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Délinquance juvénile au Québec

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RÉSUMÉ DU CONTENU / ENGLISH SUMMARY

Juvenile delinquency, like the protection of youth, which is actually closely related, is a serious problem in all societies. New and original solutions are being sought, and it is therefore most important to publicize to as large an audience as possible the results obtained to date. This issue on juvenile delinquency in Quebec is specifically designed with this in view.

The motivation behind the writing of the various articles will appear in more detail in the editorial, as well as a short resume in English. Anyone interested in receiving a translation of a particular article may write to the editor.

LEGISLATION

J. M. LIPPÉ.

THE PROTECTION OF YOUTH AND BILL 65

The author's subject is the Child Welfare Act. This legislation comes under the jurisdiction of the provinces in Canada, and therefore varies from one province to another. The bill, considered unsatisfactory, was withdrawn for further study, and the law is now expected to be made definitive. There are two opposing views regarding this bill, the first is socially oriented, whereas the second would keep it within the judicial framework, with suggested improvements. The author avoids taking a stand and prefers to report the main suggestions that have been made to date, and the criticisms that were made with regard to the former legislation and the bills that were submitted to the provincial parliament.

A. PARIZEAU.
THE RIGHTS OF JUVENILES AND BILL C-192

The Juvenile Delinquents Act comes under federal government jurisdiction, and applies to the whole of Canada. The author comments first on the philosophy behind the law now in force and criticizes the amendments made in 1971. Taking into account the fact that the bill has since been withdrawn for study, the article also includes a commentary on the main objectives which, in her opinion, should be incorporated in the new legislation. She especially emphasizes the absolute need to establish a clear-cut division between children and adolescents by recognizing the right to protection and strictly social treatment for those under fifteen years of age, with the possibility of appeal to the juvenile court.

THE DELINQUENT

M. FRECHETTE.
DELINQUENCY, SOCIALIZATION AND NEUROTICISM

In the author's opinion, when confronted with a group of juvenile delinquents, the main problem lies in evaluating the different degrees of seriousness of their behaviour. The lack of norms or stable criteria to calibrate the difficulties undergone by these adolescents considerably restricts the practitioner's effectiveness. It is particularly difficult to pick out the delinquents who are most apt to establish themselves firmly in anti-social life and continue to do so beyond adolescence, as well as to identify the adolescent for whom delinquency is accidental or a passing phase.

Following the preliminary analysis of the results of a study made of juvenile delinquents who appeared before the Social Welfare Court in Montreal, the author came to certain basic conclusions.

First, the representative typical delinquent in the sample has the following characteristics : his problem of delinquency is serious, it is not limited only to acts prohibited by law, and is exceptionally early in development, for by the age of 14 or 15, it has been well established in his behaviour pattern. In the second place, and this is the most important aspect, his socialization is very poor.

The entire article leads to the conclusion that the dichotomy between delinquency that is apt to develop into a whole criminal career and that which might be termed as a passing phase, or tem-

porary, can and should be established, not only theoretically, but empirically as well, for treatment must be diversified as much as possible in terms of this basic distinction, if it is to be fully effective.

E. DOUYON.
THE FAMILY AND DELINQUENCY
IN THREE CULTURAL CONTEXTS

In this article, we find a detailed analysis of the criminogenic role of the western family and the patterns it suggests, as opposed to group up-bringing in a natural milieu, such as the Kibbutz, for example, or again within the traditional family structure of the African type. In conclusion, the author mentions the case of an American child who, born with a rare genetic disease, was placed from birth in complete isolation. According to specialists, this baby developed into a happy, well-balanced child in spite of sensory deprivation and the absence of physical contact with his mother.

In the light of this article, this case places in doubt the whole traditional concept of epigenesis, or development of the personality, and research in this domain might well bring about the re-formulation, if not total change, of the entire present philosophy regarding the importance of the cellular family.

INTERVENTION

M. LEBLANC.
PROBATION FOR MINORS IN QUEBEC

For some years now, probation for minors has been the subject of controversy. Those who work in the judicial system for minors question either its inclusion within the system, its operation, its effectiveness or its functions as a whole.

Throughout the article, the author endeavours to trace the general trends in the evolution of the services available in Quebec, and to specify the tasks that should be fulfilled by probation officers. Initially, probation was a service of the court, in terms of consultation during appearances before the court, evaluation of cases, placement in foster homes or institutions and carrying out probation measures. Since then, a procedure has been introduced that has made it possible to assign probation a specific role. Thus cases for placement in foster homes are referred to

social agencies and there is more and more discussion about entrusting placement in institutions to other services. Probation officers would then be able to concern themselves with adolescents from 14 to 18 years of age, fulfilling their function as counsellors and as consultants before the court. This alone would reduce the probation officer's load by 40% and allow him to better fulfill his tasks related to probation.

In closing, the author also points out that the clinical evaluation of cases must be clearly distinguished from consultation before the court, which should take into account not only the interests of the minor, but the social dangerousness of the subject. Only in this way can a concept of complementarity between the resources be realized, instead of maintaining a concept derived from a certain paternalism left over from a bygone era.

M. CUSSON.

OBSERVATION OF THE BEHAVIOUR
OF JUVENILES IN INSTITUTIONS

This article contains a brief resume of the research done by the author in training schools, with a view to designing an instrument for an analysis of the pupils' behaviour that would assure a better diversification of treatment.

Called the O.C.J.I. (Observation du Comportement des Jeunes en Institution), the instrument is still in the developmental stage. In the author's opinion, it is necessary to complete the studies by following the cases of the young people who have been liberated, and studying their further development. Nonetheless, even without determining the factors associated with non-recidivism and those permitting the prediction of a good social readjustment, the instrument can already be used in its present form. It makes it possible to do systematic longitudinal studies on the evolution of young people being reestablished in society, and on their progress. The information thus obtained will serve as a point of departure for educators who would like to know the effects of their intervention and who want to develop a plan of action adapted to the personal rhythm of each pupil.

We may mention here that the instrument developed by M. Cusson and his team, and described in his article, is already being used in one of the Quebec training schools.

PREDICTIONS

M. LEBLANC.

THE DELINQUENCY OF THE PAST AND THE FUTURE

Basing himself on available statistics and by establishing projections, the author tries to find the main trends in the evolution of juvenile delinquency in Quebec. On the basis of the data obtained, he concludes that there is no need, at least for the moment, to fear the eruption of new forms of delinquency. It is to be expected, rather, that by the end of the seventies, certain present forms of deviance will reappear using new methods. This extrapolation rests on the finding that increases in delinquency are cyclic, and this can be applied to the diverse forms of deviance as well.

Similarly, taking into account the diminution in the density of the juvenile population and the social climate which now prevails in Quebec, it is more than likely that juvenile delinquency will diminish.

EYE-WITNESS ACCOUNTS

F. GOYER-MICHAUD.

THE EDUCATOR : A SUPER-WOMAN ?

The author comments on the role of the educator and her difficulties as analyzed within the framework of an experiment in participant observation. She also analyzes the methods used at a receiving and rehabilitation centre for young girls, and finds them lacking in terms of disparities that exist between the norms of admission and the objectives sought.

A. PARIZEAU.

ARE WE ASSASSINS ?

The author questions the laws that give parental authority top priority. She comments on cases known to doctors of maltreatment, cruelty or incest and the difficulty of proving them before the courts. Finally, she asks to what extent society should recognize the right of children to its direct protection instead of continuously demanding that they respect its norms.

BOOK REVIEWS

There are also two book reviews in this issue, the first by Denis Szabo on the work entitled « The New Criminology », by

Ian Taylor, Paul Walton and Jock Young, 1973, Routledge and Kegan Paul. The second, by Alice Parizeau, is on the book « Délinquance juvénile, famille, école et société », by Hanna Malewska and Vincent Peyre, 1973, Vauresson.