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THE JUSTICE FACTFINDER 1997

Integration and Analysis Program

Introduction

Each year, the Canadian Centre for Justice Statistics (CCJS) produces “The Justice Factfinder”. This *Juristat* highlights a few of the findings from recent surveys and publications produced by the CCJS. The information is presented in a question-and-answer format and is intended to respond to the types of questions that are frequently asked by the justice community, the media, and members of the public concerning crime and the justice system. Questions to be addressed in this year’s issue are:

- Is crime really decreasing?
- Are many people victimized by strangers?
- What kinds of motor vehicles are being stolen?
- How many homes are being broken into?
- Are Canadians satisfied with their police?
- Who is the “typical” police officer?
- Who is victimizing our children?
- How many women and children use the services of family violence shelters?
- What offences do youths commit?
- Are courts “softer” on kids?
- Who is in prison?
- Does parole work?

Is crime really decreasing?

In Canada in 1997, just over 2.5 million *Criminal Code* incidents were reported to the police.¹ This translates into a crime rate of 8,355 incidents per 100,000 population. The 1997 rate was down 5.4% from the previous year, marking the sixth consecutive annual decrease. Since 1991, the police-reported crime rate has decreased a total of 19% (see Figure 1).

It has been suggested that these decreases in official crime statistics are not “real”, but are instead the result of the methods used to measure crime. For example, a recent public opinion survey indicated that 75% of Canadians feel crime is getting worse (Environics, 1998). Many factors can influence the official crime rate, including the tendency of the public to report crimes to the police; reporting by police to the Canadian Centre for Justice Statistics; and changes in legislation, policies or enforcement practices. When, for instance, victims do not report incidents to police, those incidents will not be reflected in official crime statistics. However, the opposite is also true: as the tolerance for certain crimes diminishes (e.g. zero-tolerance policies for violence at schools), reporting to police will increase, driving crime rates upward.

¹ This is based on the Uniform Crime Reporting Survey. Please refer to “Data Sources” for a description of the data sources used in this *Juristat*.



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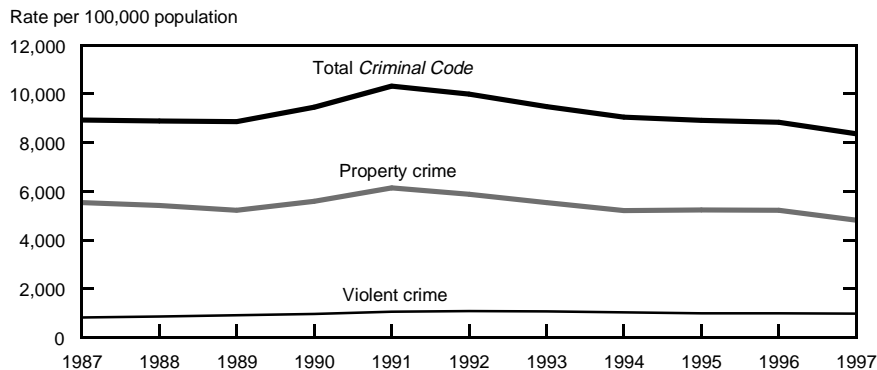
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Figure 1



Trends in Police-Reported Crime Incidents



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

One way to measure the extent of unreported crime is through victimization surveys. These surveys ask a sample of the population about crime experiences and in so doing, they are able to capture information on crimes that have been reported to the police, as well as those that have gone unreported. Results from one such survey also suggest that levels of criminal activity are not increasing. In both 1989 and 1992, the International Crime Victimization Survey (ICVS) reported that 28% of Canadians were victims of at least one crime during the year. The results of the 1996 survey showed that the victimization rate had fallen to 25%.

Related to the issue of reporting are concerns that tighter budgets may be diminishing the ability of some police agencies to respond to and document all incidents reported to them, particularly less serious ones. This would lead to a drop in the rates for less serious offences, but not the serious ones. However, it appears that this is not what is happening - the decreases in rates have applied equally to serious and less serious crimes. The homicide rate, for example, decreased 9% in 1997, reaching its lowest level since 1969. The rate for mischief fell for the sixth consecutive year in 1997, but at 7%, the decline for this relatively minor offence was smaller than the decline in the homicide rate. Overall, rates are down for both violent and property crimes. The violent crime rate was down 1% in 1997, marking the fifth consecutive decrease and the property crime rate decreased 8%, continuing the general decrease started in 1992.²

Canada is not the only country that has been experiencing a decline in crime rates. The Federal Bureau of Investigation reported that the indexed crime rate³ in the United States dropped 4% in 1997. In England and Wales, the crime rate has fallen each year since 1992, including a 9% decline in 1997.

One possible explanation for the falling crime rates in Canada and elsewhere is the aging of the population. Studies of criminal behaviour suggest that young people are at higher risk of criminal activity and that the prevalence of offending increases to a peak in teenage years and then begins to decline (e.g. Gottfredson and Hirschi, 1990). In Canada, the relative size of the "at risk" population is declining. Between 1986 and 1991, the percentage of 15- to 24-year-olds in the Canadian population averaged 15.5%, but dropped to an average of 13.8% between 1992 and 1997. Meanwhile, the percentage of persons in the population aged 65 and older averaged 11.0% from 1986 to 1991 and 11.9% from 1992 to 1997.

² It should be noted that these trends are not necessarily consistent across all provinces and territories.

³ Crimes included in the index are: murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson.

How many people are victimized by strangers?

Victims of violent⁴ crime usually know the perpetrator in some way. According to 1997 data from a sample of police forces, 65% of violent crime victims knew the accused (see Table 1).⁵ For 29% of victims, the perpetrator was a family member, while for 36%, the perpetrator was a friend or an acquaintance. For the remaining 35% of victims, the accused was a stranger. The proportion of persons victimized by strangers was about the same for most types of violent offences. The one exception was robbery, with 90% of victims being robbed by a stranger.

In general, females were less likely than males to be victimized by a stranger. Seventy-eight percent (78%) of female victims knew the perpetrator compared with 52% of male victims. Much of this difference was due to the proportion of female victims who were victimized by their spouses (32%) compared to a figure of 5% for male victims victimized by their spouses.

A home was the most common location of violent crime in 1997, but victims of strangers tended to be victimized elsewhere. Forty-six percent (46%) of victims of strangers were victimized in a public area (such as a parking lot or street), 40% were victimized in a commercial place or public institution (such as an office, store or school) and the remaining 14% of victims were victimized in a home. The comparable figures for victims who knew the suspect were 16% victimized in a public area, 20% in a commercial place/public institution and 65% in a home.

What kinds of motor vehicles are being stolen?

In Canada in 1997, there were 177,286 motor vehicle thefts, the equivalent of approximately 1 theft for every 100 registered vehicles. Motor vehicle thefts accounted for 7% of all *Criminal*

Code incidents. Following a steady climb of 80% between 1988 and 1996, the rate of motor vehicle thefts decreased 3% in 1997 (to 585 incidents per 100,000 population). This decline in rates was more in keeping with the recent trend in property crime. Since peaking in 1991, the rate of property crime has declined 22%, including an 8% decrease in 1997.

One factor that has contributed to the upward trend in motor vehicle thefts is the growing number of stolen trucks, passenger vans, and sports-utility vehicles. Between 1992 and 1996, the theft rate⁶ of these vehicles increased 49% (compared to 8% for all other types of vehicles). In 1997, there was a further increase of 1%. Part of the reason for the increased thefts may be the growing number of these vehicles on the road. From 1992 to 1996, the number of passenger vans doubled and the number of sports-utility vehicles increased by one-third.⁷ During the same period, the number of cars increased 1%.

As a result of the increased thefts, trucks, passenger vans, and sports-utility vehicles represented 29% of all stolen motor vehicles in 1997 (see Figure 2), climbing from 22% of the total in 1992. Cars continued to represent the majority of stolen vehicles, at 62% in 1997. Motorcycles represented 3% and other motor vehicles, such as snowmobiles and construction equipment, represented 5% of the total.

⁴ Violent offences include any offence that involves the threat or use of violence against a person. Homicide, assault, sexual assault, robbery, and abduction are examples of violent offences.

⁵ This is based on data from the Revised Uniform Crime Survey (UCR II). The 1997 data were collected from 179 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative.

⁶ The rate is based on the number of thefts per 100,000 population.

⁷ Figures were obtained from the Vehicle Information Centre of Canada (Telephone: 416-445-1883). The figures are based on the number of vehicles that were insured.

Table 1



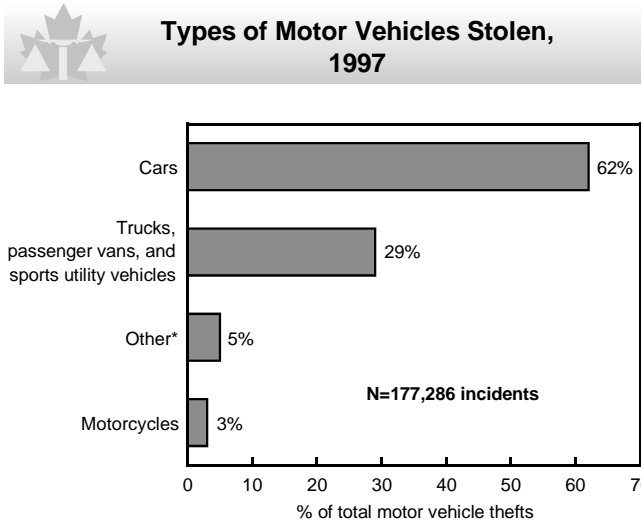
Victim-Accused Relationship by Type of Violent Offence, 1997

Violent Offence	Relationship of Accused to Victim			Total
	Family	Friend/ Acquaintance	Stranger	
	% of victims			
Homicide	44	30	25	100
Sexual Assault	28	50	22	100
Major Assault (levels 2&3)	27	39	34	100
Common Assault (level 1)	37	40	23	100
Kidnapping/Abduction	35	27	38	100
Robbery	1	9	90	100
Other violent	23	37	40	100
Total	29	36	35	100

Figures may not add to totals due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies in 6 provinces, representing 48% of the national volume of crime.)

Figure 2



* Other includes snowmobiles, construction equipment and other motorized vehicles.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

In 1997, among the nine largest census metropolitan areas (CMAs),⁸ Winnipeg reported the highest rate of stolen vehicles (1,352 per 100,000 population), followed by Vancouver (1,137). Québec, Toronto and Edmonton were the only metropolitan areas to report rates lower than the national rate (585). For the 16 smaller CMAs, the highest rate of motor vehicle theft was reported by Regina (1,479), with a rate that was nearly double the second highest rate reported by Sudbury (808). St. John's (134) had the lowest rate among the smaller metropolitan areas, followed by Saint John (149).

How many homes are being broken into?

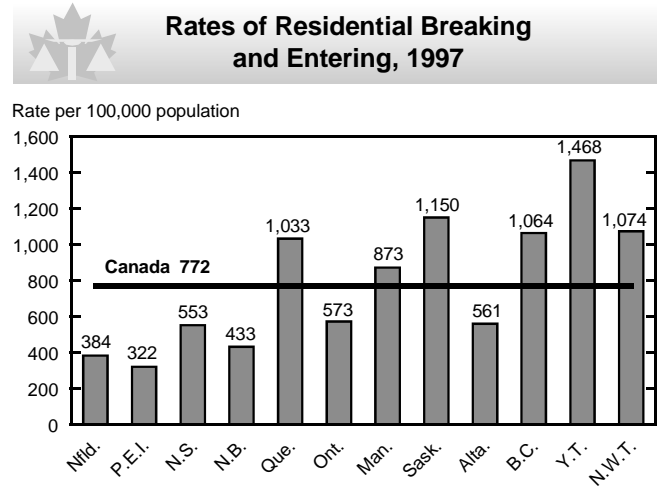
According to the 1996 International Crime Victimization Survey, 30% of Canadians were fearful of someone breaking into their home.⁹ In Canada in 1997, thieves broke into 233,844 residences, the equivalent of about 1 in 50 homes.¹⁰ Overall, there were 373,355 incidents of breaking and entering (B&E) reported to the police. Residential break-ins represented the majority of those incidents (63%), followed by businesses (27%) and other places, such as schools (10%).

The rate of residential B&E dropped 5% in 1997 (to 772 per 100,000 population), and although the rate increased in 1995 and 1996, overall it has been declining. In 1997, the rate of residential breaking and entering stood 12% below its 1991 peak. The trend in residential B&E has contributed to a decline in the overall trend. In total, the rate of breaking and entering was down 7% in 1997 and 20% from its 1991 high.

Rates of residential breaking and entering varied considerably across the country (see Figure 3). In 1997, Yukon reported the highest rate (1,468 incidents per 100,000 population), a rate that was almost double the national rate; next highest were the rates for Saskatchewan (1,150), the Northwest

Territories (1,074) and British Columbia (1,064). At less than half the national rate, the rate for Prince Edward Island was the lowest (322), followed by Newfoundland (384) and New Brunswick (433).

Figure 3



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

Youths (12 to 17 years old) accounted for a relatively high proportion of those charged with residential breaking and entering. In 1997, out of 26,114 persons who were charged with residential B&E, youths accounted for 42% of the total, while adults (18 years and over) made up the remaining 58%. The figure for youths was quite high in comparison to other offences. For example, youths accounted for 29% of persons charged with theft under \$5,000 and 14% of those charged with common assault.

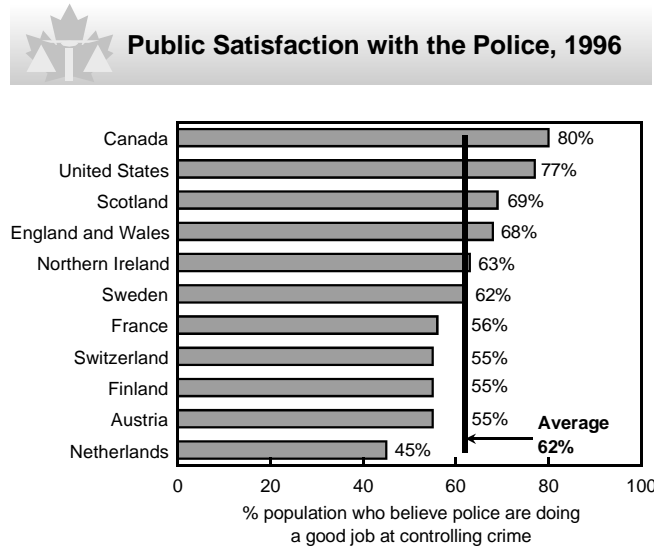
Are Canadians satisfied with their police?

According to the 1996 International Crime Victimization Survey (ICVS), among 11 western industrialized countries, Canadians were most satisfied with their police. When asked if the police in their area did a good job at controlling crime, 80% of Canadians responded "yes", surpassing the average of 62% for all 11 countries (see Figure 4). Closely following Canada's result was the United States, where 77% of the population was satisfied with its police. The Netherlands

⁸ A census metropolitan area (CMA) is an urban core of at least 100,000 population together with neighbouring rural and urban areas with a high level of economic and social integration. The nine largest CMAs that have a population of at least 500,000 are Calgary, Edmonton, Hamilton, Montréal, Ottawa, Québec, Toronto, Vancouver, and Winnipeg. The 16 smallest CMAs have a population of 100,000 to 499,999. These are Chicoutimi-Jonquière, Halifax, Hull, Kitchener, London, Regina, Saint John, Saskatoon, Sherbrooke, St. Catharines/Niagara, St. John's, Sudbury, Thunder Bay, Trois-Rivières, Victoria, and Windsor.
⁹ This represents the proportion of the population who felt the chance of a break-in in the next 12 months was "likely" or "very likely".
¹⁰ The number of incidents is based on police-reported data from the UCR Survey. The number of households is based on data from Statistics Canada's 1996 Census of Population and Housing (see Catalogue no. 93-357-XPB).

reported the lowest rating for police satisfaction, at 45%. That country also reported the highest level of victimization among the 11 countries, with 32% of the population having been victimized in the previous year.

Figure 4



Source: International Crime Victimization Survey, 1996.

One factor that appears to contribute to a person's level of satisfaction with police is his or her past victimization experiences. The ICVS showed that individuals who had been victimized in the last five years were less satisfied with police than were non-victims. For Canada, 77% of victims expressed satisfaction with police compared with 85% of non-victims.

Who is the "typical" police officer?

There were 54,722 police officers¹¹ in Canada as of June 15, 1998, or about 1 for every 550 Canadians. The majority of officers continue to be men, but women did account for over 12% of officers in 1998. The proportion of female officers has been growing steadily since the mid-1970s when it was less than 1%.

According to information from the 1996 *Census of Population and Housing*,¹² the largest concentration (36%) of police officers was between 35 and 44 years old, followed by 25- to 34-year-olds at 33% and 45- to 54-year-olds at 25%. Female police officers tended to be younger than males. Over two-thirds (68%) of the women were below the age of 35, compared to only 32% of the men. This is not surprising given recent efforts to recruit more women.

Police officers must have a minimum of grade 12 education.¹³ In 1996, 81% of police officers had attained levels of education greater than this minimum. The largest proportion of these officers (35%) had a trade/non-university certificate or diploma, while 14% had a university degree. The

remainder (32%) had attended some type of post-secondary institution. As with age, education levels differed between the sexes. Female police officers had higher levels of education overall and were nearly twice as likely to be university graduates. This was true even when age differences were taken into account.

In 1996, visible minorities¹⁴ were under-represented on police forces. These individuals represented 3% of police officers in 1996; however, they accounted for 10% of the employed work force and 11% of the total population. A number of police services have established programs to recruit visible minorities, but so far these efforts have had limited success.

Aboriginal¹⁵ persons were well-represented on police forces in 1996, making up 3% of all police officers compared to 2% of the employed labour force and 3% of the total population. This is partly due to the recent trend of Aboriginal police officers policing their own communities.

Who is victimizing our children?

In 1997, children under the age of 12 accounted for 7% of all victims of violent crime reported to a sample of police forces.¹⁶ Youths 12 to 17 accounted for 17% of victims, while adults 18 and over accounted for the remaining 76%. The proportion of child victims was actually low in comparison to their representation in the general population.¹⁷ In 1997, children under the age of 12 made up 15% of the Canadian population, while youths accounted for 8% and adults 77% of the population.

Children were much more likely than youths or adults to be victimized by someone they knew. Over 80% of child victims knew the perpetrator, compared to about 65% for both youth and adult victims. Forty percent (40%) of children were victimized by a family member, including 26% who were victimized by a parent, and 41% were victimized by a friend or an acquaintance (see Table 2).

¹¹ This is based on data collected through the Police Administration Statistics Annual Survey. The number of officers includes permanent, full-time staff. The number of part-time officers is converted to a full-time equivalent.
¹² The Census of Population and Housing counts persons aged 15 years and older who were employed as police officers (full-time or part-time) in the week prior to Census Day.
¹³ The minimum for some police forces is higher than grade 12. Also, for the forces that have a minimum requirement of grade 12, preference will often be given to individuals with a college or university degree.
¹⁴ According to the 1996 Census Dictionary, visible minorities "are persons (other than Aboriginal persons), who are non-Caucasian in race or non-white in colour." Groups considered visible minorities include Chinese, South Asians, Blacks, Arabs and West Asians, Filipinos, Southeast Asians, Latin Americans, Japanese, Koreans and Pacific Islanders.
¹⁵ According to the 1996 Census Dictionary, Aboriginal persons refers to those "who reported identifying with at least one Aboriginal Group, i.e. North American Indian, Métis or Inuit (Eskimo) and/or those who reported being a Treaty Indian or a Registered Indian as defined by the Indian Act of Canada and/or who were members of an Indian Band or First Nation"
¹⁶ This is based on data from the UCR II survey (see Data Sources for more information).
¹⁷ It must be remembered that incidents involving child and youth victims are often underreported because the victim is in a dependent relationship with the perpetrator and fears the consequences of reporting the incident.

Table 2



Victim-Accused Relationship by Age of Victim, 1997

Relationship of Accused to Victim	Age of Victim			Total
	Children (under 12)	Youths (12-17)	Adults (18+)	
	% of victims			
Family (total)	40	15	31	29
Spouse/ex-spouse	-	2	24	19
Parent	26	7	1	4
Other family	14	6	5	6
Friend or acquaintance	41	50	33	36
Stranger	19	36	36	35
Total	100	100	100	100

- Nil or zero.

Figures may not add to totals due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCR1), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies in 6 provinces, representing 48% of the national volume of crime.)

For child victims, the ratio of stranger to non-stranger violence was the same for most violent offences. The offence of homicide was an exception.¹⁸ In 1997, there were 64 homicide victims under the age of 12 and almost three-quarters of these children were 5 years of age and under.¹⁹ Police were able to identify a suspect for 60 of the victims. For the vast majority (98%) of them, the suspect was someone known to them, usually a parent. A father was implicated in 48% of the incidents and a mother in 38%.

physical assault, 48% threats, 42% financial abuse, 38% harassment and 26% sexual assault (see Figure 5). The majority (56%) of women escaping abusive situations were admitted with children and many of these women admitted that their children were being abused as well. Most abused

How many women and children use the services of family violence shelters?

Over the last thirty years, as the issue of family violence has gained prominence, a system of family violence shelters has been developed across the country. The purpose of these shelters is to help abused women and their children when seeking refuge from the violence taking place in their homes. These shelters also offer a number of services to both residents and non-residents. The types of services vary from shelter to shelter, but often include information services, advocacy, public education or prevention, short-term counselling, parenting skills, housing referrals and crisis telephone lines.

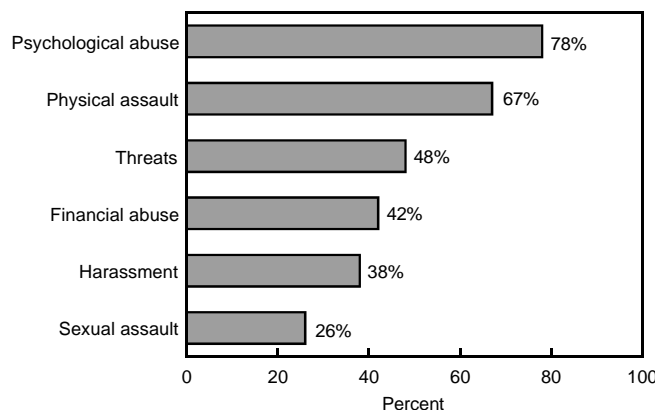
According to the 1997-1998 Transition Home Survey, there were 470 shelters for abused women across Canada in a snapshot taken on April 20, 1998.²⁰ On that day, there was an average of 15 residents per shelter – 7 women and 8 dependent children. In addition, the shelters received an average of 9 requests for various services from non-resident and ex-resident women on snapshot day. During the entire year, 47,962 women and 42,830 children were admitted to the 413 facilities that responded to the survey question.²¹

On snapshot day, 77% of women who were residing in shelters were there to escape abuse. Most of the remaining women were there because of housing problems. Of those women escaping abuse, 78% were fleeing psychological abuse, 67%

Figure 5



Women in Shelters by Type of Abuse*



* This is based on 2,260 women who were in 422 shelters on April 20, 1998.

Source: Statistics Canada, Canadian Centre for Justice Statistics, 1997-1998 Transition Home Survey.

¹⁸ Robbery was also an exception, as it was for victims of all ages. Most victims of this offence (90%) were robbed by a stranger, including 77% of child victims.

¹⁹ This information comes from the Homicide Survey, which has full national coverage.

²⁰ Overall, responses were received from 430 of the 470 shelters. However the number of responses varied from question to question because not all shelters were able to answer all questions.

²¹ An admission is the official acceptance of a woman or child into a shelter with the allocation of a bed.

women in shelters (85%) were seeking refuge from someone with whom they had an intimate relationship – a spouse, partner, or boyfriend/ex-boyfriend.

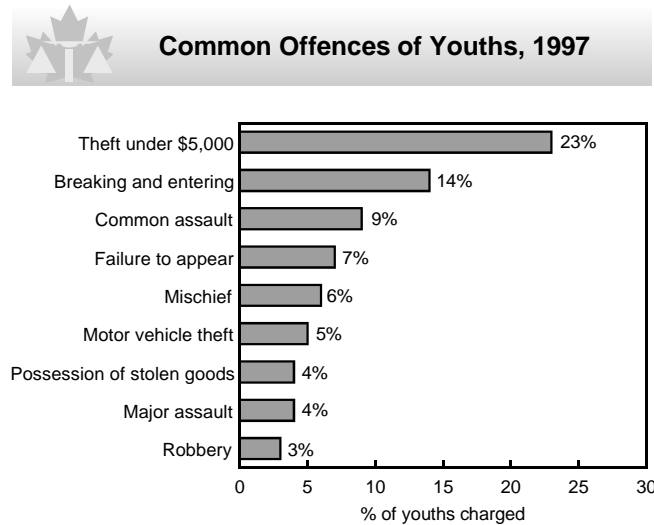
What offences do youths commit?

A small proportion of youths are charged by police with a crime. In 1997, there were about 121,000 youths aged 12 to 17 charged with a *Criminal Code* or other federal statute offence, equivalent to about 5% of the youth population. Most of these youths (49%) were charged with a property offence, such as theft, and breaking and entering. Violent offences, including assault and robbery, accounted for a much smaller proportion of youth crime – 18% of charges in 1997. Another 25% of youths were charged with “other” *Criminal Code* offences, such as failure to appear and mischief. Drug and other federal statute offences each accounted for 4% of youths charged.

The distribution of crime types has shifted from a decade earlier when a larger proportion of youths were charged with property crimes (67%) and a smaller proportion were charged with violent (9%), other *Criminal Code* (20%), drug (3%) and other federal statute (1%) offences. An increase in the use of alternative measures programs for youths involved in property offences may have contributed to this change. In some situations, youths are diverted to an alternative measures program before being charged by police. Another factor could be the presence of zero-tolerance-for-violence policies at some schools. Where previously, principals dealt with fighting in school, police are becoming involved more often when such incidents occur.

In 1997, the most common crime among youths was theft (see Figure 6). In total, theft made up 29% of charges, including 23% for theft under \$5,000,²² 5% for motor vehicle theft and

Figure 6



Note: The total does not add to 100% because only the most common offences are shown.

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

1% for theft over \$5,000. Breaking and entering was the second most prevalent offence, representing 14% of all youths charged in 1997.

The most common violent crime among youths was assault. In 1997, youths charged with common or major assault accounted for 13% of all youths charged and 71% of those charged with a violent offence.²³ Almost three-quarters of youths charged with assault, were charged with common assault, the least serious kind. In fact, just over half of youths charged with a violent offence were charged with common assault.

The number of youths charged with homicide is low and represents a very small proportion of overall crime. In 1997, out of the 434 people who were charged with homicide, 54 (12%) of them were youths. The 54 homicide charges represented less than 0.1% of youths charged with a criminal offence in 1997.

Are courts “softer” on kids?

In Canada, there are separate courts to deal with youths and adults. Youth courts were created with the introduction of the *Young Offenders Act* in 1984 and have special expertise for dealing with young persons aged 12 to 17. Many factors can influence the sentence that is given to an offender, including criminal history, a guilty plea, and demonstration of remorse. Differences in sentences between adults and youths may be partly explained by the longer and more varied criminal histories of adults.

The majority of cases heard in both youth and adult courts result in conviction. In 1997-98, 67% of youth court cases resulted in a finding of guilt.²⁴ This was higher than the figure for adult courts, where 61% of cases resulted in a conviction.²⁵

For most violent and property offences, youths were less likely than adults to be sentenced to custody upon conviction for an offence (see Table 3). For example, in 1997-98 for the offence of common assault, youths were sentenced to custody (either open or secure) in 24% of cases with convictions; for adults, prison was the most serious sentence in 28% of convictions. Similarly for theft, 25% of youth convictions and 35% of adult convictions resulted in a custody sentence. Overall, for both violent and property offences, convicted youths were sentenced to custody in 31% of cases compared to 38% for adults.

²² This is defined as theft of goods valued at \$5,000 or less.

²³ Common assault (level 1) includes pushing, slapping, punching, and face-to-face verbal threats. Major assault includes more serious forms of assault, i.e. assault with a weapon or causing bodily harm (level 2) and aggravated assault (level 3).

²⁴ Information on youth court cases comes from the Youth Court Survey (YCS), which has full national coverage. Youth refers to any person between the ages of 12 and 17 at the time of the offence.

²⁵ Data on adult court cases come from the Adult Criminal Court Survey (ACCS). In 1997-98, the ACCS collected information on cases heard in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories. These jurisdictions account for about 80% of the national caseload. Sentencing information does not include any cases that were transferred to superior courts, which tend to hear more serious cases.

Table 3


Most Serious Sentence for Youths and Adults, 1997-98

Offence Type ²	Cases with convictions ¹					
	Youths			Adults		
	Custody ³	Probation	Other ⁴	Prison	Probation	Other ⁴
	% of cases with convictions					
Violent	31	58	11	38	50	12
Homicide	70	25	5	78	13	9
Sexual assault	32	62	6	55	39	6
Major assault (levels 2&3)	37	56	7	47	42	11
Common assault (level 1)	24	64	12	28	58	14
Robbery	51	43	6	79	18	3
Property	31	55	14	38	41	21
Breaking and entering	39	54	7	60	35	5
Theft	25	56	19	35	36	29
Possession of stolen property	39	48	13	43	34	23
Mischief	21	60	19	22	54	24
Other Criminal Code	41	36	23	42	27	31
Other Federal Statutes	40	34	26	18	16	66
Drug Offences	15	55	30	19	16	65
Young Offenders Act	48	28	24
Total Federal Statutes	34	48	18	33	30	37

... Figures not appropriate or not applicable.

¹ Based on 74,528 convictions for youths and 411,476 convictions for adults.

² Only selected offence types are shown.

³ Includes both secure and open custody.

⁴ Includes all other sanctions.

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

Youths were more likely than adults to be ordered to custody for "other" federal statutes. This category encompasses a variety of crimes, including offences under the *Young Offenders Act (YOA)*²⁶ and drug offences. Comparisons for the YOA can't be made because adults are rarely sentenced under this Act. Youths, however, can be sentenced for a number of offences, including failure to comply with a disposition (sentence). In fact, youths convicted of a YOA offence were punished fairly severely, with 48% of convictions resulting in custody in 1997-98. This led to the higher overall custody figures for youths for "other" federal statutes. For drug offences, youths were less likely to be sentenced to custody than were adults (15% compared with 19% of convictions).

Often, the sentence length ordered by the judge is used as an indicator of harshness. However, it is difficult to compare sentence lengths for youths and adults. Minimum and maximum sentence lengths are quite different. For most offences, young offenders can be sentenced to custody for a maximum of 2 years. However, for offences punishable by life imprisonment under the *Criminal Code*, the maximum penalty is 3 years in custody.²⁷ Adults convicted of less serious (summary) offences can usually be sentenced to prison for a maximum of 6 months, while for more serious (indictable) offences, maximum terms tend to be 2, 5, 10 or 14 years, but can go as high as life imprisonment.

Robbery, a violent offence, and breaking and entering, a property offence, both carry a maximum term of three years custody for youths and life imprisonment for adults.²⁸ In 1997-98, the median²⁹ length of custody in youth court cases for a robbery offence was 4 months for secure custody and 3 months for open custody. For adult cases, the median term of imprisonment was 18 months. For breaking and entering, the median length of custody ordered in youth cases was 3 months for both secure and open custody. For adult cases, the median length of imprisonment was 6 months.

One additional factor that must be taken into consideration in comparing youth and adult sentencing is time actually served. Young offenders are not eligible for parole, but under the terms of the *Young Offenders Act*, the court must review all custodial dispositions after one year.³⁰ At that time, the court may

²⁶ In March 1999, the government introduced new legislation, the Youth Criminal Justice Act, which will replace the YOA.

²⁷ Additionally, the maximum penalty for young offenders for second degree murder is 7 years (4 years custody and 3 years supervision) and for first degree murder it is 10 years (6 years custody and 4 years supervision).

²⁸ Breaking and entering into a residence carries a maximum of life imprisonment. When the offence involves another type of location, the maximum is 14 years imprisonment.

²⁹ The median is the middle value when all values are ordered from lowest to highest.

³⁰ Requests for a review can be made at any time by the parent or young offender.

reduce the term or type of sentence. Otherwise, the initial sentence has to be served. While parole is not available to young offenders, adults usually become eligible for parole after serving one-third of their sentence and those serving terms of two years or more, gain statutory release after serving two-thirds of their term. In 1997-98, 42% of applications made by adults to the National Parole Board for full parole were approved.³¹ So although custody terms for youths are often less than for adults, the time actually served could be the same or longer.³²

Who is in prison?

In Canada, there are two types of prisons for adults: federal penitentiaries, which house inmates sentenced to a term of two years or longer and provincial/territorial prisons, which house inmates sentenced to less than two years. Provincial/territorial prisons may also house persons who are charged with a criminal offence and are being detained (on remand) while awaiting further court appearances.

On an average day in 1997-98, there were 32,970 adults (18 years or older) being held in prisons in Canada.³³ This represented a decrease of about 3% from the previous year and was the only decrease in the previous 10 years. The average daily count of inmates was 24% higher in 1997-98 than in 1987-88. Almost 60% of the prison population was held in provincial/territorial facilities in 1997-98.

In 1997-98, the typical adult inmate was a male. Males represented 91% of the 98,646 admissions to provincial/territorial prisons and 95% of the 4,412 admissions to federal penitentiaries. These percentages have changed very little over the last few years.

The median age of persons admitted to provincial/territorial custody in 1997-98 was 32 years, up from 31 the previous year and 29 in 1992-93. The increased age of these inmates likely reflects the general aging of the population, as well as the increased use of alternative sentences for first-time offenders (who tend to be younger than the average offender).³⁴ Federal inmates had an average age of 33 years in 1997-98, down from 36 years the previous year, but up slightly from 32 years in 1992-93.

Aboriginal persons are over-represented in prison populations. They represent 2% of the Canadian adult population, yet Aboriginal inmates made up 15% of total provincial/territorial admissions and 17% of federal admissions in 1997-98. The situation in federal prisons has become worse – the proportion of Aboriginal inmates admitted to federal facilities has grown from 11% in 1991-92.

Incarceration at the provincial/territorial level is usually brief. In 1997-98, sentences of less than 1 month accounted for 35% of all provincial/territorial admissions, while a further 50% were for 1 to 6 months. The median length of custody, was 44 days, up from 37 days the previous year. Federal sentence lengths, by definition, are longer. They have remained stable over the last 10 years, with an average of 78% of admissions being for a term of less than 5 years. The average sentence

length (excluding life sentences) in 1997-98 at the federal level was 45 months. Offenders sentenced to a life term accounted for 4% of all admissions.

A census of inmates in all adult correctional facilities in Canada that was conducted in October 1996 provides some additional information on adult inmates.³⁵ In looking at how the prison population compares to that of the general Canadian population, three notable differences emerge. First, inmates are less educated. The percentage of inmates with an education of grade 9 or less was 37% compared to 19% for all adult Canadians. Second, at the time of admission to prison, offenders had a significantly higher level of unemployment (52%) than did the Canadian adult population (10%). Finally, upon admission to the institution, only 31% of inmates were married, compared to 63% of Canadian adults. More specifically, provincial/territorial inmates were less likely to be married than were federal inmates (24% compared to 41%).

Does parole work?

Parole is a conditional release from prison that may be granted to adult offenders. As a general rule, inmates can apply for conditional release after having served one-third of their sentence, and federal inmates are usually released after having served two-thirds of their sentence. Once released, the offender serves the remaining portion of the sentence in the community under some type of supervision.

There are two types of parole: full parole and day parole. Inmates who are granted full parole are released from prison to serve the rest of their sentence in the community. Inmates who are granted day parole reside at the correctional institution or a halfway house in the community. This provides the opportunity for offenders to participate in on-going community activities and programs, and helps them reintegrate themselves into the outside world.

Most parolees serve the balance of their sentences in the community without violating their parole conditions or committing additional crimes. In 1997-98, 78% of provincial/territorial full paroles were completed successfully. For federal parolees, 67% of inmates that were released on full parole successfully completed their sentences in the community. An additional 22% were returned to prison for breaching a parole

³¹ Three provinces (Quebec, Ontario and British Columbia) have their own parole boards and are not included in this figure. For more information see "Adult Correctional Services in Canada, 1997-98" by Micheline Reed and Julian V. Roberts in *Juristat (Catalogue 85-002-XPE, Vol. 19 No. 4)*.

³² Data on time served are not available.

³³ This information comes from the *Adult Correctional Services Survey*, which has full national coverage.

³⁴ In September 1996, a number of sentencing reforms came into effect. One was the creation of the *Conditional Sentence of Imprisonment*. The courts can now order offenders sentenced to less than two years to serve their term of imprisonment in the community rather than in prison.

³⁵ The data describe the 37,541 inmates who were "on-register" on census day. For more details see "A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities" by David Robinson, Frank J. Porporino, William A. Millson, Shelley Trevethan and Barry MacKillop in *Juristat (Catalogue no. 85-002-XIE, Vol. 18 No. 8)* or in the full report (*Catalogue no. 85-601-XPE*).

condition, such as failing to refrain from alcohol consumption; 10% were returned to prison because they were charged with committing a new, non-violent offence; and 1% were returned due to charges for a new, violent offence.

Decisions about parole for federal inmates, as well as inmates in provincial and territorial institutions (except in the provinces of Quebec, Ontario, and British Columbia, which have their own parole boards) are made by the National Parole Board (NPB). The proportion of provincial/territorial offenders being granted full parole has been declining – the grant rates for the provincial parole boards (combined) and the NPB are down. In 1997-98, the overall provincial parole board grant rate was 51%, down from 55% in 1995-96 and 65% in 1993-94.³⁶ The percentage of provincial/territorial offenders granted full parole by the NPB dropped to 43% in 1997-98 from 52% the previous year. In contrast, the NPB's grant rate for federal offenders on full parole is increasing. The rate was 42% in 1997-98, up from 34% two years before.

Data Sources

Adult Correctional Services (ACS) Survey

The Adult Correctional Services Survey is designed to collect information on adult offenders 18 years of age and over. Data pertain to both the provincial/territorial and federal corrections sectors. Information is collected on caseload (e.g., average daily counts and total number of admissions to custody and community corrections) and case characteristics (e.g., age, sex and aboriginal status of the inmate, and length of custody). The survey has full national coverage.

Adult Criminal Court Survey (ACCS)

The ACCS collects detailed information on appearances, charges, and cases heard in adult criminal courts in Canada. In 1997-98, adult provincial/territorial courts in seven provinces and two territories (Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories) contributed data to the survey. This represented approximately 80% of the national adult criminal court caseload. Sentencing information does not include cases that are transferred to superior courts. The cases heard by superior courts tend to be the most serious.

The primary unit of analysis for the survey is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. Individuals include persons 18 years or older and youths who have been transferred to adult court. Among other things, the ACCS collects information on how the case was disposed (transferred to superior court, found guilty, stayed/withdrawn, acquitted) and the type of sentence (prison, probation, fine, restitution, other).

Homicide Survey

This survey provides police-reported information on the characteristics of homicide victims, homicide incidents, and those accused of homicide. The survey has collected detailed information on all homicides in Canada since 1961. It was

revised in 1991 and 1997 in order to improve and expand upon the information being collected.

International Crime Victimization Survey

The ICVS, which is coordinated by the Ministry of Justice in the Netherlands and the United Nations Interregional Crime and Justice Research Institute (UNICRI), provides information on the incidence of victimization around the world. In 1996, the survey was conducted for a third time. There were 34 participating countries, including 11 western industrialized countries (Austria, England and Wales, Finland, France, the Netherlands, Northern Ireland, Scotland, Sweden, Switzerland, the United States and Canada). A standard questionnaire was used to gather the information. In the industrialized countries, interviews were conducted by telephone using computer-assisted telephone interviewing (CATI). A random sample of persons aged 16 years and older were asked detailed information on 11 offences. These included: robbery/attempts, sexual assault, assault/threats, theft of personal property, burglary, attempted burglary, car theft, theft from car, vandalism to car, motorcycle theft and bicycle theft.

One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities

On October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada. The data include inmate demographic and background information (e.g. marital status, education, employment, criminal history), case characteristics, such as offence and sentencing data and program needs of inmates.

Police Administration Statistics Annual Survey

The Police Administration Statistics Annual Survey collects national statistics on personnel and expenditures from municipal, provincial and federal police forces. Personnel counts are based on permanent, full-time equivalents; part-time employees are converted to full-time equivalents (e.g. 4 employees working 10 hours per week would equal 1 full-time employee).

Transition Home Survey

The Transition Home Survey is a census of all residential facilities providing services for abused women and their children. Information is collected on the characteristics of the facility and the services offered during a 12-month period, and on the clients being served on a specific day of the year. Statistics Canada conducted the first Transition Home Survey in 1991-1992. The survey was repeated, with some changes, in 1992-1993, 1994-1995 and 1997-1998. For the 1997-1998 survey, questionnaires were sent to 470 residential facilities across the country. Responses were received from 430 of those facilities, yielding a response rate of 91%.

³⁶ These figures exclude data for the parole board in British Columbia because data prior to 1996-97 were not available.

Uniform Crime Reporting Survey (UCR)

The UCR is a summary, or aggregate-based survey that records the number of criminal incidents reported to the police. It does not gather information on the victims, but does collect information on the number of persons charged by sex and by an adult/youth breakdown. For all violent crimes (except robbery), a separate incident is counted for each victim. For non-violent crimes, one incident is counted for each distinct occurrence. Incidents that involve more than one infraction are counted under the most serious violation. As a result, less serious offences are undercounted. The survey has been in operation since 1962 and has full national coverage.

Revised Uniform Crime Reporting Survey (UCR11)

In 1984, the UCR survey was redeveloped to expand the information collected. This expanded survey, called the Revised Uniform Crime Reporting Survey (UCR11), provides detailed information on criminal incidents reported to the police. Information includes the age and sex of the accused and the victim, the relationship of the victim to the accused, and the location of the incident. The 1997 data were collected from 179 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative. The exception to this urban sample is in Quebec, where all police departments (municipal and provincial) report to the UCR11.

Youth Court Survey (YCS)

The Youth Court Survey collects information on federal statute cases heard in youth courts across Canada. Federal statutes include the *Criminal Code*, *Food and Drugs Act*, *Narcotic Control Act* and the *Young Offenders Act*. Information is collected on charges, cases and accused persons aged 12 to 17 (up to the 18th birthday) at the time of the offence.

Most analysis is based on the case, which is defined as one or more charges against the same person and presented in court on the same date. Cases are classified according to the most serious charge in the case, resulting in an undercounting of less serious offences. The kind of information collected by the YCS includes the type of decision (transfer to adult court, guilty, not guilty, stayed, dismissed, withdrawn and other) and the type of disposition (including secure custody, open custody, probation, fine, and compensation).

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