

## **Youth re-contact with the Nova Scotia justice system, 2012/2013 to 2014/2015**

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Canadian Centre for Justice Statistics

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## Youth re-contact with the Nova Scotia justice system, 2012/2013 to 2014/2015: Highlights

- In a study about re-contact with the criminal justice system, the experiences of 2,838 youth between the ages of 12 and 17 who were accused of a criminal offence in Nova Scotia in 2012/2013 were examined through their contacts with various parts of the justice system (police, courts and restorative justice programs) for a period of two years. Over this period, these youth were responsible for a total of 8,117 contacts with Nova Scotia police.
- The majority (71%) of youth who had a contact with Nova Scotia police in 2012/2013 did not have any further known interactions with other parts of the justice system in relation to that initial incident. However, about three in ten youth offenders also came into contact with other parts of the justice system: 15% went to court for the initial incident, 11% continued to a restorative justice program (with no court contact), and 3% had pathways which led them through all three parts of the justice system (police, restorative justice and court) for the initial contact.
- Although they represented a small proportion (12%) of youth accused in 2012/2013, chronic offenders—those who had five or more re-contacts during the two-year period—were responsible for nearly half (45%) of the youth contacts with Nova Scotia police over this time period. Chronic offenders had a median of nine contacts with police during this time. Repeat offenders (those who had between one and four re-contacts) were responsible for 37% of all contacts.
- The crime severity of the initial 2012/2013 contact among youth offenders appeared to be related to their pathway for that contact: Nova Scotia youth who went to court for the initial contact (no restorative justice) had an average Crime Severity Index weight of 113, compared to 46 for youth who only came into contact with police, 59 for youth who came into contact with a restorative justice program (no court contact), and 106 for those who came into contact with all three parts of the justice system.
- Youth offenders who went to court for the initial incident (no restorative justice contact) were most likely to have a re-contact with Nova Scotia police (77%, compared to 45% of youth who only came into contact with police and 46% of youth who came into contact with police and restorative justice programs). Chronic offending was also most common among youth who went to court (31% of those with police and court contact, no restorative justice).
- In addition to having more subsequent contacts, youth who came into contact with the court system for the initial offence were quicker to come back into contact with police: 40% had a re-contact within three months of the initial 2012/2013 contact compared to 11% of those who had restorative justice pathways (no court), and 16% of those who initially only came into contact with the police.
- The severity of the second offence committed by youth who had a re-contact was generally similar to their initial 2012/2013 contact. However, for chronic offenders in particular, the average Crime Severity Index weight for their offences increased from 61 for the initial contact to 69 for the second contact (first re-contact).

## Youth re-contact with the Nova Scotia justice system, 2012/2013 to 2014/2015

by Dyna Ibrahim

As young people transition into adulthood, they are often faced with physical, emotional and social challenges which put them at risk for delinquency (McWhirter et al. 2016). Globally and historically, significant efforts have been directed toward addressing youth delinquency, by developing programs and policies which account for the age and cognitive awareness of youth and, subsequently, their moral blameworthiness (Shoemaker 2017; Allen and Superle 2016; Farrington et al. 2012; Davis-Barron 2009; YCJA 2002; Kvaraceus 1964). In Canada, the *Youth Criminal Justice Act* (YCJA) provides the legislative framework for a fairer and more effective youth justice system by legislating how young people between the ages of 12 and 17 who come into contact with the justice system are dealt with. The YCJA provides more age-appropriate responses to youth crime, acknowledging that extrajudicial measures which do not involve the formal court system "are often the most appropriate and effective way to address youth crime [and] allow for effective and timely interventions focused on correcting offending behaviour" (YCJA 2002). The YCJA aims to divert youth offenders involved in less serious types of crime with extrajudicial measures and, as a result, reduce "the over-reliance on incarceration for non-violent young persons" with the view that the most serious interventions should be reserved for the most serious crimes.

Following the implementation of the YCJA, there was a notable decline in the charging of youth accused of crime as more youth were dealt with by other means. In addition, the overall rate of youth accused of crime in general has been declining (Allen 2018). Even so, it has been shown that a small proportion of people are responsible for a large share of repeated contacts with the justice system, and that youth are at a higher risk for repeat offending (Brennan and Matarazzo 2016). Additionally, research has found that chronic offending has long-term negative health and social consequences, and can impact an individual's economic situation, both in terms of their contributions to the general economy, as well as their reliance on government financial support. Moreover, research suggests that most adult offenders and career criminals first came into contact with the justice system as youth (Boyce et al. 2018; Baglivio et al. 2014; Farrington et al. 2012). Therefore, addressing the issue of repeat offending, especially among youth offenders, is not only a crime prevention strategy, but it may also aid in reducing the potential strain placed on the justice, health, economic and social support systems by a relatively small group of people.

As the third in a series of articles published by the Canadian Centre for Justice Statistics on re-contact with the justice system,<sup>1</sup> this *Juristat* article uses data from the Uniform Crime Reporting (UCR) Survey, the Integrated Criminal Courts Survey (ICCS) and, for the first time, restorative justice data provided by the Nova Scotia Department of Justice, to examine youth pathways (see Text box 1) through the Nova Scotia justice system. Restorative justice (RJ) is an approach to justice that focuses on addressing the harm caused by crime while holding the offender responsible for their actions, by providing an opportunity for those directly affected by crime—victims, offenders, and communities—to identify and address their needs in the aftermath of a crime (FPT Working Group on RJ 2018). While there are various approaches to RJ, including mediation, restorative conferencing and healing circles, all RJ methods are built on the same foundation: they are voluntary, involve giving an opportunity to the victim to face their accused and the offender to take responsibility for their actions, and allow the community to be engaged in the justice process (FPT Working Group on RJ 2018; Correctional Service Canada 2012; UNODC 2006; see Text box 2). In Canada, RJ can take place at any point in the justice system, including before or after charges are laid by the police or the Crown, and before or after court sentencing.

### **Text box 1** **Scope of study and definitions**

This article looks at youth who were accused of a criminal offence where charges were laid or the incident was cleared otherwise by Nova Scotia police between April 1, 2012 and March 31, 2013. The study examines the experiences, pathways and any subsequent re-contacts of youth offenders with police in Nova Scotia over a two-year period.

Only incidents where the age and sex of the accused were known are included. "Youth" includes individuals who were between the ages of 12 and 17 at the time of the initial incident.<sup>2</sup> Of note, 20% of youth who came into contact with the justice system in 2012/2013 became adults at some point during the study period. These individuals are included in the youth analysis presented in this article. While police may identify children under age 12 as accused in criminal incidents, children cannot be charged with an offence under the *Criminal Code*; therefore, accused individuals under the age of 12 are excluded from analysis.

It is worth noting that information on youth in Nova Scotia's correctional system is not included in this article due to the unavailability of data. However, it has been shown that the rate of youth entering the correctional service system in Canada has been on the decline overall and, among those that do, it is often under community supervision (Malakieh 2018).<sup>3</sup>

## Text box 1 — end

### Scope of study and definitions

#### Definitions

**Contact:** A contact with the justice system is defined as an official intervention, which is the date that the accused was charged by Nova Scotia police in relation to a reported incident or the date the accused was cleared otherwise.<sup>4</sup> For the purpose of this study, the contact with police must have happened between April 2012 and March 2013. While this is considered their first contact within this study, it is possible that the individual had prior contacts with the police before this time period.

**Re-contact:** A re-contact is defined as a subsequent contact with police in Nova Scotia (i.e., a new charge/cleared otherwise) in the two years following the individual's first contact with police between April 2012 and March 2013. It is possible that a re-contact may have occurred after this period or with other police services outside the Nova Scotia boundaries. However, in these instances the re-contact is not captured in this study.

**Pathway:** Identifies the part(s) of the justice system which an accused individual came into contact with during the study period, for a given initial contact in 2012/2013. Pathway analysis presented in this article are based on the end of the pathway, and do not signify outcomes.

**Pathways included**—this article looks at four possible pathways over a two-year period:

1. **Police only pathway**—where an accused individual did not have any other known contacts with the justice system for the initial contact.
2. **Police and court pathway**—where an accused individual came into contact with the police and the court system with respect to the initial contact. The completion of this pathway is marked by the initiation of a court case for a given charge.
3. **Police and restorative justice pathway**—where an individual came into contact with police and a restorative justice program for the initial contact. The completion of this pathway is marked by a restorative justice case acceptance date.
4. **Police, restorative justice and court pathway**—where an individual came into contact with all three aspects of the justice system. In this instance, the completion of a pathway is indicated by the initiation of a court case for a given charge. In Canada, restorative justice can take place at any point in the justice system. For this pathway, coming into contact with a restorative justice program and the court system is not necessarily sequential. I.e., some individuals may have had contact with a restorative justice program prior to going to court, while others may have had the reverse experience.<sup>5</sup>

**Offender:** For the purposes of this article, an offender refers to someone who came into contact with police in Nova Scotia in 2012/2013 and was charged by police in relation to a reported incident or the charge was cleared otherwise. The individual did not necessarily proceed to the court system, nor were they necessarily found guilty of the crime.

**Repeat offender:** An individual who had a contact with police in Nova Scotia in 2012/2013 and had between one and four subsequent re-contacts with Nova Scotia police in the two years following the date of the initial contact.

**Chronic offender:** An individual who had a contact with police in Nova Scotia in 2012/2013 and had five or more subsequent re-contacts with Nova Scotia police in the two years following the date of the initial contact.

### About half of youth offenders in Nova Scotia come into contact with police for property crime

In 2012/2013, a total of 2,838 youth between the ages of 12 and 17 came into contact with police in Nova Scotia. These youth represented 16% of persons accused of a criminal offence in Nova Scotia that year. The majority (71%) of youth accused were male.

Consistent with findings for youth in Canada overall (Allen and Superle 2016), nearly half (46%) of youth accused of crime in Nova Scotia in 2012/2013 were involved in property offences, a proportion which was slightly higher among female youth offenders than their male counterparts (48% versus 45%) (Table 1).<sup>6,7</sup> These property offences mainly included theft or shoplifting of \$5,000 or less, mischief and breaking and entering. Nearly three in ten (27%) youth accused committed violent offences (29% of females and 26% of males), while about one in eight youth were involved in drug-related offences or other types of offences (13% each). Both drug-related and other violations were slightly more common among male youth accused than their female counterparts (14% versus 11%, and 14% versus 12%, respectively).

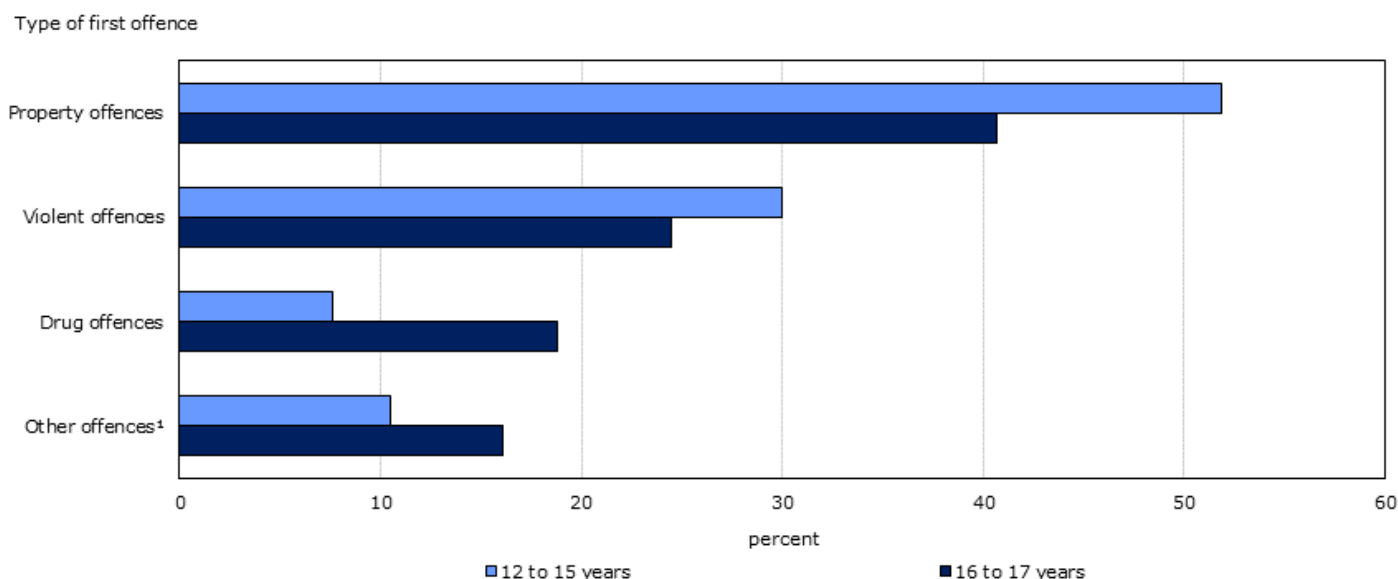
In comparison, 26% of adults in Nova Scotia that year were accused of property-related offences. While youth were almost twice as likely as adults to be involved in property offences and slightly more likely to be involved in drug offences, violent offences and other types of offences were more common among adult offenders than youth offenders.

### Older youth offenders in Nova Scotia account for more police-reported crime

Research has shown that the rate of youth accused of crime in Canada increases with age and peaks at age 17 (Allen and Superle 2016). Similarly, the proportion of youth accused of crime in Nova Scotia in 2012/2013 also increased with age with the largest proportion of accused youth being 17 (28%) followed by 16 (24%).<sup>8</sup> The median age of youth accused of crime in Nova Scotia in 2012/2013 was 16.

Of note, Allen and Superle (2016) showed that changes in the age demographics of offenders differ by type of offence. Correspondingly, contact with Nova Scotia police for youth aged 12 to 15 were most commonly in relation to property (52%) and violent offences (30%). This was also the case for those who were aged 16 or 17, though the proportions were somewhat lower (41% and 24%, respectively) (Chart 1). In contrast, about one in five (19%) youth who were aged 16 or 17 were accused of drug-related offences, which compared to 8% for youth aged 15 or younger.<sup>9</sup>

**Chart 1**  
**Youth accused, by type of first offence in 2012/2013 and age group, Nova Scotia**



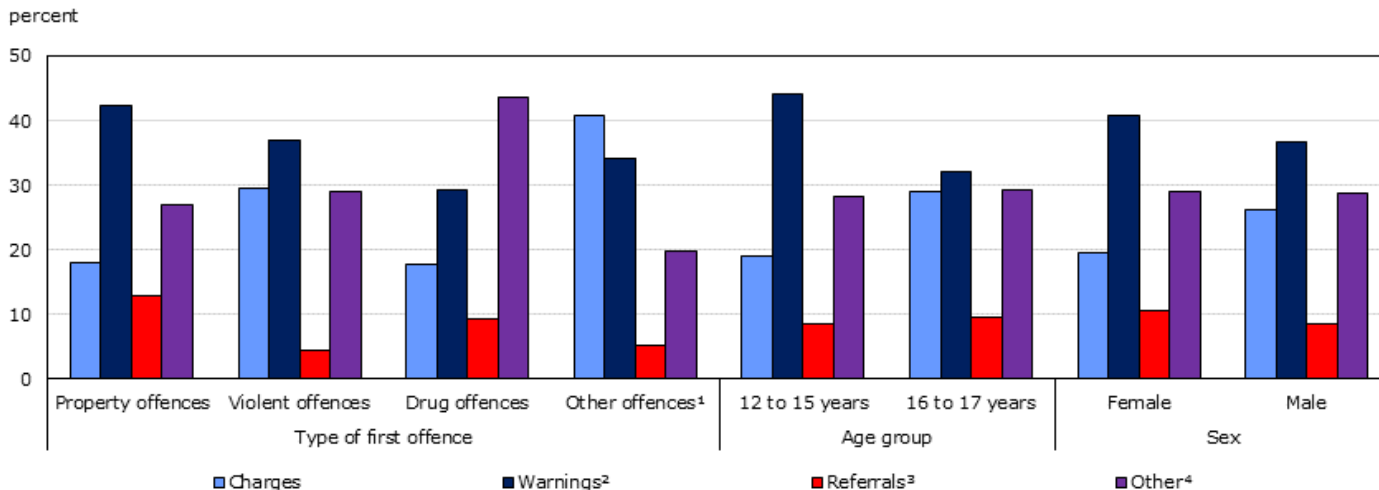
1. Includes traffic violations, other federal statute violations including the *Youth Criminal Justice Act*, and other *Criminal Code* offences.  
**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Types of offence are based on the most serious violation in the incident.  
**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

### Majority of accused youth are not charged

Since the enactment of the *YCJA* in 2003, the rate of youth diverted from the formal justice system through extrajudicial measures like community programs has remained consistently higher than the rate of youth formally charged (Keighley 2017). Accordingly, one in four (24%) youth who first came into contact with Nova Scotia police in 2012/2013 was charged or recommended for charge by police. To place this number in context, just over half (53%) of adults accused in Nova Scotia that year were charged or recommended for charge by police. Instead, about one in three (32%) youth received verbal warning, while 9% were diverted from the official system into alternative programs,<sup>10</sup> and for 6% of youth, a caution was issued—this includes police-written cautions addressed to the youth and/or their parents, or a meeting between the police, youth and other parties including parents or social workers. Many youth (29%) were dealt with through other means including situations where charges were not laid because of departmental discretion or at the request of the complainant.

While the clearance status of individuals accused of an offence may be dependent on various factors outside the scope of this study, for example prior involvement with the justice system (see Text box 3), the current analysis found that the way in which youth accused of crime were dealt with largely depended on two main factors which are within scope: the type of crime committed and the age of the accused. For example, warnings and referrals to alternative programs were more common among youth accused of property offences, while charges were more often laid against youth accused of violent or other offences (Chart 2). Additionally, the proportion of youth charged increased with age, as younger youth often received some type of warning.

**Chart 2**  
**Clearance status of youth accused of crime, by type of first offence in 2012/2013, age group and sex, Nova Scotia**



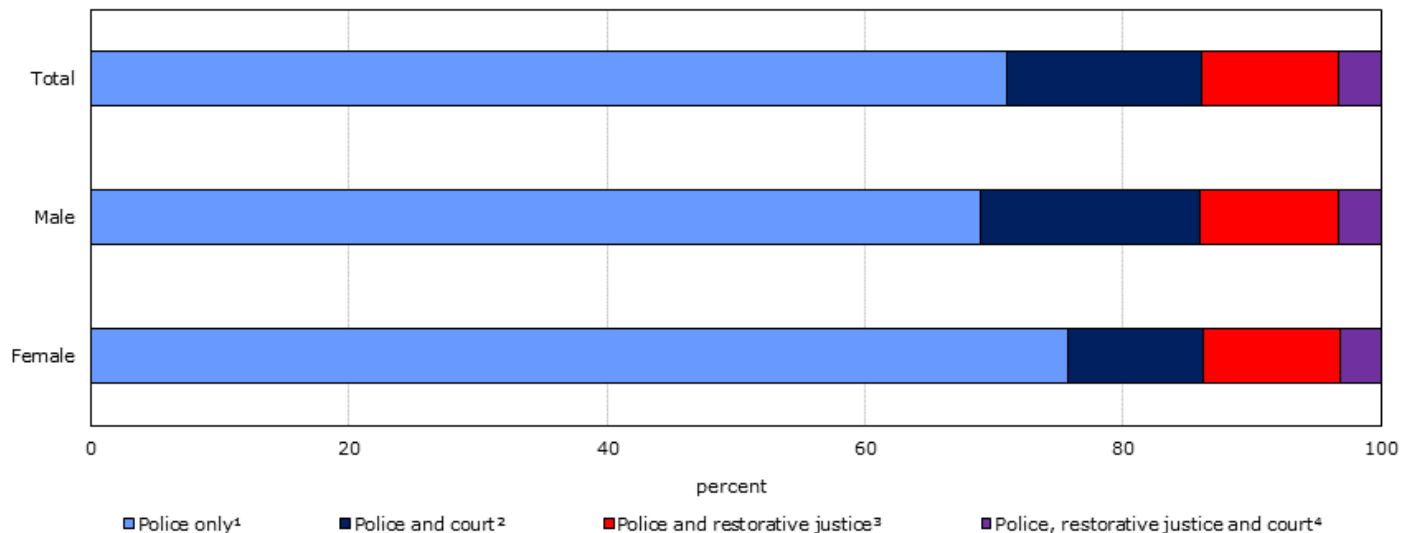
1. Includes traffic violations, other federal statute violations including the *Youth Criminal Justice Act*, and other *Criminal Code* offences.  
 2. Includes verbal warnings and written cautions.  
 3. Includes referrals to community or extrajudicial sanctions programs.  
 4. Includes all other reasons the police did not proceed with a charge, for example the victim requested that no further action be taken against the accused.  
**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Types of offence are based on the most serious violation in the incident.  
**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

Despite male and female youth offenders having a similar age profile, decisions made by police differed by the sex of the accused. Overall, male youth were slightly more likely than female youth to be charged for the initial contact in 2012/2013 (26% versus 20%), while females were slightly more likely to receive verbal warnings or referrals to extrajudicial sanctions. These differences may in part be attributable to the type of offence reported. For example, Nova Scotia youth accused of shoplifting were significantly less likely to have been charged compared to youth accused of all other offences (5% versus 26%), and shoplifting has been found to be significantly more common among female youth accused (18%) than male youth accused (6%).

### The majority of accused youth end their first pathway with the police

Coming into contact with the police can lead an accused person along different justice system pathways (see Text box 1). For the majority (71%) of the over 2,800 youth who came into contact with Nova Scotia police in 2012/2013, the pathway for that initial offence ended with the police (Chart 3), while this was the case for just over half (52%) of adults accused that year.<sup>11</sup> In addition to coming into contact with the police, more than one in seven (15%) youth accused with an offence in 2012/2013 also came into contact with the court system (but not restorative justice) for the initial offence, and more than one in ten (11%) had contact with restorative justice (with no court contact). A small proportion (3%) of youth offenders had a pathway which brought them into contact with all parts of the justice system included in the study—with police, restorative justice and the court system.<sup>12</sup>

**Chart 3**  
**Pathways for youth who came into contact with the justice system in 2012/2013, by sex, Nova Scotia**



1. Includes accused individuals who only had contact with the police.
2. Includes accused individuals who came into contact with both the police and the court system for the initial contact. The completion of this pathway is marked by the initiation of a court case for a given charge.
3. Includes accused individuals who came into contact with police and restorative justice for the initial contact. The completion of this pathway is marked by the start of a restorative justice case.
4. Includes individuals who came into contact with all three aspects of the justice system. The completion of this pathway is indicated by the initiation of a court case for a given charge.

**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

**Text box 2**  
**Restorative justice in Nova Scotia**

In Canada, the *Youth Criminal Justice Act (YCJA)* is intended to protect the public by holding young persons accountable through proportionate measures, by promoting their rehabilitation and re-integration, and by referring them to community programs or agencies to address and thus, help prevent crime. Consistent with the provisions of the *YCJA* that encourage the use of extrajudicial measures in dealing with youth, the utilization of restorative justice (RJ) for young offenders has grown considerably in recent years (Tomporowski 2014). RJ programs are generally organized independently within provincial jurisdictions. Nova Scotia's RJ program came into effect in 2003, with an aim to reduce recidivism, increase victim satisfaction, strengthen communities and increase public confidence in the justice system (Department of Justice 2007).

In this article, RJ data from Nova Scotia are linked to police and courts data to examine the pathways of youth through the justice system in Nova Scotia. Of the 2,838 youth who came into contact with Nova Scotia police in 2012/2013, a total of 396 youth also came into contact with RJ at some point within the two-year period examined in this study.<sup>13</sup> Similar to the overall breakdown of youth accused of crime, 71% of youth in RJ programs during the study period were male. Almost all of the 396 youth who were accepted into RJ and completed the program, did so successfully (96% completed all the agreed upon requirements of the program).

**Crime severity highest among youth with court pathways**

In Canada, the severity of police-reported crime is measured by the Crime Severity Index (CSI). The youth CSI takes into account the volume of crime involving youth (charged and not charged) and the relative severity of the crimes they commit. The severity (or seriousness) of each offence is the weight assigned to that offence. Offence weights are determined by the incarceration rate and average length of incarceration based on actual sentences handed down by Canadian criminal courts (Wallace et al. 2009; Babyak et al. 2009).

Generally, an individual's pathway through the justice system was largely a reflection of the type of crime they committed (see Text box 3). For example, youth who committed violent offences were more likely to be charged than youth accused of property or drug offences. Consequently, these individuals were also more likely to come into contact with other parts of the justice system. In terms of severity, the average CSI weight for the initial offence was particularly high among youth with court pathways. Youth who went to court (no restorative justice) had an average CSI weight of 113 compared to 46 for youth who



only came into contact with police, 59 for youth who came into contact with restorative justice (no court contact), and 106 for those who came into contact with all three parts of the justice system. Overall, the average CSI weight for offences committed by youth in Nova Scotia in 2012/2013 was 60.<sup>14</sup>

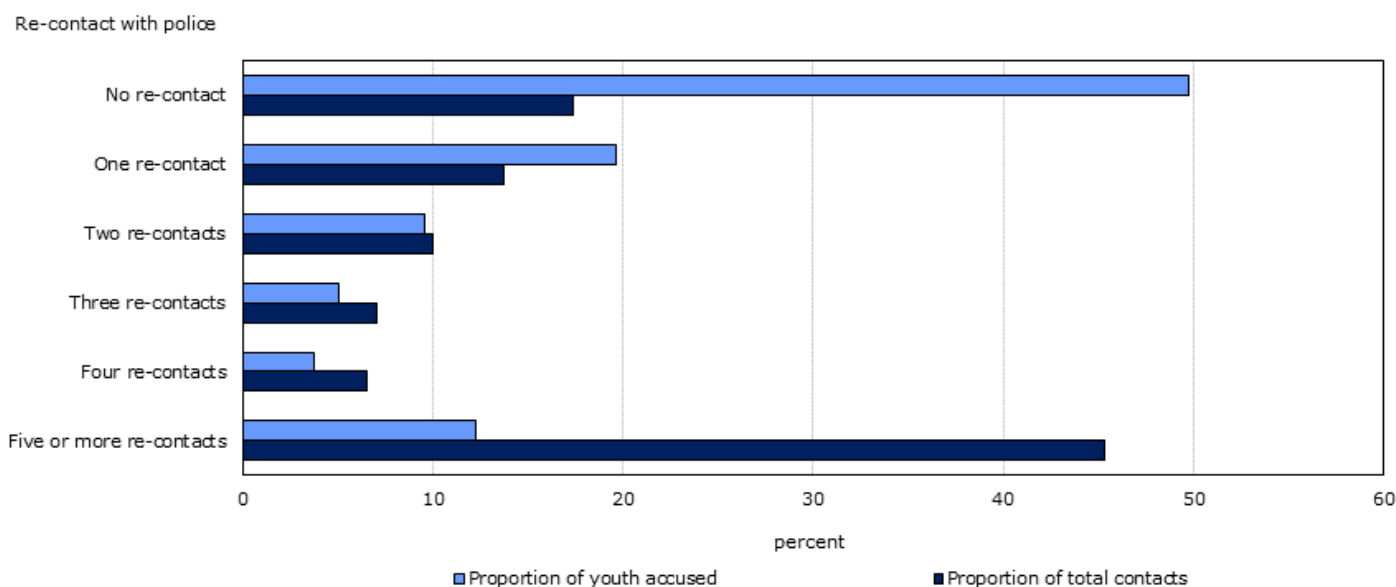
## Half of youth offenders in Nova Scotia had a re-contact with the police

Previous research has found that a small group of chronic offenders are disproportionately responsible for a large share of crime (Brennan and Matarazzo 2016; Carrington 2007; Carrington et al. 2005). Analysis from the current study support these findings. During the study period, the 2,838 youth accused of an offence in Nova Scotia in 2012/2013 had a total of 8,117 contacts with Nova Scotia police.<sup>15</sup> More precisely, 1,425 youth, or 50% of accused youth had at least one re-contact with Nova Scotia police during the study period.

### Chronic youth offenders responsible for almost half of all youth contacts

Overall, chronic offenders—those who had five or more re-contacts during the study period—represented 12% of the offending youth population. Chronic youth offenders (349 youth) had a median of nine contacts with Nova Scotia police during the study period. When it comes to repeat offenders, one in five (20%) youth offenders who came into contact with the justice system in 2012/2013 had one subsequent contact within the two-year period, and nearly as many (18%) had between two and four re-contacts.<sup>16</sup> In total, chronic offenders were responsible for 45% of the youth contacts with Nova Scotia police during the period of the study, and repeat offenders were responsible for 37% of all the youth contacts (Chart 4).

**Chart 4**  
**Number of re-contacts with police, by proportion of youth accused and proportion of total contacts with police, Nova Scotia, 2012/2013 to 2014/2015**



**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Re-contact signifies a new official intervention in the two years following the individual's first contact with Nova Scotia police.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

In comparison with youth offenders, a smaller proportion (41%) of adult offenders in Nova Scotia had a re-contact with police during the study period. The difference between adults and youth was especially notable for chronic offenders, in particular male youth. More specifically, chronic offending was twice as common among male youth offenders as among male adult offenders (14% versus 7%). The proportions of female chronic offenders was also higher for youth than adults, but to a slightly lesser degree (8% versus 6%).

### Text box 3

#### Contextual considerations

While the present study provides insight on re-contact with the justice system among youth in Nova Scotia, it was not designed to evaluate the approaches taken by justice professionals in reducing recidivism among youth offenders. The present study does not look at specific police, court, or diversion programs or practices offered by different districts within Nova Scotia, nor does it evaluate the pre- and post-effectiveness of any such programs at reducing recidivism. Rather, the results are based solely on the prevalence of re-contacts and flow of youth through the justice system. This speaks to the strain that repeat young offenders have on the justice system, wherein a small proportion of youth are responsible for a larger proportion of crime.

Analysis presented throughout the remainder of this article examine the prevalence, frequency, time to re-contact and changes in severity of crime committed among youth with multiple contacts in Nova Scotia. These characteristics are then compared among youth by their various pathways through the justice system. However, there are some important data limitations to consider.

The criteria used for including youth in this study cohort is that they had committed an offence between April 1, 2012 and March 31, 2013. However, any contacts with the police prior to this date are outside the reference period. This may impact police decisions on how to deal with the offender, and consequently, their pathways through the system for the given initial offence.

Additionally, various factors not captured in this study may impact justice outcomes. For example, court decisions on youth sentencings are influenced by many factors such as the offender's degree of participation in the commission of the offence (YCJA 2002). Other research has pointed to the voluntary nature of restorative justice programs as a source of outcome bias. For example, youth who may be more willing to complete a restorative justice program successfully might also be more likely to avoid criminal activity (Bergseth and Bouffard 2007; Latimer et al. 2001). This information is not captured in the data available for this study.

Moreover, the current study uses a two-year study period to measure instances of re-contact among youth. Some researchers suggest that a longer reference period may be required to assess the true long-term impacts of restorative justice (Luke and Lind 2002).

#### Chronic offending most prevalent among youth with court pathways

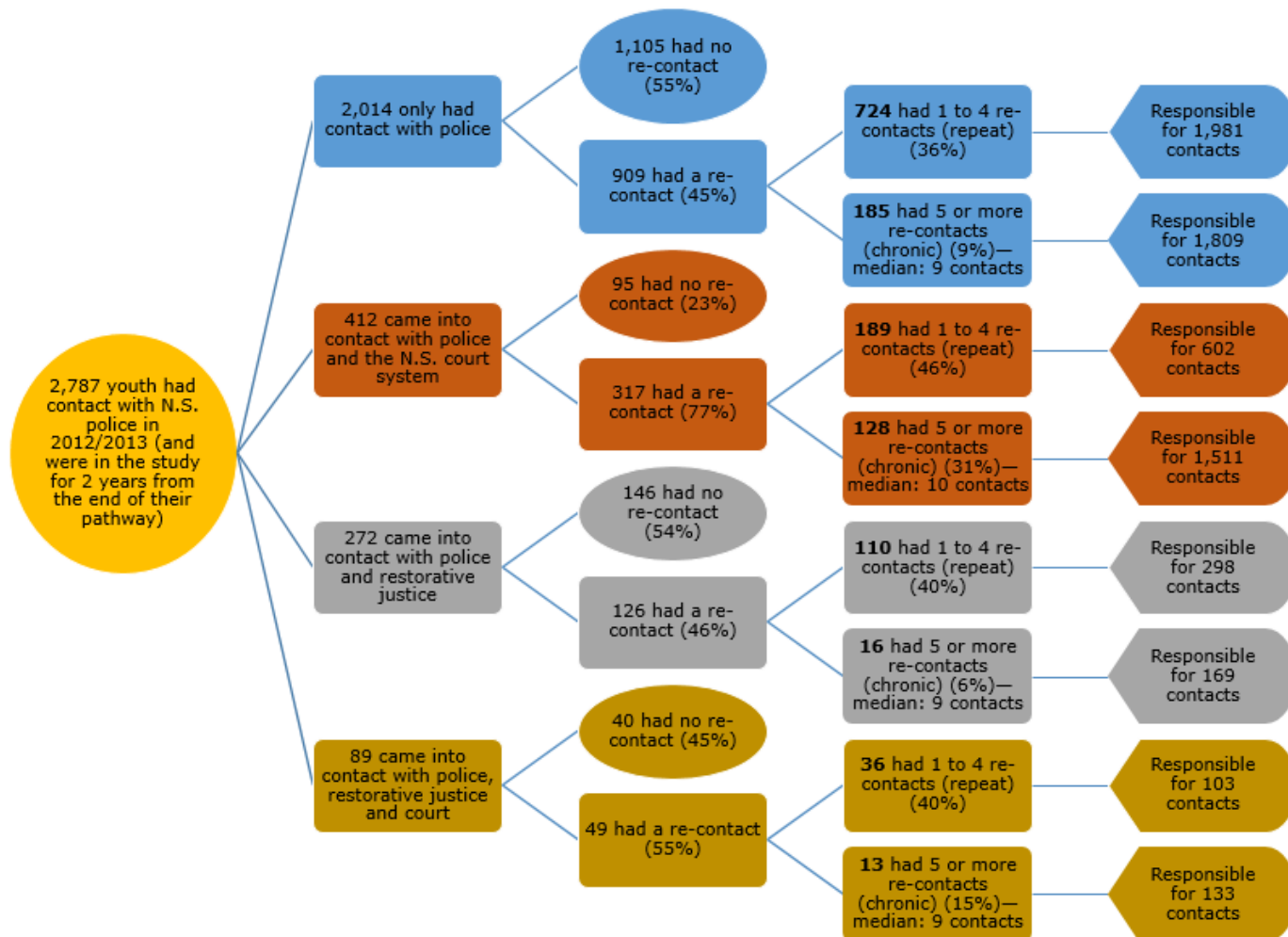
Youth who had come into contact with the court system for their first pathway of the study were more likely to have had a re-contact with the police within the two-year period. Re-contact with police for a new offence was least common among youth whose last known contact with the justice system for the initial contact was the police.<sup>17</sup> More specifically, a large majority (77%) of youth offenders who came into contact with the court system (no restorative justice) had a re-contact within the two-year period, compared to less than half of the youth whose pathway for the initial contact ended with the police (45%) or with restorative justice (no courts) (46%) (Table 2; Diagram 1).

Chronic offending was particularly common among youth with court pathways, with 31% of youth who came into contact with the court system (with no restorative justice contact) for their 2012/2013 initial contact having had at least five more re-contacts during the study period. This compared to 9% of offenders who came into contact with only the police for their initial contact in 2012/2013, and 6% of those who came into contact with restorative justice (no court). Of the 89 youth who came into contact with all three aspects of the justice system (police, court and restorative justice), just over half (55%) had a re-contact with the police. More than one in seven (15%) youth who came into contact with all parts of the justice system were chronic offenders.

Differences by pathways were likely driven by the type and severity of the crime committed as well as other factors not available for this study (see Text box 3). Overall, re-contact was more common among youth who were accused of more serious offences. The average CSI weight for the initial contact among youth who had a re-contact was 63 (64 for repeat and 61 for chronic offenders) compared to 56 among one-time offenders. For example, 14% of youth accused of a violent crime in 2012/2013 were chronic offenders—slightly higher than when compared to 12% among those accused of a property-related offence. Youth who committed a violent offence were more likely to have come into contact with the court system. On the other hand, chronic offending was least common (5%) among youth who had an initial drug-related offence in 2012/2013. These youth were also least likely to have come into contact with the court system, in general.

It is important to note that, while a contact with Nova Scotia police in 2012/2013 is considered the initial point of contact, history of re-contact among offenders prior to this date is outside the scope of this study. Therefore, although this study examines the prevalence and frequency of re-contact by the various pathways, it is not known whether the cycle of re-offending had already begun for some youth. It is therefore possible that police and court decisions, and subsequently, pathways within the study period may have been impacted by an offender's history (see Text box 3).

**Diagram 1**  
**Youth pathways through the Nova Scotia justice system, 2012/2013 to 2014/2015**



- Legend**
- Youth who came into contact with the Nova Scotia justice system
  - Police only pathway
  - Police and court pathway
  - Police and restorative justice pathway
  - Police, restorative justice and court pathway

**Note:** This diagram demonstrates the flow of youth through the Nova Scotia justice system, by various pathways for the initial 2012/2013 contact. Counts presented exclude a small proportion (2%) of youth who were in the study for less than two years from the end of their pathway. Final counts of number of contacts represent all contacts including initial 2012/2013 contact. Proportions may not add up due to rounding.  
**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

**Text box 4****Offences against the administration of justice**

Offences against the administration of justice are *Criminal Code* violations related to when an individual disobeys a pre-trial condition or court sentence for a previous offence, including probation violations, requirements to attend programs and requirements to abstain from drugs and alcohol. These offences are considered large contributors to the "revolving door syndrome" of the justice system, as those who commit crime have a greater risk of re-offending and re-entering the justice system (Carrington and Schulenberg 2003). Administration of justice offences have been found to be particularly common among youth (Burczycka and Munch 2015).

Among the 2,838 youth who were accused of committing a criminal offence by Nova Scotia police in 2012/2013, 5% were accused of an offence against the administration of justice, compared to 8% of adults.<sup>18</sup>

Among the youth accused of an offence against the administration of justice, failure to comply with a previous order was the most common offence reported (39%), followed by violations against the *Youth Criminal Justice Act* (21%) and breach of probation (16%).<sup>19</sup>

Consistent with Carrington and Schulenberg's findings (2003), within the two-year period, two-thirds (66%) of youth who had been accused of an offence against the administration of justice in 2012/2013 had a subsequent contact with Nova Scotia police, and almost half (46%) of them were chronic offenders. In total, the 141 youth accused of an offence against the administration of justice in 2012/2013 were responsible for 703 contacts during the study period. The majority (69%) of these contacts were by chronic offenders, while repeat offenders represented 24% of the contacts, and those who did not have any other subsequent contacts during the study period accounted for 7%.

Overall, the average Crime Severity Index (CSI) weight for the offences committed by youth accused of administration of justice offences in 2012/2013 was 28. Among those who had subsequent contacts with the Nova Scotia police during the two-year period, the average CSI for the first re-contact offence more than doubled to 58. Said otherwise, while approximately 33% of youth accused of an administration of justice offence in 2012/2013 had a subsequent administration of justice offence, a majority were accused of a different offence at time of first re-contact: 30% were involved in property offences, 18% in violent offences and the remaining 18% in drug-related or other offences.<sup>20</sup>

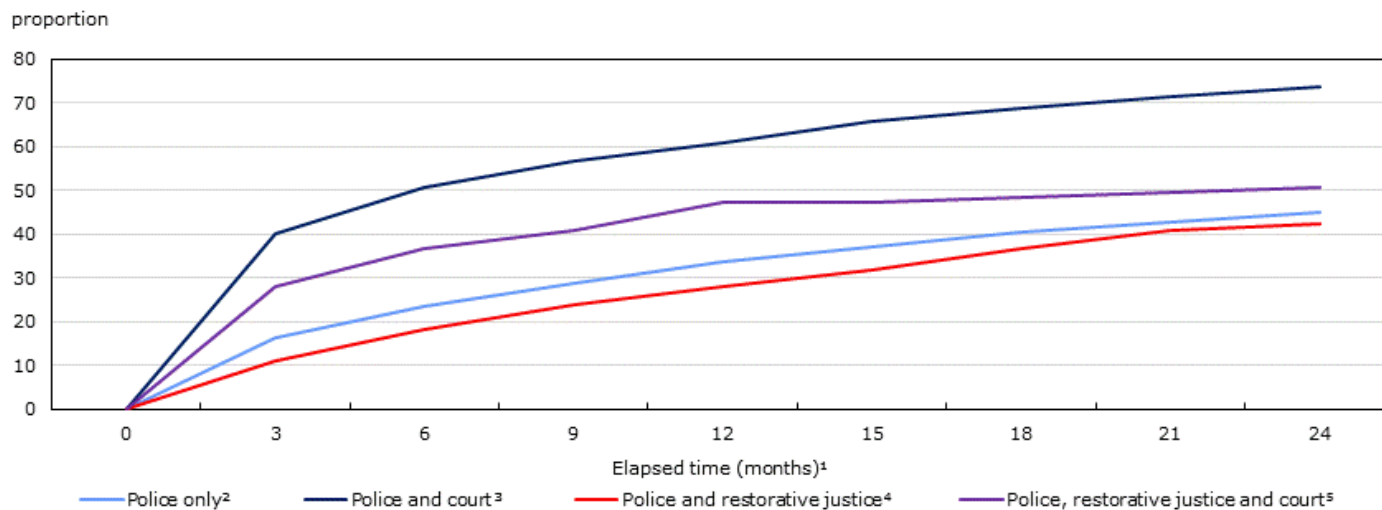
Of note, while data from the correctional system are not included in this article, it has been found that among the 412 youth who came into contact with Nova Scotia police in 2012/2013 and who subsequently went to court (no restorative justice), many (54%) were sentenced to probation.<sup>21, 22, 23</sup> Out of the youth who were sentenced to probation at some point in relation to the initial contact in 2012/2013, a large majority (81%) had a re-contact during the study period, most of them five or more times (43%).<sup>24</sup>

**Male offenders in Nova Scotia quicker to return to the justice system**

Similar to Brennan and Matarazzo's findings (2016), many youth offenders in Nova Scotia returned to the justice system within three months of their initial contact. More precisely, 20% had a re-contact within three months of their initial contact with police in 2012/2013 (Table 3).<sup>25</sup> This compared to 16% among adult offenders in Nova Scotia. Among both youth and adults, male offenders were more likely to have a re-contact within three months. Male youth offenders were nearly twice as likely as female youth offenders to have a re-contact within three months of their initial contact (23% versus 13%). A smaller gap was noted between adult male and female offenders (17% versus 13%).

**Youth with court pathways quickest to have a re-contact**

Youth whose justice system pathways for the initial contact had led them to court (no restorative justice) were most likely to have a re-contact within three months (40%) (Chart 5). This was likely reflective of the length of time to re-contact among chronic offenders who were overrepresented within this pathway. Overall, within three months of the 2012/2013 initial contact, the large majority (70%) of chronic offenders had committed a second offence, compared to 29% of repeat offenders.

**Chart 5****Elapsed time between first and second contact with police among youth accused, by pathway, Nova Scotia, 2012/2013 to 2014/2015**

1. Elapsed times are cumulative. For example, six months indicates the proportion of individuals who had a re-contact within six months (which includes those who had a re-contact within three months).

2. Includes accused individuals who only had contact with the police.

3. Includes accused individuals who came into contact with both the police and the court system for the initial contact. The completion of this pathway is marked by the initiation of a court case for a given charge.

4. Includes accused individuals who came into contact with police and restorative justice for the initial contact. The completion of this pathway is marked by the start of a restorative justice case.

5. Includes individuals who came into contact with all three aspects of the justice system. The completion of this pathway is indicated by the initiation of a court case for a given charge.

**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Proportions are based on survival analysis using the Kaplan-Meier procedure. Results shown are the failure rates (i.e., 1-probability of survival) multiplied by 100, representing proportions of those who had a re-contact. Elapsed time is measured from the end of the pathway for the initial contact.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

In comparison, 11% of youth offenders who came into contact with restorative justice (without going to court) returned to the justice system within three months. Of the small group of youth who came into contact with all three levels of the justice system, close to three in ten (28%) had a re-contact within three months of the initial contact. At the sixth-month mark, over half (51%) of the youth who had come into contact with the court system had a re-contact—more than twice the proportion of those who had only come into contact with the police (24%) or police and RJ (18%).

### Crime severity remains virtually unchanged between first and second contact

Similar to findings for adult offenders who had multiple contacts with the justice system, 40% of youth who had a re-contact were accused of an offence less severe for the second contact (first re-contact), nearly as many (41%) were involved in a more severe crime, and 19% committed a crime of the same level of severity. Despite repeat and chronic offenders having an average CSI weight of 64 and 61, respectively, for the initial offence in 2012/2013, the average CSI weight for the second offence among repeat offenders remained at 64, but for chronic offenders it increased to 69. On average, the CSI weight for the second offence among youth who had a re-contact increased slightly to 66 from 63 for the initial offence in 2012/2013. Property-related offences remained the most commonly reported type of first re-contact offence.

### Summary

The current study analyzed pathways of youth offenders through the Nova Scotia justice system in order to examine the nature and extent of repeat offending among those who come into contact with police at a young age. Using a cohort of youth who came into contact with Nova Scotia police between April 1, 2012 and March 31, 2013, this study found that, over a two-year period, these 2,838 youth accused were responsible for 8,117 contacts with Nova Scotia police. Overall, chronic offenders—those with five or more re-contacts—represented 12% of the offending youth population, but they accounted for almost half (45%) of youth contacts with Nova Scotia police which were reported over the two-year period.

The current study found that most youth offenders first came into contact with the justice system in 2012/2013 for relatively minor offences such as theft of \$5,000 or under and mischief. In line with the provisions of the *Youth Criminal Justice Act* on dealing with youth according to their age and moral blameworthiness, the majority of youth offenders ended their pathways for the initial offence with the police (71%), while a small proportion (3%) came into contact with all three parts of the justice system—that is, police, courts and restorative justice.

A young offender's pathway through the justice system appeared to be linked to the severity of their initial offence in 2012/2013, and subsequently their re-contact behavior. In this study, youth who had come into contact with the court system (no restorative justice) in relation to their initial 2012/2013 offence were more likely to have been involved in more serious crime. Within the two-year period, these youth were most likely to have had a re-contact with police, and to chronically re-offend during this time (31%), while those who had come into contact with restorative justice programs (no court contact) for the initial offence were least likely to chronically re-offend (6%). While the seriousness or severity of the second offence remained similar among those who had a re-contact during the study period, the severity of the second offence among chronic offenders increased, while among repeat offenders, the average severity of the second crime remained the same.

## Survey description

### Incident-based Uniform Crime Reporting

The Uniform Crime Reporting (UCR) Survey was developed in 1962 with the cooperation and assistance of the Canadian Association of Chiefs of Police. The UCR Survey data reflect reported crime that has been substantiated through a police investigation. The data come from all federal, provincial and municipal police services in Canada and involve offences under the *Criminal Code* and other federal statutes.

One incident can involve multiple offences. To ensure the comparability of the data between police services, the counts presented in this article are based on the most serious violation in the incident, determined based on a standardized classification rule used by all police services, generally according to the maximum penalty for the offence.

### Integrated Criminal Courts Survey

The Integrated Criminal Court Survey (ICCS) is administered by the Canadian Centre for Justice Statistics (Statistics Canada) in collaboration with provincial and territorial departments responsible for criminal courts in Canada. The survey collects statistical information on adult and youth court cases involving *Criminal Code* and other federal statute offences.

The primary unit of analysis is a case. A case is defined as one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision. A case combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, or date of sentencing) into a single case.

A case that has more than one charge is represented by the charge with the "most serious offence" (MSO). The most serious offence is selected using the following rules. First, court decisions are considered and the charge with the "most serious decision" (MSD) is selected. Court decisions for each charge in a case are ranked from most to least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) acquitted, 4) stay of proceeding, 5) withdrawn, dismissed and discharged, 6) not criminally responsible, 7) other, and 8) transfer of court jurisdiction. Second, in cases where two or more charges result in the same MSD (for example, guilty), *Criminal Code* sanctions are considered. The charge with the most serious offence type is selected according to an offence seriousness scale, based on actual sentences handed down by courts in Canada.

### Nova Scotia's Restorative Justice Information System

The Nova Scotia department of justice has provided the Canadian Centre for Justice Statistics (Statistics Canada) with data pertaining to restorative justice, for the first time. This data was captured in Nova Scotia's Restorative Justice Information System (NSRJI). Information such as offender ID, age, case acceptance date, referring body and agreement information were provided to Statistics Canada to allow for a data linkage project that establishes baseline information about individuals who had contact with the Nova Scotia justice system.

### Re-contact and pathways data

For this study, data from three different sources were used: the Uniform Crime Reporting (UCR) Survey, the Integrated Criminal Courts Survey (ICCS) and special data extracts from the Nova Scotia Restorative Justice Information System (NSRJI).

The study established the number of people who came into contact with the justice system in Nova Scotia in 2012/2013 and had a re-contact, by examining records of all founded incidents reported by Nova Scotia police services to the UCR survey from 2012/2013 to 2014/2015. The pathways of individuals through the system were established by linking police-reported UCR records to data collected through the ICCS and NSRJI.

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## Notes

1. Two articles on re-contact were previously published by the Canadian Centre for Justice Statistics: "Re-contact with the Saskatchewan justice system" (Brennan and Matarazzo 2016) and "Economic profiles of offenders in Saskatchewan" (Boyce et al. 2018).
2. All age breakdowns in this article are based on age of the accused at the time the incident occurred, as reported by the police.
3. Malakieh (2018) found that the rate of youth in custody in 2016/2017 was 5 per 10,000 youth in Canada, 33% lower than the rate reported in 2012/2013. Additionally, in 2016/2017, 68% of youth entering the corrections system began their period of supervision in the community.
4. Cleared otherwise includes warnings, cautions, alternative measures and extrajudicial sanctions.
5. In this study, almost all (97%) of the youth who came into contact with all three parts of the justice system during the two-year window of study went to court before coming into contact with a restorative justice program, while the remaining 3% had contact with a restorative justice program before coming into contact with the court system.
6. Unless otherwise specified, all analysis of the types of offences committed are based on the initial 2012/2013 contact.
7. Approximately one-third (31% of youth and 34% of adults accused) were involved in multiple violation incidents. The types of offence presented throughout this article are based on the most serious violation in the incident.
8. Youth aged 12 accounted for 5%, 10% were 13, 14% were 14, and 19% were 15.
9. Within both age groupings, cannabis possession accounted for the large majority of drug-related offences reported.
10. Includes referral to extrajudicial sanctions or community programs.
11. Pathway analysis presented in this article is based on known interactions with various parts of the justice system during the two-year period of the study. While it is possible that further contacts with the justice system may have occurred after the two-year period, in these cases the contact would not have been captured in this analysis. For example, some individuals who were charged by police may have proceeded to the court system after the two-year period. In these instances, the contacts with the court system would not have been included in the analysis.
12. Although some youth may end up in the correctional service system, this article is limited to police, courts, and restorative justice data (see Text box 1).
13. Only instances where the accused is referred and accepted into restorative justice, and where the program was completed either successfully or unsuccessfully are included.
14. For additional information on youth crime, see Allen 2018.
15. Count includes initial 2012/2013 contact and all subsequent contacts during the study period.
16. Based on offending behaviour during the study period only. Totals may not add up to 100% due to rounding.
17. Re-contact by pathway analysis excludes a small proportion (2%) of youth who were in the study for less than two years after the end of their pathway. Therefore, counts may not add up to those presented in other pathway analysis.
18. Based on the most serious violation in an incident. These violations include: failure to comply with order, escape or help escape from lawful custody, prisoner unlawfully at large, failure to appear, breach of probation, violations against the *Youth Criminal Justice Act* or other violations against the administration of law and justice.
19. The remaining 24% include: failure to appear in court, prisoner unlawfully at large and other offences against the administration of law and justice.
20. Totals may not add up to 100% due to rounding.
21. Proportions based on those who received a guilty verdict (74% of youth offenders who went to court in relation to the initial contact in 2012/2013). Guilty findings include a finding of guilt imposed by the court, as well as guilty pleas, and cases where an absolute or conditional discharge has been imposed. Other court decisions may include acquittals, stays of proceedings, or other decisions including decisions of found not criminally responsible, waived out of province or where the accused was found unfit to stand trial.
22. Sentencing information are based on the most serious sentence received in the case against the accused.
23. Court cases can have one or more charges against an accused person. Among all the youth who came into contact with the court system, 74% were involved in cases which involved multiple charges. In these instances, the case is represented by the charge with the "most serious offence" or MSO. For more information on how the MSO is selected, see the Survey description section.
24. In this study, re-contact analysis by pathways is measured from the end of the pathway (see Text box 1), i.e., the initiation of a court case. Therefore, it is not known whether re-contact occurred before or after a decision was made in relation to the case.
25. Based on survival analysis using the Kaplan-Meier procedure. Results shown are the failure rates (i.e., 1-probability of survival) multiplied by 100, representing proportions of those who had a re-contact.



## Detailed data tables

**Table 1**  
**Youth and adults accused, by type of first offence in 2012/2013, Nova Scotia**

Type of first offence in 2012/2013	Youth		Adult	
	number	percent	number	percent
<b>Property offences</b>	<b>1,308</b>	<b>46</b>	<b>3,872</b>	<b>26</b>
Theft of \$5,000 or under (non-motor vehicle) <sup>1</sup>	502	18	1,427	10
Mischief <sup>2</sup>	459	16	1,322	9
Breaking and entering	158	6	339	2
Other property crimes <sup>3</sup>	189	7	784	5
<b>Violent offences</b>	<b>771</b>	<b>27</b>	<b>4,646</b>	<b>31</b>
Common assault (level 1) <sup>4</sup>	388	14	2,207	15
Major assault (levels 2 and 3) <sup>5</sup>	90	3	639	4
Other physical assaults <sup>6</sup>	22	1	153	1
Sexual offences <sup>7</sup>	49	2	152	1
Uttering threats	114	4	875	6
Other violent offences <sup>8</sup>	108	4	620	4
<b>Drug offences</b>	<b>380</b>	<b>13</b>	<b>1,767</b>	<b>12</b>
Possession—cannabis	292	10	1,059	7
Other drug offences <sup>9</sup>	88	3	708	5
<b>Other offences<sup>10</sup></b>	<b>379</b>	<b>13</b>	<b>4,508</b>	<b>30</b>
<b>Total</b>	<b>2,838</b>	<b>100</b>	<b>14,793</b>	<b>100</b>

1. Includes theft and shoplifting of \$5,000 or under.

2. Includes altering/removing/destroying a vehicle identification number.

3. Includes theft of motor vehicle, theft over \$5,000 (non-motor vehicle), possession and trafficking of stolen property, fraud, identity theft and arson.

4. Level 1 assault is the least serious form of assault and includes pushing, slapping, punching and face-to-face verbal threats.

5. Level 2 assault is defined as assault with a weapon or causing bodily harm and level 3 assault is defined as assault that wounds, maims, disfigures or endangers the life of the victim.

6. Includes unlawfully causing bodily harm, discharging a firearm with intent, using a firearm or imitation firearm in the commission of an offence, pointing a firearm, assault against a peace-public officer, assault against a peace-public officer with a weapon or causing bodily harm, aggravated assault against a peace-public officer, criminal negligence causing bodily harm, trap likely to or causing bodily harm and other assaults.

7. Includes sexual assault levels 1, 2 and 3, and all other sexual violations.

8. Other violent offences includes offences related to homicide or death, robbery, criminal harassment, indecent or harassing communications, kidnapping, forcible confinement, hostage-taking, trafficking in persons, abduction, extortion, intimidation of a non-justice participant, explosives causing death or bodily harm, arson, and other violent violations.

9. Includes trafficking, importation and exportation, production or distribution of cannabis and other drugs, and possession of other drugs.

10. Includes traffic violations, other federal statute violations including the *Youth Criminal Justice Act*, and other *Criminal Code* offences.

**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Counts and percentages are based on the most serious violation in the incident.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

**Table 2**  
**Youth re-contact with Nova Scotia police, by frequency of re-contacts and pathway, 2012/2013 to 2014/2015**

Pathway	No re-contact		One to four re-contacts		Five or more re-contacts	
	number	percent	number	percent	number	percent
Police only <sup>1</sup>	1,105	55	724	36	185	9
Police and court <sup>2</sup>	95	23	189	46	128	31
Police and restorative justice <sup>3</sup>	146	54	110	40	16	6
Police, restorative justice and court <sup>4</sup>	40	45	36	40	13	15
<b>Total</b>	<b>1,386</b>	<b>50</b>	<b>1,059</b>	<b>38</b>	<b>342</b>	<b>12</b>

1. Includes accused individuals who only had contact with the police.

2. Includes accused individuals who came into contact with the police and the courts system with respect to the initial contact within the study. The completion of this pathway is marked by the initiation of a court case for a given charge.

3. Includes accused individuals who came into contact with police and restorative justice programs for the initial contact. The completion of this pathway is marked by the start of a restorative justice case.

4. Includes individuals who came into contact with all three aspects of the justice system. In this instance, the completion of a pathway is indicated by the initiation of a court case for a given charge.

**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Re-contact signifies a new official intervention following a completed pathway for the initial contact, and where subsequent contacts with Nova Scotia police were identified. Counts presented exclude a small proportion (2%) of youth who were in the study for less than two years from the end of their pathway. Therefore, totals may not add up to totals presented elsewhere within the report.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.

**Table 3**  
**Elapsed time between first and second contact with Nova Scotia police among youth and adults accused, by sex, 2012/2013 to 2014/2015**

Elapsed time (months) <sup>1</sup>	Youth			Adult		
	Male	Female	Total	Male	Female	Total
3	23	13	20	17	13	16
6	31	20	28	24	20	23
9	36	24	33	29	24	27
12	42	28	38	32	27	31
15	46	30	41	35	29	33
18	49	33	45	37	32	36
21	52	35	47	39	33	38
24	55	37	49	41	35	39

1. Elapsed times are cumulative. For example, six months indicates the proportion of individuals who had a re-contact within six months (which includes those who had a re-contact within three months).

**Note:** Based on individuals who had at least one contact with Nova Scotia police in 2012/2013. Includes youth who were between the ages of 12 and 17 at the time of the initial contact, and where the age and the sex of the accused were known. Proportions are based on survival analysis using the Kaplan-Meier procedure. Results shown are the failure rates (i.e., 1-probability of survival) multiplied by 100, representing proportions of those who had a re-contact.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Nova Scotia Restorative Justice Information System, linked database.