughs where damage was worst, 4,000 and 3,000 children respectively were not attending school. Teachers did what they could to organize classes in private houses but many children temporarily ran wild.

*Youth in Full-Time Employment*

It is estimated by the President of the Board of Education that about 75% of the boys and about 67% of the girls over 14 in Britain are in full-time employment. This means that there is a high proportion of those who have just left school for industrial life who cannot be experienced in self-direction. By July 1941, average weekly earnings for boys and youths under 21 had increased by 60.7% as compared with those of October 1938, mainly owing to the exceptionally long hours being worked.

*Effect of Increased Delinquency on Remedial Institutions*

There has been much congestion in Remand Homes, Approved Schools, and Borstals. The number of Remand Homes was inadequate before the war and the shortage is now acute. The Home Office has advised a 50 percent increase in the pre-war num-

---

"Ministry of Labour Gazette, December 1942.
For meaning of these terms see Appendix, page 7.
A Bill which might have prevented this failed to pass the House of Commons in 1939."
DELI CENCY IN BRITAIN

The number of delinquents brought before the Juvenile Courts for indictable offenses was:

<table>
<thead>
<tr>
<th>Year</th>
<th>Under 14</th>
<th>Age 14-16</th>
<th>Age 16-21</th>
<th>Age 21-30 &amp; over</th>
<th>Age 30 &amp; over</th>
</tr>
</thead>
<tbody>
<tr>
<td>1913</td>
<td>14</td>
<td>7</td>
<td>22</td>
<td>25</td>
<td>32</td>
</tr>
<tr>
<td>1917</td>
<td>16</td>
<td>7</td>
<td>20</td>
<td>25</td>
<td>35</td>
</tr>
<tr>
<td>1919</td>
<td>16</td>
<td>7</td>
<td>20</td>
<td>25</td>
<td>35</td>
</tr>
</tbody>
</table>

TABLE II

JUVENILE DELINQUENCY DURING 1932-1938.33

Persons found Guilty of Indictable Offenses (percentage figures)

<table>
<thead>
<tr>
<th>Year</th>
<th>Under 14</th>
<th>Age 14-17</th>
<th>Age 17-21</th>
<th>Age 21-30 &amp; over</th>
<th>Age 30 &amp; over</th>
</tr>
</thead>
<tbody>
<tr>
<td>1932</td>
<td>14</td>
<td>7</td>
<td>22</td>
<td>25</td>
<td>32</td>
</tr>
<tr>
<td>1933</td>
<td>16</td>
<td>7</td>
<td>20</td>
<td>25</td>
<td>35</td>
</tr>
</tbody>
</table>

of Criminal Statistics issued by the Home Office.

TABLE III

NUMBERS CHARGED WITH INDICTABLE OFFENSES FROM SEPTEMBER, 1938, TO AUGUST, 1942

<table>
<thead>
<tr>
<th>Children</th>
<th>Young Persons</th>
<th>Girls</th>
<th>Boys</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-14</td>
<td>14-16</td>
<td>8-16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16,203</td>
<td>12,915</td>
<td>1,722</td>
<td>27,401</td>
<td>29,123</td>
</tr>
<tr>
<td>Sept. 1938-Aug. 1939 (inclusive)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22,905</td>
<td>15,783</td>
<td>2,464</td>
<td>36,224</td>
<td>38,688</td>
</tr>
<tr>
<td>Sept. 1940-Aug. 1941 (inclusive)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25,604</td>
<td>18,694</td>
<td>3,581</td>
<td>40,717</td>
<td>44,298</td>
</tr>
<tr>
<td>Sept. 1941-Aug. 1942 (inclusive)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21,723</td>
<td>16,123</td>
<td>3,325</td>
<td>34,521</td>
<td>37,846</td>
</tr>
</tbody>
</table>

Interpretation

(I) The largest increase of delinquency, according to the table above, was for the year September, 1940—August, 1941, which coincided with the period of heaviest air-raids with evacuation movements and absence from home of older people engaged in civilian defense.

(II) Between August, 1939, and August, 1942, the number of girls almost doubled, but boys continued to account for 91% of the offenses.

PREVENTING DELINQUENCY

Youth Services providing both social life and recreative work have been extended and coordinated during the war into an elastic

33For definition of indictable offenses see Appendix, 5.
34Computed by Dr. E. C. Rhodes from Introduction to the Annual Volumes on this charge. Prostitution is not an offense per se.
TABLE IV
PROPORTION OF DELINQUENTS TO THE TOTAL NUMBER OF "CHILDREN" AND "YOUNG PERSONS," 1938-1941

<table>
<thead>
<tr>
<th></th>
<th>Boys 8-14 guilty of indictable offenses</th>
<th>Percentage of whole</th>
<th>Boys 14-16 guilty of indictable offenses</th>
<th>Percentage of whole</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boys 8-14</td>
<td>1,844,000±</td>
<td>15,347</td>
<td>1,029,400</td>
<td>12,054</td>
</tr>
<tr>
<td>1938-39</td>
<td>.83%</td>
<td></td>
<td>1.1%</td>
<td></td>
</tr>
<tr>
<td>1939-40</td>
<td>21,673 less than 1.2%</td>
<td></td>
<td>14,551 1.4%</td>
<td></td>
</tr>
<tr>
<td>1940-41</td>
<td>23,981 less than 1.3%</td>
<td></td>
<td>16,736 1.6%</td>
<td></td>
</tr>
<tr>
<td>Girls 8-14</td>
<td>1,344,000±</td>
<td>23,981</td>
<td>1,029,400</td>
<td>16,736</td>
</tr>
<tr>
<td>1938-39</td>
<td>less than .4%</td>
<td></td>
<td>1.6%</td>
<td></td>
</tr>
<tr>
<td>1939-40</td>
<td>12,054 Approx. .07%</td>
<td></td>
<td>1.2%</td>
<td></td>
</tr>
<tr>
<td>1940-41</td>
<td>14,551 1.4%</td>
<td></td>
<td>1.6%</td>
<td></td>
</tr>
</tbody>
</table>

TABLE V
NUMBER OF GIRLS ADMITTED TO APPROVED SCHOOLS AS "IN NEED OF CARE AND PROTECTION" OR "BEYOND CONTROL"

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1939</td>
<td>454</td>
</tr>
<tr>
<td>1940</td>
<td>469</td>
</tr>
<tr>
<td>1941</td>
<td>471</td>
</tr>
</tbody>
</table>

TABLE VI
NUMBER OF GIRLS 14-16 CHARGED WITH INDICTABLE OFFENSES

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1939</td>
<td>879</td>
</tr>
<tr>
<td>1940</td>
<td>1,216</td>
</tr>
<tr>
<td>1941</td>
<td>1,958</td>
</tr>
<tr>
<td>1942</td>
<td>1,936</td>
</tr>
</tbody>
</table>

The pre-service training schemes reach down to the 12 and 13-year-old age group, which is the group with the highest delinquency rate. They have had phenomenal success, especially the Air Training Corps. In discussions at Youth Committee Conferences it seems to have been agreed that their success is due to their appeal to the heroic motive; to the fact that leaders, often men and women in the Services or specialists in their own fields, have been able to arouse and keep the admiration of their recruits; to the definiteness of the objectives set and to the discipline maintained. The Registration Committee of the West Riding of York-

---

[1]These numbers have been treated as constant for later years since no others are available.

[2]Young girls thought to be in danger of becoming prostitutes are dealt with...
shire commented that "those organizations which demand most from our young people are the most popular".

The value of the Youth Services as a whole is so generally recognized that there is a movement afoot to making training for the Youth Services parallel to training for teachers, and equal to it in status.

**Raising the School-Leaving Age**

Reports from the Registration Committees, the Youth Committees and the Juvenile Courts combine to bring before the public the inadequacy of an education which ends at 14. The outbreak of the war caused the suspension of the Act just passed by Parliament which raised the school-leaving age to 15. Under the Education Bill introduced in December 1943, the age will be raised to 15 on April 1, 1945, (unless exceptional circumstances make further postponement—not to exceed two years—invisible—and as soon as possible thereafter the age is to be raised to 16. For children who leave school before 18 there will be compulsory part-time education up to that age. This system of continuation schools may alter but will not replace the work of the Youth Organizations.

**Schools in the War Effort**

In the Spring of 1940 schools were being reopened in the target areas to meet the needs of returned evacuees. Before the process was complete, new evacuations were made necessary by the air raids.

By January 1941, however, the President of the Board of Education was able to report to the House of Commons that of the 22.2% of the normal child population of school age then living in London, 81% were attending school. By July 31, 1941, he was able to say that more than 99% of the child population of the country was attending school again. Children have been sent to Approved Schools in the small number of cases (117 for 1941) where truancy is persistent and parents irresponsible.

A tremendous and successful effort has been made by teachers to provide, as part of school work, activities which will make children feel that they are contributing to the war effort in ways that are recognized and appreciated by adults. The schools are providing much more satisfaction for the resourceful child than they ever did before and also a much more vital connection with the adult life for which children are being prepared. Classes for parents on the up-bringing of children have been organized by many Local Authorities. The National Association of Maternity and Child Welfare at its Conference in July, 1942, urged that provision of such classes by the Local Authorities should be compulsory.

The schools have also become social centers. Most schools in
industrial areas now open about 8 a.m. so that children whose parents have gone to work can play or study before school begins. Many schools serve breakfasst and tea as well as a hot mid-day meal. In December 1942, 346 new play centers with places for 20,900 children had been set up to keep the children off the streets in the evenings, while 66 more were in preparation. Schoolyards and sections of parks are used for organized games, especially at week-ends. The schools have been kept open during vacations by skeleton staffs of teachers who have taken their own holidays in rotation. Voluntary helpers have made possible much of this activity and the teachers’ efforts have won them a new place in the social life of the community.

Rebuilding Homes

Out of 2,750,000 homes damaged 2,500,000 had been repaired and re-occupied by September 1942.

Evacuation Services

These include 240 hostels for difficult children in reception areas, 443 social centers with occupational clubs and a further 157 purely social clubs.

Welfare Schemes for Young Industrial Workers

The Ministry of Labour and National Service gives special attention to the establishment of clubs by Youth Committees in areas where there are no facilities for recreation. Welfare Departments arrange with the Central Council for Recreative Physical Training to organize classes in physical fitness, physical exercise under instructors in parks and open spaces, hikes and cross-country runs on Sundays. The Central Council has a 50% grant from the government and holds training courses for selected factory workers in the summer where they learn to train their fellow workers. Dramatics, concerts, art exhibitions and other kinds of entertainment are arranged by the Council for the Encouragement of Music and the Arts (C.E.M.A.)

Control of Working Hours for Young Persons

Since April, 1942, the Minister of Labour and National Service has been reducing the extra hours worked by juveniles, as by every other category of worker, in the production effort which followed Dunkirk. The Minister invites information on special cases of excessive hours to be sent to him direct. He then orders enquiry through the factory inspectorate.

Direct Provision for Delinquents

In June 1941, the Home Office issued a report on juvenile offenses.16 The section on treatment of offenders urges the best use

of existing facilities established by the Children and Young Persons Act of 1933. The points stressed are: the need for an adequate number of younger justices on every Juvenile Court Panel; the need for the reports of the Local Education Authorities and of probation officers to be given full consideration by the courts; the need to press home parents' responsibilities by requiring the father to attend the court as well as, or instead of, the mother, who more frequently attends, and by sometimes requiring parents to give financial security for the good behaviour of their children; the effectiveness of exacting fines from boys who are earning money as restitution for damage done or property stolen; and the need for the courts to make full use of the School Medical Service, of mental specialists who are willing to advise and of child guidance clinics, the number of which should be increased. The report reminds justices that birching was unanimously condemned as a form of punishment by the Departmental Committee on Corporal Punishment in 1938 and that this opinion is supported by that of the most experienced Juvenile Courts. The factors making for an efficient probation system are also discussed and it is stressed that probation officers must not be overworked, since casual supervision of delinquents is worse than useless. In conclusion, Local Authorities are urged to increase the numbers of Remand Homes and Approved Schools as soon as possible. It is suggested that more short-term schools for delinquent boys, on the lines of the evacuation hostels for difficult children, should be provided.

The Home Office circulated this report to Local Authorities and asked that local surveys into the causes of delinquency should be made as soon as possible. These surveys are in agreement with the Home Office analysis of the causes of delinquency and means of treatment. More than a dozen new Approved Schools have been provided and others are planned. Large country houses have been taken over in which boys are placed in units of 100 to 150 and girls in units of 30 to 40. It is urged that increased use should be made of placement in foster homes, experience of evacuation having opened up possibilities, while the regional Local Educational Authorities provide the necessary machinery and may now be helped by the Regional Mental Health Emergency Committees. It is generally felt that foster care gives delinquents a much better chance of successful adjustment to ordinary life than segregation in Approved Schools. Some local surveys suggest more use of the "Special Schools" designed for mentally deficient children, which are half-empty at present. Parents can be advised to send their children there only when deficiency has been proved and many are even then reluctant to do so. There would probably be some reduction in juvenile delinquency if these facilities were more fully
used since "dull" children form a recognized group of delinquents. Most surveys press for Observation Centers in addition to Remand Homes, on the lines of the rejected Bill of 1939.

From the schools they demand better records, earlier recognition of backwardness, better training for teachers of backward children, and better standards of religious and moral teaching. From the Local Authorities they ask for smaller classes in the schools, more child guidance clinics, and welfare training for attendance officers.

**Improved Treatment of Delinquency**

The notable improvement in the administration of justice for children and young persons that developed in Britain between the wars is reflected in the measures being taken during the war and in the post-war planning.

One outstanding change is the swing over from the principle of deterrent punishment of offenders to the principle of remedial care. Punishment has not been, nor will be, abolished; but, as in a good home or school, so in almost all Juvenile Courts punishment has become constructive. It is agreed that further improvement would follow better training in youth problems and psychology for the Clerks of the Court, the legal advisers to the justices. The arrangement that three magistrates must sit in the Juvenile Courts and that one of them must be a woman has had very good results. The Probation System has steadily improved and use of it has greatly increased. In 1925 it was made compulsory that probation officers, first appointed in 1907, should be attached to every Juvenile Court.

It is being recognized that parents' responsibilities must be more firmly insisted upon and that fathers particularly should take more part in the training of their children. Many Juvenile Courts are now held in the evenings so that working fathers may attend. Some Local Authorities are running classes in child care for fathers. Parents' Associations are increasing.

It is now often stated that schools must not be blamed for conditions, when the root of the trouble is in the home. This is one argument against the placing of Juvenile Courts under the Education Authorities, which some people have advocated. It is generally thought better to keep the courts independent of the educational system though essential that they should cooperate with it.

There is growing public determination that bad housing shall be tackled after the war and that social welfare shall be the first consideration in the re-building of Britain. Community Centers with playing fields and adequate provision of open spaces in industrial towns have become matters of general interest. So has the prevention of unemployment, and of the loss of self-respect which
accompanies it. Most of the local surveys already mentioned stress the necessity of tackling the basic causes of delinquency by basic social reforms.

APPENDIX

BRITISH JUVENILE COURTS AND REMEDIAL INSTITUTIONS FOR DELINQUENCY

1. The basic statute under which the courts operate is the Children and Young Persons Act of 1933 with its subsequent amendments.

2. The Premises. The Juvenile Courts must sit in a different room, and preferably a different building, from that in which adult courts are held.

3. The Magistrates. There must be not more than three and not less than two justices of which one must be a man, and one, if possible, a woman. Each area has a panel of justices considered most suitable for this work. These panels are reconsidered every 3 years. The justices are not generally lawyers, but they serve voluntarily and are advised on points of law by the "Clerk of the Court", who has legal training. They are appointed by the Lord Chancellor, the head of the judicial system, on the recommendation of local committees.

4. Jurisdiction. The following categories of children and young persons come before the courts:
   - Those under 17 "in need of care and protection".
   - Those charged with being "beyond control".
   - Truants from school.
   - Those charged with crimes or offenses.

5. Indictable Offenses. A "child" is incapable of offense against the law until he is 8 years old. He remains a "child" until he is 14, after which the law calls him a "young person" until he is 17. He may be brought before the court for either of two reasons: it may be alleged that he has committed an offense or that he is in need of care and protection. An indictable offense is "one for which any accused person over fourteen years of age may claim to be tried by a judge and jury." Only 1.1% of indictable offenses are so tried, because the preference is usually for summary jurisdiction. Indictable offenses include most types of theft, some of which may be trivial. The policy, however, is to bring all such offenses before the Juvenile Courts and the practice of settlement out of court through referees is not in use in Britain, nor is settlement out of court by the police.

6. Procedure. The same standard of proof is required in respect of charges against children and young persons as in respect of those against adults. In general, the ordinary law of evidence applies and the reports of the probation officers and others must
not be received until the question of guilt has been decided and notified to the accused. Simple language must be used and the words "conviction" and "sentence" are replaced by the terms "finding of guilt" and "order upon such finding."

7. **Treatment of those charged with Crimes and Offenses.**

**Aim.** Section 44 of the Children and Young Persons Act lays down that "Every court dealing with a child or young person who is brought before it shall have regard to the welfare of the child or young person primarily."

**Methods:**
(a) Dismissal of the charge.
(b) Conditional discharge, the conditions to continue for a period not exceeding three years.
(c) Fines, preferably paid gradually by the offender in person.
(d) Whipping. This is almost entirely obsolete and was condemned by the Departmental Committee on Corporal Punishment, 1938.
(e) Committal to an Approved School. An Approved School is a boarding school provided by a local education authority and inspected and approved by the Home Office, which is designed to give two to three years' training under discipline to children who are delinquent or have bad home conditions. The age limit for entry is 16. The leaving age may be as late as 21.
(f) A Probation Order. Young offenders may be sent to an approved hostel or home, to the care of a fit person or to satisfactory lodgings.
(g) On Order for Restitution up to the sum of £25 ($100).
(h) Committal to a Borstal. The court can only recommend this treatment to a higher court, unless the offender has absconded from an Approved School or has misbehaved seriously there, in which case it may commit directly.
(i) A Borstal is an institution where delinquents not under 16 or over 21, who have shown themselves to be serious offenders, may be placed for a maximum of 3 years, with a year of supervision on parole to follow. Boys, however, may be released to supervision any time after six months and girls after three months.
(j) Temporary Imprisonment. This form of treatment is strongly discouraged by the authorities. It may be used only when the court certifies the offender as too unruly or depraved for detention in a Remand Home.
(k) Committal to Remand Homes. Remand Homes are places of temporary detention where boys and girls may stay while they wait for admission to an Approved School or for trial. Cases are frequently remanded for medical or psychological enquiry.