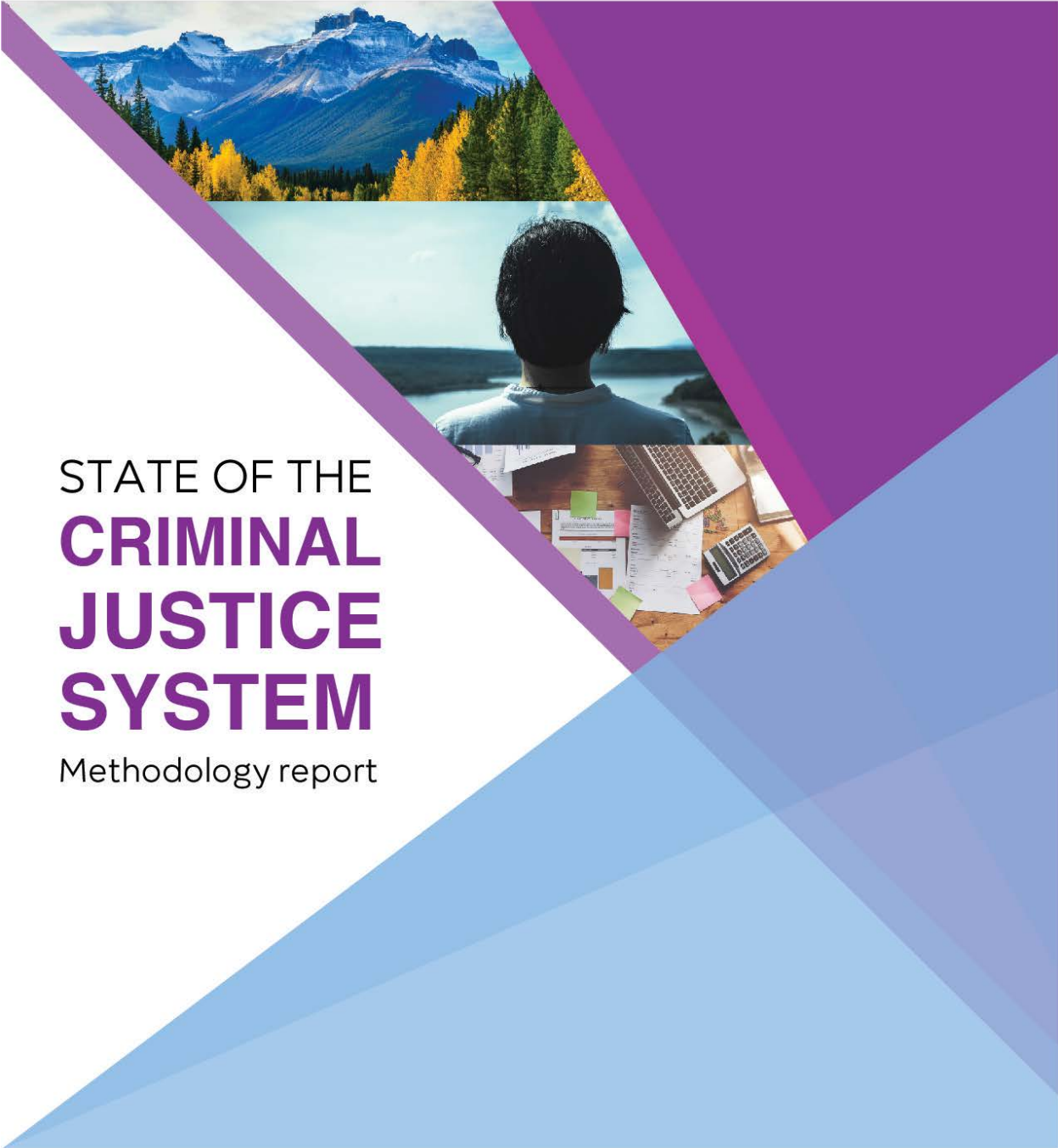




Department of Justice  
Canada

Ministère de la Justice  
Canada



# STATE OF THE **CRIMINAL JUSTICE SYSTEM**

Methodology report

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## Introduction

The Department of Justice Canada (JUS) began a review of the criminal justice system (CJS) in 2015 to support the mandate of the Minister of Justice and Attorney General of Canada (Office of the Prime Minister, 2015).<sup>1</sup> The performance of the system was a key focus. The State of the Criminal Justice System Framework (the Framework) was developed by JUS as the first performance monitoring framework for Canada's CJS. The purpose of the Framework is to increase our overall ability to monitor, and therefore understand, how the CJS is doing in terms of achieving its multifaceted objectives.

The Framework currently includes nine broad expected outcomes for the CJS that are measured by 41 national indicators. Performance on these outcomes is monitored through an online interactive Dashboard, and the State of the Criminal Justice System Report.<sup>2</sup> This paper explains the methods used to create the State of the Criminal Justice System performance monitoring Framework, Dashboard, and Report and provides as an overview of the methods planned to update and analyse the framework data in coming years.

### 1.0 Development of a Performance Monitoring Framework

In the early stages of the development of the Framework, a number of research and consultation activities were undertaken to identify outcomes and indicators to include in a Canadian CJS Framework. These are as follows:

1. As a first step, JUS reviewed the literature on the development, characteristics and elements of a successful performance monitoring framework, including the selection of outcomes and indicators.<sup>3, 4</sup>
2. Then, JUS conducted an environmental scan and review of national and international sources to identify relevant examples performance monitoring frameworks and compile an inventory of potential expected CJS outcomes and indicators.
3. JUS also conducted public opinion research and public consultations on the value of performance monitoring in the CJS through focus groups and surveys as part of its annual National Justice Survey (NJS) in 2016 and 2017.
4. Finally, JUS engaged and consulted with key CJS partners, stakeholders and experts.

These various research and consultation activities, as well as key findings and results, are further described below.

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<sup>1</sup> See <https://pm.gc.ca/en/mandate-letters/minister-justice-and-attorney-general-canada-mandate-letter>.

<sup>2</sup> See <https://www.justice.gc.ca/eng/cj-jp/state-etat/index.html>.

<sup>3</sup> For a copy of the report, *Criminal Justice System Review: Performance Measurement Indicators* (2016), please submit a request to [rsd.drs@justice.gc.ca](mailto:rsd.drs@justice.gc.ca).

<sup>4</sup> Dandurand and colleagues (2015) define outcome/strategic indicators as measuring performance of a program, policy, strategy or system against its objectives.

## 1.1 Literature Review

The process of creating a performance monitoring framework began with a review of relevant literature in order to help identify and clearly define the concepts, elements, and methods required for performance measurement. The aim of the review was to develop a clear understanding of the goals of performance measurement in general, in order to guide the creation of a CJS-specific framework. Though not as abundant as the literature on performance measurement in general, literature on CJS-specific performance measurement was also reviewed to further guide framework development. The following section outlines the main findings of this review.

Performance measurement includes expected results or “outcomes”<sup>5</sup> which are measured by indicators<sup>6</sup> where data are collected regularly over time in order to indicate areas of success or improvement, as well as emerging and persistent challenges. Performance measurement can inform decision-making. It can also be used to encourage accountability and transparency. Ensuring that performance information and data are accessible to the public can also demystify the CJS. Research findings highlighted the following as necessary in the development of a successful performance measurement framework for the CJS:

- The need for objectives and principles of the CJS;
- The importance of involving partners and stakeholders;
- That information sharing and public access to data can demystify the CJS and boost public confidence;
- The need for a variety of indicators that are measurable but also manageable;
- That indicators must be tied to outcomes; and,
- That benchmarks and targets should be identified in order to monitor performance.

The outcomes included in a performance measurement framework must reflect the values, goals, standards, structures and activities of the program, policy, strategy or in this case, the system for which performance is measured. As noted by Dandurand et al. (2015), the values and goals of a system such as the CJS are multidimensional and may reflect competing views; however, a good performance measurement framework should be able to integrate multiple perspectives.

Indicators can be quantitative or qualitative information collected over time and may be compared to benchmarks or targets to identify areas of success or challenge. A functional

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<sup>5</sup> In this context, outcomes are the broad strategic results that the CJS as a whole intends to achieve (e.g., Canadians feel safe). The CJS uses outcomes to gauge the success of the system. Targeted initiatives, activities, or programs can directly or indirectly influence changes in the outcomes.

<sup>6</sup> Indicators are quantitative meaning that they are represented by numbers (the indicators are also specific and measurable) or sometimes qualitative meaning that they are represented by descriptions of things like size, experience, value, space, appearance (descriptive) that can be collected regularly over time. They provide a valid and reliable method of showing progress towards an outcome (e.g., percentage of Canadians who report feeling safe).

performance measurement framework is sustainable and manageable, and therefore includes a limited number of indicators. Indicators were therefore carefully selected. To guide the selection of indicators, JUS considered Dandurand et al. (2015) who proposed a number of factors, including ensuring that indicators were 1) actionable through policies, reforms and strategies; 2) dynamic and capable of capturing change over time; and 3) flexible and adaptable to changing circumstances within the system. Other considerations included the availability and quality of the data, ensuring that measures were understandable, politically neutral and considered the needs of all those involved in the system, including clients, partners and stakeholders.

The change in an indicator over time can be defined in a number of ways, based on the type of information collected and the performance outcome expected. Some indicators can be measured against predetermined performance targets. Targets are often used in situations in which issues or challenges have been identified, and present a goal for performance improvement. Other indicators may lend themselves to the use of benchmarking, where an existing standard is used to measure performance. This standard may be based on past performance of an indicator within a system, performance of a similar indicator within another system (e.g., another jurisdiction), or an existing minimum requirement (Dandurand et al., 2015).

Although setting specific performance objectives may be ideal, many criminal justice indicators do not currently have agreed upon targets or benchmarks; the CJS always has room for improvement. For example, it would be unachievable and also difficult to interpret a rate of 0 for self-reported victimization or police-reported crime. In addition, due to the inherent differences between provincial/territorial justice systems (e.g., provincial legislations, social programs, socioeconomic and geographical characteristics), it was inappropriate to set national targets/benchmarks for the indicators included in the performance measurement framework. Therefore, performance objective setting is limited to directional targets (e.g., increase, decrease, neutral) rather than precise numeric targets (e.g., % increase).

It is important to note that while there have been attempts to “measure” or “grade” the performance of the CJS in the past, the JUS framework is more specifically a monitoring tool rather than a measurement tool. Without the use of benchmarks or targets, the framework provides an overview of what the system is doing and how it is performing at various points in time. Therefore, the term “performance monitoring framework” is used from this point on rather than “performance measurement framework”, for accuracy.

## 1.2 Environmental Scan and National and International Review

There are many approaches to performance monitoring and reporting. An environmental scan of practices and initiatives developed by other jurisdictions/organizations within and outside of Canada identified a number of relevant examples that have been applied to the CJS and other social systems (e.g., health system). In particular, the development of the Framework was informed by the MacDonald-Laurier Institute’s “Report Card on the Criminal Justice System” (Perrin & Audas, 2016), the University of Waterloo’s Canadian Index of Wellbeing (Michalos et

al, 2011), and the Scottish Government's Online Justice Dashboard (Scottish Government, 2012).

JUS also compiled an inventory of expected CJS outcomes and related indicators from national and international sources, including in Canada, Australia, the European Union, Ireland, New Zealand, Northern Ireland, Scotland, Sweden, USA and the United Kingdom. In addition to frameworks specific to CJS outcomes, the review was expanded to CJS-related indicators (i.e., mental health), paying particular attention to indicators that were identified in the international CJS review. The resulting inventory provided insight into outcomes and indicators that were internationally and domestically comparable, and informed the selection of outcomes and indicators in the Framework.

### 1.3 Public Opinion Research and Public Consultation

In the development of CJS performance outcomes and indicators, JUS also sought input and feedback from Canadians through focus groups and surveys as part of its annual National Justice Survey (NJS) in 2016 and 2017 (Department of Justice Canada, 2017; Department of Justice Canada, 2018b).

The 2016 NJS explored Canadians' views of the goals and objectives of the CJS.<sup>7</sup> Results showed that Canadians value a CJS that is timely, transparent and fair; that considers and addresses underlying social factors; that considers the circumstances of vulnerable and marginalized people; that focuses on crime prevention; and, that promotes confidence and trust in the system. In addition, 2016 NJS asked Canadians about their sources of information on the CJS and their ideas on how best to share information on the CJS. Results showed that participants noted that they prefer to obtain information about the CJS through the Justice Canada website compared to other sources such as community organizations or the media. Results suggested a strong need for reliable and easily accessible information on the CJS in Canada.

The 2017 NJS asked for Canadians' views on specific aspects of the CJS including performance measurement.<sup>8</sup> The results showed that Canadians were most interested in seeing performance reporting on the following: maintaining public safety, restoring relationships, holding offenders accountable, helping victims meet their needs, and offender rehabilitation. Many Canadians noted interest in information about recidivism rates, the use and effectiveness/success of alternative approaches to the traditional use of courts and jail (e.g., with use of community-based programs, supports and rehabilitative programs), the use and effectiveness/success of rehabilitative or support programs in jail, and victim input and satisfaction with the process and engagement of the CJS.

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<sup>7</sup> The full report is available online at Library and Archives Canada [http://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice\\_canada/2017/015-16-e/index.html](http://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice_canada/2017/015-16-e/index.html).

<sup>8</sup> The full report is available online at Library and Archives Canada [http://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice\\_canada/2018/012-17-e/index.html](http://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice_canada/2018/012-17-e/index.html).

JUS also took into consideration the results of its extensive public consultation on transforming the CJS into a modern, efficient and responsive CJS, undertaken between November 2017 and January 2018 as part of the Government's commitment to review the CJS. Canadians identified the following nine topics as important for transforming the CJS:

- The guiding principles of the justice system should reflect values of respect, fairness, collaboration, compassion, and inclusiveness. Objectives of the CJS should include crime prevention, holding offenders accountable, and repairing the harm caused by crime.
- Redesigning the CJS should include more alternative sentencing measures, crime prevention, training and increased diversity in hiring and appointment processes.
- Supporting victims by providing victim-centred and trauma-informed approaches, and increased supports and services.
- Addressing Indigenous overrepresentation by providing more comprehensive public education and justice system training about Indigenous history and culture, and addressing root causes of crime.
- Prioritizing treatment over punishment for individuals with mental health and substance use and addiction in the CJS by having better integrated social systems and providing more supports and services.
- Addressing the root causes of crime such as poverty, unemployment, homelessness, mental health and substance use and addiction.
- Tackling administration of justice offences through alternative measures rather than through punitive measures.
- Increasing the use of restorative justice and alternative measures.
- Focusing on ways to reduce court delays, such as for example, increasing the use of alternative measures, restorative justice and specialized courts. (Department of Justice Canada, 2018a).<sup>9</sup>

## 1.4 Consulting and Engaging CJS Partners, Stakeholders and Experts

JUS conducted two rounds of consultations with key CJS partners, stakeholders, and experts. JUS also contracted a subject matter expert (SME) with expertise in Canadian CJS performance measurement to provide expert guidance and review of the proposed approach, method, and Framework. These are further described in the following sections.

### 1.4.1 Consultation 1

JUS undertook a first round of consultation with key CJS partners, stakeholders, and experts, between November 2017 and January 2018. The following CJS partners, stakeholders and experts were consulted:

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<sup>9</sup> For more information, see the Transforming the Criminal Justice System website: <https://www.justice.gc.ca/eng/cj-jp/tcjs-tsip/index.html> or the Consultation with Canadians report: <https://www.justice.gc.ca/eng/cj-jp/tcjs-tsip/ccr-rcc/p1.html>.



- Canadian Association of Chiefs of Police and its Police Information and Statistics Committee
- Correctional Service of Canada
- Federal-Provincial-Territorial Coordinating Committee of Senior Officials – Criminal Justice
- Federal-Provincial-Territorial Coordinating Committee of Senior Officials – Youth Justice
- Federal-Provincial-Territorial Heads of Corrections
- Federal-Provincial-Territorial Working Group on Indigenous Justice Issues
- Federal-Provincial-Territorial Working Group on Legal Aid
- Federal-Provincial-Territorial Working Group on Restorative Justice
- Federal-Provincial-Territorial Working Group on Victims of Crime
- Mothers Offering Mutual Support (MOMS)
- National Associations Active in Criminal Justice
- National Justice Statistics Initiative Liaison Officers Committee
- Office of the Correctional Investigator
- Parole Board of Canada
- Public Safety Canada
- Royal Canadian Mounted Police
- Select Canadian universities
- SMART Justice Network
- Statistics Canada

The purpose of the consultation was to obtain input toward defining the expected outcomes of the CJS. Based on the review of official documents from Canadian and international jurisdictions described in the previous section, a preliminary list of system level outcomes was identified and presented to the stakeholders and experts who provided written feedback. A series of questions were posed:

- Is there support for the outcome?
- Are there missing elements/features of the outcome?
- Are there different ways of expressing the outcome?
- Are there other performance monitoring initiatives that can help with the performance monitoring of the CJS?
- Are there recommendations to expand or restrict the content of the outcomes?

The list of outcomes for the CJS was revised based on the input from the consultation.

#### 1.4.2 Consultation 2

The second consultation with CJS partners was launched in March 2018 and involved Federal-Provincial-Territorial (FPT) government representatives from the Liaison Officer Committee

(LOC)<sup>10</sup> and other non-FPT participants. The consultation included a revised list of proposed outcomes and focused on the identification of indicators and data sources to measure the outcomes. Participants were presented an extensive but non-exhaustive list of indicators. They were asked to identify which indicators the Framework should include and if their jurisdiction/organization collects related data. For the indicators they supported, they were required to identify the desired direction of change (directional target).<sup>11</sup> Finally, participants also had the opportunity to suggest other indicators for consideration.

The feedback from the second consultation was used to identify and assess the indicators based on logistical/practical considerations, quality of the indicator/data, the coverage of the indicator (e.g., national, selected provinces, etc.), the frequency of collection, and the overall use/relevance of the indicator in informing the outcome. Results from the feedback led to another iteration of the outcomes and indicators of the framework.

#### 1.4.3 Subject Matter Experts

JUS contracted a subject matter expert (SME) with expertise in Canadian CJS performance measurement. This was to provide an expert assessment and review of the proposed approach, method, Framework, and Report.

JUS also contracted with six SMEs in the area of Indigenous justice, Indigenous legal traditions and/or the experience of Indigenous individuals interaction with the CJS. The purpose was to identify approaches to reporting performance data in a way that incorporates Indigenous perspectives and lived experiences or storytelling. The engagement with the SMEs was done in three phases. The first phase involved having the SMEs complete an engagement questionnaire similar to the second consultation activity noted in the previous section. The purpose was to obtain Indigenous perspectives on the proposed CJS outcomes, indicators and data sources for the development of the performance monitoring framework. The second phase involved a one-day in-person research workshop to discuss the results of the engagement questionnaire and a proposed approach to reporting data on Indigenous individuals' interaction with the CJS. The third phase required the SMEs to submit their proposed approaches, while taking into consideration the workshop discussions. Input from SMEs was incorporated into the approach

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<sup>10</sup> The LOC is part of the National Justice Statistics Initiative (NJSI), which is mandated to provide information to the justice community and the public. The LOC oversees the work of the Canadian Centre for Justice and Community Safety Statistics (CCJCSS) on behalf of the NJSI. The members of the LOC include departmental officials from departments responsible for the administration of Justice and Public Safety for each province, territory and the federal government who are appointed by the deputy ministers. Also on the LOC membership list are the Statistics Canada Director General responsible for the CCJCSS, a representative of the Canadian Association of Chiefs of Police, a member of the Heads of Courts Administrators and a member of the Heads of Corrections.

<sup>11</sup> Directional targets include: increase, decrease and neutral. A neutral direction means that the targeted direction of change in an indicator (e.g., increase or decrease) is not clear or is difficult to interpret. A change in the direction for some indicators could be interpreted both positively and negatively in relation to other data, or should be interpreted with caution based on data limitations. For example, a change in the number of individuals registered as a victim to receive information about the person who harmed them could be attributable to a change in other variables, such as the number of victims/individuals in the federal correctional system or victims' awareness of/interest in registering to receive information.

and resulting Framework and Dashboard, particularly the Indigenous Peoples theme (see page 18).

## 2.0 State of the Criminal Justice System Framework

Based on the extensive research and feedback from multi-phased consultations with CJS partners, stakeholders, experts and other Canadians, JUS developed the first performance monitoring framework for the Canadian CJS.

Selection of the final outcomes and indicators was done by JUS with the assistance of a performance measurement SME based on careful consideration of all the information gathered from the literature review and consultation activities described above. Ultimately, the decisions to exclude/include indicators were based on an assessment of: data availability; comprehensiveness of the indicator/outcome; practical considerations; maintaining a manageable project; and ensuring an accessible and an easy-to-understand framework. The final outcomes and indicators are as follows.

## Canadians are safe and individuals and families feel safe

- Police-reported crime
- Crime severity
- Self-reported victimization
- Satisfaction with personal safety from crime

## The criminal justice system is fair and accessible

- Public perception that the criminal justice system is fair to all people
- Public perception that the criminal justice system is accessible to all people
- Approved criminal legal aid applications
- Clients served by the Indigenous Courtwork Program
- Pre-trial detention/remand

## Canadians understand the role of and express confidence in the criminal justice system

- Public awareness of the role of the criminal justice system
- Public confidence in the police
- Public confidence in the Canadian criminal courts
- Victimization incidents reported to the police

## The criminal justice system operates efficiently

- Offence clearance rate
- Case completion time
- Administration of justice offences

## The criminal justice system promotes and supports diversion, restorative justice, Indigenous justice, and tools for community-based resolution

- Incarceration rate
- Criminal incidents cleared by referral to a diversionary program
- Drug treatment court program referrals

The criminal justice system provides persons in the correctional system with services and supports to rehabilitate them and integrate them back into the community

- Intensive Rehabilitative Custody and Supervision youth cases receiving specialized treatment
- Mental health services in federal corrections
- Correctional programs in federal corrections
- Educational programs in federal corrections
- Individuals under federal correctional supervision granted parole
- Successful completion of statutory release without revocation in federal corrections
- Individuals under federal correctional supervision who secure employment before their sentence ends
- Community release plan for Indigenous individuals in federal custody

The criminal justice system respects victims' and survivors' rights and addresses their needs

- Victim satisfaction with the actions taken by police
- Individuals registered as a victim to receive information about an individual who harmed them

The criminal justice system reduces the number of Indigenous individuals in the system

- Self-reported violent victimization among Indigenous individuals
- Police-reported homicide victims identified as Indigenous
- Police-reported homicide accused identified as Indigenous
- Indigenous adults and youth admissions to provincial/territorial correctional services
- Indigenous admissions to federal correctional services
- Indigenous individuals among the total federal offender population
- Indigenous individuals designated as Dangerous Offenders

The criminal justice system reduces the number of marginalized and vulnerable people in the system

- Self-reported violent victimization among marginalized and vulnerable populations
- Police contact among individuals with a mental or substance use disorder
- Mental health needs in federal corrections
- Visible minorities in federal corrections

The full Framework is available in Annex A. It includes a detailed description of each outcome as well as the following components for each indicator:

- A description of what the indicator is monitoring;
- An explanation as to why it is an important indicator of the CJS expected outcome;
- An identified directional target;
- A list of breakdowns available in the Dashboard such as type of crime, identity factor, age, and sex;
- The geographic coverage of the indicator (e.g., national, selected jurisdictions);
- The data limitations; and,
- The collection source.

It is important to note that the Framework provides a national picture of Canada's CJS rather than a provincial and territorial breakdown. Therefore, the data presented by the Framework do not take into consideration the jurisdictions' unique contexts and realities. Additionally, for some indicators, data for certain provinces and territories are not available and are therefore not included in the national estimate.

It is also important to note that the current Framework is not exhaustive of all relevant indicators that could be used to monitor the performance of the CJS. As new data are collected, statistical standards are developed and consultations with experts continue, it is expected that new indicators will be added to the Framework. JUS will continue to work with partners to further refine the Framework and fill the data gaps it has identified.<sup>12</sup>

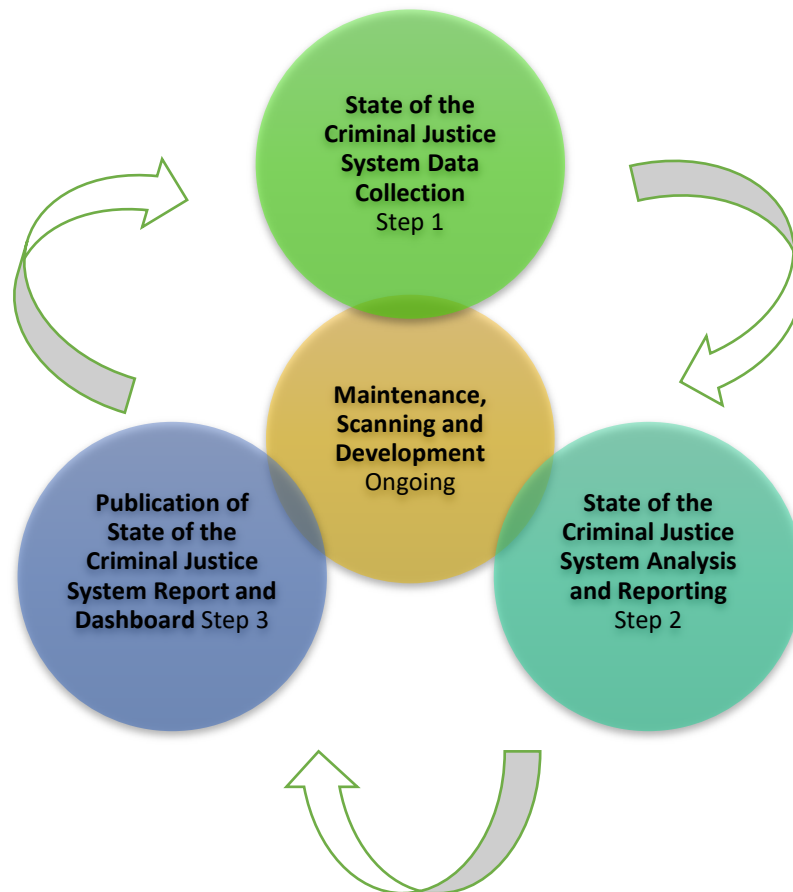
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<sup>12</sup> For more information on data gaps (i.e., placeholder indicators), please see Annex B.

### 3.0 Monitoring the Performance of the Canadian Criminal Justice System

The monitoring of the Canadian CJS is conducted through a yearly systematic process as demonstrated in Figure 1. This involves a data collection period, followed by the analysis and reporting phase which is showcased via a State of the Criminal Justice System online Dashboard and Report. Finally, JUS ensures the maintenance of the State of the Criminal Justice Framework by conducting ongoing scanning activities and mainting collaborative partnerships with key partners to stay apprised of CJS changes to further improve/refine the Framework.

Figure 1. State of the Criminal Justice System Performance Monitoring Process Graph.



#### 3.1 Data Collection

The information supporting the State of the Criminal Justice System Framework is collected through various administrative databases and surveys administered by federal departments

and agencies (e.g., Correctional Services Canada, Justice Canada, Office of the Correctional Investigator, Parole Board of Canada, and Statistics Canada). Data are collected through publicly available reports and in collaboration with data holders at the beginning of every fiscal year. Upon receipt, data are entered in the State of the Criminal Justice System online Dashboard.

There are some data collection challenges, notably:

1. **Periodicity:** not all indicator data are available at the same frequency (e.g., collection may be yearly or every five years) nor at the same time of year (e.g., fiscal year vs. calendar year). Data collection for the Framework will occur over the course of the year. However, delays in entering the latest data available for some indicators may be possible. In cases where an indicator is not collected on a yearly basis, but is considered essential in measuring the performance of the CJS, the last indicator value collected is used as a proxy until the next collection cycle data becomes available (i.e., no forecasting is conducted). The collection date is clearly indicated.
2. **Coverage:** Although the State of the Criminal Justice System Framework is national in scope, not all jurisdictions collect the same data. Certain indicators only provides a subset of the national data. The Framework clearly identifies the data coverage for each indicator.

## 3.2 Reporting Vehicles: An Online Dashboard and Report

Each year, the data collected through the Framework are used to monitor the performance of the CJS and are then reported via a State of the Criminal Justice System online Dashboard and Report. The following sections further describe these products.

### 3.2.1 State of the Criminal Justice System Dashboard

The State of the Criminal Justice System online Dashboard presents data and information from the Framework, where data are available, in one easily accessible location. The Dashboard currently shows information and data collected for 41 performance indicators grouped by nine outcomes.

#### *A) Alternate Views of the Dashboard*

The default view of the Dashboard presents an overall view of performance, which includes all population data. This view is distinguishable via the identified “All Population” option noted in the “Theme Selector” bar, as well as the blue filter<sup>13</sup> applied to the Dashboard (see Image 1).

Once the user selects an outcome under the “select an outcome” column, a list of performance indicators will populate. Each indicator will present:

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<sup>13</sup> Although designs elements have been incorporated, the Dashboard is also available in an accessible format.



- A direction arrow – this presents an indication of directional change in the data using an arrow and a colour-based system. Any increase or decrease in the latest year of data triggers a change in the direction of the arrow beside the indicator title. The arrow colour shows whether performance moved in the identified direction of improvement (i.e., green) or not (i.e., red), relative to the previous cycle. For example, the crime severity indicator in Image 1 and 3 showed a slight increase from 2017 (73.61) to 2018 (75.01). This increase is presented through the direction of the arrow (arrow pointing up). The arrow is red which shows that the value of this indicator did not move in the identified direction of improvement (i.e., a decrease in the crime severity index would demonstrate improvement in community safety). A grey bar will appear in cases where no change is reported. It is important to note that changes may warrant further attention and analysis in the State of the Criminal Justice System Report.
- Year – identifies the latest year of data available for the indicator.

Image 1. State of the Criminal Justice System Overall View of Performance Screenshot.

The screenshot shows the dashboard interface. At the top, there is a 'Theme Selector' bar with a dropdown menu currently set to 'All Population'. Below this is a welcome message and instructions on how to use the dashboard. A 'SELECT AN OUTCOME' menu is visible on the right, listing various outcomes such as 'Safe Communities', 'Fair and Accessible', etc. The 'Safe Communities' outcome is selected, showing a large image of a park with people cycling and a text box describing the outcome: 'Canadians are safe and individuals and families feel safe'. Below this, a table lists performance indicators with their direction and year.

Indicator	Direction	Year
Police-reported crime		2018
Crime severity		2018
Self-reported victimization		2014
Satisfaction with personal safety from crime	—	2014

In addition to the overall view of performance presented above, the dashboard allows this information to be viewed by population-based themes (e.g., Indigenous Peoples). This view presents indicators only where data are available on the selected population. This view can be accessed by selecting the theme in the “Theme Selector” bar (e.g., Indigenous Peoples), and is distinguishable by the different colour filter applied to the Dashboard (e.g., purple for Indigenous Peoples; see Image 2).

A population-based theme is currently available for Indigenous Peoples. This theme presents indicators by Indigenous identity (where data are available) and provides contextual information on Indigenous individuals’ interaction with the CJS to avoid common misconceptions, such as misinterpreting higher contact rates among Indigenous individuals as a sign that they are innately more prone to criminal behavior. The population-based theme was developed with SME engagement activities which highlighted the importance of providing qualitative information. The intention is that other population-based themes (e.g., women and youth) will be developed in the future.

Image 2. State of the Criminal Justice System Dashboard Population-Based View of Performance Screenshot.

**Theme Selector** [\[Read about the symbol explanation\]](#) Indigenous People

### Indigenous People and the Criminal Justice System

Welcome to the Indigenous people theme of the State of the Criminal Justice System Dashboard. This section of the Dashboard presents information on the interaction of First Nations, Métis and Inuit people with the criminal justice system. Although the information and data are presented in the Dashboard together as one group, Indigenous people in Canada are not one single population with one single voice. Instead, they have distinct nations with different histories, cultures, identities, knowledges, languages, understandings of the world, and social experiences. Where possible, a distinction-based approach is used to present information about different nations of Indigenous people. However, most of the statistical data that is currently available is only available on Indigenous people together as one group.

On this page of the Dashboard you can look at information one of two ways:

- Click on one of the nine outcomes listed below to learn about related indicators and to explore the data currently available by Indigenous and non-Indigenous identity.
- By clicking on the “Learn more” link at the bottom of the page, additional information is presented to provide a greater understanding of what contributes to overrepresentation of Indigenous people in the criminal justice system, as well as the responses made to address the issue of overrepresentation over the past 30 years.

**SELECT AN OUTCOME**

- Safe Communities
- Fair and Accessible
- Confidence in the System
- Operation of the System
- Resolution Mechanisms
- Correctional Supervision
- Victims and Survivors
- Indigenous People
- Marginalized and Vulnerable People

**Safe Communities**  
Canadians are safe and individuals and families feel safe

**Canadians are safe and individuals and families feel safe**

Ensuring that individuals, families, and communities in Canada are safe is a core outcome of the criminal justice system. Crime prevention and intervention, which aims to protect individuals, families, and communities, can achieve safety. This outcome is measured by police-reported crime, self-reported crime, and perception of personal safety.

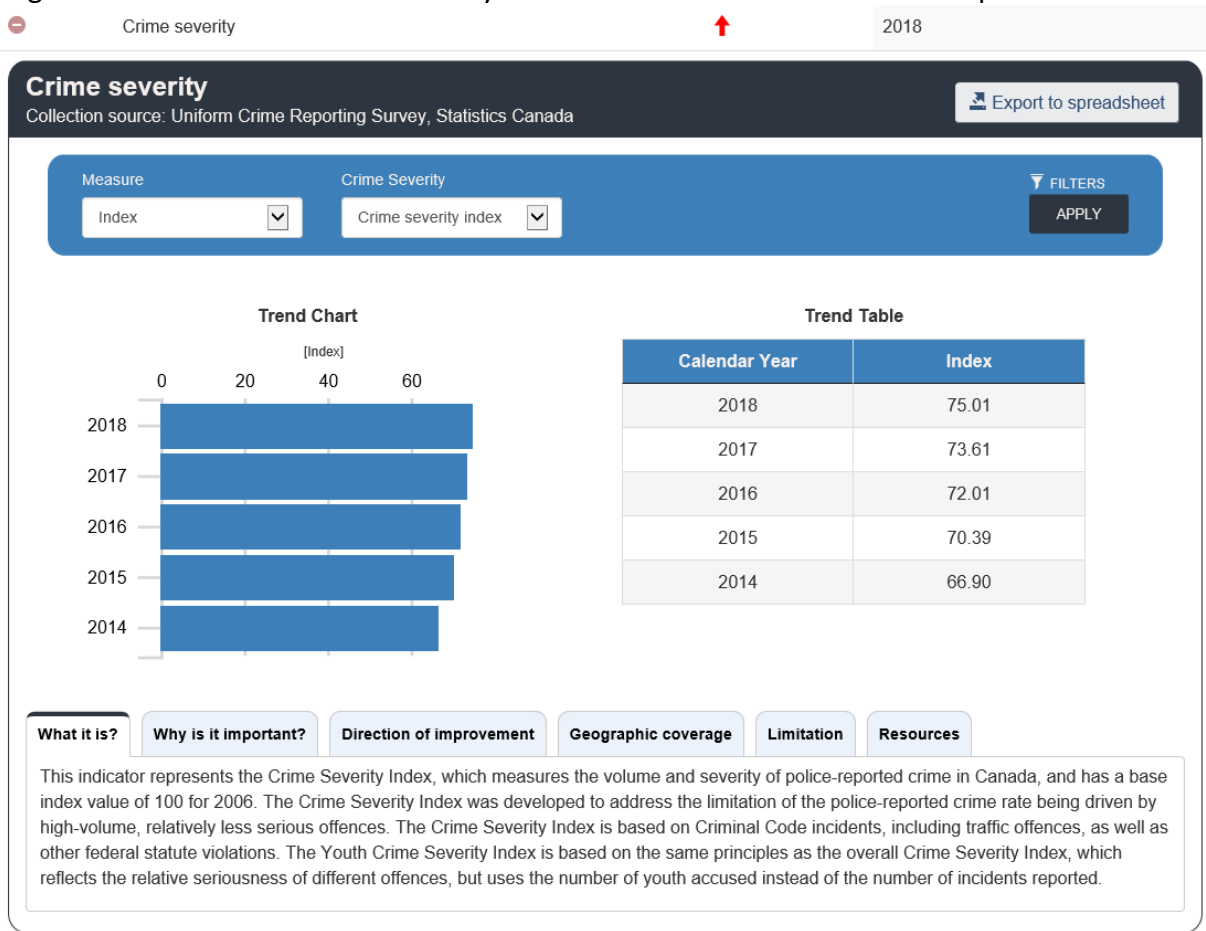
Indicator	Direction	Year
Self-reported victimization	↓	2014
Satisfaction with personal safety from crime	—	2014

B) Performance Monitoring Indicator Card

The Dashboard provides an indicator card for every performance indicator included in the State of the Criminal Justice System Framework (see Image 3). The indicator card presents the data in a number of ways, including:

- The raw value score data at the national level for the five most recent years, where available.
- Different breakdowns for the indicator such as identity factor, age and sex.
- A data trend chart and table to demonstrate any changes in direction (e.g., increase, decrease, neutral), strengths, and areas for improvement.
- The various tabs at the bottom of the indicator card which provides a collection of information such as what the indicator is, why it is important, the desired direction of improvement, available breakdowns, geographic coverage, limitations, the collection source and relevant resource materials.

Image 3. State of the Criminal Justice System Dashboard Indicator Card Example.



### C) Design, Functionality and Usability

The Dashboard was designed and created in-house by JUS. Online searches were conducted to obtain ideas and inspirations on the design, functionality and usability for the Dashboard.<sup>14</sup> Usability testing was conducted internally.

JUS also contracted an Indigenous graphic designer to design elements of the Dashboard to report on Indigenous individuals' interaction with the CJS. In addition, a Departmental Advisory Committee was established to advise on the design elements of the Indigenous Peoples theme of the Dashboard.

#### 3.2.2 State of the Criminal Justice System Report

JUS will be releasing a State of the Criminal Justice System Report annually. The coverage of the report will vary based on a five year cycle. A comprehensive report will be published every five years to present key results and performance trends on all indicators and outcomes in the Framework. Thematic interim reports will be released annually between comprehensive reports. Thematic reports could explore:

- a specific outcome;
- a specific population (e.g., women, youth);
- a theme (e.g., impact of COVID-19 on the criminal justice system, advancements in CJS data collection and methodology); or,
- a government priority (Department and/or government-wide priority).

The first edition of the State of the Criminal Justice System Report (2019) presents key results on selected indicators from the Framework that were chosen based on noteworthy findings and available data. The report presents data, where available, for the five most recent years as well as some longer-term trends. The report was written in-house by JUS and peer reviewed by a performance measurement SME on contract, and relevant federal government data holders. The purpose of the report is to make a complicated and varied collection of CJS datasets and indicators easier for the public to access and understand. It is available on the JUS website.<sup>15</sup>

### 3.3 Maintenance and Scanning

JUS provides ongoing maintenance of the State of the Criminal Justice System Framework and Dashboard by conducting regular scanning activities which includes being aware of new data and research that could support indicator development. This allows for regular updates to the Dashboard and further refinement of the Framework.

Following the release of the Report, JUS takes a critical look at the Framework and identifies, where possible, potential research projects for the upcoming year to further develop data gaps

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<sup>14</sup> See for example the Mental Health Commission Dashboard:  
<https://www.mentalhealthcommission.ca/English/resources/mhcc-reports/mental-health-indicators-canada>.

<sup>15</sup> See <https://www.justice.gc.ca/eng/cj-jp/state-etat/index.html>.

which may be in partnership with key CJS partners. This critical review provides an opportunity for an annual post-mortem to identify where improvements can be made to the project and process.

## 4.0 Dissemination and Awareness Strategies

JUS developed a communications strategy specifically for the first launch of the State of the Criminal Justice System Report and Dashboard in order to:

- inform the Canadian public and those involved in the CJS community with clear, relevant and transparent information available on CJS outcomes and indicators;
- ensure the Dashboard meets the needs of its users;
- acknowledge and respond to areas where information/data gaps have been identified; and,
- enable collaboration with key stakeholder groups to address areas requiring improvement.

The communications strategy involved promoting the availability of the Report and Dashboard, both internally and externally with the public and stakeholders through various activities such as using social media to dissemination information (see example in Image 4) and conducting face-to-face presentations to key CJS partners. Other communications activities included information kiosks at relevant CJS conferences (see example in Image 5).

Image 4. Use of Social Media to Promote the State of the Criminal Justice System.





Image 5. Department of Justice at the Congress 2019: 100 Years of Criminal Justice in Québec City, November 2019.



**Justice Canada** @JusticeCanadaEN · 8 Nov 2019

Are you attending the @AcjpCcja @societecrimino Congress in Québec City? Curious how the Canadian criminal justice system is performing? Come talk to us and learn more about our State of the Criminal Justice System initiative.



## Conclusion

Canada's first national performance monitoring framework provides the foundation for understanding the current state of the CJS and provides a clear roadmap for further data development and data collection to inform legislation, policies, programs, and practices. The State of the Criminal Justice System Report and online Dashboard were publicly released on May 30<sup>th</sup> 2019 and are available on the Justice Canada website:

<https://www.justice.gc.ca/eng/cj-jp/state-etat/>.

Note that the Framework is evergreen, with modifications expected over time as performance monitoring capacity and the CJS change, and more data become available. JUS will continue to work with partners to further refine the Framework and fill the data gaps it has identified.



## Glossary of Terms<sup>16</sup>

**Benchmark:** An external point of reference by which the performance of activity, function, operation, process or service can be measured.

**Engagement:** Involving stakeholders and citizens in the way government operates.

**Expected result:** An outcome that a program, policy or initiative is designed to produce.

**Performance monitoring framework:** Sets out an objective basis for collecting information related to a program or broad topic area (e.g., Canadian criminal justice system). It includes the strategic outcome(s), expected results, performance indicators and directional targets, data sources and data collection frequency, and actual data collected for each indicator.

**Indicator:** A qualitative or quantitative measurement or value indicating the state of level of something.

**Outcome:** An external consequence attributed, in part, to an organization, policy, program or initiative. Outcomes are not within the control of a single organization, policy, program or initiative; instead, they are within the area of the organization's influence. Usually, outcomes are further qualified as immediate, intermediate, ultimate (or final), expected, direct, etc.

**Performance indicators:** A qualitative or quantitative means of measuring an output or outcome, with the intention of evaluating the performance of an organization, program, policy or initiative in light of expected results over time.

**Performance measurement:** The ongoing, regular collection of information for monitoring how a program, policy or strategy is doing. It is a systematic way of mapping the evidence of the progress you are making towards your expected results.<sup>17</sup>

**Quantitative data:** Observations that are numerical (x number of individuals charged; x% of convictions, etc.).

**Qualitative data:** Observations that are non-numerical, and often involve attitudes, perceptions and intentions.

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<sup>16</sup> Definitions were pulled from various sources and are aligned with the Treasury Board of Canada Secretariat.

<sup>17</sup> Department of Justice Canada, 2004, p. 2.

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## Annex A – State of the Criminal Justice System Framework

### Canadians are safe and individuals and families feel safe

Ensuring that individuals, families, and communities in Canada are safe is a core outcome of the criminal justice system (CJS). Crime prevention and intervention, which aims to protect individuals, families, and communities, can achieve safety. This outcome is measured by police-reported crime, self-reported crime, and perception of personal safety.

**Indicator:** Police-reported crime

**Breakdown:** Offence type (violent/property/other *Criminal Code* /drug, plus further offence breakdowns)

**What it is:** This indicator represents the number and rate of police-reported crime in Canada. The rate measures the volume of police-reported crime per 100,000 population.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in community safety.

**Why it is important:** The prevalence of police-reported crime is an indicator of the safety of Canadians. A decrease in the number and rate of police-reported crime could indicate improved community safety. However, given that this indicator relies on public reporting of crime to police, an increase could also indicate more confidence in the police and the criminal justice system.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** Police-reported data captures information on criminal incidents that come to the attention of the police. The overall number and rate of police-reported crime measures only the volume of crime and not the severity. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Uniform Crime Reporting Survey, Statistics Canada

**Indicator:** Crime severity

**Breakdown:** Crime Severity Index/violent Crime Severity Index/non-violent Crime Severity Index/youth Crime Severity Index/youth violent Crime Severity Index/youth non-violent Crime Severity Index

**What it is:** This indicator represents the Crime Severity Index, which measures the volume and severity of police-reported crime in Canada, and has a base index value of 100 for 2006. The Crime Severity Index was developed to address the limitation of the police-reported crime rate being driven by high-volume, relatively less serious offences. The Crime Severity Index is based on Criminal Code incidents, including traffic offences, as well as other federal statute violations.

The Youth Crime Severity Index is based on the same principles as the overall Crime Severity Index, which reflects the relative seriousness of different offences, but uses the number of youth accused instead of the number of incidents reported.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in community safety.

**Why it's important:** The severity of crime is an indicator of the safety of Canadians. A decrease in the Crime Severity Index could indicate improved community safety. However, given that this indicator relies on public reporting of crime to police, an increase could also indicate more confidence in the police and the criminal justice system.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** Police-reported data only captures information on criminal incidents that come to the attention of the police. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Uniform Crime Reporting Survey, Statistics Canada

**Indicator:** Self-reported victimization

**Breakdown:** Non-Indigenous/Indigenous identity; offence type (violent victimization/household victimization/theft of personal property, plus eight specific offence types)

**What it is:** This indicator represents the rate of victimization incidents per 1,000 population of individuals aged 15 years and older who reported that they or their household had been the victim of at least one of the eight crimes measured by the General Social Survey in the 12 months preceding the survey. The eight offence types include sexual assault, robbery, physical assault, theft of personal property, break and enter, theft of motor vehicle or parts, theft of household property, and vandalism.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in community safety.

**Why it's important:** Self-reported crime is a measure of safety in the community and may capture crimes that have not been reported to the police. A decrease in this indicator could indicate improved community safety. However, given that this indicator relies on the reporting of Canadians, an increase could also indicate more confidence to report victimization to the survey.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

**Indicator:** Satisfaction with personal safety from crime

**Breakdown:** Sex; non-Indigenous/Indigenous identity; vulnerable populations (non-members of a visible minority/visible minority identity/immigrants/mental/psychological disability/sexual orientation/people with a history of homelessness)

**What it is:** This indicator represents the percentage of individuals aged 15 years and older who reported being satisfied or very satisfied with their personal safety from crime.

**Direction of improvement:** An increase in this indicator could indicate an improvement in satisfaction with personal safety from crime.

**Why it's important:** A sense of personal safety has been linked to a sense of well-being. Measures of safety are routinely included in key wellness indicators. An increase in this indicator could indicate improved feelings of safety within the community.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

### **The criminal justice system is fair and accessible**

Ensuring the criminal justice system (CJS) is fair and accessible is a core outcome of the CJS. Fairness is defined as being treated according to the rule of law, without discrimination, while also having the circumstances of the crime and a person's individual characteristics considered throughout the process (e.g., past behaviours, lived experiences, history of victimization, mental health and substance use issues). Access to the CJS is defined as having equal access to the information and assistance that is needed to help prevent legal issues and help resolve such issues efficiently, affordably, and fairly. This outcome is measured by public perception of fairness and accessibility, use of legal assistance and relevant programs, as well as use of formal complaint mechanisms.

**Indicator:** Public perception that the criminal justice system is fair to all people

**Breakdown:** Sex; level of confidence (confident/moderately confident/not confident)

**What it is:** This indicator represents the percentage of individuals who said they are confident or moderately confident that the criminal justice system is fair to all people. Respondents ranked their response on a scale of 1 to 5, with 5 as “very confident” and 1 as “not at all confident”. The scale was reduced to three categories, with 4 and 5 as “confident”, 3 as “moderately confident”, and 1 and 2 as “not confident”.

**Direction of improvement:** An increase in this indicator could indicate an improvement in criminal justice system fairness.

**Why it's important:** The criminal justice system plays a critical role in ensuring the overall safety, wellness, and productivity of individuals. Efforts to ensure that Canada is a just and law-abiding society with an accessible, efficient and fair system of justice, directly contribute to the well-being of the country. An increase in this indicator could mean improvement in criminal justice system fairness.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** This indicator is based on the results of a survey that relies on a sample and is therefore subject to sampling errors. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** National Justice Survey, Department of Justice Canada

**Indicator:** Public perception that the criminal justice system is accessible to all people

**Breakdown:** Sex; level of confidence (confident/moderately confident/not confident)

**What it is:** This indicator represents the percentage of individuals who said they are confident or moderately confident that the criminal justice system is accessible to all people. Respondents ranked their response on a scale of 1 to 5, with 5 as “very confident” and 1 as “not at all confident”. The scale was reduced to three categories, with 4 and 5 as “confident”, 3 as “moderately confident”, and 1 and 2 as “not confident”.

**Direction of improvement:** An increase in this indicator could indicate an improvement in access to justice.

**Why it's important:** The criminal justice system plays a critical role in ensuring the overall safety, wellness, and productivity of individuals. Efforts to ensure that Canada is a just and law-abiding society with an accessible and fair system of justice, directly contribute to the well-being of the country. An increase in this indicator could mean improvement in access to justice.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** This indicator is based on the results of a survey that relies on a sample and is therefore subject to sampling errors. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** National Justice Survey, Department of Justice Canada

**Indicator:** Approved criminal legal aid applications

**Breakdown:** Adult/youth; legal aid applications (total received, total approved)

**What it is:** This indicator represents the number and percentage of criminal legal aid applications that were approved for full service.

**Direction of improvement:** An increase in this indicator could indicate an improvement in access to justice.

**Why it's important:** Legal aid promotes access to justice for economically disadvantaged persons, and helps to ensure that the Canadian criminal justice system is fair, relevant and accessible and that public confidence in the justice system is maintained. An increase in this indicator could mean improved access to justice.

**Geographic coverage:** This indicator includes national level data, with the exception of Nunavut for which information is not available.

**Limitation:** The indicator reflects the number of individual requests for assistance, rather than the total number of persons seeking assistance. Approved legal aid application counts refer to full service applications only. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Legal Aid Survey, Department of Justice Canada

**Indicator:** Clients served by the Indigenous Courtwork Program

**Breakdown:** Adult/youth; sex; type of client (with charge, without charge)

**What it is:** This indicator represents the number of clients served by the Indigenous Courtwork Program.

**Direction of improvement:** The direction of improvement in this indicator is neutral (i.e., not clear).



**Why it's important:** The purpose of the Indigenous Courtwork Program is to help Indigenous individuals involved in the criminal justice system obtain fair, just, equitable and culturally relevant treatment. This is done by providing information to accused persons and their families, referrals to resources and services, providing assistance to victims and survivors, witnesses and family members, promoting and facilitating practical, community-based justice initiatives, and advocating for Indigenous individuals. An increase could mean a greater reach of the program, but also a greater number of Indigenous individuals in contact with the criminal justice system. As such, the indicator should be interpreted with caution and in relation to data on the number of Indigenous individuals in contact with the criminal justice system.

**Geographic coverage:** This indicator includes national level data, with the exception of Prince Edward Island, Newfoundland and Labrador, and New Brunswick which do not currently have programs. These jurisdictions may establish programs at a later date. For more detailed notes on geographic coverage, click on the export to spreadsheet function.

**Limitation:** The total not necessarily represent all reporting jurisdictions, as there are variations in the availability of data for certain jurisdictions and years. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Indigenous Courtwork Program, Department of Justice Canada

**Indicator:** Pre-trial detention/remand

**Breakdown:** Adult/youth; type of custody (pre-trial detention/remand/sentenced custody)

**What it is:** This indicator represents the number and percentage of adults and youth held in custody in pre-trial detention/remand based on average daily counts. Pre-trial detention is the temporary detention of a youth in provincial or territorial custody, while awaiting trial or sentencing. Remand is the detention of an adult temporarily detained in provincial or territorial custody, while awaiting trial or sentencing. The *Criminal Code* and the *Youth Criminal Justice Act* specify conditions under which an individual can be detained in pre-trial detention/remand, such as to ensure attendance in court, protect the public, including victims and witnesses, and maintain public confidence in the justice system.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in fairness and access to justice.

**Why it's important:** While remand/pre-trial detention plays a role in the protection of society and the administration of justice, increases in the number and proportion of people held in remand/pre-trial detention may present deeper systemic issues. This includes issues related to legal rights (e.g., presumption of innocence), human rights (e.g., poor conditions, overcrowding, lack of correctional programming), access to justice, a culture of inefficiency/delays, and the criminal justice system's disproportionate impact on vulnerable and marginalized people.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** The data does not allow distinctions to be made between those who are in remand that have already been found guilty but are awaiting sentencing and those who are awaiting a trial (not yet found guilty). For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Corrections Key Indicator Report for adult and youth, Statistics Canada

**Indicator:** Office of the Correctional Investigator complainants

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity

**What it is:** This indicator represents the number and percentage of federally sentenced adults who made complaints to the Office of the Correctional Investigator that received an internal response or investigation.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in fairness.

**Why it's important:** Federally sentenced individuals may file complaints related to “decisions, recommendations, acts or omissions” of the Correctional Service of Canada. A decrease in the number of complainants could suggest an increase in fairness in the federal correctional system.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** The Office of the Correctional Investigator only deals with complaints of individuals under federal correctional supervision. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Office of the Correctional Investigator

**Canadians understand the role of and express confidence in the criminal justice system**

Ensuring that Canadians understand the role of and express confidence in the CJS is a core outcome of the CJS. Research shows that Canadians are more likely to express confidence in the CJS if they increase their awareness and understanding of the CJS through public legal education or media. This outcome is measured by public awareness of the role of the CJS, public confidence in the CJS, and by the willingness of victims to report crime.

**Indicator:** Public awareness of the role of the criminal justice system

**Breakdown:** Sex; police/courts/correctional services; level of awareness (aware/moderately aware/not aware)

**What it is:** This indicator represents the percentage of individuals who said they are very aware or aware of the role of the criminal justice system, namely the police, courts, and correctional services. Respondents ranked their response on a scale of 1 to 5, with 5 as “very aware” and 1 as “not at all aware”. The scale has been reduced to three categories, with 4 and 5 as “aware,” 3 as “moderately aware,” and 1 and 2 as “not aware.”

**Direction of improvement:** An increase in this indicator could indicate an improvement in awareness of the role of the criminal justice system.

**Why it's important:** The criminal justice system plays a critical role in ensuring the overall safety, wellness, and productivity of individuals. An increase in public awareness in the role of the criminal justice system (police, courts, correctional services) may be linked to increased confidence in the system, which may subsequently increase feelings of safety, sense of belonging and greater social cohesion.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** This indicator is based on the results of a survey that relies on a sample and is therefore subject to sampling errors. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** National Justice Survey, Department of Justice Canada

**Indicator:** Public confidence in the police

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity

**What it is:** This indicator represents the percentage of individuals aged 15 and older who self-report a great deal or some confidence in the police.

**Direction of improvement:** An increase in this indicator could indicate an improvement in confidence in the police.

**Why it's important:** An increase in public confidence in the police may be linked to an increased sense of safety, and may foster a sense of belonging and greater social cohesion. Confidence in the police is also important from the point of view of effective police operations.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

**Indicator:** Public confidence in the Canadian criminal courts

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity

**What it is:** This indicator represents the percentage of individuals aged 15 and older who self-report a great deal or some confidence in Canadian criminal courts.

**Direction of improvement:** An increase in this indicator could indicate an improvement in confidence in the Canadian criminal courts.

**Why it's important:** An increase in public confidence in Canadian criminal courts may be linked to an increased sense of safety, which may foster a sense of belonging and greater social cohesion.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

**Indicator:** Victimization incidents reported to the police

**Breakdown:** Offence type (sexual assault, robbery, physical assault, violent victimization, break and enter, motor vehicle/parts theft, theft of household property, vandalism, total household victimization, theft of personal property); reporting to police (reported to police, not reported to police, don't know/not stated)

**What it is:** This indicator represents the percentage of self-reported victimization incidents by victims of crime 15 years and older that identified reporting the incident to the police.

**Direction of improvement:** An increase in this indicator could indicate an improvement in confidence in the police and the criminal justice system.

**Why it's important:** Most incidents of victimization, both violent and non-violent, are not reported to police. This is especially true for sexual assault, where 5% of incidents are reported to police (General Social Survey, 2014). This may be related in part to a lack of confidence in police and the criminal justice system. An increase in victimization incidents reported to police may indicate increased confidence in police and the criminal justice system.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

### **The criminal justice system operates efficiently**

Ensuring the CJS operates efficiently and that police and courts process offences promptly, and use services and resources efficiently, is a core outcome of the CJS. This outcome is measured by the offence clearance rate, court case processing time, and administration of justice offences.

**Indicator:** Offence clearance rate

**Breakdown:** Offence type (violent offence/non-violent offence)

**What it is:** This indicator represents the police weighted clearance rate that reflects the total number of incidents cleared (by charge, or otherwise) during the year divided by the total number of incidents during the year, and assigns higher values ("weight") to more serious crimes. Total clearance rates share the same limitation as total crime rates in that overall totals are dominated by high-volume, less-serious offences such as minor thefts, mischief and minor assaults. To address this limitation, a "weighted" clearance rate was developed. The weighted clearance rate is based on the same principles as the police-reported Crime Severity Index, whereby more serious offences are assigned a higher "weight" than less serious offences. For example, the clearing of homicides, robberies, and break and enters would represent a greater contribution to the overall weighted clearance rate value than the clearing of minor theft, mischief, or disturbing the peace. It should be noted that, on average, overall weighted clearance rates are slightly lower than overall clearance rates. This is because certain serious, relatively high-volume offences such as robbery and break-ins have lower-than-average clearance rates compared with other violent and non-violent crimes.

**Direction of improvement:** An increase in this indicator could indicate an improvement in criminal justice system efficiency.

**Why it's important:** The primary way of measuring how effective the police are in performing this function is by using the weighted clearance rate.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** Police-reported statistics may be affected by differences in the way police services deal with offences. In some instances, police or municipalities might choose to deal with some offences using municipal by-laws or provincial provisions rather than *Criminal Code* provisions. Counts are based on the most serious violation in the incident. One incident may involve multiple violations. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Incident-based Uniform Crime Reporting Survey, Statistics Canada

**Indicator:** Case completion time

**Breakdown:** Adult/youth; offence type (crimes against person/crimes against property/administration of justice offences/*Criminal Code* traffic/other *Criminal Code*/other federal statutes)

**What it is:** This indicator represents the median number of days to case completion, from first appearance to final decision. The median is the point at which half of all cases had longer case lengths and half had shorter case lengths.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in criminal justice system efficiency and timeliness.

**Why it's important:** The amount of time it takes to process a case through the courts is an important measure of court efficiency. Court delays are a significant concern because of increased CJS costs, the rights of accused persons, and the effect on victims of crime. The Supreme Court of Canada's *Jordan* decision underscores this: A failure to provide a trial in a reasonable period violates the constitutional rights of accused persons and can result in cases, including serious charges, being dismissed (*R. v. Jordan*, [2016] SCC 27 1 S.C.R. 631). This can contribute to further hardship for victims and the ineffective use of CJS resources, as well as undermine public safety and public confidence in the CJS.

**Geographic coverage:** This indicator includes national level data. Information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec cannot be extracted from their electronic reporting systems and is therefore unavailable.

**Limitation:** The data exclude cases in which the case length was unknown. Since some of the most serious cases are processed in superior courts, the absence of data from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan may result in a slight underestimation of case elapsed times as more serious cases generally require more court appearances and take more time to complete. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Integrated Criminal Court Survey, Statistics Canada

**Indicator:** Administration of justice offences

**Breakdown:** Adult/youth; administration of justice offence type (fail to appear/breach of probation/unlawfully at large/fail to comply with order/other administration of justice)

**What it is:** This indicator represents the number and percentage of cases in adult and youth criminal court in which the most serious offence in the case is an administration of justice offence. Administration of justice offences include the *Criminal Code* violations of failure to appear, failure to comply with conditions, breach of probation, escape or help escape from custody, prisoner unlawfully at large, and other offences against the administration of justice (for example, impersonating a peace officer).

**Direction of improvement:** A decrease in this indicator could indicate an improvement in efficiency.

**Why it's important:** Administration of justice offences have been identified as contributing to delays and a revolving door for many in the criminal justice system, especially Indigenous individuals and vulnerable and marginalized populations. A decrease in the number and percentage of administration of justice offences could contribute to a more efficient criminal justice system.

**Geographic coverage:** This indicator includes national level data. Information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec cannot be extracted from their electronic reporting systems and is therefore unavailable.

**Limitation:** For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Integrated Criminal Court Survey, Statistics Canada



**The criminal justice system promotes and supports diversion, restorative justice, Indigenous justice, and tools for community-based resolution**

Ensuring victims, survivors, accused, convicted persons, and families have multiple options available to address crime, either through community-based or culturally-based options, where appropriate, or the formal CJS, when necessary, is a core outcome of the CJS. This outcome is measured by the use of incarceration,<sup>18</sup> diversion,<sup>19</sup> and drug treatment courts.<sup>20</sup>

**Indicator:** Incarceration rate

**Breakdown:** Adult/youth; Corrections jurisdiction (Provincial/territorial/Federal)

**What it is:** This indicator represents the incarceration rate in Canada based on average daily counts of adults and youth in custody. The adult incarceration rate represents the average number of adults in custody per day for every 100,000 individuals in the adult population (18 years and older). It includes adults in sentenced custody, remand and other temporary detention. The youth incarceration rate represents the average number of youth in secure or open custody per day for every 10,000 individuals in the youth population (12 to 17 years old). It includes youth in sentenced custody, youth in Provincial Director Remand being held following the breach of a community supervision condition, youth in pre-trial detention awaiting trial or sentencing, and youth in other temporary detention.

**Direction of improvement:** A decrease in this indicator could indicate an improvement in supporting alternative resolution mechanisms.

**Why it's important:** Custody is the most serious sentence handed down by courts. A decrease in the incarceration rate could indicate a criminal justice system that promotes and supports the use of non-custodial processes through diversion, restorative justice, Indigenous justice, or community-based resolution mechanisms where appropriate.

**Geographic coverage:** This indicator includes national level data. For more detailed notes on geographic coverage, click on the export to spreadsheet function.

**Limitation:** Rates may not match those previously published in other reports due to population updates by Statistics Canada. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Corrections Key Indicator Report for adult and youth, Statistics Canada

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<sup>18</sup> Incarceration refers to custody, which includes jail or prison, and may be sentenced custody or pre-trial custody.

<sup>19</sup> Diversion broadly refers to any program, strategy, or response used as an alternative to the formal criminal justice system.

<sup>20</sup> Drug treatment courts refer to a court-based substance use intervention program. While there may be different models with different priorities and intervention techniques, drug treatment courts offer court-supervised treatment in place of incarcerating people with substance use problems that relate to their criminal activities, such as drug-related and property offences.

**Indicator:** Criminal incidents cleared by referral to a diversionary program

**Breakdown:** Violent/non-violent offences; Clearance status (total incidents, total cleared, total not cleared, total cleared by charge, total cleared otherwise, departmental discretion, diversionary program, other cleared otherwise)

**What it is:** This indicator represents the number and percentage of police-reported incidents cleared by referral to a diversionary program. The percentage of police-reported incidents cleared by referral to a diversionary program is calculated based on the total number of police-reported incidents. Referrals to a diversionary program include cases where the accused is diverted away from the court process into a formal diversionary program, commonly referred to as “Alternative Measures or Extrajudicial Sanctions.” Police-reported incidents include incidents that are not cleared, incidents that are cleared by charge and incidents that are cleared otherwise, such as departmental discretion and referral to a diversionary program.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supporting alternative resolution mechanisms.

**Why it’s important:** Increases in the number and percentage of incidents cleared by referral to a diversionary program, rather than by charge, could demonstrate that the criminal justice system promotes and supports diversion at the policing stage.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Incident-Based Uniform Crime Reporting Survey, Statistics Canada

**Indicator:** Drug treatment court program referrals

**Breakdown:** Status (total participants, completed, active); sex

**What it is:** This indicator represents the number of referrals to a drug treatment court program funded by the Drug Treatment Court Funding Program. Drug treatment courts provide judicially supervised, or court-monitored, addiction treatment in an effort to address the underlying issues that bring non-violent people before court. An individual must enter a guilty plea in order to be eligible for referral to a drug treatment court program.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supporting alternative resolution mechanisms.

**Why it’s important:** The relationship between illegal drug use and criminal behaviour is well established, and represents a continuing and costly problem in Canada. Drug treatment courts can be effective in leading the marginalized and vulnerable to effective alternatives to the criminal justice system through appropriate community treatment and support. Successful court-monitored programs operate through strong, collaborative partnerships between the court, health and community support systems. An increase in the number of referrals to drug treatment courts could indicate more support for the use of mechanisms other than the

mainstream court process. However, an increase in referrals could also mean that more individuals are pleading guilty.

**Geographic coverage:** The Drug Treatment Court Funding Program provides funding to 10 jurisdictions (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, Nova Scotia, Newfoundland and Labrador, Yukon, and Northwest Territories). However, Quebec and Newfoundland have yet to start reporting.

**Limitation:** This indicator represents the number of individuals referred to a drug treatment court program federally funded by the Drug Treatment Court Funding Program, Department of Justice Canada and by provincial and territorial government partners. Therefore, it does not necessarily cover referrals to all drug treatment court programs in Canada. Also, the same individual can be referred to the drug treatment court program more than once. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Drug Treatment Court Funding Program, Department of Justice Canada

**The criminal justice system provides persons in the correctional system with services and supports to rehabilitate them and integrate them back into the community**

Ensuring people in the correctional system are provided with services and supports so they can be rehabilitated and reintegrated into the community is a core outcome for the CJS. This outcome is measured by providing specialized treatment, services, and programs; parole eligibility; successful statutory release; securing employment before they complete their sentence; and community release plans for Indigenous individuals in federal custody.

**Indicator:** Intensive Rehabilitative Custody and Supervision youth cases receiving specialized treatment

**Breakdown:** N/A

**What it is:** This indicator represents the number and percentage of identified, eligible Intensive Rehabilitative Custody and Supervision youth cases receiving specialized treatment. The federal Intensive Rehabilitative Custody and Supervision Program is a contribution program with all provinces and territories for the delivery of specialized therapeutic programs and services for youth with mental health needs who are convicted of a serious violent offence.

**Direction of improvement:** The direction of improvement in this indicator is neutral. The data shows that for the past three fiscal years, the program has 100% success providing specialized treatment to identified, eligible Intensive Rehabilitative Custody and Supervision youth cases. Therefore, there is no room for improvement on the core program objectives.

**Why it's important:** The Intensive Rehabilitative Custody and Supervision Program assists provinces and territories to ensure specialized resources are in place to diagnose and treat violent youth in the criminal justice system suffering from mental health issues in an effort to promote their effective rehabilitation and reintegration into society.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Department of Justice Canada

**Indicator:** Mental health services in federal corrections

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity; custody/community

**What it is:** This indicator represents the percentage of individuals under federal correctional supervision identified as having a mental health need on the Correctional Service of Canada's Computerized Mental Health Intake Screening System who received mental health services. The Computerized Mental Health Intake Screening System is a self-administered assessment tool that assesses mental health needs. The assessment includes questions related to past or present mental health symptoms, diagnoses, medications or treatments, suicidal ideations,

attention deficit hyperactivity disorder, as well as cognitive deficiencies and intellectual abilities.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for rehabilitation and reintegration.

**Why it's important:** The legislative mandate for the Correctional Service of Canada to provide health services to individuals under federal correctional supervision comes from the *Corrections and Conditional Release Act*. The *Corrections and Conditional Release Act* indicates that Correctional Service of Canada is responsible for providing every inmate with essential health care and reasonable access to non-essential mental health care that will contribute to the inmate's rehabilitation and successful reintegration in the community. An increase in this indicator could represent an improvement in the access and provision of mental health services to individuals with an identified mental health need, and also their willingness to receive services.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** The Computerized Mental Health Intake Screening System is a voluntary self-report assessment that not all individuals under federal correctional supervision complete. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**Indicator:** Correctional programs in federal corrections

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity

**What it is:** This indicator represents the percentage of individuals under federal correctional supervision with an identified need (e.g., education, family/marital, associates, attitudes, community functioning, personal/emotional, and substance use) who completed a nationally recognized correctional program before warrant expiry date. The warrant expiry date is the date a criminal sentence officially ends, as imposed by the courts at the time of sentencing. Individuals who reach their warrant expiry date after completing their entire sentence are no longer under the jurisdiction of Correctional Service of Canada. Correctional programs are designed to target specific risk and need factors that are related to criminal behaviours.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for rehabilitation and reintegration.

**Why it's important:** Correctional programs contribute to public safety through assessment activities and program interventions for individuals under federal correctional supervision that are designed to assist their rehabilitation and facilitate their successful reintegration into the community as law-abiding citizens. These programs are designed to target specific risk and need factors that are related to criminal behaviours, which may include friends and associates,

history of criminal behaviour, harmful thoughts, history of family violence, education, employment history, and substance use. An increase in the percentage of individuals who completed a correctional program before the full parole eligibility date may indicate that individuals are more prepared for reintegration.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**Indicator:** Educational programs in federal corrections

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity

**What it is:** This indicator represents the percentage of individuals under federal correctional supervision with an identified educational need who upgraded their education prior to warrant expiry date. The warrant expiry date is the date a criminal sentence officially ends, as imposed by the courts at the time of sentencing. Individuals who reach their warrant expiry date after completing their entire sentence are no longer under the jurisdiction of Correctional Service of Canada. Educational programs are designed to provide literacy, academic, and personal development skills and that lead to formal recognition, certification or accreditation from an educational authority recognized by the province/territory in which the program is being delivered.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for rehabilitation and reintegration.

**Why it's important:** The goal of correctional educational programs is to help improve individuals' literacy, academic, and personal development skills. Improving education qualifications increases individuals' chances of a successful reintegration into society. An increase in the percentage of individuals under federal correctional supervision who upgraded their education prior to full parole eligibility date may indicate that individuals are more prepared for reintegration.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**Indicator:** Individuals under federal correctional supervision granted parole

**Breakdown:** Sex; non-Indigenous/Indigenous identity; non-members of a visible minority/visible minority identity; day parole/full parole

**What it is:** This indicator represents the number and percentage of individuals under federal correctional supervision who applied and were granted day and full parole by the Parole Board of Canada. Day parole is a type of conditional release granted by the Parole Board of Canada in which individuals are permitted to participate in community-based activities in preparation for full parole or statutory release. The conditions require individuals to return nightly to an institution or halfway house unless otherwise authorized by the Parole Board of Canada. Not all individuals under federal correctional supervision apply for day parole, and some apply more than once before being granted day parole. Full parole is a type of conditional release granted by the Parole Board of Canada in which the remainder of the sentence is served under supervision in the community. The Parole Board of Canada must review the cases of all individuals for full parole at the time prescribed by legislation, unless the individual under federal correctional supervision advises the Parole Board of Canada in writing that he/she does not wish to be considered for full parole.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for reintegration.

**Why it's important:** The majority of individuals under federal correctional supervision are serving fixed-length sentences. This means they will eventually be released back into the community once their sentence ends. Parole contributes to public safety by helping individuals under federal correctional supervision reintegrate into society as law-abiding citizens through a gradual, controlled, and supported release with conditions.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Parole Board of Canada

**Indicator:** Successful completion of statutory release without revocation in federal corrections

**Breakdown:** N/A

**What it is:** This indicator represents the percentage of individuals under federal correctional supervision who successfully completed statutory release without revocation (i.e., statutory release was not revoked due to breach of conditions, which includes revocation with outstanding charges or due to a new offence). Statutory release requires federally sentenced individuals (except individuals serving life or indeterminate sentences) to serve the final third of their sentence in the community, under supervision and under conditions of release similar to those imposed on individuals released on full parole.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for reintegration.

**Why it's important:** Statutory release is considered successful if it is completed without a return to prison for a breach of conditions or for a new offence. An increase in the percentage of individuals under federal correctional supervision who successfully complete statutory release could be an indicator of the effectiveness of institutional and community programming, and their successful reintegration into society, which contributes to public safety.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Parole Board of Canada

**Indicator:** Individuals under federal correctional supervision who secure employment before their sentence ends

**Breakdown:** Sex; non-indigenous/Indigenous identity; non-members of a visible minority/visible minority identity

**What it is:** This indicator represents the percentage of individuals under federal correctional supervision with an identified employment need who secure employment in the community prior to warrant expiry date. The warrant expiry date is the date a criminal sentence officially ends, as imposed by the courts at the time of sentencing. Individuals who reach their warrant expiry date after completing their entire sentence are no longer under the jurisdiction of Correctional Service of Canada.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for reintegration.

**Why it's important:** Securing employment in the community of individuals under federal correctional supervision increases the chances of successful reintegration into society.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**Indicator:** Community release plan for Indigenous people in federal custody

**Breakdown:** Sex

**What it is:** This indicator represents the percentage of Indigenous individuals with a *Corrections and Conditional Release Act* Section 84 release plan following incarceration. Section 84 of the



*Corrections and Conditional Release Act* requires the Correctional Service of Canada to involve Indigenous communities in planning for the release of Indigenous individuals to the community.

**Direction of improvement:** An increase in this indicator could indicate an improvement in supports for Indigenous individuals' reintegration into the community

**Why it's important:** Section 84 releases are a positive reintegration strategy for Indigenous people following incarceration. An increase in the percentage of Indigenous individuals with a section 84 release plan could help reduce the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**The criminal justice system respects victims' and survivors' rights and addresses their needs**

Ensuring the criminal justice system respects victims' and survivors' rights and addresses their needs is a core outcome for the criminal justice system. This outcome is measured by how satisfied victims/survivors are with the system and by whether they participate in the system.

The low number of indicators under this outcome underscores the need to improve data collection and reporting efforts for victims' and survivors' rights and needs.

**Indicator:** Victim satisfaction with the actions taken by police

**Breakdown:** Sex; non-Indigenous/Indigenous identity

**What it is:** This indicator represents the percentage of self-reported violent victimization incidents where victims were satisfied or very satisfied with the actions taken by police.

**Direction of improvement:** An increase in this indicator could indicate an improvement in victim satisfaction with the actions taken by police.

**Why it's important:** Police are usually the first responders when a crime has been reported. This indicator seeks to examine victim satisfaction with police action. A high level of satisfaction could indicate that victims' rights are respected and their needs are addressed.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. Although Indigenous identity information is available for this indicator, the data are too unreliable to publish. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

**Indicator:** Individuals registered as a victim to receive information about an individual who harmed them

**Breakdown:** N/A

**What it is:** This indicator represents the number of individuals who have registered as a victim with the Parole Board of Canada or the Correctional Service of Canada in order to receive information about an individual who has harmed them.

**Direction of improvement:** The direction of improvement in this indicator is neutral (i.e., not clear).

**Why it's important:** The Parole Board of Canada and the Correctional Service of Canada do not automatically inform victims about the individual who harmed them to respect victims who do not wish to receive this information. Victims who register with the Parole Board of Canada or Correctional Service of Canada will receive information about the individual who harmed them (e.g., their status, release date, correctional plan and progress). This indicator is especially

important considering the *Canadian Victims Bill of Rights* states that victims have the right to information. A neutral direction of improvement was identified due to the various potential fluctuations in the number of victims; in victims' awareness of the opportunity to register; in victims' interest to register; and in the number of individuals in the federal correctional system.

**Geographic coverage:** This indicator includes national level data of victims in cases where the individual who harmed them is under the federal correctional system.

**Limitation:** This indicator only captures victims in cases where the individual who harmed them is under the federal correctional system (i.e., the individual was sentenced to custody for two years or more) and only captures victims who register to receive information. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Parole Board of Canada

**The criminal justice system reduces the number of Indigenous individuals in the system**

Indigenous individuals have historically been, and continue to be, overrepresented in the criminal justice system. This outcome links directly to the Truth and Reconciliation Commission of Canada's Call to Action to report, monitor, and evaluate progress in eliminating the overrepresentation of Indigenous individuals in custody (Truth and Reconciliation Commission of Canada, 2015). Ensuring the criminal justice system identifies the proportion of Indigenous to non-Indigenous victims/survivors and accused/convicted individuals is critical to know if there has been a reduction. This outcome is measured by self-reported victimization, number of homicide victims, number of homicide accused, admissions to the correctional system, and Dangerous Offender classifications.<sup>21</sup>

**Indicator:** Self-reported violent victimization among Indigenous individuals

**Breakdown:** Sex; non-Indigenous/Indigenous identity; type of violent offences (sexual assault/robbery/physical assault/total violent victimization)

**What it is:** This indicator represents the rate of violent victimization incidents per 1,000 population of Indigenous individuals, aged 15 and older, who self-reported being victimized in the previous 12 months.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** The rate of Indigenous individuals who report victimization is an indicator of the overrepresentation of Indigenous individuals in the criminal justice system. A decrease in the rate of Indigenous individuals who report violent victimization could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system. However, given that this indicator relies on the reporting of Indigenous individuals, an increase could also indicate more confidence to report victimization to the survey.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. The data excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

<sup>21</sup> The Dangerous Offender provisions of the *Criminal Code* are intended to protect the public from the most dangerous violent and sexual predators. People convicted of certain offences can be designated as a Dangerous Offender during sentencing if a sentencing court is satisfied that they constitute a threat to the life, safety, or physical or mental well-being of the public. Dangerous Offenders may receive an indeterminate sentence of imprisonment.

**Indicator:** Police-reported homicide victims identified as Indigenous

**Breakdown:** Sex; Adult/Youth; non-Indigenous/Indigenous identity

**What it is:** This indicator is measured in two ways: 1) the number and percentage of police-reported homicide victims identified as Indigenous and 2) the rate of police-reported homicide victims identified as Indigenous per 100,000 Indigenous population. Homicide includes the *Criminal Code* offences of murder, manslaughter, and infanticide. Indigenous identity is reported by the police and is determined through information found with the victim, such as a status card, or through information supplied by the victim's family, community members, or other sources (such as band records). The year 2014 marks the first cycle of collection of Homicide Survey data for which complete information regarding Indigenous identity was reported for both victims and accused persons of homicide.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** The number, percentage, and rate of police-reported homicide victims identified as Indigenous is an indicator of the overrepresentation of Indigenous individuals in the criminal justice system. A decrease in the number, percentage, and rate of police-reported homicide victims identified as Indigenous could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** This data does not report on the number of undiscovered missing persons. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Homicide Survey, Statistics Canada

**Indicator:** Police-reported homicide accused identified as Indigenous

**Breakdown:** Sex; Adult/Youth; non-Indigenous/Indigenous Identity

**What it is:** This indicator is measured in two ways: 1) the number and percentage of persons accused of police-reported homicide identified as Indigenous, and 2) the rate of persons accused of police-reported homicide identified as Indigenous per 100,000 Indigenous population. Homicide includes the *Criminal Code* offences of murder, manslaughter, and infanticide. Indigenous identity is reported by the police and is determined through information found with the accused person such as a status card, or through information supplied by the accused person's family, community members, or other sources (such as band records). The year 2014 marks the first cycle of collection of Homicide Survey data for which complete information regarding Indigenous identity was reported for both victims and accused persons of homicide.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** The number, percentage, and rate per 100,000 population of persons accused of police-reported homicide identified as Indigenous is an indicator of the overrepresentation of Indigenous individuals in the criminal justice system. A decrease in the number, percentage, and rate of persons accused of police-reported homicide identified as Indigenous could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data.

**Limitation:** This data provides the number of homicide accused who are known by police in a given year. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Homicide Survey, Statistics Canada

**Indicator:** Indigenous adults and youth admissions to provincial/territorial correctional services

**Breakdown:** Adult/youth; non-Indigenous/Indigenous identity; type of supervision (total/custody/community)

**What it is:** This indicator represents the number and percentage of Indigenous admissions to provincial/territorial correctional services. Admissions are counted each time an individual begins or moves to a new type of custody or community supervision.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** The number and percentage of Indigenous admissions to correctional services is an indicator of the overrepresentation of Indigenous individuals in the criminal justice system. A decrease in the number and percentage of Indigenous admissions to provincial/territorial correctional services could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data. However, it is important to note that the indicator does not necessarily represent all provinces and territories as there are variations in the availability of data for certain jurisdictions and years.

**Limitation:** An individual is counted more than once in the admissions counts if he or she moves from one type of legal status to another or re-enters the correctional system in the same year. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Adult Correctional Services Survey, Youth Custody and Community Services Survey, and the Integrated Correctional Services Survey, Statistics Canada

**Indicator:** Indigenous admissions to federal correctional services

**Breakdown:** Sex; non-Indigenous/Indigenous identity; type of supervision (total/custody/community)

**What it is:** This indicator represents the number and percentage of Indigenous admissions to federal correctional services. Admissions are counted each time an individual begins or moves to a new type of custody or community supervision.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** The number and percentage of Indigenous admissions to correctional services is an indicator of the overrepresentation of Indigenous individuals in the criminal justice system. A decrease in the number and percentage of Indigenous admissions to federal correctional services could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** An individual is counted more than once in the admissions counts if he or she moves from one type of legal status to another or re-enters the correctional system in the same year. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Adult Correctional Services Survey and the Integrated Correctional Services Survey, Statistics Canada

**Indicator:** Indigenous individuals among the total federal offender population

**Breakdown:** Sex; non-Indigenous/Indigenous identity; custody/community

**What it is:** This indicator represents the number and percentage of Indigenous individuals among the total offender population under federal correctional supervision. The total offender population includes all active offenders who are incarcerated in a Correctional Service of Canada facility, offenders on temporary absence from a Correctional Service of Canada facility, offenders who are temporarily detained, offenders who are actively supervised, and offenders who are unlawfully at large for less than 90 days. The in-custody population includes all active offenders incarcerated in a Correctional Service of Canada facility, offenders on temporary absence from a Correctional Service of Canada facility, offenders who are temporarily detained in a Correctional Service of Canada facility and offenders on remand in a Correctional Service of Canada facility. The in community under supervision includes all active offenders on day parole, full parole, statutory release, or in the community supervised on a long term supervision order, offenders who are temporarily detained in a non-Correctional Service of Canada facility, offenders who are unlawfully at large for less than 90 days, offenders on remand in a non-Correctional Service of Canada facility, and offenders supervised and subject to an immigration hold by the Canada Border Services Agency.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** The number and percentage of Indigenous individuals among the total federal offender population is an indicator of the overrepresentation of Indigenous individuals in the criminal justice system. A decrease in the number and percentage of Indigenous individuals among the total federal offender population could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**Indicator:** Indigenous individuals designated as Dangerous Offenders

**Breakdown:** Sex; non-Indigenous/Indigenous identity

**What it is:** This indicator represents the number of Indigenous individuals under federal correctional supervision designated as Dangerous Offender and the percentage of those designated as Dangerous Offender who are Indigenous. The Dangerous Offender provisions of the *Criminal Code* are intended to protect the public from the most dangerous violent and sexual predators in the country. Individuals convicted of certain offences can be designated as a Dangerous Offender during sentencing if a sentencing court is satisfied that the offender constitutes a threat to the life, safety or physical or mental well-being of the public. Where an offender is designated by the court as a Dangerous Offender, the offender may be sentenced to an indeterminate sentence of imprisonment. Individuals who have died since receiving designations are no longer classified as "active"; however, they are still represented in the number of individuals with a Dangerous Offender designation.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Why it's important:** A decrease in the number and percentage of Indigenous individuals classified as a Dangerous Offender could indicate a reduction in the overrepresentation of Indigenous individuals in the criminal justice system.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** Due to the small sample size, it might be difficult to detect trends. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada



**The criminal justice system reduces the number of marginalized and vulnerable people in the system**

Certain marginalized and vulnerable populations are overrepresented in the criminal justice system, including Black Canadians, those with mental health and cognitive impairment, and those without housing. Ensuring the criminal justice system identifies the proportion of marginalized to non-marginalized victims/survivors and accused/convicted persons is critical to know if there has been a reduction. This outcome is measured by self-reported victimization, police contact among people with mental health issues, visible minorities among the federal correctional population, and the federal correctional population with mental health needs.

**Indicator:** Self-reported violent victimization among marginalized and vulnerable populations

**Breakdown:** Sex; vulnerable populations (non-members of a visible minority/visible minority identity/immigrants/mental/psychological disability/learning disability/sexual orientation/people with a history of homelessness)

**What it is:** This indicator represents the rate of violent victimization of marginalized and vulnerable people who self-reported being victimized in the previous 12 months. Rates are calculated per 1,000 population aged 15 years and older with the exception of data for homosexuals and bisexuals which includes adults aged 18 and over.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of marginalized and vulnerable populations in the criminal justice system.

**Why it's important:** The rate of marginalized and vulnerable populations who report violent victimization is a direct indicator of the overrepresentation of marginalized and vulnerable populations in the criminal justice system. A decrease in the rate of marginalized and vulnerable populations who report victimization could indicate a reduction in the overrepresentation of marginalized and vulnerable populations in the criminal justice system. However, given that this indicator relies on the reporting of marginalized and vulnerable populations, an increase could also indicate more confidence to report victimization to the survey.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The results are based on a sample and are therefore subject to sampling errors. Excludes people who could not speak English or French as well as the institutionalized population. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** General Social Survey on Canadians' Safety (Victimization), Statistics Canada

**Indicator:** Police contact among individuals with a mental or substance use disorder

**Breakdown:** With a disorder/without a disorder; reason for contact (traffic violation/victim of a crime/witness to a crime/personal emotions/mental health/substance use/arrest/family member's emotions/mental health/substance use)

**What it is:** This indicator represents the number and percentage of individuals aged 15 and older who reported coming into contact with the police in the previous 12 months of the Canadian Community Health Survey – Mental Health, who met the criteria for at least one of six mental or substance use disorders, including depression, bipolar disorder, generalized anxiety disorder, alcohol use or dependence, cannabis use or dependence, or other drug use or dependence. This indicator excludes the following type of contacts with police: public information session, work-related, accident, and “other” reasons.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of marginalized and vulnerable populations in the criminal justice system.

**Why it's important:** While the majority of people with mental health and addictions issues rarely come in contact with police, contact with police is relatively more common among this population. Reasons for contact with police are not necessarily criminal in nature and can be complex, often resulting from social and systemic factors, such as homelessness, poverty, and a lack of community-based services. These types of contacts are important to police, as the needs of those with mental or substance use disorders may be unique and require officers to employ different tactics. Therefore, it is important to have a better understanding of the vulnerable populations in an effort to develop improved policing and mental health services. A decrease in this indicator could mean that individuals with a mental or substance use disorder are prevented from coming in contact with police/the criminal justice system, and their needs are more appropriately addressed by other social systems.

**Geographic coverage:** This indicator includes provincial level data.

**Limitation:** The survey sample excluded individuals in the territories due to small sample sizes, as well as efforts to remain as comparable as possible to the 2002 Canadian Community Health Survey. While there is no standardized national framework or guidelines for reporting police contacts that involve persons with mental or substance use disorders, some police services publish figures for their jurisdictions on this subject. Much of these data are not comparable across police services given different methodologies and definitions. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Canadian Community Health Survey, Statistics Canada

**Indicator:** Mental health needs in federal corrections

**Breakdown:** Sex; non-members of a visible minority/visible minority identity; non-Indigenous/Indigenous identity

**What it is:** This indicator represents the number and percentage of individuals under federal correctional supervision identified as having a mental health need on the Correctional Service of Canada's Computerized Mental Health Intake Screening System. The Computerized Mental Health Intake Screening System identifies three groups of offenders: (1) Flagged: offenders require mental health follow-up; (2) Unclassified: offenders have a moderate need for mental health services and mental health staff are required to conduct at least a file review to determine whether or not an offender required follow-up mental health assessment or services; and, (3) Screened out: offenders do not require follow-up mental health services.

**Direction of improvement:** The direction of improvement in this indicator is neutral (i.e., not clear).

**Why it's important:** Individuals with mental health needs are overrepresented in the criminal justice system. A decrease could indicate a reduction in the overrepresentation of individuals with mental health needs in the criminal justice system. However, an increase could represent better screening and identification protocols, or an increase in the willingness of individuals under federal correctional supervision to participate in the Computerized Mental Health Intake Screening System.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** The Computerized Mental Health Intake Screening System is a voluntary self-report assessment that not all individuals under federal correctional supervision complete. For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

**Indicator:** Visible minorities in federal corrections

**Breakdown:** Sex; non-members of a visible minority/visible minority identity (Asian/Black/Hispanic); custody/community

**What it is:** This indicator represents the number and percentage of visible minorities among the total offender population under federal correctional supervision. The total offender population includes all active offenders who are incarcerated in a Correctional Service of Canada facility, offenders on temporary absence from a Correctional Service of Canada facility, offenders who are temporarily detained, offenders who are actively supervised, and offenders who are unlawfully at large for less than 90 days. The in-custody population includes all active offenders incarcerated in a Correctional Service of Canada facility, offenders on temporary absence from a Correctional Service of Canada facility, offenders who are temporarily detained in a Correctional Service of Canada facility and offenders on remand in a Correctional Service of Canada facility. The in community under supervision includes all active offenders on day parole, full parole, statutory release, or in the community supervised on a long term supervision order, offenders who are temporarily detained in a non-Correctional Service of Canada facility,

offenders who are unlawfully at large for less than 90 days, offenders on remand in a non-Correctional Service of Canada facility, and offenders supervised and subject to an immigration hold by the Canada Border Services Agency.

**Direction of improvement:** A decrease in this indicator could indicate a reduction in the overrepresentation of visible minorities in the criminal justice system.

**Why it's important:** The number and percentage of visible minorities among the total federal offender population is an indicator of the overrepresentation of visible minorities in the criminal justice system. A decrease in the number and percentage of visible minorities among the total federal offender population could indicate a reduction in the overrepresentation of visible minorities in the criminal justice system.

**Geographic coverage:** This indicator includes national level data of federally sentenced individuals in Canada.

**Limitation:** For more detailed notes, click on the export to spreadsheet function available in the State of the Criminal Justice System Dashboard.

**Collection source:** Correctional Service of Canada

## Annex B – State of the Criminal Justice System Data Gaps

It is expected that the Framework will change over time as more data becomes available. Not all relevant performance indicators are currently available or collected at a national level. Some indicators are available, but require further consultation and discussion before being incorporated into the Framework. Thirty-eight additional indicators or areas have been identified as important for monitoring and reporting on performance.

These additional indicators and areas for future data development signal that core information about the performance of the criminal justice system is missing, which limits the ability to fully understand the state of the criminal justice system. The additional indicators and areas are noted below by theme.

- **Canadians are safe and individuals and families feel safe**

An indicator could include the number of community safety plans developed by Indigenous communities.

An area for future data development could include crime prevention.

- **The criminal justice system is fair and accessible to everyone**

Indicators could include the number of individuals who self-reported discrimination by police and courts, the number of self-represented accused, and the number of successful Charter challenges.

Areas for future data development could include complaints against the criminal justice system and administrative segregation. Although data on the median number of days in administrative segregation currently exist at the federal level, more consultation and engagement activities are needed to develop an appropriate performance monitoring and reporting indicator that speaks to fairness and accessibility of the criminal justice system.

- **Canadians understand the role of and express confidence in the criminal justice system**

Indicators could include public perception that the courts are doing a good job of providing justice quickly and public confidence in correctional services.

- **The criminal justice system operates efficiently**

Indicators could include the number of cases using video technology and the time spent in pre-trial detention/remand.

Areas for future data development could include court cases stayed due to systemic delays and CJS costs.

- **The criminal justice system promotes and supports diversion, restorative justice, Indigenous justice, and tools for community-based resolution**

An indicator could include the number of Indigenous Justice Program referrals.

Areas for future data development could include restorative justice programs/processes (e.g., participant satisfaction and the number referrals) and specialized/therapeutic courts (e.g., referrals to mental health/Gladue/Indigenous/wellness courts).

- **The criminal justice system provides persons in the correctional system with services and supports to rehabilitate them and integrate them back into the community**

Indicators could include the number of deaths by suicide in federal custody, the number of revoked provincial/territorial correctional supervision, and the number of granted record suspension/pardon applications.

Areas for future data development could include mental health beds/forensic psychiatric services, culturally based programming (e.g., healing lodges), and recidivism rates.<sup>22</sup>

- **The criminal justice system respects victims' and survivors' rights and addresses their needs**

Indicators could include victims' perception that their security and privacy was considered during the criminal justice system process, the number of victims who requested victim services and were assisted, the number of complaints received through the Canadian Victims Bill of Rights that were assessed/acted upon, the number of victim impact statements submitted for consideration to a parole hearing, and the number of victims who attend a Parole Board of Canada hearing.

Areas for future data development could include criminal injuries compensation programs and financial benefits programs, victims' satisfaction with the criminal justice system, victim service agencies offering specialized programs or services for victims with particular needs, and restitution orders.

- **The criminal justice system reduces the number of Indigenous people in the system**

Indicators could include the number of unresolved cases of missing Indigenous women and girls, the number of unsolved homicides involving Indigenous women and girls as victims, and the relative rate index of Indigenous people in the criminal court system.

An area for future development could include Gladue reports.

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<sup>22</sup> Currently not captured nationally. See for example Brennan & Matarazzo (2018) and Ibrahim (2019).

- **The criminal justice system reduces the number of marginalized and vulnerable people in the system**

Indicators could include the number of police-reported homicides where the accused is suspected of having a mental or cognitive disorder, and the relative rate index of visible minority groups in the criminal court system.

Going forward, the Department will be liaising with data holders to prioritize and further develop these indicators.