

SAXON HOUSE

the hard-core delinquent

MICHAEL O. MAYERS



The Hard-Core Delinquent

**An Experiment in Control and Care in a
Community Home with Education**

MICHAEL O. MAYERS

*Principal of Ardale
Community Home
with Education*

SAXON HOUSE

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1 Delinquency and the delinquent in residential care

Delinquency and the delinquent in residential care

Although this book deals primarily with the 'sharp edge' of delinquency—the 'hard-core' delinquent—in one particular establishment, it is necessary to put delinquency into perspective and to take a very brief look at the history of the residential treatment of delinquents.

The background leading to the development of child care in Great Britain as known today goes back to the reign of Elizabeth I. The parish or local communities were responsible for the care of orphans, with the added help of well meaning people and religious bodies who supplemented the work being done. Orphans, young vagabonds and poor children had to work or were attached as apprentices, as laid down in the Poor Relief Statute of 1601. The Philanthropic Society came into being in 1788 for 'the protection of poor children and the offspring of convicted felons, and the reformation of children who had themselves been engaged in criminal practices'. (Saynell, 1964)

At the beginning of the nineteenth century, the child was regarded as a diminutive adult with the same punishments as adults, including imprisonment, transportation and hanging. Sir Edmund Du Cane, writing about the period, noted that of the 3,000 prisoners in London aged under twenty, over half were juveniles under seventeen. (Du Cane, 1885)

The Victorian era saw not only such pioneers of child rearing as Dickens, Carpenter, Shaftsbury and Barnardo, but many new pieces of legislation, including the Youthful Offenders Act of 1854, which gave courts the power to send children to the newly created reformatories. These new establishments were given solid backing in 1857 by the passing of the Reformatory School Act.

The Childrens Act of 1908 abolished imprisonment for children under the age of fourteen, and created the Childrens Branch of the Home Office. When this new body had inspected and 'approved' a reformatory school it was entitled to call itself a Home Office Approved School.

Boards of Guardians were abolished in 1929 and their previous functions became the responsibility of local authorities. The 1933

Childrens Act gave the courts power to commit children to the care of the local education authorities, and it was shortly after this that Ardale, around which the bulk of this book revolves, came into being in 1935 as an approved school.

Approved schools were residential establishments for the education and training of children and young people ordered to be sent to them by the courts. They were intended for children whom the courts considered to need not only removal from home but also a fairly long period of residential training, but who, if aged fifteen or over, were not so criminally sophisticated as to require training at a borstal institution.

Approved schools varied widely in origin and character. Some originated over a century previously as industrial schools for destitute children or as reformatory schools for delinquent children. The school managers were *in loco parentis* to the children; and the statutory Approved School Regulations specified certain clearly defined rules regarding the managing body, the treatment and discipline of children, and other matters designed to safeguard the welfare of those who had been deprived of their full liberty by a court order. In 1965 there were 126 approved schools in England and Wales, ninety of them being for boys. There were no co-educational approved schools.

In 1968, the Seebohm Committee published its report and recommended that a new social services department should be created which would take over the role of the childrens department. In the same year, a white paper entitled *Children in Trouble* was published. Following closely on the heels of this came the 1969 Children and Young Persons Act. When introducing this Act, the Home Secretary of the day, James Callaghan, stated that the purpose of the Act was: 'To prevent the deprived and delinquent children of today from becoming the deprived, inadequate, unstable or criminal citizens of tomorrow'.

The 1969 Act provided for the discontinuance of approved schools and their assimilation into a comprehensive residential child care service in accordance with plans prepared by twelve regional planning committees. For the first time in legal history, the 1969 Act made possible the joining together of the 'caring' function of childrens departments with the 'educational' function of approved schools. The Act has been referred to as as much an act of faith as a piece of legislation in stating that delinquents were in need of care rather than punishment and that treatment did not necessarily depend upon offences committed.

The Assistant Secretary to the Department of Health and Social Security (DHSS) issued Statutory Instruments in March 1973 regarding

Ardale approved school:

This Order makes provision for the cessation as an approved institution of Ardale School and for the transfer of the staff of the school to the London Borough of Newham Council which is to assume responsibility after the school becomes a Community Home.

The majority of this book deals with one particular experiment to help what I term the 'hard-core' delinquent. However, before attempting to define that term, it is necessary to briefly define what we mean by 'delinquency'. It is generally accepted that juvenile delinquency has no single cause, manifestation or cure. Its origins are many, and the range of behaviour it covers is equally wide. A delinquent child's behaviour is influenced by numerous factors—genetic, emotional, intellectual as well as his personal maturity, family, school, peer group, neighbourhood and wider social setting. It can never be stated too often that any generalisation about delinquency is subject to very serious limitations. Many theories have been formulated, accepted and then rejected. In the ten years which have elapsed since the 1969 Act, the idealistic theories of 'care' divorced from 'control' have taken a number of steps backwards.

This is not intended to be a history of delinquency. Such theories as Lombroso's physiological aspects of criminals, or Sheldon's definitions of delinquent youth have been researched and written about *ad infinitum*. Similarly, there have been many theories attempting to relate delinquency with intelligence. Perhaps the best argument in this sphere is that given by D. J. West when he states:

It is sometimes suggested that criminals of above average intelligence do not appear as often as they might in the criminal statistics because they use their intelligence to develop skills to evade being caught. (West, 1967)

In *Psychopathy and Delinquency* W. and J. McCord suggested that many juvenile delinquents had a poorly developed super-ego. (McCord, 1959) Later research stated that the extroverted child was more likely to become delinquent than the introverted child as the former is not easily 'conditioned' and can fail to become 'adequately socialised'. In his book *Care or Custody*, N. Tutt stated:

The proponents of sociological theories regard delinquency as a social disease rather than individual deviancy. This approach does not exclude the physiological and psychological approaches since it could be argued that certain social conditions give rise to an increase in physiological abnormalities amongst children reared in such conditions or, alternatively, that the child rearing practices of certain social classes are

likely to increase the deviant personalities amongst those classes. (Tutt, 1974)

Many studies have been carried out using a sociological approach to define delinquency, frequently linking it with an educational approach. Sir Alec Clegg reported that children who suffer hardships and distress because of their home environment or cruel and neglectful parents frequently failed at school. (Clegg, 1968) Dr D. J. West researched the interaction between home environment and disturbances which led to delinquency. (West, 1969) Perhaps his most influential finding was that related to the social class of the families of delinquent children. According to West, the vast majority of delinquents tend to come from larger families who are financially insecure, live in poor housing and are often severely handicapped with overcrowding.

Criminal statistics provide fairly positive evidence linking delinquency with the material culture. Over 75 per cent of juvenile crime is some form of larceny. Much of this is the theft of such things as cars, motorbikes, clothing, records or cigarettes. As put by Norman Tutt:

It can be said that delinquents have a high need for material goods but a low achievement motivation which prevents them from satisfying this need through legitimate means, therefore, they opt for the easy delinquent solution and satisfy the need through illegitimate means. (Tutt, 1974)

Over a period of years numerous delinquent boys have been asked why they got into trouble. In 1976, I met Dr William Belson, who had just published his book *Juvenile Theft: The Casual Factors* and we compared some of our findings. (Belson, 1976) Shortly afterwards, I was in conversation with C. R. Pidduck, an educational psychologist at Stamford House, one of London's largest regional assessment centres. We discussed our various independent research into juvenile theft and compared it with Belson's findings.

Pidduck had used a group of thirty boys, aged thirteen to seventeen, with average IQs, to ask two specific questions regarding delinquency:

- 1 Can you give me as many different reasons as possibly why you got into trouble or you think other lads get into trouble?
- 2 What do you think should be done to help other boys keep out of trouble?

Pidduck presented a detailed list of his findings, which much later, appeared in *The Community Home Schools Gazette*, (Volume 72, number 11, February, 1979). A year after the same two

questions were given to the next thirty boys coming into Ardale to see what similarity there was. As the boys were from the same area, it was felt that if the results were in any way similar it may be possible to link them up some how with Dr Belson's findings. There was very little difference in age, and only a slightly higher IQ range of the boys in the Ardale sample from that of the Stamford House research. The results are shown in Table 1.1.

Table 1.1

Results of the Ardale and Stamford House Research

	Ardale	Stamford House
	%	%
1 Need for easy money	84	80
2 Boredom	62	67
3 Parental problems	47	53
4 To be part of the peer group	45	47
5 Led on by older delinquents	33	40
6 Emulating parents or brothers	10	10
7 Unusual or odd reasons	22	27
8 No reasons given	12	9

The remarkable similarity in results, made at two different establishments with over a year's gap between them points out, probably more than anything else, why the London based youngsters who become delinquent feel they do so. Belson researched boys from London of about the same age as used by Pidduck and Ardale but the majority of them were not delinquents in the usual sense. Some of them had been before the courts, but the majority were just boys from one particular area who were paid to answer Belson's questions. His first three causal factors for juvenile theft in the London area were:

- 1 Permissiveness. Very few thought that it was really very serious to steal.
- 2 Associating with sub-cultural groups who felt that there was nothing wrong in stealing.
- 3 A relief from boredom and the need for excitement.

So, the three independent research projects had discovered the same similarities. The majority of delinquent boys felt that three of the specific reasons for stealing were:

- 1 To obtain more money because there did not appear to be any moral reason for not stealing.
- 2 Boredom and the need to do something 'exciting'.

3 To run with the gang and not to be seen as different from the peer group sub-culture.

As Dr Belson writes in his book: 'Whatever is done, there must be no misunderstanding about the situations: permissiveness by boys towards stealing is widespread'. (Belson, 1976)

Some of the Ardale boys reasons for delinquency

Below is a list of direct and unexpurgated quotes from some of the Ardale boys on their specific reasons. One is given from each of the eight sections shown on the previous page. Naturally, there is no indication as to which boys said what, but they are all fairly indicative of the general responses given.

1 It's alright for you grown-ups, you've got plenty of cash, but what about us. My mother gives me a pound a week when I'm home and thinks she's doing me a favour. You can't even buy two packets of fags for that. If I want some extra cash I nick it. When my old man comes in drunk, he never knows how much he's got in his pocket, so I help myself.

2 There's absolutely fuck-all to do down our way. Me and my mates get so fed up we just go and muck about. We might cause a bit of bovver but what else can you do when you live in a poxy place like I do?

3 Everytime my old woman sees my old man they start going at each other like cats and dogs. I get so fed up with it that I spend as little time as possible at home. I sometimes nick food or money to buy food just so that I don't have to go home until night time.

4 A lot of my mates have got flashy gear and all that. Most of them nick stuff from work as well as get it from social security. Your're not very likely to get a bird round our way unless you are seen in the right places with the right mates.

5 My old man's inside for nicking, but my brother is looking after the old lady. He's got a flashy Jag. now and he's never done a day's work in his life.

6 I don't see why I shouldn't do as well as my dad. He works on the docks and is always bringing stuff home.

7 I only nick from supermarkets cause my uncle has a little shop and he says the supermarkets are going to close him down soon. I think my uncle's a great bloke.

8 I dunno, do I?

Perhaps the above eight quotations from these boys should be linked with one quoted in *The Evening Standard* 4 February 1977.

The chairman of the Islington Juvenile Court, Mrs H. Halpin, when talking about the rise in crime by teenagers said:

Obviously the community is failing because we get the kids we deserve. I think these children do these things because they are bored. They are living in a concrete jungle, their parents are fed up with them and often do not want them around. They do not, as it is commonly thought, sit glued to the television; they go out and get into mischief out of sheer boredom. Of course, some of them do it to get the material possessions which they are constantly pressured to have by the advertising in the mass media.

Turning now to the results of the second question: 'What do you think should be done to help boys keep out of trouble?' Here the Ardale results and those of Pidduck at Stamford House showed considerable discrepancies. It may have been that the year's gap between the two pieces of research was significant. The only real point of any similarity was the punitive one. Pidduck found that 78 per cent of his group felt the courts were basically too lenient. Ardale's findings on this score were 72 per cent.

The largest discrepancy of all between the two pieces of research was Pidduck's findings that 78 per cent of his group said that if more clubs, youth clubs, adventure playgrounds and sports centres were opened, more boys would keep out of trouble. Only 12 per cent of the Ardale group gave a similar answer although over 30 per cent mentioned discos as being suitable places lads might go to if they had the money to enjoy themselves and possibly keep out of trouble. Surprisingly, the discos which were supervised by a 'bouncer' who would throw out anybody who made a nuisance of himself were seen to be the most popular. Two boys boasted that they were relatives of 'bouncers' and one hoped to become one himself!

Pidduck found that 70 per cent of his group felt that social workers could do a lot more to keep boys out of trouble, but only 18 per cent of my sample said the same thing. 24 per cent said that teachers could help more by being stricter and not let 'kids muck about and dodge lessons', but it would appear that this was not so with the Stamford House group.

None of the Ardale boys felt that if courts gave them more lenient sentences it would help. Perhaps the biggest criticism of a care order came from one of my boys, one with four previous court appearances, who said:

The courts have got it all wrong you know. I've had two conditional discharges, a three pound fine which I didn't pay anyway,

and a supervision order. Now I'm on a care order. They are too soft. If the beaks gave a few more DC orders out for a first offence, a lot of us wouldn't think we have got away with it. I mean, Sir, a conditional discharge for three robberies with two more taken into consideration. Makes you laugh, don't it?

Before moving on to the specific definitions and problems of what I refer to as the 'hard-core' delinquent, it is advisable to conclude with a few definitions of delinquency given over the past twelve months in relation to a specific question: 'How would you define delinquency?'

All I know is that there is some good in everybody. It's just more difficult to locate with some of your lads. I suppose you can blame the parents to some extent, but I'm honestly beginning to believe that some children are just born bad. You know, like some are born blind or lame.

(Local resident on recovering undamaged his car which had been stolen by two of my boys.)

Most of the problems start even before a boy is born. I know that there are numerous temptations as a child grows up, but, in my considerable experience, over ninety per cent of the problem stems from the home and family.

(Senior social worker of one of my boys.)

They get too much, expect too much, and don't have the basic discipline we had as kids. The worst thing this country did was stopping National Service. Some good honest old fashioned discipline would cut the delinquency figures in half.

(Policeman who questioned a boy following an absconding.)

I think it's all the fault of the school and the telly. I mean, teachers can't control them anymore and they do as they like. Then they come home and see things on the box we can't afford so they decide to steal. I'm at my wit's end.

(Father of one of the boys following a court appearance.)

It's all a bit of a lark really. I mean it's them or us, isn't it. There's nothing to do at nights around our place and my old lady won't give me enough cash to go out and enjoy myself.

(One of my boys.)

2 The hard-core delinquent

It must be obvious by now, that there is no clear cut definition of delinquency. Systems may change, laws may provide clearer legislation, the old may be swept aside by the new but juvenile crime, like the poor, is always with us. Officially there is no such thing as a 'hard-core' delinquent so it is necessary to define my terminology.

I have coined this phrase to cover those delinquents who, because of their behaviour attitudes, criminal patterns, overt aggression, absconding frequencies, extreme emotional problems, or need for psychiatric oversight are difficult or impossible to place in CH(E)s or who have been excluded from a number of previous residential establishments. Whatever our personal view of the 'colour problem' in Britain, it is an established fact that at least 50 per cent of boys difficult to place in a CH(E) are non-white. Many of these children have been 'tried' at a number of previous residential establishments and tend to regard themselves as 'different'. They frequently relish the idea that they are a law unto themselves because they are 'out of control' and nobody knows what to do with them.

There are numerous reasons why some delinquents are difficult to place in a CH(E), not the least of which is the phraseology of the 1969 Act which gives heads considerable choice on whether to admit or not. There are, however, four particular spheres which need elaboration—abnormal offenders, persistent absconders, highly aggressive and violent types, and anti-authority coloured children. That is not to say that a West Indian boy cannot also be a persistent absconder, or an abnormal offender has to be white. There is, more often than not, a juxtaposition of the various categories.

Abnormal offenders

'Abnormal offenders' is not a precise term, but it can be viewed as both covering those cases which have serious psychological disturbances as a major part of the genesis of the behaviour problem, and those whose primary difficulty is an organic one, including sub-normality. Some form of labelling becomes necessary, although one must be aware that a fundamental weakness of certain diagnostic labels, such as 'severe personality disorder', is the implication for

the development or otherwise of long term treatment programmes.

Various studies have suggested that anything between 15-40 per cent of the total sample of youngsters admitted to CH(E)s may be suffering from a serious enough degree of psychological difficulty to warrant specific treatment and to raise the probability that the abnormal condition is causally related to the offence behaviour. Two most recent and relevant studies of the incidence of psychological and psychiatric abnormality are those carried out by Dr Pamela Mason of the DHSS and Dr Masud Hoghugi of Aycliffe CH(E). In the former, Dr Mason studied 100 consecutive admissions to a boys' assessment centre and to a girls' school, as well as 141 children transferred from CH(E)s to mental hospitals. She found that the five major categories of 'mental illness, psychopathic disorder, anti-social character disorder, personality disorder, and neurotic illness' accounted for roughly 40 per cent of admissions to CH(E)s.

Dr Hoghugi, in a study of 350 random admissions to Aycliffe School in 1972, showed that 18 per cent were in need of psychiatric treatment and 19 per cent of psychiatric oversight because of the severity of the problems they presented. There is a long list of previous research carried out both inside and outside approved schools and CH(E)s, mainly unpublished, which broadly support Dr Hoghugi's findings. If abnormal offence behaviour is to be regarded as a useful criterion for singling out youngsters for special treatment, it would appear that anything between 15 and 40 per cent of current admissions are in need of special treatment.

Over many years, approved schools admitted those children who displayed the most severe behavioural difficulties and were able to offer a degree of support. CH(E)s, with a greater degree of say in whom they admit or refuse, are, in some cases, refusing to take in children with extreme behaviour problems. There is a shortage of special school places for severely maladjusted children and the same selectivity and rejection occurs. Special schools tend, in general, to reject the severely acting-out child. Again, medically run institutions tend to reject the children who do not conform with normal hospital ward patterns of care and, furthermore, have access to drug therapy as a means of patient containment or management rather than treatment. The resources of CH(E)s have never been adequate to deal successfully with this type of child, yet are constantly criticised for not doing so. It was hoped that the new youth treatment centres would provide some alleviation of the difficulties, but experience so far does not bear this out. In terms of numbers involved and the criteria for selection, youth treatment centres have failed to provide any significant relief to CH(E)s by admitting their most disturbed children.

Persistent absconders

Absconding from residential establishments has been a continual problem. However, since the 1969 Act abolished Approved School Orders, it has grown to considerable proportions. As CH(E)s still have the power to choose those children they think will respond to the treatment available, the most highly disturbed children and persistent absconders from other establishments are often unplaced. In a Home Office research study Clarke and Martin state: 'The most recent estimates suggest that about 40 per cent of the boys and about 60 per cent of the girls abscond at least once during training, and about 5 per cent of the boys and 10-12 per cent of the girls become persistent absconders. (Clarke and Martin, 1971)

For numerous reasons absconding is very undesirable, not the least of which is that absconders frequently commit further offences whilst absent. Official statistics for absconding are, unfortunately, now no longer available as they were in the approved school days. This is one of the many crosses CH(E) workers have to bear consequent to the 1969 Act. However, the heads and principals of CH(E)s in the south-east corner of England do meet frequently and absconding is sometimes discussed. Unofficial research is not optimistic. Absconding appears to have been on the increase since the early fifties and far exceeds the increase in population. In 1956 there were 6,890 admissions to boys' approved schools with a total of 2,682 abscondings. By 1970, the number of admissions had slightly increased to 7,191, but the number of abscondings had risen to 10,347. There was a similar proportionate increase in the figures for admissions and absconding at girls' schools.

Unlike CH(E)s, ordinary community homes have far less say in whom they have to admit. The problem of persistent absconding is often particularly acute. A typical example of this is a children's home in North London. This establishment tries to keep under the same roof a mixture of drug takers, children with sex problems, former Borstal detainees, former absconders from CH(E)s, highly disturbed and violent children, pregnant girls without a home, young offenders on remand from court for a few weeks, and children suddenly thrust into care and in need of a bed for the night. The absconding rate at this small (twenty beds) home has soared recently. One of the senior staff of the relevant social services department stated:

Before the 1969 Act we certainly did not get the rate of absconding we do now. Now we get wide scale absconding from children's homes, partly because they have to take such disturbed children. Already subjected to enormous pressures,

the staff have to take the brunt of abscondings.

All local authorities are faced with a growing number of abscondings inherited from the former approved schools. Many of the old theories about absconding are now out dated. Although I disagree to a certain extent with some of their findings, Clarke and Martin go so far as to state that former theories about absconding usually adopted in approved schools were wrong. The underlying assumption was that absconding was a symptom or derivative of abnormality in the child, which tended to manifest itself whatever the circumstances. Steps taken by approved schools to counter absconding were, they say, ineffectual as a consequence: 'Staff in approved schools generally thought to explain a child's behaviour in terms of his personal characteristics rather than in terms of his immediate environment'. (Clarke and Martin, 1971) Using the personality theory as a basis, Clarke and Martin attempted to identify personal characteristics of absconders by comparing them with non-absconders. They studied personal variations such as age, height, weight, intelligence and numerous other factors. Their detailed findings do not necessarily concern this work, but they came to the conclusion that there was a slight increase in the number of persistent absconders. Though research indicated clearly the harmful effects of absconding, many social workers believed the practice to be good. Dr Clarke states:

They feel it is therapeutic, an acting out of problems. Our view is that when children abscond they run away from their problems, and in doing so, they are making new problems—making matters worse. Absconding itself can be regarded as a special type of delinquent act'.

Violence and aggression

It is frequently the image the vandal or the hooligan creates which makes him so difficult to place in a CH(E). However, this category of 'hard-core' delinquent often has a very 'soft centre'. Taken away from their normal environment and peer groups, they frequently adapt quite well to a residential setting.

It is necessary to link vandalism and aggression together: for this reason, minor vandalism is divorced from the more serious kind which makes this type of child difficult to place in many CH(E)s. At Ardale we carried out a small survey of all the boys admitted between September 1977 and March 1978. Obviously not all the replies received are necessarily completely accurate, but they provide