



Juristat

Canadian Centre for Justice Statistics



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Offences against the Administration of Justice, 1994/95 to 2003/04

by Jacques Taillon¹

Highlights

- The proportion of adults charged by police services² with at least one offence against the administration of justice increased from 17% of all accused persons charged in 1998 to 22% in 2004.
- The proportion of cases before adult criminal courts including an offence against the administration of justice increased from 22% in 1994/95 to 31% in 2003/04³ and from 30% to 40% for youth courts.
- During the last 10 years, the proportion of multiple-charge cases involving at least one offence against the administration of justice increased from 27% in 1994/95 to 36% in 2003/04 for adult criminal courts, and from 42% in 1994/95 to 54% in 2003/04 for youth courts.
- In adult criminal courts in 2003/04, offences against the administration of justice were often associated with both property offences (39%) and offences against the person (32%) in multiple-charge cases grouped by most serious offence.
- One-half of single-charge cases involving offences against the administration of justice in adult criminal courts and in youth courts in 2003/04 resulted in conviction. For the offences of 'unlawfully at large' and 'breach of a probation order', the conviction rates in adult criminal courts were 72% and 62% respectively. In youth courts, the majority of "unlawfully at large" cases (83%) resulted in findings of guilt in 2003/04.
- In 2003/04, incarceration was the type of sentence that was most often given by adult criminal courts in single-charge cases with convictions involving an offence against the administration of justice; it was imposed in nearly half (49%) of these cases. Being unlawfully at large led to an additional custodial sentence in 85% of guilty cases.

1. Chief, Policy, Planning and Evaluation.

2. Only 69 police services representing 45% of offences in Canada in 2004 continuously provided information to the Incident-based Uniform Crime Reporting Survey from 1998 to 2004.

3. Only eight provinces and territories in Canada sent their data to the Adult Criminal Court Survey from 1994/95 to 2003/04.



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Introduction

Offences against the administration of justice are primarily located in Part IV of the *Criminal Code* (R.S.C. 1985, Ch. C-46) and includes sections on corruption and disobedience, misleading justice, and escapes and rescues. Other *Criminal Code* offences concerning, for example, failure to comply with a probation order or a breach of order of long-term supervision are also included in offences against the administration of justice. The *Young Offenders Act* (YOA) and the *Youth Criminal Justice Act* (YCJA) also contain provisions such as the failure to comply with a disposition or the assistance to a young person to leave unlawfully a place of custody.

Offences against the administration of justice can considerably encumber the Canadian justice system by causing individuals to reappear before the courts for reasons unrelated to new criminal activities. These offences therefore represent an additional cost not only in dollars, but also in terms of the efficiency of the justice system. When a greater number of cases must be heard or the complexity of the cases increases because of the addition of these offences, the response of the justice system, especially with respect to the disposition of criminal cases, will be slowed accordingly.

Though the conviction rates⁴ for offences against the administration of justice cases before adult criminal courts and for offences overall are similar, the incarceration rate⁵ for offences against the administration of justice is much higher. The higher incarceration rate reflects the nature of offences against the administration of justice, as these offences most often have as a prerequisite previous contacts with the court. The risk of a prison sentence increases where there has been a failure to comply with a previous court order. On the other hand, prison sentences for offences against the administration of justice are usually shorter in comparison with offences overall.

This *Juristat* highlights the increasing frequency of offences against the administration of justice in the Canadian justice system over the past 10 years. It focuses on persons arrested by police services for offences against the administration of justice, and the disposition and sentencing of these cases in adult criminal courts and youth courts.

Text box: Offences against the administration of justice

In this *Juristat*, offences against the administration of justice include failure to appear, breach of a probation order, unlawfully at large, failure to comply with an order, and other offences against the administration of justice. Also, offences against the YOA and the YCJA⁶ are essentially offences against the administration of justice.⁷

Failure to comply with a court order includes offences related to the accused failing to follow the conditions of a recognizance prior to conviction, C.C. section 145 (3, 4, 5, and 5.1). Breach of probation order, which includes *Criminal Code* charges under section 733.1, is rarely used against young offenders. The vast majority of the offences against the administration of justice involving young offenders are for failing to comply with the dispositions imposed by youth courts following conviction (e.g., YOA section 26, and YCJA section 137).

It is not necessary to have already entered the justice system to be charged with an offence against the administration of justice. For example, a person who falsely claims to be a peace officer or who tries to influence a municipal official would be charged with an offence against the administration of justice. The latter offences fall under "Other offences against the administration of justice."

4. The conviction rate is the proportion of cases with a finding of guilt.
5. The incarceration rate is the proportion of convicted cases where prison was used as a sanction.
6. The YCJA replaced the YOA on April 1, 2003. Young persons who came into contact with the justice system before April 1, 2003 are subject to the YOA.
7. Refer to Appendix 1 for a complete list of the offences against the administration of justice.

Contact with police

Police services regularly report offences against the administration of justice arising from an incident which brought a person into contact with the police. When a check is performed on a person, the police may discover that this person is in breach of a condition of his or her probation, or is unlawfully at large, and that a warrant has been issued for his or her arrest.

Offences against the administration of justice represent an increasing proportion among adults charged with an offence

The proportion of persons charged with at least one offence against the administration of justice has risen in recent years, from 17% of all adults charged in 1998 to 22% in 2004.⁸ Most of the increase occurred in 2001 and 2002. For young persons aged 12 to 17, this proportion remained stable at around 15%. For adults, the charge leading to the increase was failure to comply with an order, which went from 8% of all accused adults in 1998 to 11% in 2004 (Table 1). Similarly, failure to comply with an order grew from 5% of all accused young persons in 1998 to 7% in 2004 (Table 2).

Charges for offences against the administration of justice are often laid along with obstruction of justice, weapon possession, possession of stolen goods and drug offences

In 2004, 73% of incidents including at least one offence against the administration of justice were single-charge incidents (i.e., the offence against the administration of justice was the only offence). Thus, even though approximately 1 in 5 accused had committed at least one offence against the administration of justice, more often than not these persons were involved in single-charge incidents rather than multiple-charge incidents.

Some types of offences⁹ are found to be more closely associated with offences against the administration of justice. Among incidents involving at least one offence against the person from 1998 to 2004, 8% to 12% of assault of a public/peace officer incidents and 10% to 20% of other assault incidents included at least one offence against the administration of justice. Offences against the administration of justice were also associated with 4% in 1998 to 6% in 2004 of incidents involving assault with weapon or causing bodily harm, 5% to 6% of incidents involving uttering threats, 3% to 5% of incidents involving criminal harassment, 3% to 5% of incidents involving assault—level 1 and 1% to 4% of incidents involving robbery.

Among incidents involving at least one property offence, from 8% in 1998 to 13% in 2004 of possession of stolen goods incidents included at least one offence against the administration of justice. This was the case for 2% of fraud incidents during this same period.

The proportion of incidents with an obstruction of a public/peace officer that included at least one offence against the administration of justice increased from 13% in 1998 to 24% in 2004. Cocaine possession (from 5% to 14%), weapons possession (from 7% to 14%), trespass at night (from 7% to 11%), cocaine trafficking (from 5% to 10%), cannabis

possession (from 4% to 7%), cannabis trafficking (from 2% to 6%), and disturbing the peace (from 6% to 7%) incidents also involved at least one offence against the administration of justice.

More than one out of five adults charged also had at least one charge of an offence against the administration of justice

In 2004¹⁰, about one in five persons (19%) charged had committed at least one offence against the administration of justice.

A larger proportion of accused adults (21%) were charged with an offence against the administration of justice, compared to youths (14%). Among accused men and women, a similar proportion of men (21%) and women (19%) were charged with an offence against the administration of justice.

Courts

In recent years, the proportion of court cases involving offences against the administration of justice has grown¹¹

Over the past decade, offences against the administration of justice started to account for a much larger share of the workload in criminal courts. Of the total number of cases¹² before adult criminal courts in eight provinces and territories,¹³ the proportion of cases including at least one offence against the administration of justice increased from 22% in 1994/95 to 31% in 2003/04. Growth in the number of cases involving failure to comply with an order and breach of a probation order explain much of this increased workload (Table 3).

8. Only 69 police services representing 45% of police coverage in Canada in 2004 continuously provided information to the Incident-based Uniform Crime Reporting Survey from 1998 to 2004.
9. Only offences for which there were at least 1,000 incidents reported to the police in 2004 from the 69 police services are presented.
10. In 2004, 120 police services in 8 provinces supplied data for the complete year to the UCR2 survey. These data represent 58% of the national volume of reported actual (substantiated) *Criminal Code* crimes. The aggregate Uniform Crime Reporting Survey does not separately identify all offences against the administration of justice. Only the Incident-based Uniform Crime Reporting Survey (UCR2) lends itself to an analysis of these types of offences. Only persons for whom the age and the sex are known are included in the total number of persons charged. For more information on the Uniform Crime Reporting Survey, see Julie Sauvé. 2005. "Crime Statistics in Canada, 2004." *Juristat*. Statistics Canada Catalogue no. 85-002-XIE. Vol. 25 no. 5.
11. The results on adult criminal courts and youth courts will be presented together (but not aggregated) under the different headings. For more information on these two surveys, see Mikhail Thomas. 2004. "Adult Criminal Court Statistics, 2003/04." *Juristat*. Statistics Canada Catalogue no. 85-002-XIE. Vol. 24 no. 12 and Jennifer Thomas. 2005. "Youth Court Statistics, 2003/04." *Juristat*. Statistics Canada Catalogue no. 85-002-XIE. Vol. 25 no. 4.
12. The case is defined as one or more charges against an individual disposed of in court on the same day. In 2003/04, the percentage of charges in adult criminal courts relating to an offence against the administration of justice was 21% of the total number of charges. This was similar to the 22% reported by 69 police services in 2004.
13. Only eight provinces and territories in Canada sent their data to the Adult Criminal Court Survey from 1994/95 to 2003/04: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta and Yukon.

Seven of eight provinces and territories for which data are available (Quebec¹⁴ was the exception) experienced increases in the proportion of cases in which there was at least one offence against the administration of justice over the past ten years. The proportion of cases including at least one offence against the administration of justice for these seven provinces and territories climbed from a range of 10% to 33% in 1994/95 to a range of 21% to 43% in 2003/04. In Quebec, this proportion stood at 23% in 1994/95 and 2003/04, and fluctuated between these years.

The proportion of youth court cases¹⁵ including at least one offence against the administration of justice has steadily increased over the decade, from 30% in 1994/95 to 40% in 2003/04. As was the case with adult criminal courts, failure to comply with an order partly explains this increase. However, offences under the YOA and the YCJA have also contributed to the increase (Table 4).

Between 1994/95 and 2003/04, the most rapid increases in the proportion of youth court cases involving at least one offence against the administration of justice were reported in Nova Scotia (increasing from 24% to 43%), Manitoba (from 34% to 53%) and British Columbia (from 26% to 39%). In 2003/04, Alberta returned to the 1994/95 level of 35%, having reached a peak of 46% in 2002/03. All other provinces and territories showed an increase in the proportion of these cases over the last 10 years.

Demographic characteristics of persons appearing in court on an offence against the administration of justice charge

From 1994/95 to 2003/04, approximately 86% of all cases involving at least one offence against the administration of justice heard by adult criminal courts involved a male accused.¹⁶

In 2003/04, young adults aged 18 to 24 made up 12% of the adult population,¹⁷ but they accounted for 31% of all cases before adult criminal courts.¹⁸ For cases involving at least one offence against the administration of justice, this proportion is 37%.

In 2003/04, 39% of youth aged 12 to 15 and 41% of those aged 16 and 17 who appeared before a youth court did so for cases involving at least one offence against the administration of justice. In adult criminal courts in 2003/04, the corresponding proportion steadily declined from 37% for young adults aged 18 to 24 to 15% for adults aged 55 and over.

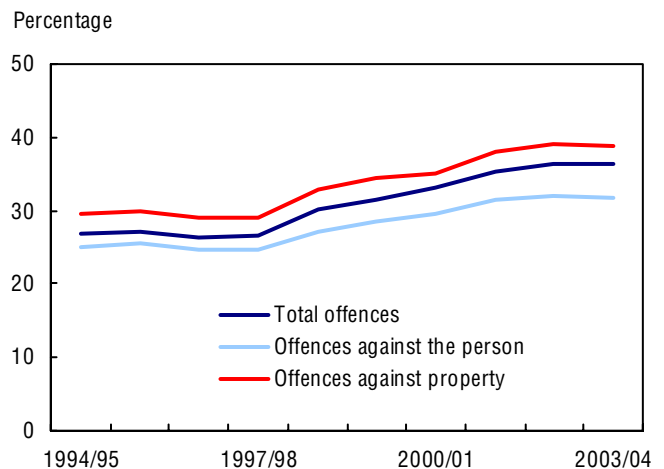
Among each age group, the proportion of cases with at least one offence against the administration of justice is generally lower for women than men. The difference is greatest for 18 to 24 year olds, where the proportion of cases with at least one offence against the administration of justice is higher for men (38%) than women (32%) of that age. On the other hand, the proportion is higher for female youth aged 12 to 15 (42%) than it is for male youth in the same age group (38%).

Offences against the administration of justice are contributing to the increasing complexity of cases

In recent years, the justice system has had to deal with increasingly complex cases¹⁹. In 2003/04, the proportion of multiple-charge cases before adult criminal courts passed the 50% mark for the first time in 10 years. This can be explained in part by the growing number of multiple-charge cases with at least one offence against the administration of justice. In 1994/95, only 27% of multiple-charge cases included an offence against the administration of justice. This proportion rose to 36% in 2003/04. Most of this increase occurred from 1998/99 to 2001/02.

Figure 1

Proportion of multiple charge cases¹ with at least one offence against the administration of justice, adult criminal courts², 1994/95 to 2003/04



1. According to the most serious offence.
 2. Only eight provinces and territories in Canada sent their data to the Adult Criminal Court Survey from 1994/95 to 2003/04: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta and Yukon.
- Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey.

14. Information from Quebec's municipal courts (which account for approximately one quarter of *Criminal Code* charges in that province) is not yet collected by the Adult Criminal Court Survey.
15. Youth court caseloads reflect police charging practices. That is, the composition and distribution of offences heard and completed 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 extrajudicial/alternative measures programs and pre-court diversion programs, some young persons are diverted away from further exposure in the criminal justice system. The YCJA encourages the use of extrajudicial measures whereby they "should be used if they are adequate to hold a young person accountable for his or her offending behaviour and, if the use of extrajudicial measures is consistent with the principles set out in" paragraphs 4 (a) to (d) of the Act. The total number of cases and the number of cases involving at least one offence against the administration of justice in youth courts decreased in 2003/04.
16. In calculating the breakdown between male and female accused, cases in which the sex of the accused was unknown (less than 2% of cases) or was a business (less than 1%) were removed.
17. Age represents the age of the offender, rounded to the nearest year, in the year the offence is alleged to have been committed.
18. Population estimates as of July 2003 for provinces and territories participating in the Adult Criminal Court Survey.
19. Multiple-charge cases are usually more complex to dispose than single-charge cases.

Similarly, in youth courts the proportion of multiple-charge cases with at least one offence against the administration of justice grew from 42% in 1994/95 to 53% in 2000/01, and has remained fairly stable at this level over the past four years.

Offences against the administration of justice were more often associated with property offences

In adult criminal courts, offences against the administration of justice were more often associated with property offences (from 30% in 1994/95 to 39% in 2003/04) than offences against the person (from 25% to 32%), in multiple-charge cases grouped by most serious offence.²⁰ With respect to multiple charge property cases in 2003/04, offences against the administration of justice were present in 51% of theft cases, 40% of break and enter cases and 35% of possession of stolen property cases. For crimes against the person, multiple-charge cases of common assault (39%), criminal harassment (39%) and major assault (31%) were the most likely to involve at least one offence against the administration of justice.

As with adult criminal courts, youth courts registered a larger proportion of multiple-charge cases with at least one offence against the administration of justice where the most serious offence was a property offence (from 36% in 1994/95 to 45% in 2003/04) than for an offence against the person (from 32% to 40%). More than half of multiple-charge cases in which the most serious offence was common assault (50%) or theft (53%) included at least one offence against the administration of justice in 2003/04.

Court cases require more time and a greater number of appearances to process²¹

The average time required by adult criminal courts to process single-charge cases has increased substantially over the past 10 years. For offences against the administration of justice, it climbed from 110 days in 1994/95 to 163 days in 2003/04 (48% increase). The average length of single-charge cases for offences overall was 121 days in 1994/95 and 215 days in 2003/04 (77% increase) (Table 5).

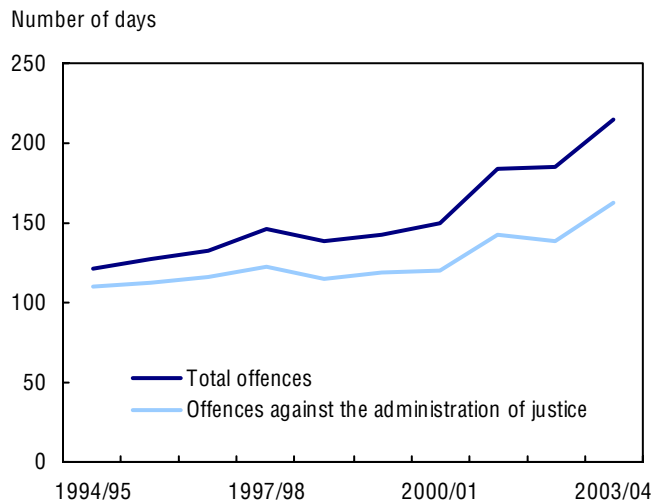
From 1994/95 to 2003/04, the proportion of single-charge cases before adult criminal courts that required at least five appearances to process increased for both offences against the administration of justice (from 30% to 39%) and offences overall (from 30% to 46%).

Over the past 10 years, the proportion of cases involving offences against the administration of justice that require more than eight months to complete has increased

The proportion of single-charge cases involving offences against the administration of justice that took adult criminal courts more than eight months to complete jumped from 12% of all cases in 1994/95 to 18% in 2003/04, while for offences overall, the corresponding proportions showed a more rapid increase from 13% to 27%. Between 1994/95 and 2003/04, the proportion of cases in which there was a single charge that took more than eight months to process doubled from 9% to 18% for failure to appear, and increased from 10% to 16% for failure to comply with an order and from 18% to 22% for breach of probation.

Figure 2

Average number of days required by adult criminal courts¹ to process single-charge cases, 1994/95 to 2003/04



1. Only eight provinces and territories in Canada sent their data to the Adult Criminal Court Survey from 1994/95 to 2003/04: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta and Yukon.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey.

From 1994/95 to 2003/04, the proportion of cases including offences against the administration of justice that were dealt with the same day ranged between 23% and 27%. Nearly three quarters (71%) of single-charge cases involving an offence against the administration of justice were dealt with within four months or less in 1994/95, compared with 67% in 2003/04. On the other hand, for offences overall, there was a much greater decline in the proportion of cases requiring four months or less to be completed. That proportion dropped from 66% in 1994/95 to 54% in 2003/04.

The decrease in the proportion of single-charge cases involving offences against the administration of justice that were processed in four months or less varied by jurisdiction. In Newfoundland and Labrador the proportion dropped from 86% in 1994/95 to 70% in 2003/04, while the corresponding figures for Nova Scotia were 66% and 55%.

20. Most serious offence and decision rules - When a case has more than one charge, it is necessary to decide which charge will be used to represent the case (since a case is identified by a single charge). In such multiple-charge cases, the "most serious decision" rule is applied. Decisions are ranked from the most to the least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) acquitted, 4) stay of proceeding, 5) withdrawn, dismissed and discharged, 6) not criminally responsible, 7) other, and 8) transfer of court jurisdiction. In cases where two or more offences have resulted in the same decision (e.g., guilty), the "most serious offence" rule is applied. All charges are ranked according to an offence seriousness scale, which is based on the average length of prison sentence imposed on guilty charges between 1994/95 and 2000/01. If two charges are tied according to this criterion, information about the sentence type (e.g., prison, probation, and fine) is considered. If a tie still exists, the magnitude of the sentence is considered.
21. To ensure that the verdict reflects the offence against the administration of justice as much as possible and was not overly influenced by another offence committed at the same time, only cases with a single charge or a single finding of guilt will be used for the rest of this court section.

The conviction rate for cases including offences against the administration of justice remains stable

For adult criminal courts in eight provinces and territories, the conviction rate²² for single-charge cases involving offences against the administration of justice ranged between 51% and 54% in the past 10 years, while for offences overall, the conviction rate fell from 55% in 1994/95 to 47% in 2003/04.

The conviction rate in youth courts was the same (55%) for offences overall and for offences against the administration of justice in 1994/95. Between 1994/95 and 2003/04, the conviction rate decreased to 43% for offences overall, but has remained at one-half for offences against the administration of justice.

Conviction rates for single-charge cases involving offences against the administration of justice before adult criminal courts hovered around 73% for Quebec and 48% for Ontario between 1994/95 and 2003/04.²³ However, decreases were reported in the conviction rates of the other provinces and territories. The conviction rate of Prince Edward Island dropped from 70% to 39% during this period. Similarly, Saskatchewan's conviction rate for single-charge cases involving offences against the administration of justice dropped substantially, going from 62% to 39% between 1994/95 and 2003/04.

The conviction rate for single-charge youth court cases involving offences against the administration of justice fell between 1994/95 and 2003/04 in most provinces and territories, with the exception of Manitoba (which increased from 34% to 45%), British Columbia (from 54% to 63%) and Quebec (from 67% to 70%). The largest decreases took place in Newfoundland and Labrador (from 72% to 41%), Prince Edward Island (from 75% to 56%) and New Brunswick (from 80% to 69%). In the case of New Brunswick, the entire decline occurred between 2002/03 and 2003/04.

The conviction rate varies considerably from one type of offence against the administration of justice to another. Thus, the rates for single-charge cases before adult criminal courts for the offences "unlawfully at large" and "breach of a probation order" were 72% and 62% respectively in 2003/04.²⁴ On the other hand, for failure to comply with an order and failure to appear, the conviction rates were 48% and 37% respectively. For youth courts, the offence "unlawfully at large" had a very high conviction rate of 83% in 2003/04.

For offences against the administration of justice, the proportion of cases with convictions that result in prison remains stable

Over the 10 year period from 1994/95 to 2003/04, the incarceration rate²⁵ for offences against the administration of justice was much higher than the overall rate in adult criminal courts. The proportion of single-charge cases with a conviction for an offence against the administration of justice that resulted in incarceration remained stable at around 50%. The incarceration rate for offences overall increased slightly from 27% in 1994/95 to 30% in 2003/04 (Table 6). Only homicide (85%), robbery (61%) and attempted murder (50%) had higher incarceration rates in 2003/04. The high incarceration rate reflects the nature of offences against the administration of justice, as these offences most often have as a prerequisite previous contacts with the court. The risk of a prison sentence

increases where there has been a failure to comply with a previous court order. This is especially the case for inmates unlawfully at large, 84% of whom received a prison sentence in 2003/04.

In youth courts, the proportion of single-charge cases with a conviction for an offence against the administration of justice that resulted in custody declined from 45% in 1994/95 to 38% in 2002/03.²⁶ For offences overall, the corresponding proportion ranged between 21% in 1994/95 and 18% in 2002/03 (Table 7).

In youth courts, the largest changes in the incarceration rate between 1994/95 and 2002/03 for single-charge cases with a conviction for an offence against the administration of justice occurred in the Yukon (increasing from 43% to 92%), Manitoba (from 20% to 35%) and Newfoundland and Labrador (from 67% to 44%).

More than four in five prison sentences for offences against the administration of justice are one month or less

For single conviction cases²⁷ involving an offence against the administration of justice that resulted in a prison sentence in adult criminal courts, the sentence length was one month or less in 84% of cases in 2002/03 and 2003/04, an increase from the 79% recorded in 1994/95. For offences overall, the proportion hovered around 61% since 1994/95 and then rose to 65% in 2002/03 and 67% in 2003/04. In Alberta, the proportion of prison sentences that were one month or less for cases involving a single conviction for an offence against the administration of justice increased from 78% in 1994/95 to 93% in 2003/04.

22. See footnote 4.

23. There are several possible factors that influence variations in the percentage of guilty cases. First, some jurisdictions use diversion programs and alternative measures to a greater extent, which affects the number and types of cases that proceed to court. Secondly, the use of stays and withdrawals varies across the country, and this will have an impact on the percentage of cases in which a finding of guilt is recorded. For example, 44% of cases were stayed or withdrawn in Ontario, whereas 11% were terminated this way in Quebec. Thirdly, the use of pre-charge screening by the Crown, which occurs in Quebec, New Brunswick and British Columbia, may also affect the percentage of guilty findings through increased vetting of charges. Fourthly, the percentage of guilty cases recorded is slightly lower in jurisdictions not providing superior court data. In these jurisdictions (i.e., Newfoundland and Labrador, Quebec, Ontario, and Saskatchewan) the final provincial court decision is committed for trial for those cases that proceed to superior court and do not return to provincial court (approximately 2% of caseload). Fifthly, the mix of offences can vary from jurisdiction to jurisdiction. If a particular jurisdiction has a higher than average percentage of the more serious crimes (for example, sexual assault), which tend to be more difficult to prosecute, it may have a lower percentage of guilty cases.

24. Ten provinces and territories in Canada sent their data to the Adult Criminal Court Survey in 2003/04: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan, Alberta, British Columbia and Yukon.

25. See footnote 5.

26. The Youth Court Program was unable to update this information for 2003/04 because of the introduction of the YCJA. Some jurisdictions provided their data to the Youth Court Survey (under the YOA), rather than the Integrated Criminal Courts Survey (under the YCJA). As part of the Integrated Criminal Court Survey (ICCS), data will be collected on the activities of the courts for all charges brought under federal laws, starting with the 2004/05 data collection.

27. Single conviction cases for an offence against the administration of justice can be the result of a multiple-charge case for which only the offence against the administration of justice received a conviction.

In youth courts, for cases with a single conviction for an offence against the administration of justice that resulted in a custodial sentence, the sentence length was one month or less in nearly 80% of cases since 1997/98.²⁸ As was the case for adult criminal courts, custodial sentences of one month or less in Alberta increased substantially, from 75% in 1994/95 to 92% in 2002/03 of all custodial sentences, for offences against the administration of justice.

The average length of custody in days declines both for offences against the administration of justice and offences in general

For the period from 1994/95 to 2003/04, the average length of custody for adult criminal court cases including a single offence against the administration of justice was much lower than the average length observed for offences overall. The average length of custody for offences against the administration of justice has declined steadily since 1998/99 (31 days), reaching 24 days in 2003/04. Offences in general show the same downward trend in the average length of custody (from 97 days in 1998/99 to 77 days in 2003/04).

The average length of custody for youth court cases with a single conviction for an offence against the administration of justice was also lower than that observed for offences overall for the entire period from 1994/95 to 2002/03.²⁹ The average length of custody fell from 35 days in 1994/95 to 26 days in 2002/03. Similarly, the average length of custody for offences overall dropped from 64 days in 1994/95 to 47 days in 2002/03.

Surveys

The 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. Currently, there are two levels of detail collected through the UCR Survey.

Aggregate Uniform Crime Reporting Survey

The aggregate UCR Survey records the number of *Criminal Code* and other federal statute incidents reported to police. It includes the number of reported offences, actual offences, offences cleared by charge or cleared otherwise, persons charged (by sex and by an adult/youth breakdown) and youth not charged. It does not include victim characteristics. This *Juristat* is not based on aggregate survey counts because a breakdown is not available for all offences against the administration of justice.

For more detailed information on this survey, see Statistics Canada Catalogue no. 85-205-XIE, October 2004.

Incident-based Uniform Crime Reporting Survey

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. Police services switch over from the aggregate to the incident-based survey as their records management systems become capable of providing this level of detail.

In 2004, 120 police services in 8 provinces supplied data for the complete year to the UCR2 Survey. These data represent 58% of the national volume of reported actual (substantiated) *Criminal Code* offences. The incidents contained in the 2004 database were distributed as follows: 40.7% from Ontario, 32.1% from Quebec, 11.5% from Alberta, 7.6% from British Columbia, 4.8% from Saskatchewan, 1.8% from Nova Scotia, 0.9% from Newfoundland and Labrador and 0.6% from New Brunswick. Other than Ontario and Quebec, the data are primarily from urban police departments. The reader is cautioned that these data are not geographically representative at the national or provincial level. Continuity with the aggregate UCR Survey data is maintained by a conversion of the incident-based data to aggregate counts at year-end.

The UCR2 Trend Database contains historical data, which permits the analysis of trends in the characteristics of the incidents, accused and victims, such as weapon use and victim/accused relationships. This database currently includes 69 police services who have reported to the UCR2 Survey consistently since 1998. These respondents accounted for 45% of the national volume of crime in 2004. This list of respondents will remain unchanged until such time as large police services such as the RCMP and OPP have provided at least five years of data to the UCR2 Survey, at which point they will become part of this trend database. The incidents contained in the 2004 Trend database were distributed as follows: 41.5% from Quebec, 30.1% from Ontario, 14.8% from Alberta, 6.6% from British Columbia, 6.2% from Saskatchewan and 0.8% from New Brunswick.

Adult Criminal Court Survey

The Adult Criminal Court Survey (ACCS) provides a national database of statistical information on the processing of cases through the adult criminal court system. The survey consists of a census of *Criminal Code* and other federal statutes charges dealt with in adult criminal courts. The ACCS represents approximately 90% of the national adult criminal court caseload. The basic unit of count for the Adult Criminal Court Survey is a case. A case is one or more charges against an accused person or corporation, where the charges receive a final disposition on the same date. Charges are linked to a case on the basis of the accused identifier and the date of the last court appearance.

28. See footnote 26.

29. See footnote 26.

The absence of data from all but six superior court jurisdictions (Prince Edward Island, Nova Scotia, New Brunswick, Alberta, British Columbia and the Yukon) 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. While these limitations are important, comparisons from one year to another are possible if the reporting jurisdictions used in the comparison are held constant.

The **ACCS Trend Data** is a subset of the ACCS database and contains historical data, which permits the analysis of trends in the characteristics of adult criminal court cases and charges. This data was submitted by eight jurisdictions since 1994/95 representing approximately 80% of the national adult criminal court caseload. The jurisdictions include Newfoundland and Labrador, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, and Yukon.

For more detailed information on this survey, refer to Statistics Canada Catalogue no. 85-002-XPE, Vol. 24, No. 12, 2004.

Youth Court Survey

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for

youths aged 12 to 17 (up to the 18th birthday) at the time of the offence. The primary unit of analysis used for the YCS is the case, defined as one or more charges against a young person disposed of on the same date. The YCS adopted the ACCS definition of a case during the 2001/02 reference year, in an effort to make the two surveys more consistent. Trend data presented in this *Juristat* are based on the new definition to ensure data comparability. Case counts are categorized by the most serious offence, most serious decision and most serious sentence. Consequently, less serious offences, decisions and sentences are under-represented.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the *Youth Criminal Justice Act* and the *Young Offenders Act* have been implemented, such as pre-court screening procedures, pre-charge screening by the Crown, and police or Crown diversion programs. Variations in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.

For more detailed information on this survey, see Statistics Canada Catalogue no. 85-002-XPE, Vol. 25, no. 4, 2004.

Appendix 1

Offences against the administration of justice in the *Criminal Code* and the *Youth Criminal Justice Act*

Youth Criminal Justice Act - Sections 136 to 139 - Offences and Punishment

	<i>Criminal Code</i> C-46 Rsc 1985 (1)	Maximum penalty ¹	Description
Fail to appear	145(2ab)	2	Fail to attend court - pun - ind
	145(2ab)	.5	Fail to attend court - pun - sc
Breach of probation	161(4a)	2	Breach of probation order - pun - ind
	161(4b)	.5	Breach of probation order - pun - sc
	733.1(1a)	2	Fail to comply probation order - pun - ind
	733.1(1b)	18 M	Fail to comply probation order - pun - sc
	753.3(1)	10	Breach of long-term order
Unlawfully at large	144(ab)	10	Prison breach
	145(1a)	2	Escape custody - pun - ind
	145(1a)	.5	Escape custody - pun - sc
	145(1b)	2	Escape custody before term expires - pun - ind
	145(1b)	.5	Escape custody before term expires - pun - sc
Fail to comply with an order	145(3-5)	2	Fail to comply/appear, etc - pun - ind
	145(3-5)	.5	Fail to comply/appear, etc - pun - sc
	810(3b)	1	Fail/refuse recognizance - fear of Injury/damage
	810.01(4)	1	Fail/refuse recognizance - fear of certain offences
	810.1(3.1)	1	Fail/refuse recognizance - fear of sexual offence
	810.2(4)	1	Fail/refuse recognizance - fear of serious injury
	811(a)	2	Breach of recognizance under s.810 - pun - ind
	811(b)	.5	Breach of recognizance under s.810 - pun - sc
	Other offences against the administration of justice	119(1ab)	14	Accept/offer bribe - Judicial officer/Mp/Mla
120(ab)		14	Accept/offer bribe - Justice/police commissioner/peace officer
121(1.2)			Selling/purchasing offices
121(3)		5	Frauds upon government - pun
122		5	Breach of trust by public officer
123(1a-f)		5	Corrupt municipal official
123(2a-c)		5	Influence municipal official
124(ab)		5	Selling/purchasing offices
125(a-c)		5	Deal/negotiate/solicit offices/appointments
126(1)		2	Disobeying a statute
127(1)		2	Disobeying order of court
128(ab)		2	Misconduct of officer in executing process
130(ab)		.5	Personating a peace officer - pun - sc
131(1)			Perjury - def
132		14	Perjury - general - pun
134(1)		.5	False statement in affidavit, etc - pun - sc
136(1)		14	Giving contradictory evidence
137		14	Fabricating evidence
138(a-c)		2	Offences relating to affidavits
139(1ab)			Obstruct justice - def
139(1c)		2	Obstruct justice - pun - ind
139(1d)		.5	Obstruct justice - pun - sc
139(2,3)		10	Obstruct justice - other judicial proceeding
140(1a-d)			Public mischief - def
140(2a)		5	Public mischief to mislead peace officer - pun - ind
140(2b)		.5	Public mischief to mislead peace officer - pun - sc
141(1)		2	Compounding indictable offence
142		5	Corruptly taking rewards
143(a-d)		.5	Advertise reward and immunity
146(a-c)		2	Permit or assist escape
147(a-c)		5	Rescue or permit escape
148(ab)	5	Assist prisoner of war to escape	

Note:

1. Figures refer to years or fractions of a year unless otherwise specified

n.b. 25 = Life

.5 = 6 months

blank = not applicable (eg. definition)

Abbreviations

def Definition

ind Indictable conviction

m la Member of the legislative assembly

mp Member of parliament

pun Punishment

sc Summary conviction

Table 1

Offences against the administration of justice as a proportion of total ¹ charges laid by selected police forces ² in Canada, adults, 1998 to 2004												
18 and over												
Offence group	2001			2002			2003			2004		
	#	%	% Change	#	%	% Change	#	%	% Change	#	%	% Change ⁴
Total offences¹	311,294	100.0	1.6	313,082	100.0	0.6	310,530	100.0	-0.8	305,550	100.0	-1.6
Offences against the administration of justice	62,645	20.1	12.4	66,097	21.1	5.5	66,283	21.3	0.3	66,187	21.7	-0.1
<i>Criminal Code - Offences against the administration of justice</i>	62,226	20.0	12.6	65,568	20.9	5.4	65,837	21.2	0.4	65,648	21.5	-0.3
Fail to appear	10,322	3.3	15.7	11,358	3.6	10.0	11,492	3.7	1.2	12,789	4.2	11.3
Breach of probation	17,219	5.5	8.9	17,392	5.6	1.0	17,482	5.6	0.5	16,252	5.3	-7.0
Unlawfully at large	2,173	0.7	-4.4	2,211	0.7	1.7	2,033	0.7	-8.1	1,982	0.6	-2.5
Fail to comply with an order	30,772	9.9	16.3	32,753	10.5	6.4	33,153	10.7	1.2	33,139	10.8	-0.0
Other offences against the administration of justice	1,740	0.6	-3.8	1,854	0.6	6.6	1,677	0.5	-9.5	1,486	0.5	-11.4
YOAYCJA ³	419	0.1	-7.5	529	0.2	26.3	446	0.1	-15.7	539	0.2	20.9
	1998			1999			2000					
	#	%	% Change	#	%	% Change	#	%	% Change	#	%	% Change
Total offences¹	298,112	100.0	...	303,637	100.0	1.9	306,291	100.0	0.9			
Offences against the administration of justice	51,461	17.3	...	54,908	18.1	6.7	55,721	18.2	1.5			
<i>Criminal Code - Offences against the administration of justice</i>	51,020	17.1	...	54,443	17.9	6.7	55,268	18.0	1.5			
Fail to appear	9,275	3.1	...	9,929	3.3	7.1	8,918	2.9	-10.2			
Breach of probation	13,885	4.7	...	14,929	4.9	7.5	15,816	5.2	5.9			
Unlawfully at large	2,278	0.8	...	2,275	0.7	-0.1	2,274	0.7	-0.0			
Fail to comply with an order	23,950	8.0	...	25,659	8.5	7.1	26,452	8.6	3.1			
Other offences against the administration of justice	1,632	0.5	...	1,651	0.5	1.2	1,808	0.6	9.5			
YOAYCJA ³	441	0.1	...	465	0.2	5.4	453	0.1	-2.6			

... not applicable

Notes:

1. Excluding traffic offences.
2. These trend data are based on 69 police forces which consistently provided their data to the UCR2 program from 1998 to 2004 and which accounted for 45% of all offences in Canada in 2004. These data are not geographically representative at the national or provincial level.
3. The YOA is the *Young Offenders Act* and the YCJA is the *Youth Criminal Justice Act*.
4. Percentage change from previous year.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting (UCR2) Survey.

Table 2



Offences against the administration of justice as a proportion of total¹ charges laid by selected police forces² in Canada, youth, 1998 to 2004

Offence group	2001			2002			2003			2004		
	#	%	% Change	#	%	% Change	#	%	% Change	#	%	% Change ⁴
Total offences¹	85,751	100.0	0.8	81,622	100.0	-4.8	83,146	100.0	1.9	74,459	100.0	-10.4
Offences against the administration of justice	13,418	15.6	13.0	12,853	15.7	-4.2	12,308	14.8	-4.2	10,913	14.7	-11.3
<i>Criminal Code - Offences against the administration of justice</i>	10,804	12.6	15.8	10,218	12.5	-5.4	9,709	11.7	-5.0	8,214	11.0	-15.4
Fail to appear	1,647	1.9	19.6	1,486	1.8	-9.8	1,612	1.9	8.5	1,510	2.0	-6.3
Breach of probation	2,237	2.6	1.9	2,092	2.6	-6.5	1,523	1.8	-27.2	990	1.3	-35.0
Unlawfully at large	872	1.0	8.2	763	0.9	-12.5	685	0.8	-10.2	479	0.6	-30.1
Fail to comply with an order	5,660	6.6	22.8	5,565	6.8	-1.7	5,567	6.7	0.0	4,951	6.6	-11.1
Other offences against the administration of justice	388	0.5	12.5	312	0.4	-19.6	322	0.4	3.2	284	0.4	-11.8
YOA/YCJA ³	2,614	3.0	2.8	2,635	3.2	0.8	2,599	3.1	-1.4	2,699	3.6	3.8

Offence group	1998			1999			2000		
	#	%	% Change	#	%	% Change	#	%	% Change
Total offences¹	87,127	100.0	...	82,493	100.0	-5.3	85,033	100.0	3.1
Offences against the administration of justice	12,225	14.0	...	12,059	14.6	-1.4	11,876	14.0	-1.5
<i>Criminal Code - Offences against the administration of justice</i>	9,740	11.2	...	9,411	11.4	-3.4	9,332	11.0	-0.8
Fail to appear	1,633	1.9	...	1,498	1.8	-8.3	1,377	1.6	-8.1
Breach of probation	1,927	2.2	...	1,988	2.4	3.2	2,196	2.6	10.5
Unlawfully at large	1,079	1.2	...	902	1.1	-16.4	806	0.9	-10.6
Fail to comply with an order	4,735	5.4	...	4,676	5.7	-1.2	4,608	5.4	-1.5
Other offences against the administration of justice	366	0.4	...	347	0.4	-5.2	345	0.4	-0.6
YOA/YCJA ³	2,485	2.9	...	2,648	3.2	6.6	2,544	3.0	-3.9

... not applicable

Notes:

1. Excluding traffic offences.
2. These trend data are based on 69 police forces which consistently provided their data to the UCR2 program from 1998 to 2004 and which accounted for 45% of all offences in Canada in 2004. These data are not geographically representative at the national or provincial level.
3. The YOA is the *Young Offenders Act* and the YCJA is the *Youth Criminal Justice Act*.
4. Percentage change from previous year.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting (UCR2) Survey.

Table 3

Number of adult¹ criminal court cases involving at least one offence against the administration of justice, eight Canadian provinces and territories², 1994/95 to 2003/04

Offence group	1999/00			2000/01			2001/02			2002/03			2003/04		
	#	%	% change	#	%	% change	#	%	% change	#	%	% change	#	%	% change ⁵
Total offences³	368,893	100.0	-3.8	367,172	100.0	-0.5	381,502	100.0	3.9	396,701	100.0	4.0	380,439	100.0	-4.1
Offences against the administration of justice	96,701	26.2	1.0	101,575	27.7	5.0	109,939	28.8	8.2	115,040	29.0	4.6	116,613	30.7	1.4
<i>Criminal Code - Offences against the administration of justice</i>															
Fail to Appear	16,172	4.4	-4.3	15,479	4.2	-4.3	16,465	4.3	6.4	16,894	4.3	2.6	17,826	4.7	5.5
Breach of Probation	33,286	9.0	-20.6	36,138	9.8	8.6	39,341	10.3	8.9	41,947	10.6	6.6	43,340	11.4	3.3
Unlawfully at large	4,260	1.2	11.1	4,256	1.2	-0.1	3,944	1.0	-7.3	3,833	1.0	-2.8	3,812	1.0	-0.5
Fail to comply with an order	47,030	12.7	-20.6	49,902	13.6	6.1	56,270	14.7	12.8	59,268	14.9	5.3	60,269	15.8	1.7
Other offences against the administration of justice	3,997	1.1	-2.5	4,239	1.2	6.1	4,057	1.1	-4.3	4,100	1.0	1.1	4,156	1.1	1.4
YOA/YCJA ⁴	2,927	0.8	-19.3	3,160	0.9	8.0	3,356	0.9	6.2	3,629	0.9	8.1	2,278	0.6	-37.2

	1994/95			1995/96			1996/97			1997/98			1998/99		
	#	%	% change	#	%	% change	#	%	% change	#	%	% change	#	%	% change
Total offences³	436,928	100.0	...	422,062	100.0	-3.4	406,652	100.0	-3.7	396,833	100.0	-2.4	383,513	100.0	-3.4
Offences against the administration of justice	96,074	22.0	...	93,409	22.1	-2.8	89,611	22.0	-4.1	89,105	22.5	-0.6	95,777	25.0	7.5
<i>Criminal Code - Offences against the administration of justice</i>															
Fail to Appear	16,175	3.7	...	15,633	3.7	-3.4	15,485	3.8	-0.9	16,002	4.0	3.3	16,894	4.4	5.6
Breach of Probation	30,139	6.9	...	29,282	6.9	-2.8	26,068	6.4	-11.0	26,318	6.6	1.0	41,947	10.9	59.4
Unlawfully at large	5,676	1.3	...	5,365	1.3	-5.5	5,134	1.3	-4.3	4,649	1.2	-9.4	3,833	1.0	-17.6
Fail to comply with an order	44,846	10.3	...	44,039	10.4	-1.8	43,835	10.8	-0.5	43,391	10.9	-1.0	59,268	15.5	36.6
Other offences against the administration of justice	5,813	1.3	...	5,386	1.3	-7.3	4,980	1.2	-7.5	4,661	1.2	-6.4	4,100	1.1	-12.0
YOA/YCJA ⁴	2,042	0.5	...	2,211	0.5	8.3	2,349	0.6	6.2	2,511	0.6	6.9	3,629	0.9	44.5

... not applicable

Notes: Due to multiple charge cases with more than one offence against the administration of justice, percentages do not add up to the total.

- Includes only adults and excludes businesses appearing before adult criminal courts.
- The total for eight provinces and territories does not include New Brunswick, Manitoba, British Columbia, Northwest Territories, and Nunavut, Superior court data in Newfoundland and Labrador, Quebec, Ontario, and Saskatchewan are not reported. Superior court data were collected in Alberta from 1998/99, in Yukon from 1999/00, in Prince Edward Island from 2000/01, in New Brunswick and British Columbia in 2001/02, and in Nova Scotia in 2002/03. Cases completed in superior courts represent about 2% of total cases in each of these jurisdictions.
- Total offences include the offences against the administration of justice.
- The YOA is the *Young Offenders Act* and the YCJA is the *Youth Criminal Justice Act*.
- Percentage change from previous year.

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

Table 5

Average duration in days of adult ¹ criminal court single cases, total offences ² and offences against the administration of justice (OAAJ), provinces and territories ³ in Canada, 1994/95 to 2003/04										
Provinces and territories	1999/00		2000/01		2001/02		2002/03		2003/04	
	Total offences ²	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ
Total for 8 provinces and territories	143	119	150	120	184	142	185	138	215	163
Newfoundland and Labrador	102	101	100	89	144	105	144	128	180	118
Prince Edward Island	19	18	15	13	24	21	31	32	55	33
Nova Scotia	153	166	158	150	231	216	231	228	224	235
New Brunswick	..	..	..	..	130	151	137	145	143	140
Quebec	159	157	170	161	223	225	224	213	299	279
Ontario	150	123	159	126	192	139	193	140	221	159
Manitoba	..	..	..	..	..	..	..	..	..	..
Saskatchewan	110	80	117	75	127	78	137	81	149	99
Alberta	123	79	121	77	137	105	126	80	143	104
British Columbia	..	..	..	..	170	101	178	109	195	119
Yukon Territory	132	92	164	69	148	129	123	135	139	97
Northwest Territories	61	54	..	..	..	..	..	..	..	..

Provinces and territories	1994/95		1995/96		1996/97		1997/98		1998/99	
	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ
Total for 8 provinces and territories	121	110	127	113	132	116	147	122	139	115
Newfoundland and Labrador	57	55	62	66	70	73	92	71	95	96
Prince Edward Island	28	22	43	46	52	60	52	48	39	19
Nova Scotia	138	158	141	168	161	169	214	184	157	147
New Brunswick	..	..	..	..	..	..	..	..	..	..
Quebec	148	138	181	151	178	163	186	189	146	151
Ontario	124	111	124	110	132	113	145	122	145	119
Manitoba	..	..	..	..	..	..	..	..	..	..
Saskatchewan	79	63	82	68	92	69	109	72	116	78
Alberta	99	85	105	99	103	99	113	69	123	79
British Columbia	..	..	..	..	..	..	..	..	..	..
Yukon Territory	115	70	134	81	137	113	147	140	162	92
Northwest Territories	59	41	58	53	..	..	54	42	53	32

.. not available for any reference period

.. not available for a given reference period

Notes: Due to rounding, percentages may not add up to the total.

1. Includes only adults and excludes businesses appearing before adult criminal courts.

2. Total offences include the offences against the administration of justice.

3. The total for eight provinces and territories does not include New Brunswick, Manitoba, British Columbia, Northwest Territories, and Nunavut. Superior court data in Newfoundland and Labrador, Quebec, Ontario, and Saskatchewan are not reported. Superior court data were collected in Alberta from 1998/99, in Yukon from 1999/00, in Prince Edward Island from 2000/01, in New Brunswick and British Columbia in 2001/02, and in Nova Scotia in 2002/03. Cases completed in superior courts represent about 2% of total cases in each of these jurisdictions.

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

Table 6

Incarceration rate¹ (%) in the adult² criminal court single charge cases with a guilty sentence, total offences³ and offences against the administration of justice (OAAJ), provinces and territories⁴ in Canada, 1994/95 to 2003/04

Provinces and territories	1999/00		2000/01		2001/02		2002/03		2003/04	
	Total offences ³	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ
Total for 8 provinces and territories	29	51	29	51	28	50	29	50	30	49
Newfoundland and Labrador	14	44	15	49	17	53	17	52	17	48
Prince Edward Island	48	72	48	67	42	65	41	59	39	55
Nova Scotia	18	44	19	46	17	41	16	35	19	37
New Brunswick	..	..	..	..	16	29	16	31	17	34
Quebec	21	40	23	42	20	36	19	37	20	35
Ontario	35	59	35	59	34	58	34	57	36	55
Manitoba	..	..	..	..	..	..	..	..	..	..
Saskatchewan	16	29	15	27	15	26	16	27	17	28
Alberta	24	41	25	41	26	43	28	46	30	45
British Columbia	..	..	..	..	30	56	31	57	34	59
Yukon Territory	34	60	29	59	35	76	33	68	23	50
Northwest Territories	29	33	..	..	..	..	..	..	..	..

Provinces and territories	1994/95		1995/96		1996/97		1997/98		1998/99	
	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ
Total for 8 provinces and territories	27	50	27	49	27	51	28	49	29	51
Newfoundland and Labrador	20	49	18	52	17	46	17	41	15	44
Prince Edward Island	36	60	36	59	41	61	51	72	53	76
Nova Scotia	14	33	17	43	17	47	17	49	18	44
New Brunswick	..	..	..	..	..	..	..	..	..	..
Quebec	19	38	21	40	21	42	21	42	20	39
Ontario	34	61	32	58	33	58	33	55	36	61
Manitoba	..	..	..	..	..	..	..	..	..	..
Saskatchewan	19	32	18	29	19	34	19	31	19	33
Alberta	24	39	24	41	22	42	24	42	25	40
British Columbia	..	..	..	..	..	..	..	..	..	..
Yukon Territory	29	61	30	62	27	50	33	73	45	64
Northwest Territories	28	38	30	40	..	..	30	58	33	46

.. not available for any reference period
 .. not available for a given reference period

Notes:

- The incarceration rate is the proportion of convicted cases where prison was used as a sanction.
- Includes only adults and excludes businesses appearing before adult criminal courts.
- Total offences include the offences against the administration of justice.
- The total for eight provinces and territories does not include New Brunswick, Manitoba, British Columbia, Northwest Territories, and Nunavut. Superior court data in Newfoundland and Labrador, Quebec, Ontario, and Saskatchewan are not reported. Superior court data were collected in Alberta from 1998/99, in Yukon from 1999/00, in Prince Edward Island from 2000/01, in New Brunswick and British Columbia in 2001/02, and in Nova Scotia in 2002/03. Cases completed in superior courts represent about 2% of total cases in each of these jurisdictions.

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

Table 7

Provinces and territories	1999/00		2000/01		2001/02		2002/03	
	Total offences ²	OAAJ	Total offences ¹	OAAJ	Total offences	OAAJ	Total offences	OAAJ
Canada	20	40	20	42	18	39	18	38
Newfoundland and Labrador	13	36	15	48	15	49	19	44
Prince Edward Island	27	64	38	71	23	52	29	55
Nova Scotia	16	38	18	41	19	39	19	43
New Brunswick	22	48	24	48	23	54	23	50
Quebec	15	35	15	34	14	34	13	31
Ontario	23	51	22	50	20	45	18	41
Manitoba	14	18	17	30	15	27	17	35
Saskatchewan	24	47	25	48	22	44	24	47
Alberta	13	21	13	21	12	21	12	19
British Columbia	23	44	25	49	25	48	23	46
Yukon	31	50	41	71	39	65	38	92
Northwest Territories (excluding Nunavut)	45	73	35	51	26	41	20	20
Nunavut	16	25	10	8	10	17	16	18

Provinces and territories	1994/95		1995/96		1996/97		1997/98		1998/99	
	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ	Total offences	OAAJ
Canada	21	45	20	44	19	41	21	43	21	42
Newfoundland and Labrador	19	67	17	46	13	47	11	43	16	42
Prince Edward Island	23	74	29	70	29	66	33	52	31	76
Nova Scotia	14	37	14	41	14	36	13	33	17	37
New Brunswick	18	49	18	50	19	49	18	47	19	47
Quebec	19	43	15	34	15	39	16	34	16	36
Ontario	26	58	26	58	24	54	25	56	24	53
Manitoba	17	20	17	25	18	23	19	28	18	30
Saskatchewan	18	39	18	45	21	46	24	48	24	50
Alberta	15	26	13	25	12	20	15	25	13	19
British Columbia	20	50	16	40	19	43	22	45	23	46
Yukon	18	43	26	65	26	42	34	54	31	63
Northwest Territories (including Nunavut)	23	49	20	52	23	54	27	68	27	55

Notes:

1. The incarceration rate is the proportion of convicted cases where prison was used as a sanction.

2. Total offences include the offences against the administration of justice.

 3. The Youth Court Program was unable to update this information for 2003/04 because of the introduction of the *Youth Criminal Justice Act* (YCJA). Some jurisdictions provided their data to the Youth Court Survey (under the *Young Offenders Act*), rather than the Integrated Criminal Courts Survey (under the YCJA). As part of the Integrated Criminal Court Survey (ICCS), data will be collected on the activities of the courts for all charges brought under federal laws, starting with the 2004/05 data collection.

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

Canadian Centre for Justice Statistics

For further information, please contact the Canadian Centre for Justice Statistics, 19th floor, R.H. Coats Building, Ottawa, Ontario K1A 0T6 at (613) 951-9023 or call toll-free 1 800 387-2231. To order a publication, you may telephone (613) 951-7277 or fax (613) 951-1584 or visit the Internet: infostats@statcan.ca. You may also call 1 800 267-6677 (Canada and United States) toll-free. If you order by telephone, written confirmation is not required.

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