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by Shannon Brennan and Anthony Matarazzo



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- not available for any reference period
- .. not available for a specific reference period
- ... not applicable
- 0 true zero or a value rounded to zero
- 0^s value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded
- ^P preliminary
- ^r revised
- X suppressed to meet the confidentiality requirements of the *Statistics Act*
- ^E use with caution
- F too unreliable to be published
- * significantly different from reference category ($p < 0.05$)

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Re-contact with the Saskatchewan justice system

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Research has indicated that, in general, a small number of individuals are responsible for a disproportionate amount of repeated contacts (referred to here as re-contact) with police, courts and corrections (Wolfgang, Figlio and Sellin 1972; Carrington, Matarazzo and deSouza 2005; Johnson 2005; Carrington 2007). These individuals are believed to have a substantial impact on the effectiveness of the criminal justice system and the allocation of available resources within each of the sectors.

While traditional crime statistics in Canada provide an indication of the number of offences that are committed and brought to the attention of police, they supply little in the way of determining the number or volume of offences that are committed by the same person.

Using administrative data from the policing, courts and corrections sectors of the justice system, it is now possible to garner information on those people who have had multiple contacts with the system over time (See Text box 1 for definitions and methods used to measure re-contact).

The first in a series of articles, this *Juristat* presents results of a pilot study examining individuals' contact with, and pathways through, the Saskatchewan criminal justice system, from policing through to corrections. The study examined a cohort of individuals who came into contact with police in Saskatchewan in 2009/2010, and followed them over a three year period to identify their pathways through the justice system and to determine the extent to which they had repeated contact (re-contact) with police for a new offence. This article addresses four key concepts related to re-contact, including: prevalence, frequency, time to re-contact and the nature of re-contact.

Text box 1 Defining and measuring re-contact

This study uses data from the Uniform Crime Reporting Survey (UCR2), the Integrated Criminal Court Survey (ICCS) and the Integrated Correctional Services Survey (ICSS), to determine the number of people who had a re-contact with the Saskatchewan justice system between 2009/2010 and 2011/2012.

A contact with the justice system is defined as an official intervention, which is the date that the accused was charged by police in relation to a reported incident or the date the charge was cleared otherwise.¹ A re-contact is defined as a subsequent contact with police (i.e. a new charge/charge cleared otherwise) following the individual's first completed pathway through the system, signifying a new official intervention.

For the purpose of this study, a completed pathway included: individuals only having contact with police, individuals having contact with police and courts, where the completion of the pathway was the initiation of the case, and; those who moved from policing through to corrections, where the completion of the pathway was the date the individual was released from custody or started a community sentence.

To establish the number of people who came into contact and/or had a re-contact with the justice system, this study examined records of all founded incidents reported by Saskatchewan police services to the UCR Survey from 2009/2010 to 2011/2012. Using record linkage procedures, records were evaluated and grouped together based on probabilities that they belong to the same person. Those records were subsequently linked to ICCS and ICSS data over the same time period to determine pathways through the system—establishing whether or not an individual had contact with courts or corrections as a result of their original contact with police.

Majority of individuals came into contact with police for non-violent offences

In 2009/2010, 37,054 individuals came into contact with police in Saskatchewan,^{2, 3} and over a three year period (2009/2010 to 2011/2012) were responsible for just over 143,000 incidents reported by police. The majority of people (79%) who came into contact with the police in 2009/2010 were adults, aged 18 and older. The remaining 21% were 17 or younger, representing more than 7,600 youth.

Consistent with previous statistical findings (Vaillancourt 2010), this study found that the majority of people who had contact with police were male. In total, males comprised 71% of accused, with females comprising the remaining 29%.

Most people (74%) first came into contact with the police for a non-violent offence,⁴ such as a property offence, whereas the remaining 26% came into contact in relation to a violent incident. The distribution of offences varied based on the age of accused, as youth were far more likely than adults to be involved in a property related offence (56% versus 30%) (Table 1).

Close to one in five moved from policing through to corrections

Of the 37,054 people who came into contact with police in 2009/2010, more than half (58%) only had contact with police—that is, they did not have any contact with the court or correctional system as a result of the criminal incident and their justice system pathway ended with the police. The remaining 42% appeared in court and close to one in four (24%) ended their pathway in the court system, whereas 19% moved through the entire system, from policing to courts and through to corrections.⁵

As would be expected given the principles and objectives of the *Youth Criminal Justice Act (YCJA)*, youth were far more likely than adults to be diverted from the justice system, as just 32% had contact with courts or corrections as a result of the incident, compared to 45% of adults (Table 2).⁶

Prevalence of re-contact

Prevalence of re-contact highest among those with corrections contact

Prevalence of re-contact can be understood as a measure of the “size of the issue”, providing an indication of **how many** people had more than one contact with the justice system.

The prevalence of re-contact varied based on a person’s pathway through the system, that is, police only, police to courts or police through to corrections. Of the 37,054 people who came into contact with the Saskatchewan justice system in 2009/2010, it was the small group of individuals whose first contact took them through the full justice system into correctional supervision—in custody or in the community—who were found to be particularly at risk of returning to the system for a new offence.

Of the 6,900 people whose pathway took them through to correctional services, just under 3 in 4 (73%) had a re-contact with police for a new offence after the completion of their first pathway. By comparison, 64% of people whose completed pathway involved only contact with police and half (51%) of the individuals whose first contact ended in the court system, came back into contact with police for a new offence (Table 3).

Prevalence of re-contact with the justice system decreases with age

The prevalence of re-contact was noticeably higher among youth than adults for both the police to court pathway and the policing to corrections pathway. Over 6 in 10 (61%) youth who completed their first pathway in the court system had at least one re-contact with police by the end of the study period in 2011/2012, compared to 50% of adults. This was even more pronounced among youth in the corrections group, where 84% had at least one subsequent contact with police following their correctional involvement, compared to 70% of adults (Table 3).

Among those youth who only had contact with police, however, their prevalence of re-contact was proportionally lower compared to their adult counterparts (58% versus 66%). Furthermore, the difference in prevalence of re-contact between the three pathway groups suggests that youth are particularly susceptible to having repeated contact with the system when they proceed through to further processing within the formal youth justice system. Future work elaborating on these findings may help identify the key risk factors (e.g. social, family and individual) that contribute to this group of adolescents’ increased likelihood of repeated contact with the system.

Prevalence also varied based on the Aboriginal identity⁷ of the accused. Aboriginal people were significantly more likely than non-Aboriginal people to have a subsequent contact with police following their correctional involvement (80% vs. 57%).

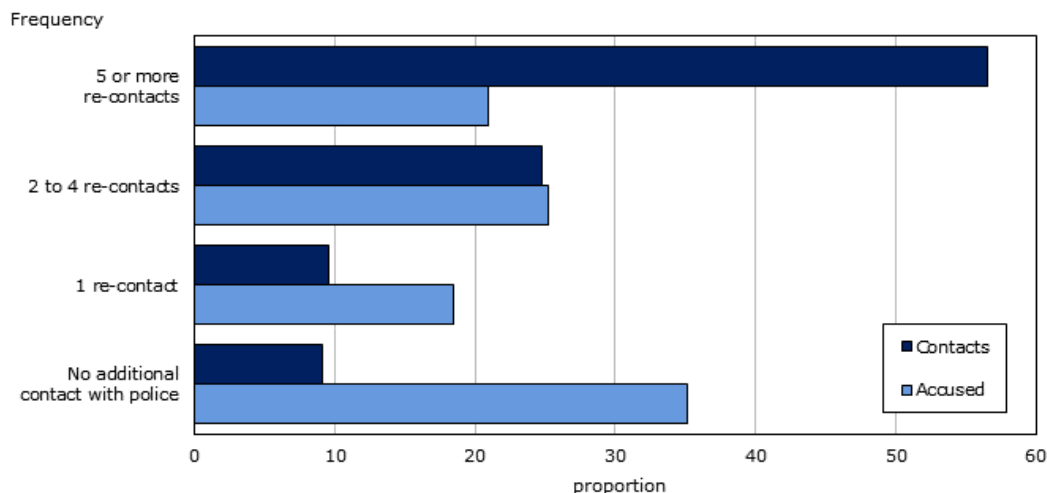
Aboriginal youth were particularly at risk for returning to the justice system. Overall, 9 in 10 Aboriginal youth had a re-contact with police following their correctional involvement, higher than both Aboriginal adults (78%) and non-Aboriginal youth (79%).

Frequency of re-contact

The frequency of re-contact generates information on how **active** individuals are or how many times they come back into contact with the justice system. Of particular interest are those individuals who return to the system 5 or more times, as they have the potential to have a substantial impact on the effectiveness of the criminal justice system in terms of resources and workload.

One of the more enduring research findings in the area of repeat offending and criminal careers is that a small number of offenders are responsible for a disproportionate amount of crime (Wolfgang, Figlio and Sellin 1972; Tracy and Kempf-Leonard 1996). The findings from this study support previous research. Over a three year period, the 37,054 individuals who came into contact with police in Saskatchewan in 2009/2010 were responsible for more than 143,000 criminal incidents. Of these people, 7,800 (those with 5 or more re-contacts) were liable for 81,199 incidents, meaning that 21% of accused were responsible for over half (57%) of those incidents reported from 2009/2010 to 2011/2012 (Chart 1).

Chart 1
Frequency of re-contact with police, by proportion of incidents and proportion of accused, 2009/2010 to 2011/2012



Note: Includes individuals who had a contact with police in 2009/2010. Totals may not add to 100% due to rounding.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Integrated Correctional Services Survey linked database, 2009/2010 to 2011/2012.

As with prevalence, the frequency of re-contact also varied based on pathway (Table 3). The small group of offenders whose initial pathway took them through to corrections had the highest frequency of re-contact with the justice system, with 30% having 5 or more re-contacts with police by the end of the study period. By comparison, 20% of those whose initial pathway involved only contact with police and 11% of offenders whose initial pathway was completed in courts had 5 or more re-contacts with the system.

Youth whose first pathway ended in courts or corrections were almost twice as likely as adults to have 5 or more re-contacts with police following their first contact. Approximately one in five youth (19%) who completed their first pathway in the court system had 5 or more re-contacts with police by the end of the study period, compared to 10% of adults. Further, close to half (49%) of youth who had contact with corrections had 5 or more re-contacts with police, compared to 26% of adults (Table 3).

Among all groups, Aboriginal youth had the highest frequency of re-contact with the justice system. Just under 6 in 10 (59%) Aboriginal youth had 5 or more re-contacts with police following their initial correctional contact, a proportion almost double that of Aboriginal adults (33%) and non-Aboriginal youth (31%).

While no panacea exists in addressing crime within Canadian society, identifying and understanding this small, high-rate and sub-group of individuals who account for a disproportionate amount of repeated contacts with the overall justice system may be beneficial to both fiscal and crime-control strategies.

Time to re-contact

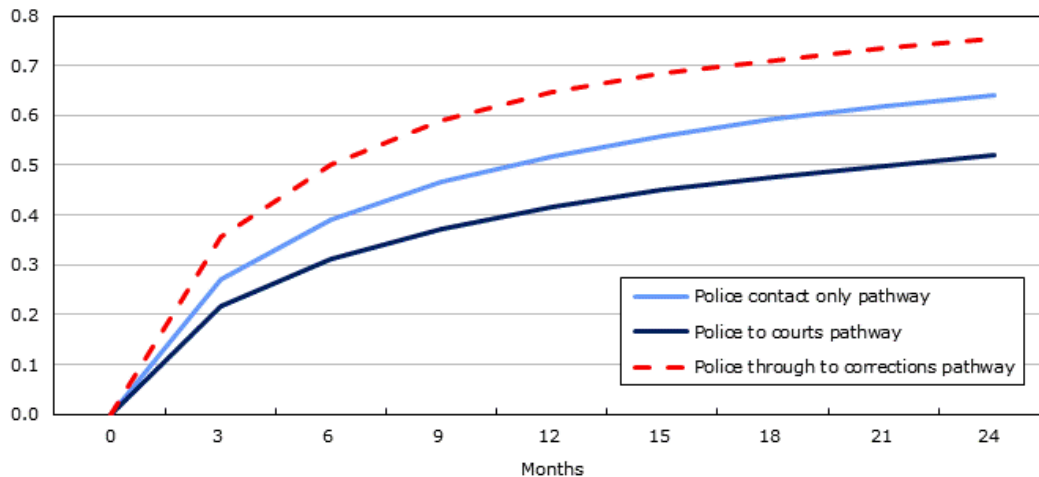
The time to re-contact⁸ or the elapsed time between contacts, indicates **how quickly** an individual returns to the justice system after an initial contact.

As previously established, those whose pathway took them through to correctional services were the most likely to have a re-contact with the justice system. The study found that in addition to having the highest prevalence and frequency of re-contact, these individuals also returned to the system at a faster rate than did those who only had contact with police, or whose initial pathway ended in the court system.

In general, most people were at greatest risk of returning to the system within the first 3 months of their initial contact. This was particularly pronounced among individuals whose initial contact involved correctional supervision. More specifically, 35% of individuals who had contact with corrections had a re-contact with the justice system within 3 months, with half having a re-contact by the 6 month mark (Chart 2).

Chart 2
Elapsed time between first and second contact, by pathway,
2009/2010 to 2011/2012

proportion



Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Integrated Correctional Services Survey linked database, 2009/2010 to 2011/2012.

The study found that youth came back into contact with the system at a faster rate than did adults, a finding which was consistent across all three pathway groups. Youth who had contact with corrections returned to the system the most rapidly, with Aboriginal youth having the shortest times to re-contact. Over half (53%) of Aboriginal youth had a re-contact within the first 3 months of completing their initial pathway through the system in corrections for either a custodial or community sentence.

Nature of re-contact

By looking at the type of offences that were committed at the initial contact and at the subsequent re-contact, it is possible to determine whether the second offence represented an increase, decrease or stabilization in offence seriousness.⁹

Overall, there was no clear pattern that emerged when looking at differences in severity between the first contact offence and the subsequent re-contact offence. While about four in ten (38%) re-contacts were for more serious offences, a similar proportion were for less serious violations (42%). This trend was also found while controlling for age groups, pathway groups, and Aboriginal identity.

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Notes

- 1 Charges cleared otherwise may include warnings, cautions, alternative measures and extrajudicial sanctions.
- 2 This study uses data from seven police services in Saskatchewan, including: Regina, Prince Albert, Moose Jaw, Estevan, Weyburn, File Hills First Nations, and all Saskatchewan Royal Canadian Mounted Police detachments.
- 3 Excludes corporations and any accused person where the sex of the accused was unknown.
- 4 Includes property crimes, drug offences, administration of justice violations, traffic violations, other *Criminal Code* violations and other federal statutes.
- 5 Contact with correctional services includes both community and custodial sentences.
- 6 The categorization of age reflects the age of the accused when they first came into contact with police in 2009/2010.
- 7 Information on Aboriginal identity was only available for those individuals who had a contact with correctional services in Saskatchewan, as the information was obtained from the Integrated Correctional Services Survey.
- 8 Survival analysis, using the Kaplan-Meier procedure, is employed in this study. For ease of interpretation of results, failure rates (i.e. re-contact rates) are presented as opposed to survival rates. Survival curves are therefore presented using a simple mathematical inverse transformation (1- proportion surviving).
- 9 Changes in severity were calculated using the crime severity index (CSI). For more information on the CSI, see Wallace et al. 2009 and Babyak et al. 2009.



Table 1
Number and proportion of people who had at least one contact with the Saskatchewan justice system in 2009/2010, by first type of offence and age group of accused

First offence type	Youth		Adult		Total	
	number	percent	number	percent	number	percent
Property crime	4,228	56	8,728	30	12,956	35
Violent crime	1,556	20	8,082	27	9,638	26
Drug offences	368	5	1,394	5	1,762	5
Administration of justice violations	420	6	4,062	14	4,482	12
Traffic violations	124	2	3,425	12	3,549	10
Other violations ¹	919	12	3,748	13	4,667	13
Total	7,615	100	29,439	100	37,054	100

¹ Includes other *Criminal Code* violations, and other Federal Statutes.

Note: Totals may not add to 100% due to rounding.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Integrated Correctional Services Survey linked database, 2009/2010 to 2011/2012.



Table 2
Number and proportion of people who came into contact with the Saskatchewan justice system in 2009/2010, by pathway and age group of accused

Pathways	Youth		Adult		Total	
	number	percent	number	percent	number	percent
Police contact only	5,190	68	16,162	55	21,352	58
Police to courts	1,240	16	7,551	26	8,791	24
Police through to corrections	1,185	16	5,726	19	6,911	19
Total	7,615	100	29,439	100	37,054	100

Note: Totals may not add to 100% due to rounding.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Integrated Correctional Services Survey linked database, 2009/2010 to 2011/2012.



Table 3
Prevalence and frequency of re-contact with Saskatchewan police, by age group of accused, number of re-contacts, and pathway, 2009/2010 to 2011/2012

Number of contacts	Pathway					
	Police contact only		Police to courts		Police through to corrections	
	number	percent	number	percent	number	percent
Total						
No additional contact	7,659	36	4,266	49	1,894	27
1 re-contact	4,104	19	1,630	19	1,069	15
2 to 4 re-contacts	5,320	25	1,894	22	1,865	27
5 or more re-contacts	4,269	20	1,001	11	2,083	30
All contacts	21,352	100	8,791	100	6,911	100
Youth						
No additional contact	2,162	42	478	39	186	16
1 re-contact	1,003	19	219	18	141	12
2 to 4 re-contacts	1,107	21	305	25	280	24
5 or more re-contacts	918	18	238	19	578	49
All contacts	5,190	100	1,240	100	1,185	100
Adult						
No additional contact	5,497	34	3,788	50	1,708	30
1 re-contact	3,101	19	1,411	19	928	16
2 to 4 re-contacts	4,213	26	1,589	21	1,585	28
5 or more re-contacts	3,351	21	763	10	1,505	26
All contacts	16,162	100	7,551	100	5,726	100

Note: Totals may not add to 100% due to rounding.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Integrated Correctional Services Survey linked database, 2009/2010 to 2011/2012.