Dalhousie Law Journal

Volume 3 | Issue 3 Article 5

1-1-1977

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Recommended Citation
Jim Ortego, "The Halifax North End Project" (1976-1977) 3:3 DLJ 751.

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Jim Ortego*

The Halifax North End Project

I. *Introduction*

Criminology is the unhappiest ship afloat in the sea of social science research. No one has been able to find the answer to the two simple questions that are a permanent plague: Why do people commit crime? How do you persuade them not to do it again? Each generation or so, any number of experts from diverse disciplines and political philosophies burst upon criminology with *the* answer to the crime problem. In the last fifty years they have taken the discipline, such as it is, through borstal training, open institutions, guided group interaction, open ended research designs and any number of other innovations, alterations and fads.

Unfortunately, none of these magical formulae have been able to achieve anything near the success hoped for by their proponents. Some have occasionally enjoyed limited successes, but none has been able to cut a path across the entire wilderness that is crime. Undaunted, criminologists continue to search for an answer to the two questions. Any answer that sounds reasonably plausible, can be tested through traditional social scientific methods, guarantees employment, and has a good chance for funding, is sure to receive attention if not credibility. Nowadays many criminologists are singing either or both of two tunes, each one struggling for its rightful place among the discarded fads in the junkyard of criminology. One is "critical" criminology and the other is "diversion".

Critical criminology, which argues that dialectical materialism offers a clearer picture of crime than any other posture, has shaken the staid, positivistic, empirical world of traditional criminology to its roots. Its principal arguments are presented in a series of brilliant and insightful articles and books on the same theme: crime is directly related to our economic order and until this is recognized by criminologists they will not be able to offer effective solutions to the crime problem.[1] Aside from its obvious intellectual appeal to

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1. The important literature includes R. Quinney, *The Social Reality of Crime*

frustrated criminologists searching for certainty in the social order, not to mention justification for past disappointments, critical criminology has forced the field inward into the world of theory, a place it had never before wanted truly to visit. The rise of critical criminology has already diluted the empirical base of the discipline.

Diversion, on the other hand, is not so revolutionary an idea. The term "diversion" first surfaced with the report in the United States of the President's Commission on Law Enforcement and Administration of Justice.[2] There, it was used in reference to the use of prosecutorial discretion to "divert" certain people away from the criminal justice system. Since that time criminologists have seized the term and breathed into it a variety of definitions, most of them relating to some form of pretrial alternative to the traditional criminal law process.[3] No matter how it is defined, it is clear that actors in the system were diverting people away from the ordinary process long before the release of the Report in 1967. The plea bargain is probably the most studied form of diversion, but there are a number of other examples which fall into this category. The legislators' refusal to criminalize certain conduct which affects adversely the environment or to make it easier to pierce the corporate veil diverts effectively some corporate actions from the embarrassment of the criminal justice process. So does the decision of a victim of a crime or witness to it to refrain from calling the police or becoming involved with the case. Criminologists have only recently begun giving serious analysis to the role that discretion exercised by police and prosecutors plays in our

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(Boston: Little, Brown, 1970); R. Quinney, ed., *Criminal Justice in American Society* (Boston: Little, Brown, 1969); R. Quinney, ed., *The Problem of Crime* (New York: Dodd, Mead, 1970); R. Quinney, ed., *Crime and Justice in America: A Critical Understanding* (Boston: Little, Brown, 1974); R. C. Edwards, M. Reich, and T. E. Weisskopf, *The Captalist System: A Radical Analysis of American Society* (New Jersey: Prentice-Hall, 1972); I. Taylor, P. Walton, and J. Young, *The New Criminology: For a Social Theory of Deviance* (London: Routledge and Kegan Paul, 1973); I. Taylor, P. Walton and J. Young, *Critical Criminology* (London: Routledge and Kegan Paul, 1975); and A. Turk, *Criminality and Legal Order* (Chicago: Rand McNally, 1969)

2. President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Courts* (Washington, D.C.: Government Printing Office, 1967)

3. See, for example, the projects listed in *Preliminary Report on Diversion* (Ottawa: Solicitor General's Department, 1975); R. Nimmer, *Diversion: The Search for Alternative Forms of Prosecution* (Chicago: American Bar Foundation, 1974); and in R. Nimmer and P. A. Krauthaus, *Pretrial Diversion: The Premature Quest for Recognition* (1976), 9 U. Mich. J1. of Law Reform 208

perceptions of crime and criminals.[4]

One of the attractions of diversion is that it can be defined in a number of ways, thus enabling grant applications to appear to be in vogue with one of the latest developments in criminology. The Law Reform Commission of Canada devoted an entire working paper to diversion and argued that its meaning should not include programmes designed to prevent crime at the community or personal level, but should be restricted to programmes which come into play only after there has been a violation of the criminal law.[5] This definition, of course, still leaves open a wide range of possibilities for the enterprising research criminologist.

No one has displayed greater ingenuity in this regard than the people who have put together the Halifax North End Project, a remarkably dynamic experiment now occurring in that section of the City. Their operating philosophy can, in Robert Martinson's terms, be best described as a very flexible search for "what works".[6] Along the way the project has tested and either accepted or rejected a vast number of criminological precepts that were once thought sacred to research. What has emerged is a loosely organized but astonishingly powerful organization with no worse, and perhaps even a little better, chance than traditional research projects of accomplishing its purposes.

One of the established operating principles discarded by the Project is the desire to live forever. The history of social agencies is replete with examples of organizations which began for one purpose, received legal character as a non-profit corporation, and continued to live on long after the original purpose of the organization had become irrelevant. The Halifax North End Project

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4. See, for example, H. Goldstein, *Police Discretion Not to Invoke the Criminal Process* (1969), 69 Yale L.J. 543; F. W. Miller, *Prosecution: The Decision to Charge a Suspect with a Crime* (Boston: Little, Brown, 1969); B. Grosman, *The Prosecutor* (Toronto: University of Toronto Press, 1969); J. Kaplan, *The Prosecutorial Discretion — A Comment* (1965), 60 Nw. U.L. Rev. 174; S. H. Kadish, *Legal Norm and Discretion in the Police and Sentencing Processes* (1962), 75 Harv. L. Rev. 904; K. C. Davis, *Discretionary Justice: A Preliminary Inquiry* (Baton Rouge: Louisiana State University Press, 1969); and J. O. Finckenauer, *Some Factors in Police Discretion and Decision Making* (1976), 4 Jl. of Criminal Justice 29

5. Law Reform Commission of Canada, *Diversion* (Working Paper No. 7) (Ottawa: Queen's Printer, 1975)

6. R. Martinson, *What Works? — Questions and Answers about Prison Reform*, [1974] The Public Interest 22; T. Palmer, *Martinson Revisited*, [1975] Journal of Research in Crime and Delinquency 133; and R. Martinson, *California Research at the Crossroads*, [1976] Crime and Delinquency 180

has, to this point at least, resisted the urge to legal immortality and has resolved that it will end when either interest or reason dictates.

Another one of the traditional precepts rejected by the Project is the idea of community participation in professionally directed programmes. The Halifax Project has attempted to reverse the rule so that community people will control the project and the social scientists will serve as advisors and general consultants. This implies clearly that the Project was not "laid on", that is, conceived in the imagination of an academic and imposed on an unsuspecting and often undeserving community.

These features, among several others, indicate the truly experimental, not to mention adventurous, character of the Project. Other unusual features complementary to these will take shape as the story of the Project unfolds. They all flow from the operating assumptions of the Project which were set out in its December, 1975, report to the Halifax, Wards 3 and 5 Community Resources Councils:

1. We assume that there is a problem. Complaints about the crime rate have been expressed through the councils of Wards 3 and 5, through the Gottingen Street Merchants' Association, and through social agencies that operate in that part of Halifax. There is concern that crimes are being committed by younger and younger people with each passing year, and also that the present criminal justice system is not dealing adequately with the crime problem in the neighbourhood.
2. We assume that an alternative is possible, and that such a program should be entrenched in the community, demanding the initiative, energy, and commitment of residents in its development. We feel that a program with that foundation could produce remedial action to the crime problem, and ultimately benefit the community as a whole.
3. Because of the need for community involvement at every phase of the program, we assume the geographical limitations of Wards 3 and 5. These communities have both expressed concern about crime rates in their area, and also have a history of community action. Residents of these wards already have reason to identify with their neighbourhood, and in fact the 'North End' is presently treated as a recognizable entity in delivery of social services. This area is a natural choice for a demonstration program, and serves to limit the target issues to manageable proportions.
4. We assume that existing services have not in the past created solutions for the problem, and because of their bureaucratic-model structures, do not have the potential for it, but would support a viable alternative program, if it were presented to them.

5. We assume that our alternative is significantly different from the dynamic operating now between agencies and the neighbourhood and that it has potential to generate change.
6. We assume that social change is inseparably linked with public attitude, and therefore a critical factor in the program will be the responsiveness and commitment of the community, since their attitudes will determine the success or failure of this alternative.
7. We assume that although the program can be roughly mapped out for its duration, there will be changes and adjustments as the results of initial efforts become obvious. A keen sensitivity to community response is the foundation of the program.[7]

II. *History of the Project to January, 1976*

Haligonians, when they speak of the North End, are referring to the part of the city which, for the most part, lies to the north of the Citadel. There are approximately thirty to forty thousand people living there. The area contains a higher percentage of lower income housing, unemployment, perceived street crime, and community participation in community affairs than any other part of the city. Most of Wards 3 and 5 are to be found in the North End.

Each ward has a Community Resources Council, a group of North End residents, which attempts generally to upgrade the quality of life in the North End by maintaining a dialogue between citizen and government and by sponsoring worthwhile community projects. During 1974, the Community Resources Councils of each Ward expressed serious concern about the problems of crime and delinquency in the North End. Among the things noted was that children who were sent from the North End to juvenile correctional facilities often returned home with changes in their outlook and activities — in the wrong direction. They questioned whether the traditional criminal justice machinery was dealing adequately and constructively with the problems of crime and delinquency, particularly among young people. They were not alone in their apprehension.

Merchants in the area, including the Gottingen Street Merchants' Association, which speaks for business interests in the heart of the North End, were at about the same time expressing disappointment with the traditional machinery of crime control. They expressed consternation when measures designed to alleviate crime, particu-

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7. *The Halifax North End Project: A Preliminary Report* (1975) (unpublished paper)

larly shoplifting, had proven pathetically unsuccessful. There were in addition a number of private citizens complaining to social agencies, the government, and the police about the high incidence of petty, but harassing, offences.

In January of 1975 many of these people attended a conference entitled "Sentencing Alternatives and Methods" at the Dalhousie Law School.[8] There, they met and exchanged views with former and present inmates, judges, lawyers, academics, corrections people, probation and parole officials, and representatives of both the provincial and federal governments. Some of the North End enthusiasts met immediately after the conference with representatives of the federal Department of Justice and Solicitor General to discuss the possibility of utilizing the Law Reform Commission's much publicized diversion strategy as an alternative to traditional law enforcement techniques.

Armed with a highly favourable and enthusiastic response from the federal representatives, the North End people took their ideas to the Wards 3 and 5 Community Resources Councils in February and March, 1975. Both Councils favoured developing some alternative to the criminal justice system then in use in the North End, but no one was able at that point to set out in any detail a plan for such an operation. In a rare display of unanimity between two organizations who must compete viciously for government favours, the Councils formed a Joint Steering Committee, composed of members of the Wards 3 and 5 Community Resources Councils. The task of the Committee was to study the feasibility and advisibility of developing a pilot project offering alternatives to the present method of dealing with crime and delinquency in the North End.

From March, 1975 until the middle of July of that year the Steering Committee met regularly in an effort to study all available information on the subject of diversion.[9] It met with federal

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8. J. Ortego, ed., *Sentencing Alternatives and Methods* (Halifax: Dalhousie University Faculty of Law) (Dalhousie Continuing Legal Education Series No. 10)

9. The important literature includes Law Reform Commission of Canada, Working Paper No. 7, *supra*, note 5; N. Klamputs, *Diversion from the Justice System*, [1974] Crime and Delinquency Literature 108; E. M. Lamert, *Instead of Court: Diversion in Juvenile Justice* (Washington, D.C.: Government Printing Office, 1971); S. J. Brakel, *Early Diversion from the Criminal Justice Process: Informal Discretion, Motivation, and Formalization* (1972), 48 Denver L.J. 211; E. W. Vorenberg and J. Vorenberg, *Early Diversion from the Criminal Justice System: Practice in Search of Theory* in L. Ohlin, ed., *Prisoners in America* (New Jersey: Prentice-Hall, 1973) at 151; R. Nimmer, *Two Million Unnecessary Arrests*

representatives who provided valuable information about a variety of criminal justice projects across North America and who advised the group in its search for a model of a project which would merge smoothly with the peculiar local characteristics of the North End. It is typical of the Halifax North End Project that even at this stage certain members of the Steering Committee, with the full knowledge of all members of the Committee, began to practise diversion by intervention in particular situations which came to their attention.

The emergence of the "what works" approach in the Project at this early stage can be linked directly to the presence of non-professional community members on the Steering Committee. The Ward Councils had made membership available to any person interested in participation. Early on, the community members displayed impatience with the seemingly endless planning and organizing by the social scientists on the Committee. In retrospect, it is clear that the "evaluation syndrome", which afflicts every social science researcher, was in part responsible for this phenomenon. Researchers like projects to be neat and tidy, capable of having every element viewed as a mathematical variable, and, most importantly, capable of producing at least enough data to merit computer time and possibily, just possibly, justify scientific conclusions. They tend to think that any project which can not demonstrate its success through proper reverence for *chi square* is not worth the time. Community people, on the other hand, suffer no urge to mathematize the world and are willing to work for a far less pretentious ideal than scientific proof: making things better.

So some community members practised diversion when they could while the social scientists planned, all in a peaceful harmony which can be found only when people share a common goal. It would be erroneous to conclude that any friction surfaced on the Steering Committee, despite the disparate tendencies outlined above. No one objected to the fact that no figures were being kept on the diversion then taking place, and no community member active in diversion complained that he or she was not being paid for the work. A genuine spirit of learning from one another permeated the group.

By mid-July, 1975, the Steering Committee had learned enough

(Chicago: American Bar Foundation, 1971); and E. K. Glinfort, *Formal Criminal Justice Diversion* (1975) (unpublished paper)

about diversion and about its potential in the North End that it called together a large gathering of resource people for consultation on the subject. Representatives from virtually every social agency and every level of government which had anything to do with the problem of deviance in the North End attended the meeting. The meeting was a huge success and everyone present pledged support and assistance to the development of a diversion project, but still no one was able to articulate the specifics of a diversion proposal.

A new Steering Committee emerged from this meeting. Membership was open to any person, but the core group of members who attended nearly every weekly meeting consisted of a local minister who chaired the group, the chairpersons of the Wards 3 and 5 Community Resources Councils, a citizen with no particular affiliation, a parole officer, a probation officer, a law professor, a social work student, and two workers from a women's agency. The slight shift in the direction of increased agency people participation did not seem to upset anyone too much since the group continued to function in harmony. Interest in the work of the group was so intense that several agencies and government departments paid for their employees to work up to two and a half days a week for the Steering Committee. The Steering Committee agreed to report back to the Ward Councils in December of 1975 concerning the feasibility of implementing an innovative approach to crime in the North End.

In the course of its work the Steering Committee adopted the following terms of reference:

1. To actively participate in the formation of two North End Neighbourhood Information Centers; supplying up-to-date material relating to criminal diversion, crime prevention, and other innovative projects in criminal justice.
2. To organize a Neighbourhood Conference with workshops and seminars on specific topics relating to diversion methods and their application at various levels in the community.
3. To identify gaps existing in services and prepare a draft proposal of community action for presentation to back the Ward 3 and Ward 5 Community Resources Councils and thus encourage long-range planning at the Neighbourhood Level.
4. To assist interested citizens and agencies in the North End to submit proposals which show potential for crime prevention and criminal diversion.
5. To promote innovative projects as alternatives to Shelburne School for Boys, Truro School for Girls, and incarceration;

which can be presented to the Courts as specific plans by neighbourhood people in individual situations.[10]

From July, 1975 until December, when it filed a report with the Ward Councils, the Steering Committee continued to learn more about the potential for diversion and to practise it. It also began to test the waters for citizen interests and potential funding sources. It is perhaps best to view the activities during this period by examining the work of its three subcommittees: crisis intervention, external contacts, and policy and evaluation.

1. *Crisis Intervention Subcommittee*

Members of the crisis intervention subcommittee began to intervene more and more often in the cases of people, particularly young people, who were either arrested or about to face an overwhelming difficulty sure to place them into the hands of child welfare authorities. It is interesting to note that this committee did not attempt to restrict its activities to formal diversion. It intervened in family crisis situations to try to work out a solution which would forestall the ignition of the cumbersome machinery of the criminal justice process. In all cases, whether of this type or diversion, the subcommittee intervened only when called upon for help, either by a person involved in the conflict (including children) or by a social worker worried that the traditional approach would not work.

It is impossible to know how many formal diversions actually took place during this period. The subcommittee kept no records, and it is typical of the North End Project that no one bothered to ask. It is clear, however, that the subcommittee was busy. In its informal and happily unprofessional reports back to the Steering Committee, the subcommittee members spoke of co-operation from police officers on the beat, officials in Family Court, a number of agencies, and a growing list of merchants. Co-operation among such people is, of course, essential for successful diversion. The Steering Committee had always received a fair hearing and vague promises of support from high police officials, but none of this policy seemed to reach down the chain of command to officers on the streets. Nonetheless, some officers, aware of the existence of the diversion programme, personally availed themselves of the subcommittee's willingness to intervene in particular cases in order to either avoid or minimize the effect of arrest. They used the subcommittee to take care of children whom they would prefer not

10. *Halifax*, *supra*, note 7

to arrest, to locate parents of children found in questionable and often illegal activities, to speak to unusually adamant victims of harassing crimes committed by children, and to speak to the sentencing of children in Family Court when the subcommittee could offer an alternative to either a child welfare placement or incarceration.

Through its contacts with police and with children on the street, the subcommittee developed a list of merchants who most often became involved with child shoplifters. They met and spoke with these merchants and attempted to persuade and develop a positive attitude toward children and, indeed, the whole community. They found that many storeowners were unaware that the way in which they displayed their goods was encouragement to would be shoplifters. Eventually, they persuaded some storeowners to call the diversion committee before preferring charges against young people for shoplifting. In at least one case, they persuaded the store owner to hire the young shoplifter, thus attacking what apparently no one had perceived as the three causes of the problem in the first place: communication breakdown, boredom, and economics.

Shoplifting was not the only offence which was treated by the subcommittee, but it was the most frequent offence, particularly during the summer vacation. The approach taken in such cases was to make contact with the young person and offer to intervene. There were no promises attached to the intervention and no threat of prosecution for failure to co-operate. There was no contract made between the subcommittee and the young person. If the subcommittee intervened the young person would almost certainly receive a stern lesson in the politics of survival, often from a former inmate of a federal penal institution. Following this, the procedure was to offer to give whatever assistance the young person desired. Sometimes, this meant finding work for the young person, or for a parent; sometimes, it meant becoming involved in group activities such as sports; sometimes, it meant travel outside the city to "get away from it all"; and, sometimes, it meant family counselling or some other form of help which could be done best through an agency. Twenty-nine agencies were represented on the Steering Committee and the resources and expertise of most of them were utilized by the subcommittee.

2. *External Contacts Subcommittee*

The external contacts subcommittee worked very closely with the

crisis intervention group to develop alternate ways of dealing with certain children. The intent of the external contacts committee was to link up the Steering Committee with any other group or organization capable of providing either alternatives to incarceration or new outlets for youthful energy. At one point, this subcommittee almost came into possession of a house where it hoped to induce some children to enjoy at least a week in the country. At another point, the subcommittee almost had the military ready to make available a sailing ship to take some young people for a cruise around the province, a cruise combining pleasure, nautical engineering, and history. Unfortunately, the subcommittee was not able to bring either of these plans to fruition. It was successful, however, in bringing the Steering Committee into three other operations.

The first was Pioneer Village, which might more appropriately be described as two log cabins located in wilderness about forty miles outside of Halifax. It is accessible only after a hike of several miles and is located strategically on a beautiful lake. It was offered to the Steering Committee, through the external contacts subcommittee, as a place where children, who wanted to, could get away from the city and, under appropriate adult supervision, enjoy the natural beauty of the environment, learn the ways of the wilderness, and, if it seemed appropriate, analyze their personal problems. The Steering Committee began to make frequent use of the Pioneer Village for children who expressed such an interest. While no figures have been kept on this endeavour it is safe to say that at least fifty children visited Pioneer Village in the first year. Some of the children who visited were in trouble with the law just prior to their visit, some ended up there at the suggestion of a parent or social worker, and some others were simply young people who asked to go.

This subcommittee also linked with another project, Outward Bound, to sponsor a thirty day nature trip for ten young people who were avoiding detention home through participation in the programme. There was no fondness for figures in the Steering Committee but someone pointed out one day that a year after the completion of this excursion only two of the children had again come into contact with juvenile authorities.

The most unusual, and perhaps most successful, external programme developed from the subcommittee itself. One member of the group, a community member, determined that it might be a

good idea to gather together a group of children and hunt for old bottles and auto parts in backyards and empty lots of the historic North End. He had begun this project in 1974 with some success, but nothing compared with what was to follow. One Saturday in 1975, he gathered together a group of neighbourhood children of every variety and description, gathered together a few picks and shovels, and set to work. They were more successful than anyone would have thought possible. They uncovered a fabulous collection of old bottles, tin cans and the like. Eventually their collection was placed in a mini-museum at which the children invited the public to view their spoils. The Nova Scotia Museum asked to move the collection to their more prestigous address, but the children's response was to invite the director of the Museum to pay twenty-five cents like everyone else if he wanted to see their bottles and artifacts. Eventually, the children formed themselves into a formal organization with a standard type hierarchy of authority, including a president. The Steering Committee assisted them and their adult friend to secure funding for further research.

3. *Policy and Evaluation Subcommittee*

The task of the policy and evaluation subcommittee during this period was nearly impossible. This, of course, was a committee composed entirely of professionals. Certain members of the group did, from time to time, assist in planning the Project's participation in certain external affairs, evaluate alternative forms of diversion available in particular cases, and prepare funding applications for particular programmes. Included here was a short term grant to provide funds for two street workers to lead the work of the crisis intervention subcommittee to determine if this sort of activity held any promise of future success. This role was, of course, altogether consistent with the general theme of community control of the project. This subcommittee refused the opportunity to attempt to state the methodology of the programme or to propose any forms of evaluation which required community members to follow a certain pattern of activity or keep records. Community members detested the thought of evaluation, which signalled in their minds the possible dominance of form over substance and the certain demise of community power. In a rare display of professional control, the planning and evaluation subcommittee chose merely to observe the dynamics of the situation and attempt to capture its essence in the December, 1975 report to the Ward Councils.

In October of 1975, the entire Steering Committee organized a Neighbourhood Conference on Diversion. Its purpose was to test the community response to diversion and to learn the directions the community would suggest for such a programme. Dr. J. W. Mohr of the Law Reform Commission of Canada and Judge W.A.D. Gunn of the Nova Scotia Law Reform Commission joined a variety of speakers who offered their opinions on diversion possibilities to an enthusiastic audience, composed principally of social workers. Only about a dozen people who had nothing to do with any social agency or who had had no previous contact with the North End Project attended the conference. It would be unfair, however, to conclude that persons affiliated with an agency cannot be community people. Most social workers attending the conference lived and worked in the North End. The conference voted to support the idea of diversion and asked the Steering Committee to continue its work. The policy and evaluation subcommittee was given the task of incorporating into the December report to the Ward Councils the attitudes of conferees as recorded in small group sessions.

It is interesting to assess the performance of the Halifax North End Project as of December, 1975, when it received the full support of the Ward Councils, after which it began steering a more traditional approach. Two of the most frequent criticisms of diversion programmes is their tendency toward bureaucratization and their less than exacting evaluation methods. No bureaucracy had been formed, unless the term could be applied strictly to the children's organization which ran the mini-museum. The decision of the Steering Committee to utilize the resources of existing agencies did result in members of some bureaucracies participating in diversion, but this was simply a matter of shift of emphasis within a given organization. Moreover, their participation in the Project could never be linked to the traditional bureaucratic model whereby the client was made to suffer the slings and arrows of bargain theory dominating a situation in which one side had all the bargaining power. There were no contracts between the agencies and either the Steering Committee or the individual client, a feature which unfortunately has characterized so many other diversion programmes.[11]

No scientifically defensible evaluation scheme had been put into operation, and none was being planned as of December, 1975.

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11. Nimmer and Krauthaus, *supra*, note 3

There was a general sense of insecurity among some members of the Steering Committee that an evaluation technique would have to be developed if other people were to learn from the Project. Researchers often refer to the requirements of funding agencies when speaking of evaluation, but the Halifax North End Project never experienced any difficulty on that count. In fact, funding agencies were keen to become involved with a project which enjoyed obviously powerful community support, a comprehensive approach to the problems of crime and delinquency, and a willingness to experiment. Some funding applications were, of course, rejected, usually because the activity for which funds were sought was outside the terms of reference of the funding agency.

The Steering Committee was reasonably satisfied with its work when it presented the December, 1975 report to the Ward Councils. It had intervened on behalf of a number of people, probably around one hundred, most of them young people, and provided the authorities with a reasonable alternative to sending the person through the rigours of the formal criminal justice system. It had taken advantage of interest displayed by some police officers and had utilized their humanity and sensitivity in specific situations. It had alerted literally every private and governmental agency which dealt with young people in the North End to their potential role in diversion. It had allowed frustrated merchants to display in a realistic way their genuine and humane concern over the problem of crime in their community. It had brought into the Project over fifty volunteers who expended various amounts of time and energy to work on diversion. And it had very quietly caused governmental and private funding sources to spend more than $50,000 on the Project.

In the beginning, all the work done by the Steering Committee was on a volunteer basis. When the idea began to take hold, however, provincial and municipal governments assigned some of their employees to work for the Steering Committee. In some cases this was viewed by most members of the Steering Committee as a marvelous thing; in some others, it was viewed as an attempt to infiltrate the Project. There is a natural paranoia among agencies, of course, as each one fears that another may make its work obsolete. Funds were received for the mini-museum, Pioneer Village and the Outward Bound programme first by planting the idea of diversion with agencies and then assisting them in putting together the grant application and carrying out the project. In most cases, funding was

assured through personal contact with funding officials even before the agency was approached. Funds were obtained under a federal manpower training programme to permit two street workers, one a wily old veteran of North End problems and the other an ex-inmate, to practise diversion in crisis intervention situations.

The Steering Committee tried to capture the essense of its success in its statement of policies, particularly the last one, in the December, 1975 report to the Ward Councils:

> The program will be a response to needs already indicated by residents of Wards 3 and 5, and its outline will be initially consistent with out stated assumptions.
>
> The program will not be totally designed before it is implemented. A working draft plan will exist, but it will include constant evaluation of projects, and enough flexibility to make revisions in design when the community response indicates that need. It is not a 'laid-on' program.
>
> Our approach to the problem is dynamic: the program is designed to galvanize and focus the ideas of community people. Residents, shop owners, and other citizens must be actively a part of diversion efforts, and the underlying principle in creating specific diversion projects is to encourage that involvement.
>
> Following from that, we will work toward a separation between diversion field workers, who should be citizens of the community and the advisory people. They should ideally offer their services as required in specific areas related to research, consultation, funding, project design, etc., becoming less and less involved in the operation of the program in the community.
>
> Because of our general approach to the development of a diversion philosophy, we are concerned with community response, and the changes in attitude that hopefully will result. It is the changes in attitude that we wish to measure, as the basis of success and failure of the program. This calls for development of our own criteria for measuring the community temperature vis-a-vis crime, and constant testing. This is the element of flexibility that will provide concrete information for the diversion projects, and encourage realistic ongoing assessment and adjustment.
>
> It is the policy of the diversion Steering Committee to initially be a co-ordinating body for development of philosophy and creation of projects. Over time, if the notion of community responsibility bears fruit, that role would naturally revert to community organizations such as the Ward Councils.
>
> The most fundamental statement of the policy of this project is that it is designed to be a citizen action program with residents of

> the North End of Halifax responsible for every phase of its implementation and that the precise direction of the program will be decided by the community's actual needs, not by the configurations of a theoretical model drawn in the abstract.[12]

Both Ward Councils gave an enthusiastic approval to the December report and encouraged the Steering Committee to carry on its work. Prior to that time the Steering Committee had been unwilling to engage in any long range planning for fear that it might not meet with approval from the Ward Councils, but this was no longer true. Prior to this, the Steering Committee had been tied to short term projects; now it was free to seek long term funding for specific programmes.

III. *Developments in 1976*

The development of the Project from January, 1976, when the Steering Committee received the endorsement of the Ward Councils to proceed to attempt to put together a formal diversion scheme consistent with the Steering Committee's principles and experiences, to the present has been typified by occasional experimentation, tighter links to programmes already in operation, and a slow but steady movement toward formulating an extensive funding proposal for future activities.

Not all of the new experimentation has been successful. At one point, the Steering Committee called a conference for community volunteers, but discovered that there was no meaningful way for them to participate actively in the programme without considerable further clarification of their roles and responsibilities. A Neighbourhood Information Centre, which was placed in the heart of the North End's most volatile area, closed after a few weeks because its continued operation seemed impracticable on a number of counts. Despite its title, the Centre was really designed as a sort of drop-in centre for people enjoying the delights of Gottingen Street at night. Its second purpose was to provide volunteers to intervene, when called upon to do so, in crisis situations along the Street. The Centre was open until midnight, and Steering Committee members found themselves staffing the Centre late at night. Given that the Centre had only minimal business, that the "volunteers" had no special training for crisis intervention, and that there was no practical way to obtain quickly and train true community volunteers, the Steering

12. *Id.*

Committee decided to abandon the idea with the intention of returning to it at some future date when better planning hopefully would achieve different results. Community interests came to the Steering Committee and sought its participation in a special educational and entertainment project for North End girls. This idea received the endorsement of the Committee, but the usual pitfalls of funding, staffing, and space have prevented its full realization as of this date. It is reasonably certain that this part of the Project will be started again when future funding arrangements are finalized.

The Project continued to engage in crisis intervention, occasionally with spectacular success. Funds for street workers were obtained for two more temporary periods so that further information as to their potential role and use in the future structure of the Project might be gathered. It is a measure of the respect that the street worker had obtained within the formal processes of the criminal justice system that they were invited to intervene in a number of cases in Family Court, an honour previously reserved exclusively to the permanent professional staff of the Court. The street workers, sometimes with salary and often without salary, continued to link the Project to agencies, government, and commercial enterprises. The success of their efforts was demonstrated when, at one point during the summer of 1976 when it appeared funds would not be continued for the popular Outward Bound programme, it was a street worker who phoned and spoke personally with the appropriate provincial Minister and secured the funding.

It was also a street worker who put together a successful bicycling brigade to provide entertainment for bored North End youths during the summer. It is typical of the approach of the Project that canoeing was the planned activity, but bicycling became the order of the day when the young people, dealing with some one from their own neighbourhood, candidly confessed that this was their preference.

The co-operation between the Halifax North End Project and the Outward Bound Programme continued during the summer of 1976. A caravan of young people, most of them either on probation or facing charges in Family Court, journeyed to the province's more secluded spots for four weeks of outdoor living. For this operation, some genuine community volunteers who had no previous contact with the Project emerged from the neighbourhood to accompany the children. A similar experience occured with the now regular visits of irregular duration to Pioneer Village, which were significantly increased during this period. More than seventy-five young people

took part in one of these two programmes during 1976.

The Project also continued its association with the mini-museum during this period. It helped the museum find a more suitable home and obtained substantial funding to provide financial rewards to both its adult co-ordinator and the young people who worked for the project. The illegality of paying wages to the children was circumvented by paying them a room and board honorarium of approximately $30 per week.

It was clear by the end of the summer of 1976 that the time had come for the Halifax North End Project to solidify its role in the problems of the people of the North End by establishing a visible framework which people could observe, contact easily, and utilize. Members of the Steering Committee, particularly the community members who had led the charge into experimentation, were anxious to replace the hand-to-mouth relationship of funding and activity with long range funding commitments, at least for the parts of the Project viewed as its core component. In the beginning, everyone had been skeptical of long range funding but there was now general agreement that such a plan would do no damage to the fundamental principle of the Project. This was remarkable optimism for a group which had from the beginning prided itself on its non-institutional flavour. The prospect of long range funding posed a great danger to the dynamic posture of the Project, the spontaneous community support which had surfaced, the equality of community and professional members on the Steering Committee, and, of course, the Project's truly independent spirit.

The task of putting together a proposal which would both protect these cherished ideals and secure long term funding fell to the policy and evaluation subcommittee. It is a remarkable commentary on the viability of specialized training in the social sciences that the members of this subcommittee, all of them professionals, failed to report back to the Steering Committee the substance of their early meetings for fear the presence of the great new menace "evaluation" would turn community members away from the Project. And it did.

At no time in its history had the Halifax North End Project been in greater danger of dissolution than during the three months of discussion leading to the drafting of a formal proposal for long range funding. Some community members, convinced that the noble experiment was becoming just like all the others, stopped attending the weekly Steering Committee meetings. Other people

argued that the Project had become too agency-oriented and there was a general demise of spirit of all members, including the professionals, during this time period. That crisis has ended now and both community members and professionals appear to be satisfied with both the humane and scientific aspects of the new proposal.

Two factors appear to have accounted for the return to Camelot. One was patience and understanding on the part of both the scientists and the community people. The high point of this co-operation was reached when two street workers attended a strategy session of the policy and evaluation subcommittee and proceeded to instruct until well past midnight the captivated audience, made up primarily of psychology students new to the Project, on the fallibility of academic projections of a reality the community people knew first hand. The point was made and the tensions, which had been felt by everyone, though never articulated, relaxed.

The second important event was support for the Project from some rather surprisingly influential sources. A City alderman had begun to attend regularly the weekly meetings of the Steering Committee, participate actively in the work of the Project, and throw his considerable political force behind the Project whenever the opportunity presented itself. A more surprising source of support developed in the financially powerful Halifax Board of Trade when several of its more prominent members expressed their enthusiastic support for the Project to several members of the Steering Committee. The extent of this interest was displayed recently when one of the Board of Trade members joined a number of other people, including a number of community people, in expressing support for the Project to federal officials responsible for funding decisions. Some members of the Board of Trade are apparently willing to support a motion for Board funding of some aspects of the Project at some future date.

Members of the Steering Committee were also greatly encouraged by the sentence delivered by Sullivan J. in *R.* v. *Youness.*[13] The defendant, a nineteen year old male, was convicted of breaking and entering. At sentencing, the Court requested the provincial Adult Probation Service to conduct an inquiry as to the propriety of sentencing the accused to community service as part of a probation

13. *R.* v. *Youness* (1976) (unreported decision of Sullivan J.)

order. The chairperson of the Halifax North End Project's Steering Committee, appearing as co-ordinator of another group, Coalition Supportive Services, testified at the subsequent hearing that her organization was prepared to assume responsibility for overseeing the defendant's community service labours. Ultimately, the defendant was placed on probation, one of the terms of which required that he perform four hundred hours of community service during the next year.

IV. *The Funding Proposal*

In late October, 1976, the Halifax North End Project presented to representatives of the Solicitor General's Department a funding proposal for some of the core components of the Project. The proposal requests funding for three years at an annual rate just in excess of $68,000. Nearly all of the funds would go toward the salaries of a project co-ordinator, two street workers, and two persons to act as mediators in certain disputes.

It is typical of the Halifax North End Project that two sponsors for the Project have been brought in from the community: the Council of Christians and Jews, and the Coalition for Development. In the proposed new structural scheme for the Project, each of these organizations will appoint two persons to a newly-created management committee. These people will be North End residents with a record of community participation and concern with crime. All five of the employees of the Project would possess similar qualifications.

The plan calls for the Steering Committee to assume the role it had originally planned to move into: an advisory body to the management committee and the employees, the primary contact being with the street workers. The Steering Committee, which would continue to be open to anyone, will provide assistance in developing, preparing and submitting funding proposals, participate in policy and evaluation decisions, provide assistance and advice to ongoing projects and serve as general consultant to the management committee and employees on any questions.

The Project co-ordinator will be responsible for reporting regularly to the management committee on all aspects of the Project's activities, except evaluation, which would be reported on by a social scientist. Two members of the Steering Committee will join the Project co-ordinator, the evaluation co-ordinator and the

representatives of the two sponsoring agencies. There is support emerging from the Steering Committee for the placement of two additional community people on the management committee. Interestingly, about none of these groups or individuals can it be said that they control the Project. The sponsoring agencies will, of course, have an obligation to report to the funding sources, but there is no hierarchy of association planned. Clearly, this will mean that the choice of a Project co-ordinator will be a very delicate and important matter. Two street workers, each working out of an existing organization, whose goals and methods complement those of the Project would participate in conflict prevention, crisis intervention, and programme development. Experience from the efforts of previous street workers indicates that they can serve effectively as communication links between people in the community with ideas about crime and the resources represented in the Steering Committee. This method of obtaining community input proved to be effective during earlier experiments. They would be expected to involve themselves in either the prevention or settling of disputes of various kinds, so long as their intervention had been sought by at least one disputant and agreed to by all disputants. The street worker would have no authority, indeed probably no urge, to settle disputes authoritatively, but would merely encourage the disputants to come to a reasonable solution. Experience demonstrates that police officers on the beat, community organizations with cases suitable for external assistance, and private citizens involved in an unfortunate situation will look to the street workers for assistance.

The Project co-ordinator will also watch closely the activities of two persons who will act as mediators. One will be called "the community mediator" and the other will be called "the formal mediator". Each of these positions is in the Project's scheme of things. One of the serious problems faced by street workers during previous experience was the tension created by attempting to participate at an acceptable level of proficiency in both the development of specific diversion programmes and participation in street activity. Proficiency at developing diversion programmes required repeated contact with the court system and the police, and street effectiveness depended on being available when needed. The two roles were impossible for one person to handle.

The role of the community mediator will extend to both prevention of crime and intervention in some cases in which a crime

has occurred. The idea of a preventative role is to defuse frustrations before some one exercises bad judgment and does something unlawful. Reference of the dispute to the community mediator, with the approval of all parties, occasionally may reduce this happening. It is very likely that the mediator will already be known personally to all parties, given that he or she will be a longtime resident of the North End. The community mediator will have no authority to enforce any agreement reached, but simply will attempt to persuade the disputants to settle their differences in a reasonable way. The idea obviously is that this will also increase everyone's sense of community.

If a crime has been committed, the community mediator will perform more or less the same function when called upon by either the police or the parties. The traditional procedure will continue to be available to the victim or the police without regard to whether or not a settlement is reached.

The formal mediator will have responsibility slightly more consistent with traditional models of diversion projects.[14] This person will attempt to negotiate settlements only after a charge has been filed. The procedure will probably begin by reference from either the court, the police, or the prosecutor. Traditional models call for the Project and the client to form a contract by which the client agrees to return to the traditional criminal justice process if project personnel are dissatisfied with his or her performance. The widespread practice of this sort of forced agreement is an unfortunate commentary on the level of genuine concern of some project planners. Clearly the co-operation of the client has not been given freely. The Halifax North End Project will apparently be willing to utilize this approach only in cases of adult recidivists or crimes in the middle and above range of seriousness. In cases of juveniles and first offenders of any age involving a less serious crime, the mediator will forego a formal written contract of this sort. Contracts with the client, if they are used at all, will result in civil liability, probably in favour of the victim. For most cases, the mediator will intervene only if the prosecution and victim are willing to dismiss the charges. This is not as far-fetched as it sounds at first. It is a simple matter to see a victim, such as the owner of a

14. For a description of these activities see Nimmer and Krauthaus, *supra*, note 3, and J. Ortego, *Diversion: Practice and the Search for Theory* (unpublished paper, presented to the American Society of Criminology, Annual Meeting, November, 1976, Tucson, Arizona)

store where the defendant allegedly shoplifted, forego the right to prosecution, which after all does little for the victim, if there is a reasonable possibility that the new approach might decrease the likelihood of further contact with the defendant under similar circumstances. There is an excellent possibility that students of the Dalhousie Law School will provide assistance in mediation, through either the Law Students' Society or Dalhousie Legal Aid.

The evaluation component will be placed squarely in the hands of a relatively new member of the Steering Committee who brings to the group considerable expertise in evaluation techniques. The basic philosophy of the evaluation methodology requires scientifically defensible results obtained with minimal interference with the Project's community staff and no damage to the integrity of the principle of community control. This is a tall order.

The strategy of the evaluation team calls for utilization of Dalhousie University resources, including certain professors, graduate students, and undergraduate students in co-ordinated activities cemented by common association in course work. Graduate students in psychology will attempt to work closely with the faculty member in the planning of the overall evaluation scheme and will accept responsibility for developing and implementing an evaluation technique for one part of the Project. Undergraduate students will enrol in a course whereby they will be placed with various agencies linked to the Project as well as programmes already in operation. There, they will gather information to feed back into the pool of data being developed in the course and evaluated by the graduate students and the professor. This work has already begun and some students have been working with certain agencies for several months already.

Evaluation technique for diversion programmes is still in an embryonic state. The classic measure of recidivism just does not seem to do justice to the concept of diversion, which includes so much more than mere criminal conduct. The Halifax North End Project has adopted an open-ended approach to evaluation as the evaluation team agonizes through the search for the proper technique.

The proper technique for evaluating the Halifax North End Project will be difficult to find. Here is a Project which took a dynamic and constantly changing approach to the problem of crime, utilized massive community and agency resources, participated in a number of separate and different programmes, displayed no inclination

towards scientism and promises more of the same for the future. There is considerable sympathy on the Steering Committee for both the evaluation team and a new and radically different evaluation technique which will measure the Project's impact on the entire North End community.

V. *Conclusion*

It is impossible to predict at this time whether the Halifax North End Project will obtain the long range funding it is seeking or whether the Project will maintain, with or without funding, its dynamic and community-dominated approach to the problem of friction caused by criminal conduct in the North End. What is clear is that the Project has managed to develop and sustain a dialogue on the problem of crime between defendants, victims, other members of the community, academics, social workers, police, governmental and private agencies, and the courts.

It has avoided to this point at least most of the pitfalls which have damaged other more traditional models of diversion programme: unfair contractual relations with clients, development of another bureaucracy, abandonment of certain principles of fair play, and academic elitism. The Project traces its intellectual ancestry to the concept of diversion, but it is clear that the Project offers potential and dangers well beyond this single concept. It could also be described as an experiment in the theoretical participatory democracy, innovative evaluation technique, and self-help. Every social science experiment must have a groundwork laid before it can begin operation, but this has too often meant communication between a self-starter scientist and funding agencies to determine if a theoretical model developed in the abstractions of an ivory tower can be forced upon the community. Few projects spend almost two years testing the waters of community and professional response through the activities of a mixed group bound together more by their perception of a problem and a desire to help than a need to demonstrate the viability of a pet theory of criminality. The Halifax North End Project may, and indeed probably will, go the way of so many other well-intentioned ideas, but it has at least demonstrated that it is possible to humanize social science research. This destruction of the hypocrisy of the traditional social worker approach is alone sufficient to justify the experience for the people who have worked in it.