



Juristat

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Trends in Drug Offences and the Role of Alcohol and Drugs in Crime

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Highlights

- After a period of decline throughout the 1980's and early 1990's, the rate of police-reported drug offences increased by 42% between 1992 and 2002. Much of this increase can be attributed to a rise in offences for the possession of cannabis.
- The rate of trafficking offences increased over the period 1977 to 1992, but has since declined 13%.
- According to police-reported statistics, rates of importation and production offences are relatively low, but have more than doubled since the early 1990's.
- According to police-reported statistics, cannabis offences have risen 81% between 1992 and 2002, driven largely by possession offences, which have almost doubled over the past decade. In 2002, three in four drug-related incidents involved cannabis offences, most of which were for simple possession.
- Rates per 100,000 population for drug-related violations in 2002 were highest for individuals between the ages of 18 and 24 in 2002 (860) followed by 12 – 17 year-olds (645).
- The highest rates of drug offences among the provinces in 2002 were reported in British Columbia, Saskatchewan and New Brunswick. Among Census Metropolitan Areas (CMAs), rates were highest in Thunder Bay, Vancouver and Victoria.
- In 2001/02, for the eight provinces and one territory providing drug case data to the Adult Criminal Court Survey, drug offences represented 9% of all adult criminal court cases of which 5% were for possession and 4% were for trafficking. Drug-related cases accounted for 7% of cases processed in youth courts (5% for possession; 2% for trafficking).
- Estimates from the 1999 General Social Survey suggest that in half of physical (51%) and sexual (48%) assaults, the victim believed that the incident was related to the perpetrator's use of alcohol or drugs.
- Between 1992 and 2002, 684 (11%) homicide incidents in Canada were reported to be drug related. Of these, 176 (26%) were gang-related.
- Of the 684 drug-related homicide incidents in Canada between 1992 and 2002, 19% occurred in Vancouver, 18% in Montréal and 12% in Toronto. Fully half of all homicide incidents in Canada involving heroin (52%) and more than one-fifth (22%) of cocaine-related homicides took place in Vancouver.



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Introduction

Illicit drug use, and excessive use of alcohol and licit¹ drugs, creates a burden for Canadian society and its social welfare systems. The negative impact of drug and alcohol abuse on both criminal justice and health care systems has been highlighted in reports from Parliament (House of Common 2002), the Auditor General (2001), the Canadian Centre for Substance Abuse (Single, Robson, Xie, and Rehm 1996) and the Centre for Addiction and Mental Health (Single, Truong, Adlaf, and Ialomiteanu 1999). Enumerating the opportunity costs of lost productivity, misdirected personal finances and lost human potential serve only to portray a more serious picture of the situation (Auditor General 2001).

Canada's laws governing drug use are currently in a state of transition. A number of recent court rulings have raised questions about the constitutionality of current laws regarding possession of small amounts of marihuana (see Box 9). While changes are being considered to federal legislation, the medicinal properties of marihuana to treat adverse symptoms related to AIDS, Hepatitis C, and other blood-borne diseases have been recognized and some Canadians are currently allowed to possess or cultivate marihuana for medical purposes.^{2,3,4,5} In addition, the city of Vancouver opened Canada's first supervised injection site in September, 2003 to address the needs of the city's heroin and cocaine addicts. The facility operates with the approval of Health Canada (see Box 2) (Health Canada 2003a).

While generally declining in recent years, impaired driving remains a common and serious alcohol-related, and often drug-related, crime. The downward trend which began in 1981 may be attributable to a number of factors, including changing attitudes with respect to impaired driving and legislation which supports these attitudes (including increased fines), enforcement practices used by the police, and demographic shifts in the population (Janhevich, Gannon and Morisset 2003). Monitoring drug-related impairment however is difficult because of a lack of adequate and non-invasive roadside testing methods available for police use (see Box 6) (House of Commons 2002).

Box 1

Drugs, Alcohol and Crime: A Complex Relationship

Drug and alcohol use have a complex association with crime. For example, while many adolescents begin their experience with drugs before committing illegal activities, a smaller portion begin using drugs only after becoming involved in non-drug criminal activity. In either case the criminal activity is often used to fund their substance abuse (Brunelle, Brochu and Cousineau 2000).

A recent study on the nature of the links between the usage and abuse of alcohol and drugs and the commission of crime looked at the associations among crime types and the use of alcohol and drugs along with the share of crimes attributable to alcohol and drugs (Pernanen, Cousineau, Brochu and Sun 2002). The study found that alcohol-dependent federal inmates were much more likely to have committed a violent crime than were drug-dependent inmates, while drug-dependent inmates were more likely to have committed a gainful crime (theft, break and enter, etc.). Approximately 46% of a sample of federal inmates who were convicted of theft, 41% convicted of robbery and 36% convicted of breaking and entering reported committing the crime to support their alcohol or drug habit. The same study estimates that approximately 38% of newly admitted federal male inmates and almost half of provincial inmates (48% of males; 49% of females) were dependent on either or both substances.

1. *Over-the-counter and prescription drugs.*
2. *On July 30, 2001, Health Canada implemented the Marihuana Medical Access Regulations, which define the circumstances and the manner in which access to marihuana for medical purposes will be permitted.*
3. *As of September 5, 2003, 642 persons are allowed to possess marihuana for medical purposes (558 hold an Authorization to Possess dried marihuana under the Marihuana Medical Access Regulations (MMAR); 84 hold an Exemption for possession under Section 56 of the Controlled Drugs and Substances Act (CDSA). Five hundred persons are allowed to cultivate/produce marihuana for medical purposes (Health Canada 2003c).*
4. *The Community Research Initiative of Toronto is testing the effect of marihuana on the appetites of AIDS patients. A group at McGill University in Montreal is testing the effects of marihuana on neuropathic pain. Health Canada provides funding but not the marihuana. Until such time as a licit, domestic supply is established, Health Canada will secure a supply of research-grade marihuana for clinical trials being conducted in Canada. Both the U.S. National Institute of Drug Abuse and a private company in the U.K., GW Pharmaceuticals, Ltd., are sources of drug material for upcoming clinical trials. (Health Canada 2003c).*
5. *Ottawa signed a \$5.7-million, four-year contract in 2000 with Saskatoon-based Prairie Plant Systems to grow marihuana for the government. The marihuana is being grown in a former mine in Flin Flon, Manitoba.*

This *Juristat* describes changes in drug offences and impaired driving in Canada, and provides a broad examination of the relationships between drug and alcohol use, and crime. Trends in drug offences reported by police will be examined, as well as recent conviction and sentencing data for adult and youth court cases relating to drug possession and trafficking. It will also summarize offence trends in impaired driving. Finally, the report looks at the role of drug and/or alcohol consumption during the commission of spousal assault and other violent offences.

Box 2

Supervised Drug Injection Sites

Injection drug use involves a wide variety of adverse health and social consequences which have negative impacts on individuals, families and the economy. Major causes of drug-related death are suicide, overdose and AIDS contracted from sharing needles — all of which are strongly associated with injection drug use (Health Canada 2004). These deaths and related hospitalizations result in the bulk of the costs to the health care system as well as lost productivity costs attributable to illicit drugs (Health Canada 2001), particularly in Vancouver, where the number of drug overdose deaths has risen markedly in recent years (Poulin, Stein, and Butt 2000).

In September 2003, the Vancouver Coastal Health Authority opened the first supervised injection site in Canada in the downtown eastside of Vancouver. This site was approved by Health Canada as a 3-year pilot research project using an exemption under Section 56 of the *Controlled Drugs and Substances Act* (CDSA). The exception allows individuals to take their own injection drugs, such as cocaine or heroin, into the site for their own use without fear of arrest (Vancouver Coastal Health 2003). The site provides a clean, hygienic environment and medical supervision with the goal of reducing drug overdoses among Vancouver drug users.

This initiative forms part of the research for Canada's National Drug Strategy into the root causes of substance abuse, prevention, and harm reduction. The goal of the project is to assess whether the establishment of a supervised injection site will reduce the harm associated with illicit drug use, improve the health of drug users, increase appropriate use of health and social services by drug users and reduce the health, social, legal and incarceration costs associated with drug use (Health Canada 2003a). Similar sites are found in other countries such as the Netherlands, Switzerland, Germany and Australia (House of Commons 2002).

Trends in Drug Offences

Drug offences reported in this *Juristat* include drug possession, drug trafficking, as well as the importation, exportation and production of drugs (see Box 3).⁶

In 2002, 92,590 drug incidents (incidents where the most serious offence (MSO) was drug-related) were reported by police in Canada (Table 1). The most common offence was the possession of illegal drugs (61,166), followed by drug trafficking (19,970) and the importation/exportation or production of drugs (11,454). In addition to the 92,590 incidents where drugs were the most serious offence, there were an estimated 7,815 additional incidents involving a drug violation as a lesser offence.⁷

Cannabis offences accounted for 76% of all drug-related incidents in 2002, followed by cocaine (13%), and heroin (1%). The remaining 10% of offences related to "other" types of drugs, which include LSD, ecstasy, and barbiturates, among others (Table 2).

Recent increase in the number of drug offences reported by police

After a period of decline in the 1980's and early 1990's, the rate of police-reported drug offences increased by 42% between 1992 and 2002 (similar to the peak rate for both 1980 and 1981) (Figure 1) (Table 1). Most of this increase can be attributed to a recent rise in the cannabis possession rate, which nearly doubled (96%) since 1992 (Figure 2) (Table 2). Other drugs⁸ also showed a small increase (4%) over this time period, while cocaine and heroin both decreased (12% and 28% respectively).

The rate of trafficking offences increased over the period 1977 to 1992, but has since declined 13%. The cocaine offence rate has declined (28%) since 1992, as has heroin (61%) and other drugs (42%). According to police-reported statistics, only the rate of cannabis trafficking incidents has increased (21%) since the early 1990's.

Police-reported rates of importation and production offences are relatively low, but have more than doubled since the early 1990's (Table 1). This rise in importation/production offence rates has been largely a result of the cannabis incident rate which increased 115% between 1992 and 2002. Other rates have fluctuated since 1992, but while small in size, have shown a relatively substantial increase. The rate of cocaine importation and production offences continues to be low, ranging from less than 1 to 2 incidents per 100,000 population. The rate for the importation/production of heroin has been small for many years, with a fluctuating trend, often less than 1 per 100,000.

Property loss and administration of justice violations are most commonly associated with drug-related incidents

In 2002, the UCR2 Research database (which can record multiple violations for individual incidents⁹) included a total of 66,351 violations among all incidents involving a drug offence¹⁰ for that year, including 53,953 (81%) drug violations. The most common of the remaining (non-drug) violations (19%) included theft or other property loss (7%), administration of justice (6%), weapons (2%), assault or the threat of bodily harm (2%), and property damage and public order (1%). Other crimes, including homicide, sexual assault, prostitution and liquor violations accounted for only 1% of all non-drug related violations among drug-related incidents.

6. It is important to note that changes in the rate of drug offences reported by police do not necessarily mirror changes in the number of drug users in Canada, nor are they an accurate measure of the number of individuals involved in the trafficking, import/export or production of drugs. The number of recorded drug crimes is sensitive to police resources available for enforcement and detection, as well as local police priorities.

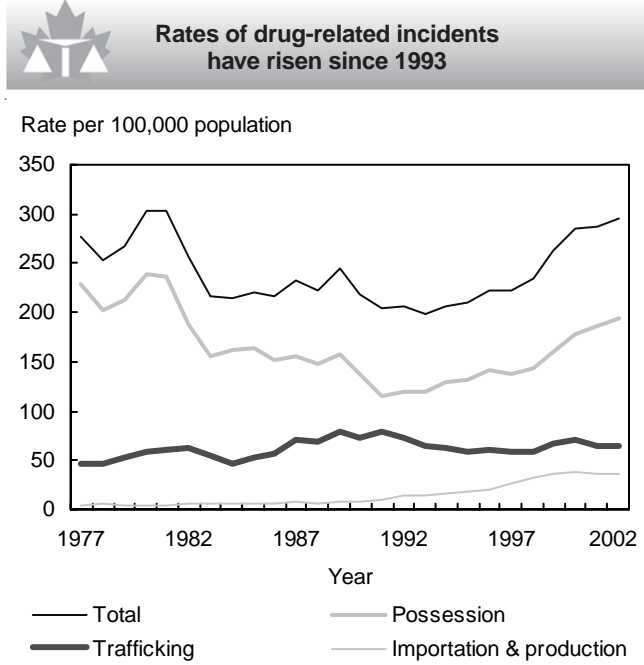
7. These 7,815 additional incidents were estimated using the Incident-Based (UCR2) Survey which gathers detailed characteristics about incidents, victims and offenders that are not available from the aggregate UCR survey. In 2002, the UCR2 Research database, a subset of the UCR2 database, included 94 police agencies in 9 provinces. These data represent 56% of the national volume of reported actual Criminal Code incidents.

8. Some examples include LSD, ecstasy, amphetamines, barbiturates or anabolic steroids.

9. An arresting officer may report up to 4 separate violations when recording the details of an incident.

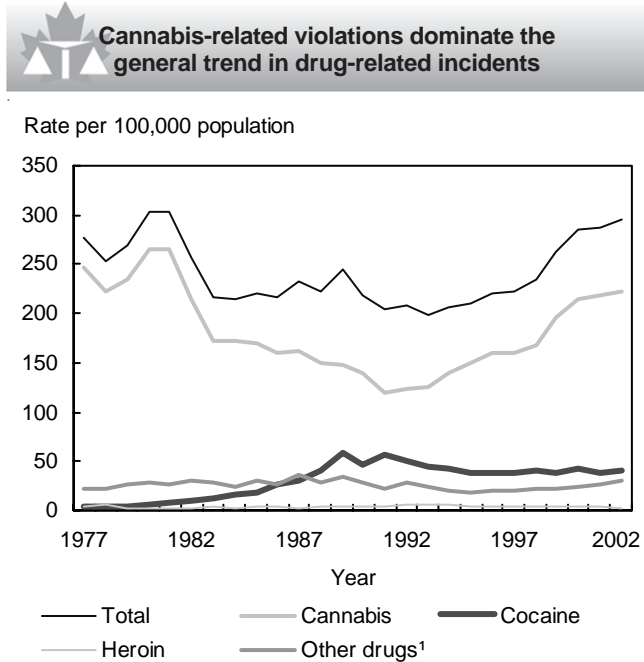
10. About 3 in 10 (29%) incidents involving a drug offence reported to the UCR2 survey involved non-drug violations.

Figure 1



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 2



1. Examples of Other Drugs include: LSD, ecstasy, amphetamines, barbiturates or anabolic steroids.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Box 3

Drug offences and their penalties defined

The *Controlled Drugs and Substances Act* (CDSA) includes a number of drug offences related to the possession, production, import/export and sale of drugs. It also includes special offences designed to aid in the forfeiture of offence-related property. Sentencing options can vary by the type of drug(s) (refer to the summary of drug schedules at the end of this text box), the quantity of drugs involved, and by previous convictions for drug offences. "Possession of property obtained by certain offences" and "Laundering proceeds of certain offences" (items (e) and (f) below) are excluded from analysis in the *Juristat* because the data used in this study do not distinguish between property and proceeds specifically related to drug crimes from those obtained through the commission of other criminal activities.

- (a) Possession of substance [s.4 (1) (2)] – no person shall possess a Schedule I, II or III substance nor seek or obtain a substance included in Schedule I, II, III or IV from a practitioner without authorization.
- (b) Trafficking in substance [s.5 (1) (2)] – no person shall traffic in a Schedule I, II, III or IV substance, or possess a Schedule I, II, III or IV substance for the purposes of trafficking.
- (c) Importing and exporting [s.6 (1) (2)] – no person shall import to Canada or export from Canada a Schedule I through VI substance, or possess a substance included in Schedule I through VI for the purpose of exporting.
- (d) Production of substance [s.7 (1)] – no person shall produce a Schedule I, II, III or IV substance except as authorized under the regulations.
- (e) Possession of property obtained by certain offences [s.8(1)] – no person shall possess any property or any proceeds of any property knowing that all or part of the property or proceeds was obtained or derived directly or indirectly under the offences defined in (b), (c) and (d).
- (f) Laundering proceeds of certain offences [s.9(1)] – no person shall use, transfer the possession of, dispose of or otherwise deal with, any property or proceeds of any property obtained as a result of the commission of an offence described in (b), (c), (d) or (e).

Summary of Drug Schedules

Schedule I substances include various opiates, heroin, cocaine, phencyclidine (PCP), methadone, and analgesics such as pentazocine.

Schedule II substances include cannabis (marihuana) and cannabis resin (hashish).

Schedule III substances include amphetamines and derivatives (such as 'speed'), lysergic acid diethylamide (LSD), psilocybin (magic mushrooms) and methylphenidate (such as Ritalin 7).

Schedule IV substances include barbiturates, anabolic steroids, and benzodiazepines (tranquilizers such as Valium, Ativan, and Rohypnol).

Schedule V substances include Propylhexdrine (found in nasal sprays) and any salt thereof. Schedule IV and V substances are not illegal to possess; however, it is illegal to import, export or traffic in these substances except under control regulations.

Schedule VI substances are considered to be "precursor" chemicals frequently used in the production of illicit drugs. Examples of precursor substances include ephedrine and pseudoephedrine.

For a more detailed breakdown of drugs included in each Schedule group, see Part VII of the CDSA.

Males are more likely to be charged with drug offences than females

In 2002, 89% of persons charged with the possession of drugs were male as were 83% of persons charged with drug trafficking offences and 80% charged with the importation, exportation and production of illegal drugs.

Although some research literature has suggested that the gender gap in involvement in crime has narrowed in recent

years (Stevenson, Tufts, Hendrick, and Kowalski 1998), this does not appear to be true for drug crime in Canada. The proportion of female drug offenders has not substantially increased over the past 25 years.

Young adults and adolescents have highest rates for drug-related offences

Recent research has found that self-reported drug use among youth has increased over the past decade (Adlaf and Paglia 2001; Poulin, VanTil and Wilbur 1999). UCR2 survey data shows that rates per 100,000 for drug-related violations in 2002 were highest for individuals between the ages of 18 and 24 in 2002 (860)¹¹ followed by 12 – 17 year-olds (645) (Table 3). The rates for older individuals declined with age.

According to the UCR2 survey, the cannabis possession rate was 502 per 100,000 for 18 – 24 year-olds and 478 for those aged 12 -17. Cannabis trafficking was also common among younger age groups. Those in the 18 - 24 year old and 12 - 17 year—old age groups had the highest rates for cannabis trafficking (121 and 101 respectively). Cocaine violations were most common among 18 – 24 year-olds (possession (58); trafficking (91)) as well as the 25 -35 year-old group (possession (38); trafficking (49)).

Rates are highest in British Columbia, Saskatchewan and New Brunswick

The rate of police reported drug offences varies considerably across Canada (Figure 3). In 2002, among the provinces, the rate per 100,000 population was highest in British Columbia (544), Saskatchewan (351) and New Brunswick (343). Rates of drug offences in British Columbia have been well above the national average each year between 1977 and 2002 (Table 4).

Rates of drug offences have fluctuated considerably in the provinces between 1977 and 2002. For example, Alberta's rate of drug offences was well above the national average until the 1990's. Similarly, the provinces of Ontario, Saskatchewan and Nova Scotia had higher than average rates of drug offences in the late 1970's and early 1980's but have generally shown lower rates than the Canadian average for the past decade. Newfoundland and Labrador and Quebec are the only provinces that have consistently shown lower rates of drug offences than the Canadian average.

Since the early 1990's, all provinces and territories have had an increase in the rate of drug offences reported by police. New Brunswick has had the largest increase (134%), followed by Saskatchewan (97%), and Quebec (81%).

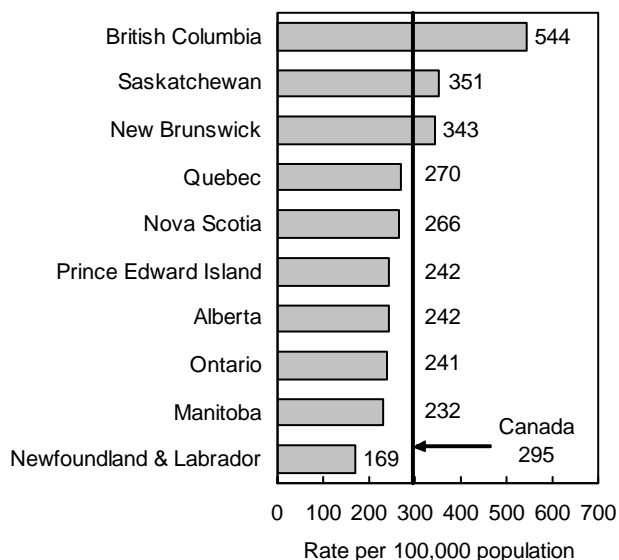
Rates of police-reported drug offences were high among the territories, Northwest Territories (896) being the highest, followed by Nunavut (878), and Yukon (501).

Rates of drug offences among Canadian cities

Among Canadian Census Metropolitan Areas¹² (CMAs) (Figure 4) in 2002, the highest rates per 100,000 population of police reported drug offences were found in Thunder Bay (571), Vancouver (468), and Victoria (459). CMAs with the lowest rates include Kitchener (151), followed by Edmonton (166) and St. John's (174). Table 5 shows that rates of drug offences across CMAs have varied considerably since the early 1990's,

Figure 3

British Columbia, Saskatchewan and New Brunswick had highest drug-related offence rates among the provinces in 2002



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

although rates in Vancouver and Victoria were among the highest in each year.

There are many factors that may contribute to the variability in rates across jurisdictions and over time. These factors include differences in, and changes to, local police resources and enforcement priorities. The same holds true for differences, or shifts, in the demographic profile of the area. Although the number of arrests does not necessarily reflect an increase in the use of illegal drugs, as indicated earlier, research has shown that self-reported drug use among youth has increased over the past decade (Adlaf, et al., 2001; Poulin et al., 1999). Jurisdictions with a high proportion of youth may also have higher rates of drug-related offences. Rates of drug offences are highest in Nunavut and the Northwest Territories, and data from the 2001 Census of Canada (Statistics Canada 2002) show that these territories have the lowest median¹³ age of the population (22 and 30 respectively compared to the Canadian average of 38).

11. No other age group exceeded 18 – 24 year olds in any offence category, though in some cases where the rates are low for all age groups, rates may be identical (e.g., violation rates for cannabis production is 15 per 100,000 for both 18 – 24 year-olds and 25 – 34 year-olds)

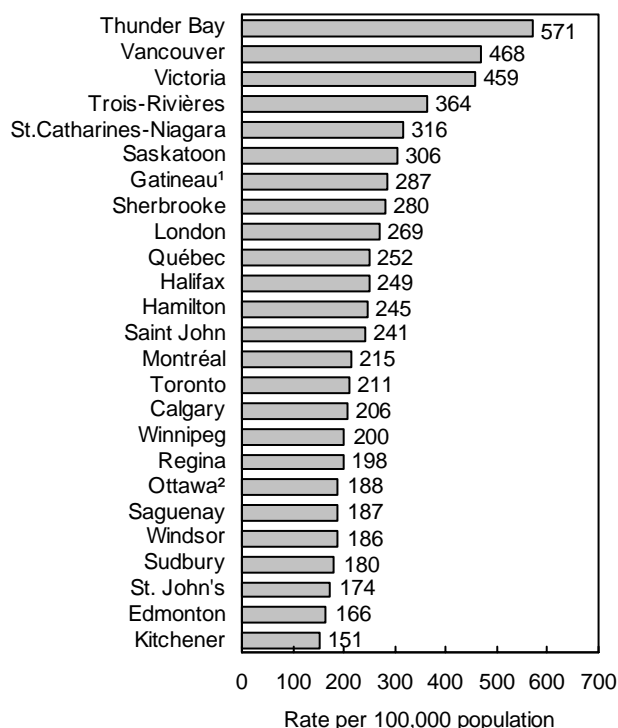
12. A census metropolitan area (CMA) is a large urban area (known as the urban core) together with adjacent urban and rural areas (known as urban and rural fringes) that have a high degree of social and economic integration with the urban core. A CMA has an urban core population of at least 100,000, based on the previous census. Once an area becomes a CMA, it is retained as a CMA even if the population of its urban core declines below 100,000. A CMA typically comprises more than one police force.

13. The median represents the mid-point of a group of values when all the values are sorted by size.

CMA's near international airports or marine ports along the Pacific or Atlantic coast lines, as well as inland water ways such as the St. Lawrence River and the Great Lakes, have been major access points for the movement of contraband in and out of the country. According to the Criminal Intelligence Service Canada (CISC), organized crime groups involved in the drug trade have a presence at several of Canada's marine ports, particularly Vancouver, Montréal and Halifax. For example, organized crime groups in lower mainland B.C. are well situated geographically to exploit the international trade of illicit drugs around the Pacific Rim (CISC 2002).

Figure 4

Drug-related offences in Thunder Bay almost 4 times the rate for Kitchener in 2002



Note: The Oshawa CMA is excluded due to the incongruity between the police boundary and the CMA boundary.

1. Includes the Gatineau portion of the Ottawa-Gatineau CMA.

2. Includes the Ottawa portion of the Ottawa-Gatineau CMA.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Clearance rates are declining for drug-related offences

The overall clearance rate for offences in the Uniform Crime Reporting (UCR) Survey (i.e., *Criminal Code and Other Federal Statutes*) has remained relatively stable at 39%, varying no more than 3 or 4 percent over the period 1977 – 2002. Meanwhile the drug offence clearance rate¹⁴ has fallen from 91% to 76% over the same period, particularly as a result of cannabis possession which fell from 94% to 84%. Further to this, the rate per 100,000 for drug-related incidents that were “cleared otherwise” increased from 26 per 100,000 population to 71 per 100,000 population over the period 1992 to 2002,

suggesting a trend toward diversion for such offences. According to the UCR2 survey for 2002, 11% of all drug-related cases are diverted from the court system to some form of alternative measure (such as community service, compensation or counselling).

The Courts and Drug Offences, 2001/02^{15,16,17,18}

For the eight provinces and one territory providing drug case data to the Adult Criminal Court Survey (ACCS)¹⁹ in 2001/02, drug offences represented 9% of all adult criminal court cases²⁰ of which 5% were for possession and 4% were for trafficking. Drug-related cases accounted for 7% of cases processed in youth courts (5% for possession; 2% for trafficking).²¹

Younger adults were over-represented in court cases

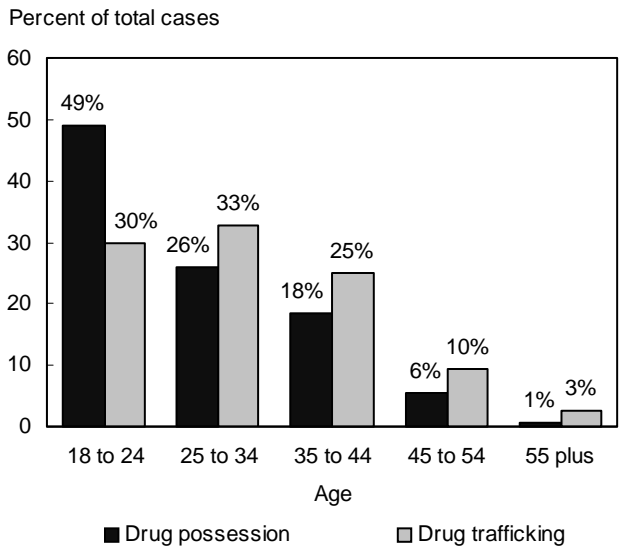
In keeping with police-reported statistics, younger adults were over-represented in court as compared to adults aged 45 years and older. In 2001/02, 18 to 24 year-olds comprised 12% of the population, but accounted for 41% of all drug cases in adult criminal court.²² Adults 25 to 44 years of age represented 41% of the population, but accounted for 51% of the total drug cases. In contrast, persons 45 to 54 years of age, and those aged 55 and older represented 19% and 28% of the adult population respectively, but appeared in only 7% and 2% of drug cases, respectively.

14. “Clearance rate” is the number of incidents cleared by charge and cleared otherwise in the reporting period, divided by the actual number of incidents in the reporting period.
15. Since the introduction of the Controlled Drugs and Substances Act (CDSA) in 1996, and related to updates to data collection process in all jurisdictions, some offences which should have been coded as drug offences were initially coded to residual federal statutes. These updates to data collection processes are ongoing and as a result, analysis of court statistics will be limited to 2001/02.
16. For information on drug treatment courts, refer to Box 4.
17. This section includes a descriptive overview of case outcomes for drug offences in Canada. Many important factors could not be controlled for in this analysis, such as the criminal record of the accused and the type of drug(s) involved, which would explain some of the differences in the severity of sentences imposed.
18. The primary unit of analysis in the Adult Criminal Court Survey (ACCS) and the Youth Court Survey (YCS) is the case, which is defined as one or more charges against an individual and disposed of in court on the same day. The information used to describe a case reflects the most serious offence for that case.
19. The Adult Criminal Court Survey (ACCS) collects data on disposed federal statute charges from adult criminal courts in nine provinces and one territory. Jurisdictions reporting to the ACCS include: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan, Alberta, British Columbia and Yukon. In addition, in 2001/02 Prince Edward Island, New Brunswick, Alberta, British Columbia, and Yukon reported superior court data to the ACCS. ACCS data in this section does not cover Quebec, where most drug offences are reported to the ACCS under residual federal statutes, and Manitoba, Northwest Territories and Nunavut which did not report to the ACCS in 2001/02. As a result, this section represents approximately 70% of the drug cases heard in adult criminal courts in Canada.
20. Individuals included in the ACCS are persons 18 years or older at the time of the offence, as well as youths who have been transferred to adult criminal court.
21. Youth courts provide data to the Youth Court Survey (YCS), a census of Criminal Code and Other Federal Statute offences heard for persons aged 12 to 17 years (up to the 18th birthday) at the time of the offence.
22. Excludes cases where age of the accused was unknown (less than 2% of all cases).

When possession and trafficking court cases are compared by age group, there is a clear difference with 18 to 24 year-olds accounting for 49% of cases involving possession offences and 30% of trafficking offence cases while those aged 25 to 34 are responsible for 26% of possession cases and 33% of trafficking cases (Figure 5).

Figure 5

Young adults aged 18-24 exceed all other age groups for possession cases in 2001/02



Notes: Totals may not add to 100% due to rounding. ACCS data for this figure does not cover Quebec, where most drug offences are reported under residual federal statutes, and Manitoba, Northwest Territories and Nunavut which did not report to the ACCS in 2001/02. As a result, this section represents approximately 70% of the drug cases heard in adult criminal courts in Canada. Excludes cases where the age of the accused was not known (possession cases - 326; trafficking cases - 506).

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Seven out of ten youth court drug cases involved 16 and 17 year-olds

Sixteen and seventeen-year-olds appeared more often in youth court for drug offences than younger accused. In 2001/02, 16-year-olds accounted for 30% of drug cases and 17-year-olds made up 39%. Accused persons aged 15 appeared in 18% of all drug cases, while those aged 12, 13 and 14 showed proportionately less involvement, accounting for 1%, 3% and 9% of cases, respectively.

Youth court caseloads reflect police charging practices. That is, the composition and distribution of offences appearing in youth court are largely determined by the incidents that come to the attention of the police and result in formal charges. However, due to post-charge alternative measures programs and pre-court diversion programs, some young offenders are diverted away from the criminal justice system.²³

Trafficking cases involved multiple charges more frequently than possession cases

Adult criminal court cases involving multiple charges,²⁴ which can be more complex and more serious than single-charge cases, accounted for 41% of drug cases in 2001/02. Approxi-

mately 18% of possession cases involved multiple charges. The figure for trafficking was notably higher, standing at 69% making it the offence with the third highest proportion of multiple charge cases.

The percentage of multiple charge cases heard in youth courts was lower than adult criminal courts, accounting for 27% of drug cases in 2001/02 (12% of possession cases had multiple charges, while the figure for trafficking was 58%).

Trafficking cases required almost twice as much time to complete as possession cases

In both adult and youth courts, trafficking cases took twice as long to complete as did possession cases. For example, the mean elapsed time to complete a case from first to last appearance in adult criminal courts was 241 days for drug trafficking and 130 days for drug possession. Similarly, in youth courts, the mean elapsed time from first to last appearance for drug trafficking was 134 days compared to 77 days for possession.

Half of adult and youth court cases resulted in a finding of guilt

The accused was found guilty in five out of every ten (53%) drug-related cases heard in adult criminal court in 2001/02. In 1% of adult and youth court drug cases, the accused was acquitted. Forty-two percent of cases resulted in charges being stayed, withdrawn or dismissed, and 4% had an 'Other' decision (including circumstances such as accused unfit to stand trial and cases transferred in, or out, of province) (Table 6).

Cases resulting in a finding of guilt for at least one charge accounted for 54% of cases completed in youth court. One percent of cases resulted in an acquittal. Cases were stayed or withdrawn in 44% of cases (Table 8).

While youth were less likely to be found guilty in drug possession cases than adults (49% vs. 59%), they were more likely to be convicted for drug trafficking cases than adults (64% vs. 46%).

Trafficking treated more harshly than possession offences in adult and youth courts

Sentences for trafficking tended to be more severe in adult and youth court, both in type and duration. In adult criminal court, a prison term was the most common sentence imposed for drug trafficking cases (42%) compared with 12% of possession cases. Similarly, probation was imposed slightly more commonly in trafficking cases than for possession (30% vs. 28%). Conversely, a fine was the more prevalent sentence in possession cases (57%). Fines were only imposed in 20% of trafficking cases (Figure 6).²⁵

In youth courts, custody (secure or open) was a more common sanction for trafficking (21%) compared to possession (5%). However, probation was assigned most frequently as a sanction

23. These programs are generally reserved for first-time offenders and are often limited to specific types of less serious offences, although young offenders committing more serious offences can be considered for acceptance in the program in most jurisdictions.

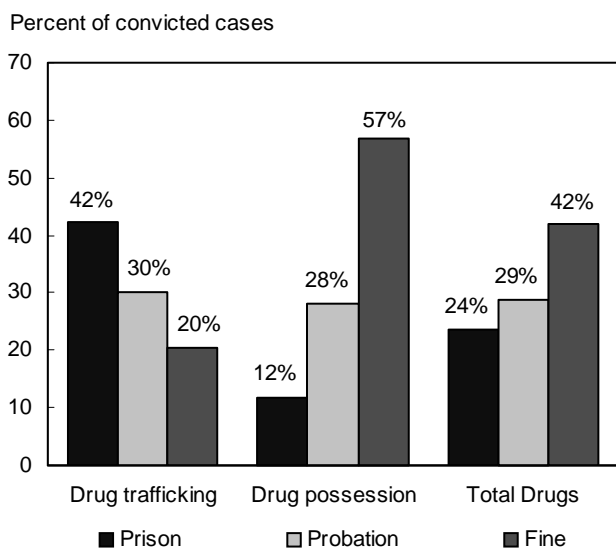
24. The classification of a case as a single-charge or multiple-charge is based on the total number of charges heard in the case, not just those charges resulting in a finding of guilt.

25. Cases can have more than one sentence. Therefore, sanctions are not mutually exclusive and will not add to 100%.

(in 83% of convicted trafficking cases and 56% of possession cases). In contrast, fines were imposed more commonly for possession (22%) than trafficking (9%) convictions (Figure 7).

Figure 6

Trafficking offences more commonly received a prison sentence while fines were normally imposed for possession offences in adult criminal court



Notes: Excludes conditional sentences, restitution, absolute or conditional discharges and other sentences. Cases can have more than one sentence. Therefore, sanctions are not mutually exclusive and will not add to 100%. The Adult Criminal Court Survey (ACCS) collects data on disposed federal statute charges from adult criminal courts in nine provinces and one territory. Jurisdictions reporting to the ACCS include: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan, Alberta, British Columbia and Yukon. In addition, in 2001/02 Prince Edward Island, New Brunswick, Alberta, British Columbia, and Yukon reported superior court data to the ACCS. ACCS data for this figure does not cover Quebec, where most drug offences are reported under residual federal statutes, and Manitoba, Northwest Territories and Nunavut which did not report to the ACCS in 2001/02. As a result, this section represents approximately 70% of the drug cases heard in adult criminal courts in Canada.

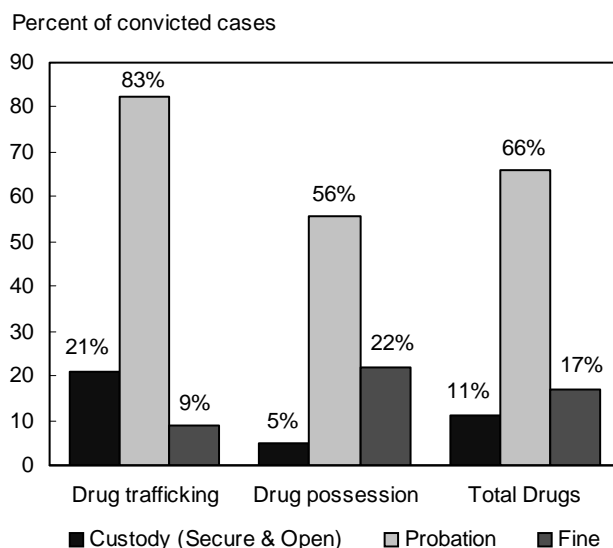
Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

When a prison sentence was imposed for possession in adult criminal court, the mean length of custody²⁶ was less than one month (22 days) compared to over 7 months (220 days) for trafficking. Also, probation and fine dispositions handed down in cases of trafficking were harsher than possession cases. The mean length of a probation sentence was 10 months (299 days) for drug possession offences, compared to a mean length of 14 months (418 days) for trafficking offences. Finally, the mean fine for drug trafficking was considerably larger than for drug possession cases (\$1,417 compared to \$332) (Table 7).

Similarly, in youth courts, custodial sentences for drug trafficking were substantially longer than those imposed for possession in 2001/02. The mean sentence for drug trafficking was 73 days for secure custody and 80 for open custody (Table 9) whereas drug possession offences received a mean term of 27 days and 52 days for open and secure custody respectively. The mean term of probation sentences was 10 months (294 days) for drug possession offences. Trafficking sentences tended to be longer with a mean probation term of 1 year

Figure 7

Probation and custody most commonly ordered for drug trafficking in youth court



Notes: Excludes community service and other sentences. Cases can have more than one sentence. Therefore, sanctions are not mutually exclusive and will not add to 100%. The Youth Court Survey (YCS) is a census of Criminal Code and Other Federal Statute offences heard in youth court for persons aged 12 to 17 years (up to the 18th birthday) at the time of the offence.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

(357 days). The mean fine for drug trafficking was also larger than for drug possession (\$311 compared to \$156).

**Box 4
Drug Treatment Courts**

The first Canadian Drug Treatment Court (DTC) was launched in Toronto in December 1998 as an alternative to the conventional court process for people with a recognizable drug addiction who are facing non-violent drug-related offences (i.e., simple possession, possession for the purposes of trafficking, and trafficking) (James and Sawka 2000).²⁷ The goals of the program are (1) to increase public safety by reducing drug abuse and drug-related criminal behaviour through treatment, and (2) to demonstrate the cost-effectiveness of judicially supervised treatment as an alternative to incarceration (Public Safety and Emergency Preparedness Canada, 1998). Potential court participants are approved by the Crown prosecutor following screening and assessment by the treatment provider (the Centre for Addiction and Mental Health - CAMH). The court sits twice per week and a team meeting (including the judge, Crown, duty counsel, court liaison officer, treatment case manager and probation officer) occurs prior to each sitting. The treatment component of the Toronto Drug Court program may last a year or more, and success is measured by a variety of indicators (such as abstinence/reduced alcohol/drug use, housing stability, employment and school enrolment) (Smith, 1999). In addition to judicially supervised treatment and program monitoring, participants are referred to a range of community-based social services to enhance long-term social stability and functioning (Centre for Addiction and Mental Health 1999).

A similar drug treatment court has since been adopted in Vancouver, and Health Canada and Justice Canada have announced plans to establish as many as three new drug treatment courts in 2004 (James and Sawka 2000).

26. The mean prison sentence length calculation excludes cases where the prison sentence length was not known and cases sentenced to an indeterminate sentence length.

27. The drug court concept originated in Miami, Florida in 1989 (James and Sawka 2000).

Box 5

Interpreting Impaired Driving Statistics

Police-reported impaired driving incidents have declined over the past 20 years. The 2002 rate of 321 per 100,000 population is 65% lower than the peak rate of 930 per 100,000 in 1981.

There has been considerable debate concerning the factors influencing the trends in police-reported impaired driving offences. These include legislative changes, enforcement practices by the police, as well as important demographic shifts in the population and changing attitudes on drinking and driving.

Some would argue that more restrictive laws have had an impact on the rate of impaired driving incidents (Safety Research Office 1998; McCartt, Shabanova & Berning 2002; Quaye & Boase 2002; Solomon & Chamberlain 2002). Trend data however, indicate that the rates started to decrease before the introduction of these stiffer laws. The rate of impaired driving started to decrease during the early 1980s and continued into the 1990s. As a result of intense interest in this issue, both within the public and in government, actions were taken on a number of fronts including the introduction of provincial/territorial legislation related to impaired driving, with such provisions as ignition interlock programs and vehicle forfeiture. Changes were made to the *Criminal Code*, and Health Canada launched its Dialogue on Drinking program in the early 1980s. The program heavily stressed the creation of public awareness to reduce the problem of impaired driving, in co-operation with the provinces and territories. A number of community awareness activities were organized, and numerous messages were broadcast on radio and television.

Other explanations for the overall decrease in the rate of impaired driving offences in the 1980s and 1990s concern the increased use of roadside suspensions by police. In 1997, the Canadian Association of Chiefs of Police and Transport Canada commissioned the National Survey of Front-Line Police Officers. In the study, which asked questions on police officer attitudes toward impaired driving, respondents indicated that they were likely to use roadside suspensions for cases where the blood-alcohol content (BAC) was slightly over the legal limit. In addition, the study concluded that the increase in the use of roadside suspensions is due to some of the following reasons: (i) time required to formally charge a person under the *Criminal Code*; (ii) resources required to process charges; and (iii) the fact that roadside suspensions immediately get impaired drivers off the road (Transport Canada 1999).

The general decline in crime rates since the early 1990s coincided with a decrease in the proportion of young adults in the general population. Since young adults have higher rates of offending and victimization than other age groups, crime rates can be expected to decline as their share of the population declines (Quimet 2002). This can help explain the downward trend in the rate of impaired driving offences.

Also, some evidence suggests that individuals are more frequently choosing alternative means of transportation or relying on "designated drivers" when consuming alcohol outside the home. The drop in impaired driving rates occurred despite little change in alcohol consumption over the last decade.

For a more detailed analysis of drinking and driving offences in Canada, see Janhevich et al., 2003.

The use of alcohol and drugs in violent crime

The role of alcohol and drugs in physical and sexual assault²⁸

According to data from the 1999 General Social Survey (GSS) on victimization, in approximately 51% of physical assault incidents (an estimated 636,000) and 48% of sexual assaults (241,000) the victim believed that the incident was related to the perpetrator's use of alcohol or drugs. Male victims of physical assault were more likely than female victims (58% compared to 39%) to believe that the incident was related to the perpetrator's substance use.²⁹ Sexual and physical assaults committed by strangers were more often thought to be alcohol or drug-related than those involving friends or acquaintances (77% vs. 49% for sexual assaults, and 62% vs. 49% for physical assaults).³⁰

Box 6

The effects of drug use when driving a motor vehicle

In Canada, the following provisions regarding drug use are set out in the *Criminal Code*. Subsection 253(a) of the *Criminal Code* makes it an offence to operate a motor vehicle while the driver's ability to do so is impaired by a drug or alcohol. Police may only seek a warrant under section 256 to obtain a blood sample from an unconscious driver where they believe the driver to be impaired by alcohol or a drug and to have been involved in a collision where there was injury or death. Otherwise, police powers for obtaining evidence of the s. 253(a) drug impaired driving offence are limited, compared to situations involving suspects who have a BAC exceeding 80 milligrams of alcohol in 100 milliliters of blood (s. 253(b)). In fact, a police officer has no authority under the *Code* to demand that a suspect provide evidence in the form of a bodily substance for the purposes of drug testing, even if there are reasonable grounds to believe the suspect is impaired by a drug. Subsection 258(5) does authorize testing for drugs on a blood sample that has been obtained for alcohol testing through a section 254 demand. However, in some jurisdictions, there is a program to assist officers to recognize the presence of drugs. Under this program, first developed in the United States, police officers are trained to assess the behaviour and physical appearance of impaired drivers to determine whether they are under the influence of a drug, and if so, to identify the category of drugs involved.

The most commonly used drugs that are likely to interfere with driving have the following effects:

Cannabis: - Disruption of vision, especially night vision; increased recovery time after exposure to glare; poor appreciation of distances; poor colour perception, difficulties coming out of a turn; and difficulties concentrating.

Heroin and morphine: Loss of attention; diminished reflexes, sense of reality and awareness of danger and obstacles. In low dosage: risk of loss of control of vehicle through drowsiness, cardiac or respiratory pain. In high dosage: delirium, hallucinations, motor excitement.

Cocaine: Sensation of euphoria with excessive self-confidence, desire to perform, alteration of vision, increased risk-taking, and aggressiveness.

Ecstasy-type derivatives: Fatigue, fever, muscular rigidity, and accommodation problems (owing to mydriasis, or dilation of the pupil).

Some research also suggests that one's personal consumption of alcohol or drugs may place someone at greater risk of becoming a victim of crime (Hindelang, Gottfredson and Garofalo 1978; Lasley and Rosenbaum 1988). As many people drink during social occasions at bars or restaurants, they are more likely to be in the presence of others when their own judgment is also clouded by alcohol or drugs. Rapists, for example, may attempt to use a victim's intoxication as a reason to deny blame, suggesting that they were unaware that consent was not given. As well, an unattended glass can be an opportunity to use "date-rape" drugs to gain physical control over the victim (see Box 7).

Respondents of the 1999 GSS who reported being a victim of a physical or sexual assault were asked "in your opinion, was this incident related to your own alcohol or drug use?" Only 9% of those who were physically assaulted (111,000 incidents) believed that their own use of alcohol contributed to the incident, and the number of sexual assault victims who believed their own use of alcohol was a contributing factor was too low to make a statistically reliable estimate.

28. This section excludes all physical and sexual assaults committed by spouses.

29. There were too few incidents involving the sexual assault of males to produce a statistically reliable comparison.

30. There were too few cases to report alcohol-related incidents for other victim-offender relationships.

Box 7

Date rape drugs

Certain types of "date-rape" drugs allow sexual offenders to gain physical control over their victims and often leave victims with little knowledge of what happened to them. However, it is difficult to estimate the prevalence of drug-facilitated sexual offences since data collection currently does not offer a means of measuring the number of incidents.

Victimization surveys have consistently shown that only a small percentage of sexual offence victims report these incidents to the police (Kong et al., 2003). In drug-facilitated sexual offences, particular factors may contribute to low and delayed reporting rates: victims may be left unconscious after the event and have no memory of the assault or the perpetrator even though physical evidence suggests they were sexually assaulted.

One common date-rape drug is Rohypnol (flunitrazepam), which belongs to the benzodiazepine family, and is available in a quickly dissolving pill form with effects 10 times stronger than that of Valium. It is legally manufactured in Mexico and is widely available by prescription in many countries around the world, but is not legal in Canada or the United States. GHB (gamma hydroxy butrate), is another powerful date rape drug that is illegally manufactured, available in the form of a liquid, and acts like a depressant on the central nervous system (Fitzgerald and Riley 2000).

These drugs are inexpensive and extremely difficult to detect since they are tasteless, odourless, and colourless. Twelve to 24 hours after ingestion, they become untraceable through urine or blood tests. These drugs are often administered in an unsuspecting victim's beverage. Both drugs may begin to take effect within 10 to 30 minutes after ingestion and can last as long as 8 to 12 hours. They mentally and physically incapacitate an individual in a variety of ways and often mimic the effects of large quantities of alcohol consumption. Some of the effects of rohypnol and GHB include; sudden intoxication, drowsiness, unconsciousness, loss of inhibitions, respiratory failure, vomiting, seizures, extreme difficulty speaking and moving, dizziness, amnesia, coma, and even death (Fitzgerald and Riley 2000).

The role of alcohol in spousal violence

Research has shown that rates of domestic violence are higher for men with alcohol problems than those who do not abuse alcohol (Johnson 1996; Kantor and Straus 1990; Tolman and Bennett 1990).³¹ According to data from the 1999 GSS, women and men whose current spouses were considered "heavy drinkers"³² were almost three times as likely to be victims of spousal abuse (8%) than those whose partner drank moderately or not at all (3%). Further, among those who experienced violence by current or previous spouses, approximately 44% of women and 26% of men indicated that their partners were usually drinking at the time the assault(s) took place (Table 10).³³

Women who reported that their partners were usually drinking at the time of the assault(s) were more likely than nondrinkers (53% compared to 36%) to have serious violence used against them (being beaten, choked, threatened with a gun or knife, or sexually assaulted). They were also more likely to report being injured (49% compared to 35%), requiring medical attention for their injuries (18% compared to 13%), attending a hospital to treat their injuries (14% compared to 8%), and fearing their life may be in danger as a result of the violence (48% compared to 31%).

Similar differences were found among men assaulted by their intimate partners. Men whose partners were usually consuming alcohol at the time of the assault(s) were more likely than those whose partners were non-drinkers to report serious

violence was used against them (27% compared to 12%), two times more likely to report physical injuries (22% compared to 11%), four times more likely to report that fearing that their life may be in danger (17% compared to 4%), and were more than twice as likely to report having to take time off daily activities as a result of the violence (19% compared to 7%).³⁴

Heavy drinking is best understood as a *contributor* to spousal violence but it cannot be said that alcohol or drug use is a *cause* of violent behaviour. Heavy drinking may aggravate continuing marital conflict, by creating arguments about money spent on drinking, the time spent out drinking with peers, or the frequency of coming home intoxicated, which may culminate in violence (Johnson 2001 citing Dobash and Dobash 1979; 1984). Other studies suggest that both substance abuse and violence reflect other problems, such as childhood victimization or other family pathology and that drinking occasions may be seen as a "time out" where they feel they can deny culpability for their actions (Kantor and Straus 1990). Further, although alcohol use may not be a direct cause of violence, the deterioration of judgment that accompanies excessive alcohol use may contribute to more serious violence than would occur on non-drinking occasions as it may impair the perpetrator's ability to interpret the signals of their spouse and respond appropriately to stressful situations.

Violence in the drug trade

Cohen and Swift (1993) argue that the strongest link between drugs and violent crime comes from violence associated with the illegal drug market. The trafficking of illicit drugs is a key source of profit for the majority of organized crime groups in Canada (see Box 8) (Sauvé 1999; CISC 2002). Violence can be used as part of the illegal drug trade to eliminate competition, to punish informants, resolve disputes over debt collection or quality of product, or to protect the shipment of drugs. Unfortunately, this kind of systemic violence is very difficult to quantify. People who are involved in the illegal drug trade rarely report their victimization for fear of retribution or arrest.

Given the link between violence and the drug market, police respondents are asked as part of the annual *Homicide Survey*, to identify whether there is "evidence of drug trafficking or settling of drug related accounts" and if so, to specify the most serious type of drug involved.

Between 1992 and 2002, 684 (11%) homicide incidents in Canada were reported to be drug related. Cocaine was the drug most commonly involved (60%), followed by cannabis (20%). Heroin, other drugs and homicide incidents where there was evidence of unspecified drugs made up the remaining 20%. Of the 684 drug-related homicide incidents, 176 (26%) were also gang-related.

31. Although some have argued that using drugs such as amphetamines, cocaine, LSD and PCP in large quantities may cause some to experience aggressive outbursts, recent research suggests that this is more likely the results of pre-existing mental health conditions (Roth 1994; Pernanen et al. 2002).

32. "Heavy drinking" is defined as drinking 5 or more beverages on a single occasion at least once in the past month.

33. Excludes "don't know" and "not stated" responses.

34. There were too few cases of male spousal assault victims that required medical attention to break down by their partners' use of alcohol.

The proportion of homicide incidents that are drug-related has remained somewhat stable between 1992 (9%) and 2002 (11%), fluctuating between a low of 9% (in 1992 and 1993) and a high of 15% (in 2000). There has been an increase over the same period (from 16% to 21%) in gang-related incidents in which drugs were involved. During this period, such gang-related incidents fluctuated between a low of 13% (in 1995) and a high of 43% (in 2000).

British Columbia (29%), Quebec (29%) and Ontario (24%) recorded the largest proportion of drug-related homicide incidents among the provinces and territories since the early 1990's. Heroin (58%) and cocaine (33%) involvement were highest in British Columbia (Table 11).

Of the 684 drug-related homicide incidents in Canada between 1992 and 2002, 19% occurred in Vancouver, 18% in Montréal and 12% in Toronto. Fully half of all homicides involving heroin (52%) and more than one-fifth of cocaine-related homicides took place in Vancouver. "Other" drug-related incidents were most common in Regina (15%). Drug offences accounted for more than a quarter (26%) of homicide incidents outside of Census Metropolitan Areas (CMAs).

In 1997, a new category entitled, "settling of accounts", was added to the list of possible motives for drug-related incidents. For the period 1997 to 2002, settling of accounts, ranked first at 51% among motives for drug-related homicide. This category counted well ahead of all other motives including financial gain/protection of assets (15%), argument/quarrel (14%) or unknown motive (8%). Other categories including revenge, jealousy, frustration, personal protection, hate crime or fear of apprehension made up the remaining 12%.

In approximately 4 in 10 drug-related incidents (42%), no accused could be identified. In situations where an accused could be identified, 58% were recorded as a criminal relationship followed by casual acquaintances (15%), strangers (10%) and close friends (6%). The remaining 11% of incidents included a variety of other family or non-family connections, or circumstances where the relationship was unknown.

Methodology

Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the co-operation and assistance of the Canadian Association of Chiefs of Police. The survey, which became operational in 1962, collects crime and traffic statistics reported by all police agencies in Canada. UCR survey data reflect reported crime that has been substantiated through police investigation.

The UCR Survey counts only the most serious offence committed in each criminal incident, which consequently underestimates the total number of drug-related incidents. For example, if an incident includes both an act of violence and a drug offence only the act of violence is counted.

Incident Based UCR2 Survey - In 1988, the UCR survey was redeveloped to expand the information collected. The new

Box 8

Marihuana Grow Operations (MGOs)

Annual production of marihuana in Canada is currently estimated at 800 tonnes and the number of plants seized in Canada annually has exceeded one million for the past four years (RCMP 2003). In this environment, Marihuana Grow Operations - sites used for the cultivation and production of marihuana, have increased substantially (cultivation grew six-fold from 1993 to 2001). MGOs have spread across the country from British Columbia to the Prairies, Ontario, Quebec and Atlantic Canada. British Columbia, Ontario and Quebec, in particular, accounted for 88% of incidents reported in 2000 (National Coordinating Committee Working Group on Marihuana Grow Operations (NCCWG) 2003).

While MGOs can involve indoor (residential or commercial) or outdoor (farmers fields or remote locations) cultivation, indoor operations are of particular concern when set up in residential areas. Violent crime has always been an integral part of the production, trafficking and distribution of illegal drugs (murders, assaults, turf wars, home invasions, intimidation, drug rip-offs, burglaries, etc.). Residential MGOs are also safety hazards (electrical by-passes create fire and electrocution dangers), health hazards (they encourage the growth of toxic moulds), create economic losses for the community (hydro and insurance costs are shared by rate-payers), and result in more crime in the area. Finally, they contribute to the depreciation of property and homes (NCCWG on MGOs 2003).

Links to organized crime are suggested by the sheer complexity of setting up a grow operation (acquisition and development of property, security and distribution networks). It is estimated that between 65% and 98% of cannabis production is related to organized crime in Canada (Consulting and Audit Canada 2002). Outlaw Motorcycle Gangs and Asian Organized Crime groups are responsible for most MGO's, and operate primarily in B.C., Ontario and Quebec. To date these links have been difficult to establish in the courts as often the people caught are merely the caretakers of the crop (NCCWG on MGOs 2003).

Cross-border traffic is significant. About 50-60% of the Canadian crop may be destined for the U.S. market. However a far greater amount of marihuana is shipped to the U.S. from Mexico (NCCWG on MGOs 2003).

Incident Based (UCR2) survey, is a micro data survey that allows detailed examinations of accused and victim characteristics, as well as characteristics of the incident itself. Information in this Juristat on specific ages of accused persons is based on the results of this survey. In 2002, there were 123 police agencies in 9 provinces reporting to the UCR2. A subset of the UCR2 database, the UCR2 Research database, was used for the current Juristat. Data from this non-representative sample accounted for 56% of the national volume of crime. The UCR2 Research database includes 94 police agencies in 9 provinces. The incidents contained in the 2002 Research database were distributed as follows: 39% from Ontario, 30% from Quebec, 12% from Alberta, 5% from British Columbia, 5% from Manitoba, 5% from Saskatchewan, 2% from Nova Scotia, 1% from New Brunswick, and 1% from Newfoundland & Labrador.

Homicide Survey

The Homicide Survey began collecting detailed data provided by police on homicide incidents, victims and accused persons in 1961. Whenever a homicide (murder, manslaughter or infanticide) becomes known to the police, the investigating police department completes a survey questionnaire which is then forwarded to the Canadian Centre for Justice Statistics. Homicides are counted in the year in which they become known to police, which may not be the year in which they actually occurred.

Box 9

Key Developments in the National Drug Strategy and Related Drug Legislation: A Chronology

November 1987 - Fourteen federal departments joined efforts under the leadership of Health Canada to launch Canada's Drug Strategy. The objectives of the strategy were to raise awareness and educate the public about the problems associated with substance abuse, to enhance the availability and accessibility of treatment and rehabilitation, to energize enforcement and control, coordinate national efforts, and cooperate with international organizations to promote a balanced approach to the global drug problem.

May 1997 - The *Controlled Drugs and Substances Act* (CDSA) was adopted in Parliament to replace both the *Narcotics Control Act* (NCA) and Parts III and IV of the *Food and Drugs Act* (FDA). In addition to consolidating illicit drug legislation into one Act, the CDSA included four major changes: (1) Addition of the offence "Production of a controlled substance"; (2) Expanded the scope of offences to include substances having chemical structure similar to the current list of controlled substances; (3) Decreased some of the previous maximum sentences but increased others – for example, the maximum penalty for trafficking cannabis and possession of cannabis for the purpose of trafficking was reduced from life imprisonment to imprisonment of five years minus one day, but only if 3kg or less was involved; (4) Incorporated some changes triggered by decisions under the *Charter of Rights and Freedoms* – for example, the minimum sentence under the NCA for importing and exporting narcotics was seven years. The Supreme Court ruled that such a high minimum sentence of imprisonment was in violation of the *Charter*.

July 2000 - In *R. v. Parker*, [2000], (C.O.A. file No. C28732), the Court of Appeal for Ontario upheld the 1997 decision that a legislative prohibition on the possession of marihuana without an exception for medical use violated Terry Parker's right to choose helpful treatment to alleviate the effects of his epilepsy. The court declared the prohibition of marihuana possession in the CDSA of no force and unconstitutional. The court ruled that if Parliament did not clarify the law within 12 months, the law should be struck down.

July 2001 - In response to *R. v. Parker* [2000] and in recognition of the need for a more defined process than the one currently used under s.56 of the CDSA, Parliament enacted the *Medical Marihuana Access Regulations* (MMAR). The MMAR sets up a regulatory framework to allow patients with certain severe illness access to marihuana while it is being researched as a possible symptom-relieving treatment. The regulations do not, however, amend CDSA provisions criminalizing the possession, trafficking and production of cannabis.

January 2003 - In *R. v. J.P.*, [2003], (Windsor 02-Y11520), Ontario Justice Douglas Phillips threw out a marihuana charge against a 16-year-old after his lawyer argued in court that, because of the Parker decision, there is effectively no law prohibiting the possession of 30 grams or less of marihuana.

The argument was made that even with the enactment of the MMAR, which allows the possession of marihuana under certain circumstances, parliament at no time re-enacted section 4 of the CDSA as it relates to marihuana. Since this ruling, judges in Prince Edward Island, Nova Scotia and British Columbia have followed suit and ruled in favour of persons charged with the possession of small amounts of cannabis.

May 2003 - The Minister of Health, and the Minister of Justice and Attorney General of Canada announced the renewal of Canada's Drug Strategy. While focusing on prevention, education and treatment, the revised Strategy creates and supports an enforcement response to those who use or are involved in production and trafficking of illegal drugs. A biennial conference will bring all partners together for full discussions on the Strategy's directions and a report will be prepared for Parliament and Canadians every two years on the Strategy's direction and progress.

May 2003 - Bill C-38, *Act to Amend the Contraventions Act and Controlled Drugs and Substances Act*, was introduced into the House of Commons May 27, 2003. The Bill proposes the decriminalization of possessing small quantities of marihuana, held for personal use, and introduces fines. However, criminal convictions will continue to be sought in cases where there are aggravating circumstances surrounding the possession. The proposed legislation also strengthens penalties against traffickers and producers, and directs further resources to tackling increased production. Under Bill C-38, possession and cultivation in marihuana remain illegal in Canada, fulfilling Canada's obligations under United Nations drug conventions.

June 2003 - Health Canada approved in principle the Vancouver Coastal Health Authority's application for an exemption under Section 56 of the *Controlled Drugs and Substances Act* (CDSA) to launch a supervised injection site pilot research project.

September 2003 - The first supervised drug injection site officially opened in Vancouver, British Columbia (see Box 2).

October 2003 - *R. v. P.(J)*. (C.O.A. file no. C40043). The Ontario Court of Appeal dismissed the federal government's appeal under the *Y.O.A.* of Justice Phillips decision in *R. v. J.P.* (January, 2003). The court confirmed that the offence of possession of marihuana in section 4 of the CDSA was of no force when the youth was charged, as there was no constitutionally valid medical exemption to the prohibition of marihuana.

October 2003 - *Parker v. R.; Hitzig et al. v. R.; Paquette and Turmel v. R.* (C.O.A. file nos. C39532, C39738, C39740). The Ontario Court of Appeal struck down provisions of the MMAR relating to the second specialist requirement to obtain an authorization to possess marihuana (ATP), and restrictions on cultivation by a designate (DPL) which drives ATP holders to an often unsafe black market to obtain their marihuana. As only sections of the MMAR were found to be constitutionally defective, the marihuana prohibition contained in section 4 of the CDSA was found to be constitutionally valid, and of full force and effect.

General Social Survey on Victimization

The General Social Survey (GSS) is an annual survey that monitors changes in Canadian society and provides information on specific policy issues of current or emerging interest. Each year, the GSS has a particular focus. In 1988, 1993 and 1999, the focus of the GSS was on crime and victimization.

In 1999, approximately 26,000 Canadians aged 15 years and older residing in households were interviewed by telephone about their experiences of victimization. As with previous cycles, the response rate was quite high – 81.3%. Responses were weighted to represent the approximately 24.3 million non-institutionalized persons 15 years of age and older in the Canadian population. Given this sample size, an estimate of a proportion of the population, expressed as a percentage, is expected to be within approximately 0.8% of the true proportion 19 times out of 20. Estimates for sub-samples of the population will have wider confidence intervals.

Adult Criminal Court Survey

The Adult Criminal Court Survey (ACCS) provides statistical information on the processing of cases through provincial/territorial adult criminal court systems. Coverage in 2001/02 stood at 90% of all adult criminal court cases. One province and two territories (Manitoba, the Northwest Territories and Nunavut) are not included in the survey at this time.

There is slight under-coverage (i.e., less than 5%) of completed cases in British Columbia for 2001/02. Also, information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) is not yet collected. With the exception of Prince Edward Island, New Brunswick, Alberta, British Columbia and the Yukon, no data are provided from superior courts.

The absence of data from all but five superior court jurisdictions may result in a slight underestimation of the severity of

sentences imposed across Canada. The reason for this is that some of the most serious cases, which are likely to result in the most severe sanctions, are processed in superior courts.

In Quebec, most drug offences are recorded under residual federal statutes, resulting in an undercount of drug possession and drug trafficking cases and an over-count of residual federal statute cases. Those jurisdictions reporting on adult criminal court drug cases represent an estimated 70% of the national caseload.

Youth Court Survey

The Youth Court Survey (YCS) is a census of *Criminal Code* and Other federal statute offences heard in youth court for persons aged 12 to 17 years (up to the 18th birthday) at the time of the offence.

Alternative Measures (AM) programs are generally reserved for first-time offenders and are often limited to specific types of less serious offences, although young offenders committing more serious offences can be considered for acceptance in the program in most jurisdictions. Alternative measures cases are excluded from the Youth Court Survey data either in the jurisdiction or at the CCJS, if they are identified. Nevertheless, differences in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.

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Table 1


Drug incidents reported by police by type of offence, Canada, 1977-2002

	Offence Type											
	Total drug offences			Possession			Trafficking			Importation & Production		
	No.	Rate ¹	% change in rate*	No.	Rate ¹	% change in rate*	No.	Rate ¹	% change in rate*	No.	Rate ¹	% change in rate*
2002	92,590	295	3	61,166	195	5	19,970	64	-2	11,454	36	0
2001 ^r	89,395	287	0	57,852	186	4	20,173	65	-8	11,370	37	-3
2000	88,091	286	9	54,815	178	12	21,616	70	6	11,660	38	1
1999	80,142	263	12	48,590	159	11	20,145	66	12	11,407	37	18
1998	70,922	234	6	43,516	144	4	17,808	59	2	9,598	32	19
1997	66,593	222	0	41,297	138	-2	17,299	58	-4	7,997	27	30
1996	65,729	222	6	41,726	141	7	17,913	60	2	6,090	21	6
1995	61,613	210	1	38,560	131	1	17,394	59	-4	5,659	19	22
1994	60,153	207	5	37,704	130	9	17,874	62	-5	4,575	16	14
1993	56,817	198	-5	34,170	119	0	18,672	65	-11	3,975	14	-10
1992	58,881	207	2	33,786	119	4	20,708	73	-6	4,387	15	42
1991	57,093	204	-7	32,221	115	-17	21,818	78	6	3,054	11	38
1990	60,645	219	-11	38,187	138	-13	20,268	73	-8	2,190	8	-7
1989	66,961	245	11	43,053	158	8	21,590	79	17	2,318	8	14
1988	59,430	222	-5	39,322	147	-6	18,118	68	-3	1,990	7	-5
1987	61,658	233	8	41,182	156	3	18,411	70	22	2,065	8	19
1986	56,251	216	-3	39,596	152	-7	14,941	57	8	1,714	7	11
1985	57,205	221	3	42,039	163	1	13,639	53	13	1,527	6	-5
1984	54,950	215	-1	41,386	162	5	11,979	47	-14	1,585	6	-14
1983	54,847	216	-16	39,230	155	-18	13,792	54	-14	1,825	7	18
1982	64,636	257	-15	47,190	188	-21	15,912	63	4	1,534	6	40
1981	75,104	303	0	58,838	237	-1	15,183	61	3	1,083	4	-9
1980	74,196	303	13	58,459	238	13	14,566	59	15	1,171	5	3
1979	64,923	268	6	51,279	212	5	12,522	52	12	1,122	5	-17
1978	60,747	253	-9	48,325	202	-12	11,088	46	1	1,334	6	33
1977	65,938	278	...	54,130	228	...	10,816	46	...	992	4	...
% change in rate 1992-2002*			42			64			-13			136

^r revised

... not applicable

* Percent change based on unrounded rates.

1. Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 2

Drug incidents reported by police, by type of drug involved and type of offence, Canada, 1977-2002

	Cannabis								Cocaine							
	Possession		Trafficking		Importation & Production		Total		Possession		Trafficking		Importation & Production		Total	
	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹
2002	50,246	160	10,843	35	8,900	28	69,989	223	5,910	19	6,084	19	437	1	12,431	40
2001 ^r	47,720	153	10,824	35	9,377	30	67,921	218	5,403	17	6,267	20	475	2	12,145	39
2000	45,407	147	10,708	35	10,159	33	66,274	215	4,942	16	7,489	24	398	1	12,829	42
1999	39,594	130	10,295	34	10,122	33	60,011	197	4,759	16	6,868	23	336	1	11,963	39
1998	34,419	114	7,940	26	8,558	28	50,917	168	4,861	16	7,013	23	309	1	12,183	40
1997	32,696	109	7,925	26	7,312	24	47,933	160	4,782	16	6,389	21	297	1	11,468	38
1996	33,238	112	8,420	28	5,576	19	47,234	159	4,846	16	6,262	21	370	1	11,478	39
1995	30,505	104	8,206	28	5,134	17	43,845	149	4,824	16	6,188	21	357	1	11,369	39
1994	28,362	98	8,128	28	4,006	14	40,496	139	5,605	19	6,361	22	373	1	12,339	42
1993	24,279	85	8,294	29	3,422	12	35,995	125	5,475	19	6,672	23	376	1	12,523	44
1992	23,178	82	8,074	28	3,741	13	34,993	123	6,082	21	7,676	27	381	1	14,139	50
1991	21,921	78	8,780	31	2,566	9	33,267	119	6,172	22	9,647	34	295	1	16,114	57
1990	27,344	99	9,853	36	1,613	6	38,810	140	5,286	19	7,153	26	326	1	12,765	46
1989	28,773	105	9,738	36	1,732	6	40,243	147	6,960	26	8,849	32	349	1	16,158	59
1988	29,266	109	9,203	34	1,561	6	40,030	149	4,960	19	5,787	22	289	1	11,036	41
1987	30,856	117	10,599	40	1,617	6	43,072	163	3,675	14	4,216	16	311	1	8,202	31
1986	31,766	122	8,645	33	1,103	4	41,514	159	3,117	12	3,326	13	286	1	6,729	26
1985	34,665	134	7,963	31	1,175	5	43,803	169	2,333	9	2,349	9	218	1	4,900	19
1984	35,587	139	7,067	28	1,263	5	43,917	172	2,001	8	1,904	7	214	1	4,119	16
1983	34,364	135	8,065	32	1,370	5	43,799	173	1,350	5	1,664	7	261	1	3,275	13
1982	42,030	167	10,521	42	1,107	4	53,658	214	1,203	5	1,273	5	262	1	2,738	11
1981	54,277	219	10,656	43	830	3	65,763	265	1,026	4	1,010	4	153	1	2,189	9
1980	53,999	220	9,883	40	984	4	64,866	265	697	3	893	4	114	0	1,704	7
1979	47,439	196	8,431	35	964	4	56,834	235	495	2	554	2	93	0	1,142	5
1978	44,604	186	7,634	32	1,140	5	53,378	223	383	2	543	2	104	0	1,030	4
1977	50,168	211	7,504	32	809	3	58,481	246	434	2	388	2	75	0	897	4
% change in rate 1992-2002*		96		21		115		81		-12		-28		4		-21

	Heroin								Other Drugs							
	Possession		Trafficking		Importation & Production		Total		Possession		Trafficking		Importation & Production		Total	
	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹	No.	Rate ¹
2002	422	1	314	1	51	0	787	3	4,588	15	2,729	9	2,066	7	9,383	30
2001 ^r	494	2	399	1	58	0	951	3	4,235	14	2,683	9	1,460	5	8,378	27
2000	582	2	604	2	40	0	1,226	4	3,884	13	2,815	9	1,063	3	7,762	25
1999	599	2	693	2	31	0	1,323	4	3,638	12	2,289	8	918	3	6,845	22
1998	614	2	652	2	57	0	1,323	4	3,622	12	2,203	7	674	2	6,499	21
1997	513	2	654	2	68	0	1,235	4	3,306	11	2,331	8	320	1	5,957	20
1996	509	2	695	2	83	0	1,287	4	3,133	11	2,536	9	61	0	5,730	19
1995	460	2	660	2	116	0	1,236	4	2,771	9	2,340	8	52	0	5,163	18
1994	693	2	796	3	118	0	1,607	6	3,044	10	2,589	9	78	0	5,711	20
1993	646	2	819	3	130	0	1,595	6	3,770	13	2,887	10	47	0	6,704	23
1992	527	2	723	3	199	1	1,449	5	3,999	14	4,235	15	66	0	8,300	29
1991	467	2	748	3	147	1	1,362	5	3,661	13	2,643	9	46	0	6,350	23
1990	469	2	602	2	135	0	1,206	4	5,088	18	2,660	10	116	0	7,864	28
1989	411	2	426	2	117	0	954	3	6,909	25	2,577	9	120	0	9,606	35
1988	386	1	455	2	96	0	937	3	4,710	18	2,673	10	44	0	7,427	28
1987	309	1	360	1	96	0	765	3	6,342	24	3,236	12	41	0	9,619	36
1986	302	1	357	1	255	1	914	4	4,411	17	2,613	10	70	0	7,094	27
1985	256	1	480	2	91	0	827	3	4,785	19	2,847	11	43	0	7,675	30
1984	250	1	324	1	60	0	634	2	3,548	14	2,684	10	48	0	6,280	25
1983	368	1	460	2	114	0	942	4	3,148	12	3,603	14	80	0	6,831	27
1982	304	1	340	1	90	0	734	3	3,653	15	3,778	15	75	0	7,506	30
1981	247	1	270	1	66	0	583	2	3,288	13	3,247	13	34	0	6,569	26
1980	294	1	283	1	46	0	623	3	3,469	14	3,507	14	27	0	7,003	29
1979	270	1	261	1	44	0	575	2	3,075	13	3,276	14	21	0	6,372	26
1978	586	2	598	2	37	0	1,221	5	2,752	11	2,313	10	53	0	5,118	21
1977	622	3	362	2	53	0	1,037	4	2,906	12	2,462	10	55	0	5,423	23
% change in rate 1992-2002*		-28		-61		-77		-51		4		-42		2,728		2

^r revised

* Percent change based on unrounded rates.

1. Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002. The large change in rate for Other Drugs - Importation and Production results from an increase in very small counts over the period 1992-2002.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 3



Drug-related crime rate¹ per 100,000 population by age group, (UCR2)², 2002

	Age Group						Total
	12 - 17	18 - 24	25 - 34	35 - 44	45 - 54	55+	
Cannabis							
Possession	478	502	112	58	20	2	133
Trafficking	101	121	44	31	15	3	40
Importation and Production	5	16	17	13	7	2	10
Cocaine							
Possession	9	58	38	28	7	1	21
Trafficking	19	91	49	28	12	2	29
Importation and Production	0	0	0	0	0	0	0
Heroin							
Possession	0	3	2	1	0	0	1
Trafficking	1	4	2	1	0	0	1
Importation and Production	0	0	0	0	0	0	0
Other Drugs							
Possession	22	34	12	6	2	0	9
Trafficking	12	30	11	6	3	1	8
Importation and Production	0	1	1	0	0	0	0
Total	645	860	288	174	68	11	253

1. Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002.

2. The incident-based Uniform Crime Reporting (UCR2) survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. A subset of the UCR2 database, the UCR2 Research database, was used for the current Juristat. Data from this non-representative subset of police services accounted for 56% of the national volume of crime. The UCR2 Research database includes 94 police agencies in 9 provinces.

Source: Incident-based (UCR2) Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 4

Drug offences reported by police, Canada, Provinces and Territories, 1992-2002

	2002	2001 ^r	2000	1999	1998	1997	1996	1995	1994	1993	1992	% change in rate 1992-2002 [*]
CANADA												
No.	92,590	89,395	88,091	80,142	70,922	66,593	65,729	61,613	60,153	56,817	58,881	
Rate¹	295	287	286	263	234	222	222	210	207	198	207	42
% change in rate*	3	0	9	12	6	0	6	1	5	-5	...	
Newfoundland and Labrador												
No.	900	922	990	876	823	730	904	1,027	852	785	818	
Rate¹	169	173	184	162	151	132	161	181	148	135	141	20
% change in rate*	-2	-6	14	7	15	-18	-11	22	10	-4	...	
Prince Edward Island												
No.	339	276	236	226	251	305	330	262	246	204	209	
Rate¹	242	199	171	164	183	223	242	194	184	154	160	52
% change in rate*	22	17	4	-11	-18	-8	25	6	19	-3	...	
Nova Scotia												
No.	2,515	1,991	2,147	2,285	2,030	2,106	1,910	1,833	2,055	1,923	1,969	
Rate¹	266	211	228	243	217	225	205	198	222	208	214	24
% change in rate*	26	-7	-6	12	-4	10	4	-11	7	-3	...	
New Brunswick												
No.	2,596	2,622	2,398	2,511	2,084	1,779	1,672	1,546	1,237	1,204	1,096	
Rate¹	343	347	317	332	277	236	222	206	165	161	146	134
% change in rate*	-1	9	-5	20	17	6	8	25	3	10	...	
Quebec												
No.	20,166	19,109	19,144	17,327	14,592	13,885	14,218	12,391	11,847	11,185	10,639	
Rate¹	270	258	259	236	199	190	195	171	164	156	150	81
% change in rate*	5	-1	10	18	5	-3	14	4	5	4	...	
Ontario												
No.	29,027	28,147	29,226	25,602	24,179	20,947	20,688	18,915	18,330	17,607	18,619	
Rate¹	241	237	250	222	212	186	186	173	169	165	176	37
% change in rate*	2	-5	12	5	14	0	8	2	3	-6	...	
Manitoba												
No.	2,672	2,482	2,099	1,917	1,965	2,149	1,880	1,792	1,682	1,683	2,262	
Rate¹	232	216	183	168	173	189	166	159	150	150	203	14
% change in rate*	7	18	9	-3	-9	14	4	6	-1	-26	...	
Saskatchewan												
No.	3,552	2,819	2,343	2,598	2,362	2,094	2,054	1,770	1,651	1,745	1,791	
Rate¹	351	277	229	253	230	205	201	175	164	173	178	97
% change in rate*	27	21	-9	10	12	2	15	7	-6	-3	...	
Alberta												
No.	7,525	7,221	6,979	5,800	5,354	5,121	5,226	4,837	5,286	6,234	5,685	
Rate¹	242	236	232	196	184	180	188	177	195	233	216	12
% change in rate*	3	2	18	6	2	-4	6	-10	-16	8	...	
British Columbia												
No.	22,525	23,180	21,924	20,404	16,840	16,879	16,174	16,651	16,409	13,728	15,279	
Rate¹	544	565	540	507	421	426	417	440	446	384	440	24
% change in rate*	-4	5	7	20	-1	2	-5	-1	16	-13	...	
Yukon												
No.	150	155	109	130	121	141	196	188	182	147	172	
Rate¹	501	514	356	419	384	437	614	609	606	480	569	-12
% change in rate*	-3	44	-15	9	-12	-29	1	0	26	-16	...	
Northwest Territories²												
No.	371	242	262	301	220	336	302	210	234	372	342	
Rate¹	896	587	641	735	536	804	722	506	575	585	548	...
% change in rate*	53	-8	-13	37	-33	11	43	-12	-2	7	...	
Nunavut²												
No.	252	229	234	165								
Rate¹	878	815	851	614								
% change in rate*	8	-4	39	...								

... not applicable

r revised


* Percent change based on unrounded rates.

1. Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002.

2. In 1999, Nunavut, which comprises the eastern part of the old Northwest Territories, officially became a Canadian territory. Data for 1999 onward for the Northwest Territories cannot be compared to data prior to 1999. For this reason, no percentage change in rate is provided for the Northwest Territories for the period 1992-2002 as rates may not be comparable over the entire period.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 6



**Drug cases in adult criminal courts by type of decision,
Nine provinces and territories in Canada, 2001/02**

	Total Cases	Decision							
		Found guilty		Acquittal		Stay/Withdrawn		Other	
		#	%	#	%	#	%	#	%
Drug possession	19,432	11,465	59	73	0	7,634	39	260	1
Drug trafficking	15,600	7,238	46	276	2	7,062	45	1,024	7
Total	35,032	18,703	53	349	1	14,696	42	1,284	4

Notes: Due to rounding, percentages may not add to 100.

Found guilty decisions include absolute and conditional discharges.

Stay/Withdrawn includes cases stayed, withdrawn, dismissed and discharged at preliminary inquiry.


Other decisions includes final decisions of found not criminally responsible, waived in province/territory, or waived out of province/territory. This category also includes decisions where a conviction was not recorded, the court accepted a special plea, cases which raised Charter arguments or cases where the accused was found unfit to stand trial. In jurisdictions not providing superior court data (i.e., Newfoundland and Labrador, Quebec, Ontario, Saskatchewan), the other decision category includes charges having a committal for trial in superior court as the decision on the final appearance in provincial court.

The calculation of conviction rates includes cases completed in superior courts in Prince Edward Island, Nova Scotia, New Brunswick, Alberta, British Columbia, and the Yukon.

ACCS data for this figure does not cover Quebec, where most drug offences are reported under residual federal statutes, and Manitoba, Northwest Territories and Nunavut which did not report to the ACCS in 2001/02. As a result, this table represents approximately 70% of the drug cases heard in adult criminal courts in Canada.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 7



**Convicted drug cases in adult criminal courts by type of and length of sentence,
Nine provinces and territories in Canada, 2001/02**

	Total convicted cases	Prison			Probation			Fine		
		#	mean	median	#	mean	median	#	mean	median
			(days)	(days)		(days)	(days)		(dollars)	(dollars)
Drug possession	11,465	1,373	22	7	3,154	299	360	6,482	332	230
Drug trafficking	7,238	3,065	220	90	2,203	418	365	1,454	1,417	1,000
Drugs Total	18,703	4,438	162	60	5,357	348	360	7,936	531	250

Notes: Mean and median calculations exclude cases with unknown sentence lengths or amounts and cases with indeterminate sentence lengths.

This table does not include data from Quebec, Manitoba, Northwest Territories, and Nunavut.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 8



Drug cases in youth court by type of decision in Canada, 2001/02

	Total Cases	Decision									
		Found guilty		Acquittal		Stay/ Withdrawn		Other		Transferred to adult court	
		#	%	#	%	#	%	#	%	#	%
Drug possession	4,058	2,008	49	28	1	2,013	50	7	0	2	0
Drug trafficking	2,000	1,282	64	53	3	648	32	16	1	1	0
Total	6,058	3,290	54	81	1	2,661	44	23	0	3	0

Note: The Youth Court Survey (YCS) is a census of Criminal Code and Other Federal Statute offences heard in youth court for persons aged 12 to 17 years (up to the 18th birthday) at the time of the offence.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 9



Convicted drug cases in youth courts by type of and length of sentence, 2001/02

	Total convicted	Secure Custody			Open Custody			Probation			Fine		
		#	mean (days)	mean (days)	#	mean (days)	mean (days)	#	mean (days)	mean (days)	#	mean (dollars)	mean (dollars)
Drug possession	2,008	43	27	7	57	52	15	1,116	294	360	442	156	144
Drug trafficking	1,282	139	73	45	129	80	60	1,058	357	360	115	311	250
Drugs Total	3,290	182	62	30	186	72	30	2,174	324	360	557	188	150

Note: The Youth Court Survey (YCS) is a census of Criminal Code and Other Federal Statute offences heard in youth court for persons aged 12 to 17 years (up to the 18th birthday) at the time of the offence.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 10

Severity of spousal violence by partner's use of alcohol at the time of the incident(s), past five years¹

	Total		Partner drinking alcohol at incident		Partner NOT drinking alcohol at incident	
	No. (000's)	%	No. (000's)	%	No. (000's)	%
Total violence female victim²	668	100	293	44	375	56
Threats, something thrown, pushed, slapped	301	45	104	36	197	53
Kicked, bit, hit, or hit with an object	76	11	34	11	42	11
Beaten, choked, gun/knife, sexual assault	291	44	155	53	136	36
Physical injury	276	41	143	49	133	35
No physical injury	391	59	150	51	241	64
Not stated/don't know	0	0	0	0	0	0
Attended hospital to treat injuries	73	11	42	14	31 [†]	8 [†]
Did not attend hospital to treat injuries	203	30	101	34	102	27
No physical injury	391	59	150	51	241	64
Not stated/don't know	0	0	0	0	0	0
Received medical attention	103	16	53	18	50	13
Did not receive medical attention	172	26	89	30	83	22
No physical injury	391	59	150	51	241	64
Not stated/don't know	0	0	0	0	0	0
Feared for her life	256	38	139	48	116	31
Did not fear for her life	411	62	152	52	259	69
Not stated/don't know	0	0	0	0	0	0
Had to take time off daily activities	220	33	104	36	115	31
Did not take time off daily activities	443	66	185	63	258	69
Not stated/don't know	0	0	0	0	0	0
Total violence male victim²	526	100	136	26	390	74
Threats, something thrown, pushed, slapped	213	40	35 [†]	26 [†]	178	46
Kicked, bit, hit, or hit with an object	228	43	64	47	164	42
Beaten, choked, gun/knife, sexual assault	84	16	36	26	48	12
Physical injury	71	14	30 [†]	22 [†]	41 [†]	11 [†]
No physical injury	454	86	105	77	349	89
Not stated/don't know	0	0	0	0	0	0
Attended hospital to treat injuries	0	0	0	0	0	0
Did not attend hospital to treat injuries	60	11	24 [†]	18 [†]	36 [†]	9 [†]
No physical injury	454	86	105	77	349	89
Not stated/don't know	0	0	0	0	0	0
Received medical attention	0	0	0	0	0	0
Did not receive medical attention	56	11	22 [†]	16 [†]	34 [†]	9 [†]
No physical injury	454	86	105	77	349	89
Not stated/don't know	0	0	0	0	0	0
Feared for his life	38 [†]	7 [†]	23 [†]	17 [†]	16 [†]	4 [†]
Did not fear for his life	486	92	112	82	374	96
Not stated/don't know	0	0	0	0	0	0
Had to take time off daily activities	53	10	25 [†]	19 [†]	27 [†]	7 [†]
Did not take time off daily activities	471	90	111	81	360	93
Not stated/don't know	0	0	0	0	0	0

Note: Figures may not add to totals due to rounding.

[†] Coefficient of Variation is high (16.6% to 33.3%)

1. Includes violence by a current or previous spouse.

2. Excludes "don't know" and "not stated" responses.

Source: General Social Survey, 1999, Statistics Canada.

Table 11

Drug related homicide incidents by province and type of drug involved, 1992-2002

		Drugs				Evidence of drugs-type unknown	Total drug-related	Not drug-related	Unknown	Total
		Cannabis	Cocaine (includes crack)	Heroin	Other drugs					
Canada	No. %	137 100	412 100	31 100	41 100	63 100	684 100	4,698 100	732 100	6,114 100
Newfoundland & Labrador	No. %	0 0	0 0	0 0	1 2	1 2	2 0	45 1	3 0	50 1
Prince Edward Island	No. %	0 0	0 0	0 0	0 0	0 0	0 0	11 0	2 0	13 0
Nova Scotia	No. %	8 6	9 2	0 0	1 2	1 2	19 3	131 3	23 3	173 3
New Brunswick	No. %	4 3	5 1	0 0	0 0	0 0	9 1	79 2	11 2	99 2
Quebec	No. %	42 31	119 29	6 19	8 20	24 38	199 29	978 21	257 35	1,434 23
Ontario	No. %	31 23	93 23	6 19	10 24	22 35	162 24	1,529 33	175 24	1,866 31
Manitoba	No. %	2 1	8 2	0 0	1 2	0 0	11 2	294 6	35 5	340 6
Saskatchewan	No. %	1 1	3 1	0 0	7 17	3 5	14 2	246 5	20 3	280 5
Alberta	No. %	14 10	40 10	1 3	7 17	6 10	68 10	540 11	71 10	679 11
British Columbia	No. %	33 24	135 33	18 58	6 15	6 10	198 29	783 17	134 18	1,115 18
Territories	No. %	2 1	0 0	0 0	0 0	0 0	2 0	62 1	1 0	65 1

Note: Figures may not add to totals due to rounding.

Source: Homicide Survey, Policing Services Program Canadian Centre for Justice Statistics, Statistics Canada.

Canadian Centre for Justice Statistics

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