

Half of adults sentenced to provincial correctional programs were reconvicted within three years, mostly for non-violent offences

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Among adults released from sentenced custody or starting a community supervision sentence across five provincial correctional programs in 2015/2016, half were reconvicted within three years (see Note to readers). A larger proportion of people who served a custodial sentence (66%) were reconvicted, compared with those who were sentenced solely to community supervision (40%).

The *Juristat* article "[Reconvictions among adults sentenced to custody or community supervision across five provincial correctional programs, 2015/2016 to 2018/2019](#)," released today, uses linked data from the Canadian Correctional Services Survey, the Integrated Criminal Court Survey and the Canadian Vital Statistics – Death Database to examine reconvictions following a provincial custody or community sentence. This article also presents disaggregated findings, with the intention of providing new data to help inform policies aimed at addressing the over-representation of some groups in the Canadian criminal justice system.

It is important to note that the data used in this study did not allow for the analysis of many general factors that are known to be associated with reconviction, such as education, employment, income, stable and suitable housing, community and social support, and substance use. Additionally, these data could not account for the broader contextual factors associated with the over-representation of Indigenous and Black people in the criminal justice system, including the historical and ongoing effects of colonialism, racism and systemic discrimination.

Half of adults sentenced to custody or community supervision were reconvicted within three years

In 2015/2016, nearly 70,000 adults were released from sentenced custody (full-time) or started an intermittent custodial sentence (served intermittently) or a community supervision sentence (conditional sentence or probation) across five provincial correctional programs: Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia. Overall, half of this cohort of adults was reconvicted within three years (66% of those serving a custodial sentence and 40% of those serving solely a community supervision sentence). Reconviction refers to any new conviction in any province or territory with an offence date within the follow-up period.

When considering the different types of reconvictions recorded for individuals over a three-year follow-up period, 21% of the entire cohort had at least one new conviction for a violent offence (e.g., assault; robbery; attempted murder). However, reconvictions were mostly for non-violent offences. Notably, administration of justice offences (e.g., breach of probation; failure to comply with an order; failure to appear; being unlawfully at large) represented the most common type of new conviction, with 39% of the cohort having at least one new conviction for an administration of justice offence within three years. Additionally, after three years, 27% of individuals in the cohort had a new conviction for a property offence (e.g., theft; break and enter; possession of stolen property) and 21% had a new conviction for another *Criminal Code* or federal statute offence (e.g., weapons-related offences; drug offences; impaired driving).

New convictions for administration of justice offences occurred relatively quickly compared with the other types of convictions, with the cohort having a 15% chance of being reconvicted for an administration of justice offence within the first three months. In contrast, it took approximately 9 months for 15% of the cohort to have a new conviction for a property offence and about 18 months for 15% to have a new conviction for a violent offence or another *Criminal Code* or federal statute offence.



The risk of reconviction was highest in the first three months

The probability of being reconvicted was the highest in the first three months of the follow-up period and declined over time. Specifically, individuals who served a custodial sentence had a 30% chance of being reconvicted within the first three months, compared with a 14% chance for those who served solely a community supervision sentence. Among individuals who remained conviction-free for the first three months, the probability of reconviction over the following three-month period was 17% for those who served a custodial sentence and 8% for those who served solely a community supervision sentence.

Young men had the highest incidence of reconviction

Men aged 18 to 34 had the highest incidence of any reconviction within three years (56%), followed by women in the same age group (51%). The three-year incidence of any reconviction was lower for men (44%) and women (37%) aged 35 and older. The largest differences between men and women in the types of new convictions were for violent offences and other *Criminal Code* and federal statute offences, with a larger proportion of men having new convictions for these types of offences. For example, the three-year incidence of any new conviction for a violent offence was 1.6 times higher among men aged 18 to 34 (27%), compared with women in the same age group (17%).

Most of those in the cohort with 10 or more prior convictions were reconvicted within three years

The three-year incidence of any reconviction was highest for those with 10 or more prior convictions in the 10 years prior to the period under study (79%), followed by those with 5 to 9 prior convictions (54%), 2 to 4 prior convictions (34%) and 0 or 1 prior conviction (19%).

Indigenous people in the cohort were more likely to be reconvicted than non-Indigenous people

The over-representation of Indigenous people (First Nations people, Métis and Inuit) in the Canadian criminal justice system is well documented and has been linked to the [historical and ongoing harms caused by colonial policies and practices](#). Because reconviction can contribute to over-representation through prolonged and repeated involvement with all levels of the criminal justice system, data on the reconviction experiences of Indigenous people can help inform efforts to address their over-representation in the system.

One-quarter of the 2015/2016 cohort self-identified as Indigenous upon intake to correctional services. Within a three-year follow-up period, a larger proportion of Indigenous people (66%) than non-Indigenous people (45%) were reconvicted. Additionally, after the analysis controlled for age, gender, type of correctional supervision (i.e., custody or community) and criminal history, Indigenous people were on average 30% more likely to be reconvicted than non-Indigenous people. This was the case for new convictions for violent offences (38% higher for Indigenous people), administration of justice offences (33% higher), and other *Criminal Code* and federal statute offences (15% higher). There was no statistically significant difference between Indigenous and non-Indigenous people for new convictions for property offences.

Breaking the cycle of administration of justice convictions could help reduce the gap in reconvictions between Indigenous and non-Indigenous people

A smaller proportion of Indigenous and non-Indigenous people in the cohort were reconvicted if they had fewer prior convictions. However, the three-year incidence of reconviction was still consistently higher for Indigenous people than for non-Indigenous people, regardless of the number of prior convictions. Notably, of those with the fewest prior convictions (zero or one prior conviction within the past decade), twice as many Indigenous people (22%) as non-Indigenous people (11%) were reconvicted for an administration of justice offence. In other words, new administration of justice convictions were disproportionately received by Indigenous people compared with non-Indigenous people, even when they had little criminal history before their involvement in corrections.

This suggests that it may be particularly difficult for Indigenous people who are involved with the criminal justice system to break away from it once they have experienced correctional supervision. Indeed, involvement with the correctional system can itself further perpetuate the socioeconomic marginalization already experienced by many Indigenous people in Canada, making it very difficult to follow conditions of release imposed by the court. This can often result in a repeated cycle of administration of justice convictions, [an issue that has previously been the subject of new legislation](#).

Nearly the same proportion of Black people were reconvicted as White people

The over-representation of Black people in the criminal justice system is also a growing concern. However, findings from this study suggest that factors other than reconviction may be contributing to this over-representation. Self-reported information on racialized groups (including the Black population) was available for four provincial correctional programs: Nova Scotia, Ontario, Alberta and British Columbia. Among this cohort, 7% of people were Black and 65% were White (identified as neither Indigenous nor as belonging to a racialized group). Results showed that nearly half of the Black people in the cohort (49%) and nearly half of the White people in the cohort (48%) were reconvicted within three years. This suggests that, despite being over-represented in the criminal justice system, Black people had almost the same incidence of reconviction as White people. Based on the literature, other potential factors that may be contributing to the over-representation of Black people in the criminal justice system include disproportionately high rates of police contact, over-representation as accused in criminal court, and disproportionately harsher and longer sentences upon conviction.

After the analysis controlled for age, gender, type of correctional supervision (i.e., custody or community) and criminal history, the risk of reconviction was 8% lower for Black people than for White people. When further broken down by type of new conviction, Black people had a 20% lower risk than White people of having a new conviction for a property offence, a 12% lower risk for another *Criminal Code* or federal statute offence, and an 11% lower risk for an administration of justice offence. In contrast, relative to White people in the cohort, Black people had an average 17% higher risk of receiving a new conviction for a violent offence.

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Note to readers

The study cohort comes from the Canadian Correctional Services Survey, which currently collects adult correctional services data from five provincial correctional programs: Nova Scotia, Ontario, Saskatchewan, Alberta and British Columbia. The target population for this study includes all adults from these five correctional programs who had at least one of the following correctional events in fiscal year 2015/2016:

- release from full-time custody into the community (with or without conditions);
- start of an intermittent custodial sentence (i.e., a custody sentence that is served intermittently, such as on weekends); or
- start of a community supervision sentence (i.e., conditional sentence or probation).

Data for these individuals were linked to the Integrated Criminal Court Survey (ICCS) (fiscal years 2005/2006 to 2020/2021) to identify prior convictions and reconvictions. To be included in this study, individuals had to link to at least one prior conviction in the ICCS as of fiscal year 2005/2006.

For analytical purposes, prior convictions were limited to a 10-year period before and including the date of the correctional event (i.e., release from full-time custody, start of an intermittent custodial sentence or start of a community supervision sentence) to ensure comparability across individuals in the cohort. Based on this definition, it is possible for someone to have zero prior convictions if their only prior conviction occurred more than 10 years earlier.

A reconviction was any new federal statute conviction (in any province or territory) with an offence date after the correctional event and before March 31, 2019 (or the date of death, whichever came first). Because the conviction date is heavily influenced by court processing times, the offence date was used to represent the timing of the conviction. To allow enough time for almost all cases with an offence date within the follow-up period to reach a decision in criminal court, the conviction date itself could have occurred up to two years after the end of the follow-up period (i.e., March 31, 2021). Individuals were linked to the Canadian Vital Statistics – Death Database to identify deaths during the follow-up period.

Definitions, data sources and methods: survey numbers [3233](#), [3312](#) and [5251](#).

The article "[Reconvictions among adults sentenced to custody or community supervision across five provincial correctional programs, 2015/2016 to 2018/2019](#)" is now available as part of the publication *Juristat* ([85-002-X](#)).

For more information, or to enquire about the concepts, methods or data quality of this release, contact us (toll-free 1-800-263-1136; 514-283-8300; infostats@statcan.gc.ca) or Media Relations (statcan.mediahotline-ligneinfomedias.statcan@statcan.gc.ca).