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YOUTH COURT STATISTICS 1995-96 HIGHLIGHTS

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Highlights

- From 1992-93 to 1995-96, the overall youth court caseload rate per 10,000 youths declined by 6.5%. The youth court property crime case rate decreased by 18.1%, while the violent crime case rate increased by 3.5%.
- In 1995-96, there were 111,027 cases processed in the youth courts of Canada. This total remains essentially unchanged from the previous year.
- Almost one-half of all cases involved property crimes in 1995-96. In contrast, one in five cases involved violent crimes; one-half of these were minor assaults.
- One-half of all youth court cases were dealt with in two months or less in 1995-96.
- Repeat offenders (defined as youths with at least one prior conviction) accounted for four of every ten convictions in 1995-96.
- Two-thirds of cases heard in youth court resulted in a conviction in 1995-96.
- Probation was the most serious sentence ordered in 49% of all cases with convictions in 1995-96.
- In 1995-96, custody (open and secure) was ordered for one-third of cases with convictions, with three-quarters of these cases having a sentence of three months or less.

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INTRODUCTION

Providing effective treatment and rehabilitation of young offenders and ensuring the safety of Canadian communities are primary objectives of the youth justice system. Increasingly, this system has felt the pressure of public and media scrutiny. The recent parliamentary review and the media have focused on the most serious criminal events involving youths. The Youth Court Survey, through the collection and dissemination of youth court information, assists policy-makers and program managers as they struggle to redefine the nature of Canada's youth justice system.

The Youth Court Survey provides data to monitor the current practice of the courts to deal with youths, aged 12 to 17 at the time of the offence, in the criminal justice system. This *Juristat* provides information on the nature and volume of cases processed by the youth courts of Canada, on accused characteristics, and on case outcomes during the 1995-96 fiscal year (April to March). National caseload trends are also included.

CASELOAD TRENDS

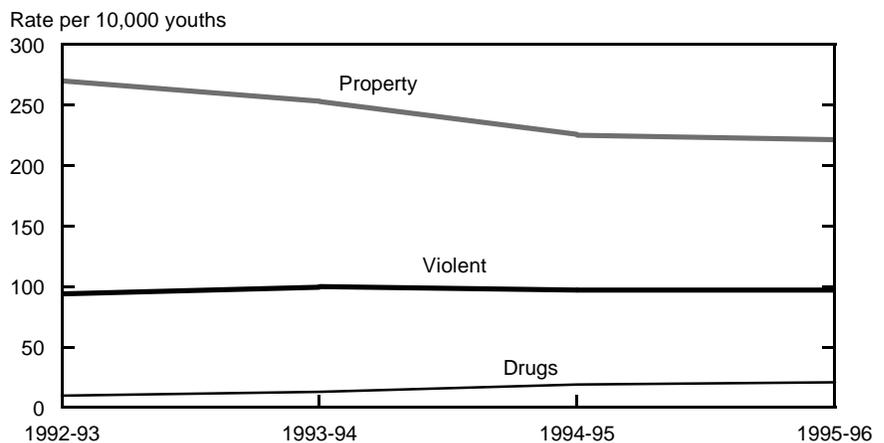
Youth Court caseload declining

Since 1992-93, the first year the YCS included complete data from all jurisdictions, the overall caseload rate per 10,000 youths has declined by 6.5%.¹ This drop largely reflects a decline in property crime case rate of 18.1% during these four years (Figure 1, Table 1). In contrast, the violent crime case rate increased by 3.5%, and the relatively small drug caseload (4,900 cases) by 103.1%. From 1994-95 to 1995-96, the national case rate remained stable. In 1995-96, 111,027 cases were processed.

Figure 1



Youth Court Criminal Code cases, Canada, 1992-93 to 1995-96



Source: Youth Court Survey, CCJS.

¹ Case rates were examined to remove the effects of the growth in the total population of youth.

The long-term trend in youth court case rate per 10,000 youths, from 1986-87 to 1995-96, is displayed in Figure 2a and excludes Ontario and the Northwest Territories. A comparison of cases rates from 1986-87 to 1991-92 shows annual increases. Since 1991-92, the rate of youth court cases declined by 14.0%. Overall, the 1995-96 rate remains 13.7% higher than in 1986-87.

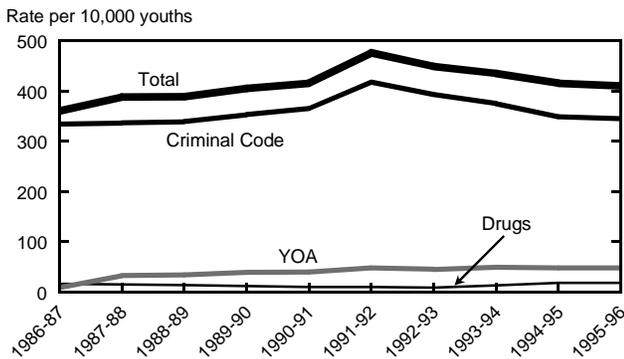
The growth and decline in the youth court cases from 1986-87 to 1995-96 follows the variation in the Criminal Code caseload, which accounts for the majority of cases (Figure 2a). During these years, the YOA case rate per 10,000 youths increased markedly. YOA cases, which are largely violations related to the proceedings and sentencing orders of the youth court, increased substantially after 1986-87 as a result of a legislative change which made the failure to comply with a court

disposition a chargeable offence. The rate of YOA cases increased by 42.9% from 1987-88 to 1995-96.

From 1986-87 to 1995-96, the components of Criminal Code crimes differed in rates of growth (excluding Ontario and the Northwest Territories). The rate of property crime cases per 10,000 youths increased by 11.7% from 1986-87 to 1991-92 then declined annually. Since 1991-92, the property crime case rate has declined by 27.7%. The rate of violent crime cases increased by 75.2% since 1986-87 (one half of these were minor assaults). Prior to 1994-95, the violent crime case rate rose annually, with the largest increase in 1991-92. During the past two years, the violent crime case rate has been on a slight decline. The rate of other Criminal Code crime cases (failure to appear in court is the most common) increased by 49.5% since 1986-87.

Figure 2a

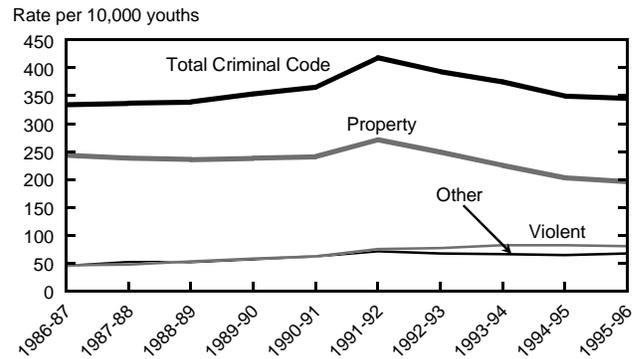
Youth Court cases,¹ selected jurisdictions, 1986-87 to 1995-96



¹ Excludes Ontario and Northwest Territories data.
Source: Youth Court Survey, CCJS.

Figure 2b

Criminal Code cases,¹ selected jurisdictions, 1986-87 to 1995-96



¹ Excludes Ontario and Northwest Territories data.
Source: Youth Court Survey, CCJS.

Youth Court Statistics

The analysis is based on Youth Court Survey (YCS) data collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for youth courts. The YCS collects data from youth courts on persons aged 12 to 17 appearing on federal statute offences. Federal statute offences in this report include *Criminal Code* offences, drug offences, the *Young Offenders Act* (YOA) offences, and other federal statute offences.

The unit of analysis is the case, which is defined by the YCS as one or more charges laid against a young person, and presented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented.

Differences across the country in citizens reporting incidents to police, in procedures and eligibility requirements for police diversion and alternative measures programs may influence the volumes and characteristics of cases heard in youth courts. Consequently, analyses of YCS data should be limited to general comparisons. The data should not be used as an indicator of total youth criminal activity.

As of the 1992-93 reporting year, all youth courts in Canada reported to the YCS.

Youth and Youth Crime in Context

- Population¹
 - total population is 29.6 million in 1995 with 2.4 million youths 12 through 17 years of age (8% of the population of Canada)
 - demographic projections for youths over the next 5 years suggest declines in the east, with the exception of PEI, and increases for Ontario and the western provinces
- Persons charged by police in 1995²
 - 583,000 adults and youths charged with federal offences, excluding traffic crimes
 - 129,000 youths charged - up slightly from 1994
 - youth represent 22% of all persons charged
- Youths convicted in court, 1995-96
 - 46,194 young offenders (72,945 cases with youth convictions)
 - 2% of the youth population of Canada were convicted
 - 3% of 16 and 17 year old population were convicted

¹ Post-Censal Estimates, as of July 1st, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

² Uniform Crime Reporting Survey, 1995 (revised), Canadian Centre for Justice Statistics, Statistics Canada.

1995-96 Case Characteristics

Property crimes predominate

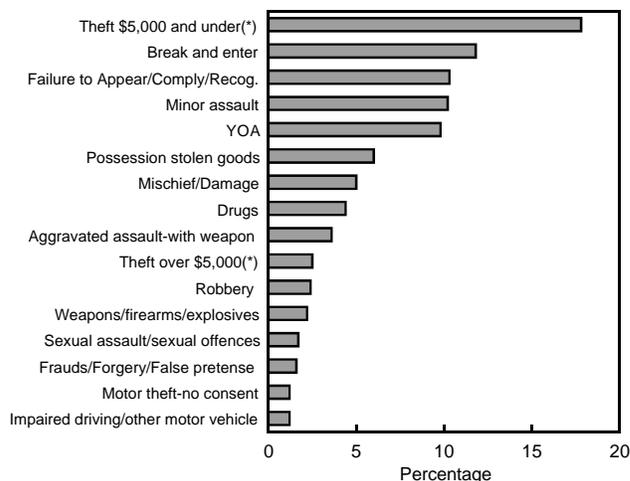
In 1995-96, there were 111,027 cases heard in youth courts in Canada (Table 1) and six in ten cases contained one charge. Generally, property crime cases account for almost half of the cases in youth courts. The most common youth court cases were: theft under, breaking and entering, a group of Criminal Code administrative offences (failure to appear in court or failure to comply with a previous court order, breach of recognizance), minor assault and the YOA crimes, e.g. failure to comply with a youth court disposition (Figure 3, Table 2). Together, these five crime types accounted for 60% of cases in 1995-96.

About half of violent crime cases involve minor assault

Violent crime cases account for 21% of the total youth court caseload. Almost half of violent offence cases are minor assaults, while murder/manslaughter and attempted murder cases account for less than one percent of cases heard in youth court. (See the Methodology section for a detailed list of violations within each crime category.)

Figure 3

Youth Court cases, Canada, 1995-96



(*) The monetary limit was raised from \$1,000 to \$5,000 as of February 15, 1995.

Source: Youth Court Survey, CCJS.

About one-half of youth court cases involved property crimes in 1995-96

	% of total cases
Property	48%
Volent	21%
Other Criminal Code	17%
YOA	10%
Drugs	4%
Other federal crimes	< 1%

About one-half of violent crimes are minor assault cases

	% of violent crime cases
Minor assault	49%
Aggravated assault/with weapon	17%
Robbery	11%
Weapons/firearms/explosives	10%
Sexual assault/offences	8%
Murder/manslaughter/attempted murder	< 1%
Other violent crimes	4%

Half of youth court cases involve 16 and 17 year olds

Sixteen and 17 year old youths appear more often in youth court than other age groups (Table 2). In 1995-96, 16 and 17 year olds accounted for 49% of cases, 14 and 15 year olds for 36%, and 12 and 13 year olds for 12%. In 3% of cases age was unknown.² The caseload for 12 and 13 year olds has increased in recent years (10% in 1992-93 versus 12% in 1995-96), while cases involving 16 and 17 year olds have decreased (52% in 1992-93 versus 49% in 1995-96).

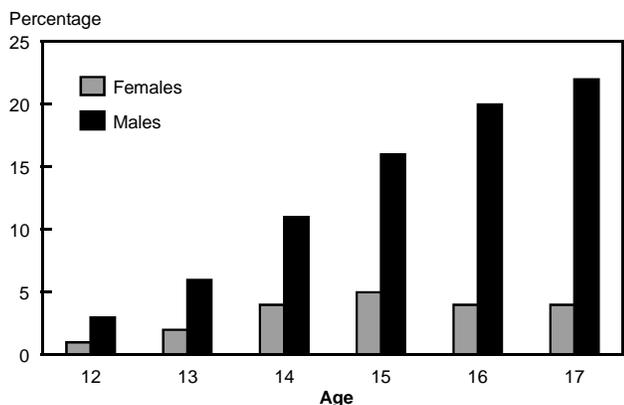
Younger adolescents appeared in youth court for different kinds of cases than older youths. Twelve and 13 year old youths were proportionately more involved in theft under \$5000,³ minor assault, and mischief than 16 and 17 year olds, who were proportionately more involved in drugs, YOA infractions and possession of stolen goods.

Twelve and thirteen year olds are more likely brought to court for cases of minor assault, mischief and theft under \$5,000 than are older youths		
	Cases for ages 12-13 (100%)	Cases for ages 16-17 (100%)
Theft under \$5,000	23%	16%
Minor assault	16%	8%
Mischief	7%	5%
Drugs	1%	6%
YOA	6%	10%
Possession of stolen goods	5%	7%

Males account for 80% of youth court cases

Males accounted for 80% of the youth court caseload and they predominate in all age groups (Figure 4). Male involvement in crime tended to increase with age while female

Figure 4
Youth Court cases, Canada, 1995-96



Source: Youth Court Survey, CCJS.
 Note: There were 2,820 cases (3%) in which the age of the youth was under 12 or over 17 or unknown.

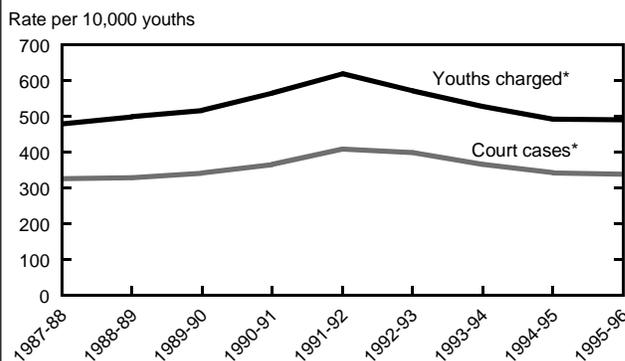
involvement peaked at 15 years of age. In 1995-96, males aged 16 or 17 accounted for 52% of cases involving males compared to 38% for females. The appearance of females before the court has slowly increased from 18% of cases in 1992-93 to 20% in 1995-96. Females appearing in youth court were more likely to be involved in cases of theft under \$5,000 (representing 26% of cases involving females versus 18% of cases involving males) and minor assault (15% versus 10%) in 1995-96.

Not all youths charged proceed to court

The rate of youth charged with Criminal Code crimes by police and the rate of Criminal Code cases heard in youth courts (excluding Ontario and the Northwest Territories) followed similar patterns of change from 1987-88 to 1995-96 (see below). Both measures increased steadily to 1991-92, then declined annually to 1994-95 then stabilized. From 1987-88 to 1995-96, the youth court case rate increased 4.0% compared to a 2.5% increase in the rate of youths charged with Criminal Code crimes.

The difference between the volume of youths charged and those who proceed to court can be attributed to the use of various processes, such as police diversion and alternative measures programs. These processes function to keep less serious cases out of court and reduce workload in court. The alternative measures programs differ among the jurisdictions in eligibility criteria (e.g. may be restricted to first-time offenders), timing (i.e. pre-charge or post-charge) and coverage (e.g. less serious crimes only).

UCR youths charged and YCS case counts, selected jurisdictions, 1987-88 to 1995-96



* To compare Criminal Code counts from the UCR and the YCS surveys, impaired driving cases and other motor vehicle cases were excluded from the YCS court case count. Also, Ontario and the Northwest Territories are excluded from the UCR and YCS counts due to missing data.
 Source: Youth Court Survey (YCS), 1987-88 to 1995-96 fiscal year case counts and the Uniform Crime Reporting Survey (UCR), 1987 to 1995, calendar year youths charged counts.

² The age category "Unknown" also includes those cases where the reported age is less than 12 or greater than 17.
³ The monetary minimum was raised from \$1,000 to \$5,000 as of February 15, 1995.

Youth Court caseloads by province

Ontario accounts for the largest proportion of cases heard, 43% in 1995-96, although it accounts for just 36% of youth population. However, the youth population is only one of many factors which influence the rate of cases heard in court.

In 1995-96, there were 48,000 cases heard in Ontario youth courts, accounting for 43% of the national caseload			
	% of national youth court cases	% of national population 12-17	case rate per 10,000 youths
Ontario	43%	36%	558
Alberta	16%	10%	730
Quebec	9%	25%	174
British Columbia	9%	12%	347
Saskatchewan	8%	4%	909
Manitoba	7%	4%	765
Nova Scotia	3%	3%	472
New Brunswick	2%	3%	418
Newfoundland	2%	2%	313
Northwest Territories	1%	<1%	873
Yukon	<1%	<1%	2,038
Prince Edward Island	<1%	1%	282
Canada	100%	100%	466

The unique approach to justice administration in each province may account for some variation in the nature and volume of the court cases. Ontario, for example, requires all youths who participate in an alternative measures program to be charged and appear in court whereas Quebec and British Columbia do not. Therefore alternative measures cases have been removed from the caseload, where possible, to increase comparability among jurisdictions.

From 1994-95 to 1995-96, the national youth court caseload increased marginally (up 1%). The provinces with caseload increases were Saskatchewan (13%), Nova Scotia (9%), New Brunswick (4%), and Ontario (3%). The Yukon's small caseload increased by 55% (Table 3).

Recent changes to the YOA in C-37

The *Young Offenders Act* (YOA) has been changed to deal more severely with serious violent crimes. Although the 1995-96 youth court statistics may not reflect these revisions, which came into effect in December 1995, future reports will measure the shifts which follow from the legislative changes, specifically those dealing with transfers to adult court and sentencing. For example, sixteen and seventeen year olds proceed to adult court for crimes of first-degree and second-degree murder, attempt to commit murder, manslaughter and aggravated sexual assault, unless determined otherwise by the youth court. Young persons found guilty in youth court face longer sentences for first-degree murder (ten years) and second-degree murder (seven years).

Half of all cases processed in two months or less

The successful rehabilitation of a young offender is often reliant on a prompt court process. Half of all cases were processed in two months or less from the time of the youth's first court appearance to sentencing, with only 19% of cases lingering longer than six months. Full trials and cases related to transfers to adult court have the longest elapsed times. Thirty-five percent of all transfers to adult court cases spent four months or longer in the youth courts prior to the decision to transfer. The median elapsed time for all cases heard in youth courts in Canada is 68 days. Ontario and Manitoba have the longest median elapsed times of 88 and 71 days respectively.

Four in ten convictions involved repeat offenders

In 1995-96, 40% of cases with a conviction involved repeat offenders with at least one prior conviction. The definition of a repeat offender in this *Juristat* is a young person who was found guilty of at least one federal statute charge during 1995-96 and had been previously convicted in a youth court of at least one other federal statute charge since 1987-88.⁴

Repeat offenders made up a higher proportion of males than females (42% of male offender cases versus 30% of female offender cases). Repeat offenders tended to be brought to court more frequently for property crimes and conversely, for fewer violent crimes than first-time offenders. Violent crime cases accounted for 28% of first-time offender cases versus 24% of repeat offender cases. Repeat young offenders received increasingly harsher sentences from youth court as the number of prior convictions increased.

The most troublesome offender for the criminal justice system is the persistent offender, that is, the young offender who has been through the system many times, and defined here with at least three prior convictions. Persistent offenders accounted for 10% of the caseload with a conviction (11% of the male caseload versus 5% of the female caseload). As young offenders move towards persistent re-offending, the number of charges per case increased.

Decisions in Youth Court

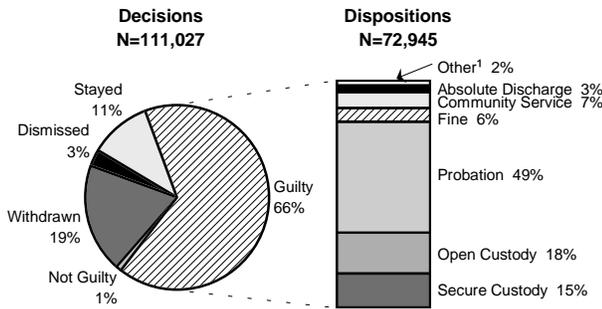
Two-thirds of youth court cases result in conviction

Two-thirds of cases heard in youth courts resulted in a finding of guilt for at least one charge in 1995-96. Proceedings were stayed or withdrawn in 30% of cases, and another 4% resulted in findings of not guilty or dismissal (Figure 5, Table 3). The most serious court decision for a youth, a transfer to adult court, is seldom ordered. There were 74 cases transferred to adult court, half of these involved violent crimes, and about one-third involved property crimes.

⁴ The repeat offender analysis excludes Nova Scotia for all years, Ontario prior to 1991-92 and NWT prior to 1989-90. All offences under the YOA and post-disposition administrative offences under the Criminal Code are also excluded. See *Juristat*, "Recidivism in Youth Courts 1993-94" by Glen Doherty and Paul de Souza (catalogue no 85-002XPB Vol. 15, No. 16) for more information.

Figure 5

Youth Court cases, decisions and dispositions, Canada, 1995-96



¹ "Other" dispositions include compensations, pay purchaser, detention for treatment, restitution, prohibition, seizure, forfeiture, or other dispositions. Source: Youth Court Survey, CCJS.

The proportion of cases resulting in a guilty finding ranged from 54% in Manitoba and 58% in Ontario to 88% in New Brunswick and 94% in Prince Edward Island (Table 3). These variations can in part be explained by differences in charging practices. For example, Manitoba recorded the highest proportion of cases stayed (43%) while Ontario reported 29% of cases withdrawn. High proportions of cases stayed or withdrawn are often indicative of charges set aside pending completion of alternative measures programs, or the systematic use of these decisions to correct or amend administrative records. (For more details, please see the Methodology section.)

Youths are most often found guilty in cases of:	
Motor vehicle theft	78%
Impaired Driving/traffic crime	77%
Break and Enter	76%
Drug-related	71%
Youths are least often found guilty in cases of:	
Sexual assault/other sexual offences	56%
Robbery	58%
Aggravated/weapon assault	61%
Theft	61%

Dispositions in Youth Court

Most youth court dispositions are served in the community

Probation was the most serious disposition in almost one-half the cases with convictions (49% in 1995-96) (Figure 5, Table 4). For other cases with convictions, the most serious sentence was open custody in 18% of cases with convictions, secure custody in 15%, a community service order in 7%, and fines in 6%. An additional 3% of cases with convictions ended in an absolute discharge and 2% received another type of sentence.⁵

The percentage of cases with a community service order appears low because, in most cases, these orders are used as a condition of probation or in conjunction with a more significant disposition. In fact, 29% of all cases resulting in a conviction included a community service order in 1995-96.

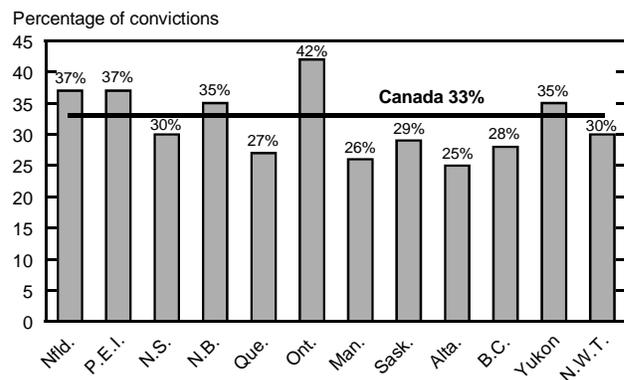
Many cases result in more than one sentence for a young offender. In 1995-96, 52% of all cases with a conviction involved only one disposition, 40% resulted in two sentences, and 8% involved three or more sentences in 1995-96. For those cases resulting in multiple sentences, the most frequent combinations include probation and a community service order (43%), open custody and probation (21%), and secure custody and probation (15%).

Custody sentences ordered for one-third of youths found guilty of a crime

In 1995-96, secure and open custody orders were the most serious sentences in 33% of the 72,945 cases resulting in convictions across Canada (Figure 6, Table 4). The proportion

Figure 6

Youth Court cases with custodial sentences, provinces/territories, 1995-96



Source: Youth Court Survey, CCJS.

⁵ Figures for "other" dispositions are low since they are among the less serious dispositions, and are often used in combination with other more serious dispositions. About 14% of all cases resulting in a conviction involved or were combined with one (or more) "other" types of sentences (e.g. restitution, prohibition, compensation).

of cases resulting in a custodial sentence ranged from 25% in Alberta to 42% in Ontario. Custody was the most common sentence ordered in cases involving crimes such as sexual assault with a weapon (68%), aggravated assault (65%), and robbery (59%). In addition, a small number of cases, which tended to result in terms of custody, include escape from custody (88%) and being unlawfully at large (91%).

Use of open custody stabilized for property crime

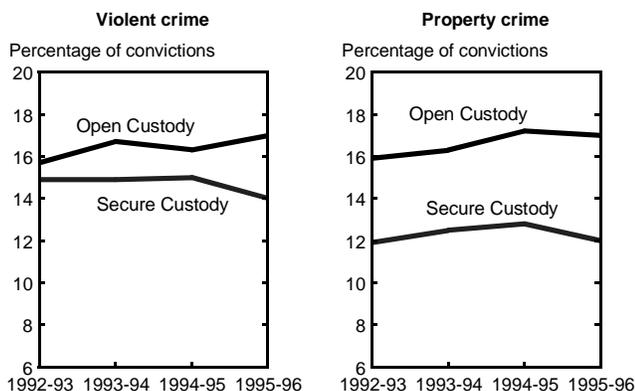
The use of most types of sentences has varied little in recent years; however, three types which showed some variation were open custody (up slightly), fines and absolute discharges (down slightly). In 1992-93, 17.0% of cases with convictions ended with an open custody order compared with 18.5% in 1995-96.

Percentage of Sentences							
	Secure custody	Open Custody	Probation	Fine	CSO	Absolute Discharge	Other
1992-93	14.6	17.0	49.1	6.9	6.7	3.7	1.9
1993-94	15.2	18.0	48.5	6.6	6.2	3.5	2.0
1994-95	15.7	18.4	48.2	6.0	6.6	3.3	1.9
1995-96	14.9	18.5	49.1	5.8	6.9	2.9	2.1

The use of open custody has generally increased for both violent and property crimes from 1992-93 to 1995-96 (Figure 7). Although the use of secure custody for property crimes rose from 1992-93 to 1994-95, the proportion declined in 1995-96 back to the 1992-93 level. Violent crime cases were slightly less likely to have a term of secure custody ordered in 1995-96 compared to the previous three years. Secure custody continued to be more likely ordered for violent crimes than property crimes.

Figure 7

Youth Court cases with custodial sentences, Canada, 1992-93 to 1995-96



Source: Youth Court Survey, CCJS.

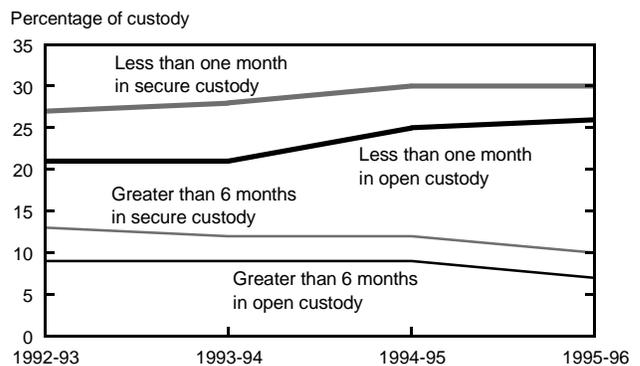
Majority of custodial sentences are for three months or less

Under the YOA, youth courts may sentence a youth found guilty of an offence to open or secure custody for a maximum of 3 years.⁶ Of the 24,312 cases resulting in a custodial disposition (open and secure) in 1995-96, 28% were sentenced to less than one month, 47% from 1 to 3 months, 17% from 4 to 6 months, and 8% were for more than 6 months in custody.⁷ Murder/manslaughter cases had the highest median sentence length of 25 months, followed by attempted murder at 5 months. Break and enter, and theft under \$5,000, the two most common cases, resulted in median sentence lengths of 90 days and 30 days, respectively.

The number of cases with shorter custodial sentences has increased since 1992-93 (Figure 8). Of the cases ordered to open custody in 1992-93, 21% were for terms of less than one month, compared to 26% in 1995-96. For secure custody cases, the proportion with orders of less than one month increased from 27% in 1992-93 to 30% in 1995-96.

Figure 8

Youth Court cases, length of custodial sentences, Canada, 1992-93 to 1995-96



Source: Youth Court Survey, CCJS.

Four in five probation cases for less than 12 months

Under the YOA, youth courts may sentence a young person found guilty of a crime to a term of probation of up to 2 years. In 1995-96, a probation order was the most serious sentence for 49% of all cases with a conviction. Of the 35,783 cases

⁶ The maximum custodial sentence is generally two years. However, this sentence can be three years if the offence would normally carry a maximum penalty of life imprisonment in adult court. In addition, the most serious crimes (first or second degree murder) carry a maximum custodial sentence of six years, to be followed by four years of conditional supervision (C 19, S.C. 1995).

⁷ The YCS does not distinguish between consecutive and concurrent sentences. As a result, sentence length in multiple disposition cases may be underestimated. For example, a case including two convictions, one with a sentence of 3 months custody and the other with a sentence of 4 months custody, will be reported on the YCS database as 4 months. If the intent of the youth court judge was a consecutive sentence of 3 months plus 4 months, this information is not available to the survey.

resulting in probation as the most serious sentence, 22% were for a period of 6 months or less, 55% ranged from 7 to 12 months, and 22% were for more than 12 months. The median sentence length for a probation disposition was just under 1 year.

Probation dispositions were ordered most frequently in cases involving minor assault (65%), motor vehicle theft (64%) and trafficking in drugs (62%). The median sentence length for each of these categories was 12 months. Sexual assault level 1 cases had the longest median term of probation at 18 months.

One half of fines are \$100 or less

Under the YOA, a young person found guilty of an offence may receive a fine of up to \$1,000. In 1995-96, fines were the most serious disposition for only 4,226 cases or 6% of the total resulting in conviction. In the majority of the cases receiving fines as the most serious disposition, the guilty were ordered to pay amounts of \$100 or less (54%), 44% were fined between \$101 and \$500, and 2% received a fine that was over \$500. The average dollar amount for fines was \$158.

Fines were ordered most frequently in cases involving the impaired operation of a motor vehicle (53%). Conviction for this offence had one of the highest average fines (\$348). The average fine amount imposed for break and enter was \$240, while the average amount for theft under \$5,000 was \$136.

Caseloads in Correctional Institutions

In 1994-95, youth correctional facilities in Canada housed an average of 3,766 young offenders each day⁸ (Tables 5). Generally, Ontario has the highest number of young offenders housed in correctional facilities daily, followed by Quebec, Alberta and British Columbia. The Quebec youth court caseload is relatively small yet results in one of the highest daily offender counts in correctional facilities. One explanation is the longer terms of custody ordered for Quebec young offenders.

The Youth Court Survey's 1994-95 data show that young offenders in Quebec were twice as likely as those in Ontario to be sentenced to an open custody facility for longer than 3 months and were 1.5 times more likely to be ordered this term in secure custody. Differences in the characteristics of the offender caseloads may contribute to the variance. Since Quebec offers young persons an extensive diversion program, the court caseload is comprised of more serious cases that would merit longer sentences. For example, in 1994-95, the Quebec youth court caseload contained larger proportions of robbery, drugs, aggravated/weapon assault and break and enter compared to the national caseload.

In addition to youths ordered to serve terms of secure and open custody, provincial and territorial correctional institutions house youths who are in custody temporarily. These youths on "remand" may be awaiting trial because they were refused bail or are currently awaiting the completion of their trials. In

some jurisdictions, youths temporarily in custody may represent a large proportion of the supervised custodial caseload. In Alberta, for example, there were 156 youths on remand on a daily basis in 1994-95, accounting for 28% of custodial caseload (Table 5). For the youth, time on remand may be considered by the court in imposing sentence when found guilty of a crime.

From 1991-92 to 1995-96, the average number of offenders in total custody each day increased in seven of eleven jurisdictions reporting complete data, while the number in the remaining four jurisdictions decreased slightly.

In most jurisdictions, the probation (community supervision) caseload has increased since 1991-92 (Table 5). Large increases were reported during these years in Manitoba (32%) and Alberta (13%), and British Columbia (13%), while caseloads declined in Prince Edward Island (12%), Newfoundland (4%), and Saskatchewan (2%).

Methodology

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for youths aged 12 to 17 (up to the 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the annual publication *Youth Court Statistics* for more information on data collection, editing, and compilation.

In this *Juristat*, the unit of analysis is the case, which is defined by the YCS as one or more charges laid against a young person and presented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented.

The determination of the most serious charge at the beginning of court proceedings is by the ordering of charges from most to least serious. Violent charges are given first priority in the ordering process, followed by drug and narcotic offences, property offences, other *Criminal Code* offences, offences under the *Young Offenders Act* (YOA), and other federal statute offences. Offences are further ranked within these offence categories. Refer to the annual publication *Youth Court Statistics* for more information on the ordering criteria.

Since a case with more than one charge may have more than one type of decision, the "most significant decision" has been selected for analysis on the basis of the following order from most to least serious: transfer to adult court; guilty; other decision (e.g. not fit to stand trial); stay of proceedings; charge withdrawn; or transfer to other jurisdiction; and not guilty or charge dismissed. The case is described by the most serious or "significant" charge in the case, which is associated with the court decision.

⁸ See "Corrections Key Indicator Report for Adults and Young Offenders 1996-97", (catalogue no 85-002XPE/F) for more information.

The most significant disposition is determined by the effect the disposition has on the young person. Dispositions are ordered from most to least serious as follows: secure custody, detention for treatment, open custody, probation, fine, compensation, pay purchaser (a dollar amount to innocent purchaser of stolen goods), compensation in kind, community service order, restitution, prohibition/seizure/forfeiture, other disposition, and absolute discharge.

The reader is advised that the use of the decisions 'stay' and 'withdrawn' for administrative purposes (e.g. to reduce charges or to correct details on an information) varies by jurisdiction. To terminate and recommence a case for administrative purposes has been found to inflate the total number of cases reported to the Youth Court Survey. These cases where identifiable, are removed from YCS caseload. Ontario, Manitoba, Saskatchewan and British Columbia are most affected by this practice.

Consequently the reader is encouraged to analyze cases with guilty findings (convictions) to increase comparability among the jurisdictions, where possible.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the number of youth appearing in court. The Crown Attorney, for example, may decide not to proceed with a charge, or the initial charge may be changed. A youth may also be diverted from the court process into a program such as alternative measures (either before or after police lay charges) or a police diversion program. Differences in procedures and eligibility requirements of these programs may also influence the volume and characteristics of cases heard in youth courts. Consequently, analyses of YCS data should be limited to general comparisons.

Description of crime categories

Violent Crime: Murder; Manslaughter; Attempted Murder; Aggravated Sexual Assault; Sexual Assault/Weapon; Sexual Assault Level 1; Rape/Indecent Assault; Aggravated Assault; Assault With a Weapon; Cause Bodily Harm/Intent; Assault Level 1 (minor assault); Unlawfully Cause Bodily Harm; Assaulting Peace Officer; Other Assaults; Robbery; Dangerous Use of Weapon; Possession of a Weapon; Other Weapon Offences; Infanticide and Other Related; Kidnapping/Hostage Taking; Extortion; Other Sexual Offences; Criminal Negligence.

Property Crime: Break and Enter; Arson; Taking a Vehicle Without Consent; Theft over \$5,000; Theft under \$5,000; Theft Unspecified; Theft Other; False Pretences; Forgery; Fraud; Other Fraudulent Transactions; Possession of Stolen Property; Mischief/Damage.

Other Criminal Code: Impaired Operation; Escape Custody; Unlawfully at Large; Failure to Appear; Breach of Recognizance; Failure to Comply; Attempt/Accessories/Conspiracy; Disorderly Conduct/ Nuisances; Abduction; Procuring; Bawdy House; Soliciting; Other Motor Vehicle Offences; Gaming and Betting; Against the Administration; Currency Offences; Exposure/Nudity; Public Morals; Public Order; Offences Against the Person; Other Criminal Code.

Narcotic Control Act and Food (NCA) and Drugs Act (FDA): Importing/Exporting; Trafficking in Narcotics; Possession of Narcotics; Failure to Disclose Rx; Cultivation; Trafficking in Drugs; Possession of Drugs; Other FDA.

Young Offenders Act (YOA): Failure to Comply with a Disposition; Failure to Comply with Undertaking; Contempt Against Youth Court; Assist/Interfere/Other.

Table 1

Cases Heard in Youth Court by Major Crime Category¹, Canada, 1992-93 to 1995-96

	1992-93	1993-94	1994-95	1995-96	% change 1992-93 to 1995-96
Violent crime					
number	21,653	23,374	23,010	23,084	
% caseload change*	...	7.9%	-1.6%	0.3%	6.6%
rate per 10,000 youths	94	100	97	97	
% rate change*	...	6.8%	-2.4%	-0.8%	3.5%
Property crime					
number	62,456	59,138	53,007	52,743	
% caseload change*	...	-5.3%	-10.4%	-0.5%	-15.6%
rate per 10,000 youths	270	253	225	221	
% rate change*	...	-6.3%	-11.1%	-1.6%	-18.1%
Other Criminal Code crime²					
number	18,517	18,918	18,327	19,173	
% caseload change*	...	2.2%	-3.1%	4.6%	3.5%
rate per 10,000 youths	80	81	78	80	
% rate change*	...	1.1%	-3.9%	3.5%	0.5%
Drug crime					
number	2,331	3,130	4,522	4,897	
% caseload change*	...	33.8%	44.5%	8.3%	109.3%
rate per 10,000 youths	10	13	19	21	
% rate change*	...	32.3%	43.3%	7.1%	103.1%
YOA crime					
number	9,780	11,024	10,704	10,906	
% caseload change*	...	12.7%	-2.9%	1.9%	11.5%
rate per 10,000 youths	42	47	45	46	
% rate change*	...	11.5%	-3.7%	0.8%	8.2%
Other federal statute crime					
number	450	365	173	224	
% caseload change*	...	-18.9%	-52.6%	29.5%	-50.2%
rate per 10,000 youths	2	2	1	1	
% rate change*	...	-19.8%	-53.0%	28.1%	-51.7%
Total cases					
number	115,187	115,949	109,743	111,027	
% caseload change*	...	0.7%	-5.4%	1.2%	-3.6%
rate per 10,000 youths	497	495	465	465	
% rate change*	...	-0.4%	-6.1%	0.1%	-6.5%

¹ Refers to the principal charge.

² Includes traffic incidents.

* Refers to previous year

... Not applicable

Source: Youth Court Survey, CCJS

Table 2



Cases Heard in Youth Court by Most Serious Charge¹ and Age, Canada, 1995-96

	All Ages ²		12-13		14-15		16-17	
Theft \$5,000 and under*	19,709	18%	3,094	23%	7,804	19%	8,587	16%
Break and enter	13,132	12%	1,591	12%	4,814	12%	6,578	12%
Minor assault	11,280	10%	2,063	16%	4,439	11%	4,523	8%
Failure to Appear/Comply/Recog.	11,435	10%	1,155	9%	3,871	10%	5,710	10%
YOA	10,906	10%	763	6%	3,999	10%	5,426	10%
Possession of stolen goods	6,711	6%	604	5%	2,390	6%	3,627	7%
Mischief/Damage	5,568	5%	975	7%	2,067	5%	2,464	4%
Drugs	4,897	4%	152	1%	1,380	3%	3,321	6%
Aggravated assault - with weapon	4,007	4%	521	4%	1,414	4%	2,002	4%
Theft over \$5,000*	2,805	3%	235	2%	1,033	3%	1,503	3%
Weapons/firearms/explosives	2,406	2%	249	2%	845	2%	1,274	2%
Robbery	2,630	2%	264	2%	1,022	3%	1,297	2%
Escapes/Unlawfully at large	2,051	2%	147	1%	768	2%	1,041	2%
Sexual assault/Sexual offences	1,923	2%	441	3%	737	2%	681	1%
Frauds/Forgery/False pretense	1,755	2%	90	1%	485	1%	1,148	2%
Motor vehicle theft-no consent	1,341	1%	141	1%	594	1%	585	1%
Impaired driving/other motor vehicle	1,282	1%	7	--	107	--	1,160	2%
Other crimes ³	7,189	6%	738	6%	2,424	6%	3,857	7%
Total cases	111,027	100%	13,230	100%	40,193	100%	54,784	100%

¹ Refers to the principal charge.

² Includes 2,820 cases for which the age of the accused was unknown, greater than 17 or less than 12.

³ Includes violent, property, and Criminal Code crimes not listed above, and other federal statute crimes.

* The monetary limit was raised from \$1,000 to \$5,000 as of February 15, 1995.

-- Amount too small to be expressed

Source: Youth Court Survey, CCJS

Table 3

Cases Heard in Youth Court by Most Significant Decision, Canada and the Provinces/Territories, 1992-93 to 1995-96

		Total cases 100%	Transferred to Adult Court		Guilty		Not Guilty/ Dismissed		Proceedings stayed		Withdrawn		Other ¹	
Newfoundland	1992-93	2,556	2	--	2,174	85%	129	5%	21	1%	230	9%	-	-
	1993-94	2,126	1	--	1,805	85%	105	5%	13	1%	201	9%	1	--
	1994-95	2,061	3	--	1,810	88%	55	3%	11	1%	178	9%	4	--
	1995-96	1,697	-	-	1,428	84%	69	4%	12	1%	187	11%	1	--
Prince Edward Island	1992-93	490	-	-	441	90%	6	1%	32	7%	11	2%	-	-
	1993-94	501	-	-	410	82%	2	--	49	10%	40	8%	-	-
	1994-95	404	-	-	353	87%	8	2%	14	3%	29	7%	-	-
	1995-96	338	-	-	319	94%	5	1%	5	1%	9	3%	-	-
Nova Scotia	1992-93	3,078	1	--	2,442	79%	335	11%	10	--	272	9%	18	1%
	1993-94	3,133	-	-	2,446	78%	291	9%	11	--	364	12%	21	1%
	1994-95	3,240	-	-	2,548	79%	306	9%	3	--	372	11%	11	--
	1995-96	3,546	-	-	2,650	75%	373	11%	5	--	486	14%	32	1%
New Brunswick	1992-93	2,133	1	--	1,926	90%	36	2%	1	--	165	8%	4	--
	1993-94	2,527	-	-	2,274	90%	37	1%	3	--	210	8%	3	--
	1994-95	2,550	-	-	2,263	89%	30	1%	-	-	249	10%	8	--
	1995-96	2,646	-	-	2,340	88%	32	1%	1	--	262	10%	11	--
Quebec	1992-93	10,293	11	--	8,603	84%	828	8%	256	2%	554	5%	41	--
	1993-94	10,322	5	--	8,574	83%	860	8%	230	2%	608	6%	45	--
	1994-95	10,944	11	--	9,065	83%	932	9%	231	2%	666	6%	39	--
	1995-96	10,255	11	--	8,362	82%	793	8%	261	3%	753	7%	75	1%
Ontario	1992-93	47,970	20	--	28,469	59%	2,081	4%	185	--	17,192	36%	23	--
	1993-94	50,008	21	--	30,610	61%	1,836	4%	194	--	17,339	35%	8	--
	1994-95	46,355	25	--	28,085	61%	1,736	4%	642	1%	15,858	34%	9	--
	1995-96	47,955	16	--	28,028	58%	1,572	3%	4,530	9%	13,798	29%	11	--
Manitoba	1992-93	7,665	2	--	4,196	55%	160	2%	3,265	43%	7	--	35	--
	1993-94	8,329	46	1%	4,526	54%	133	2%	3,622	43%	2	--	-	-
	1994-95	7,847	58	1%	4,352	55%	152	2%	3,272	42%	12	--	1	--
	1995-96	7,244	27	--	3,942	54%	111	2%	3,137	43%	24	--	3	--
Saskatchewan	1992-93	8,012	1	--	5,731	72%	500	6%	518	6%	1,259	16%	3	--
	1993-94	8,095	-	-	5,652	70%	548	7%	581	7%	1,311	16%	3	--
	1994-95	7,577	2	--	5,308	70%	458	6%	594	8%	1,215	16%	-	-
	1995-96	8,592	3	--	6,056	70%	447	5%	784	9%	1,290	15%	12	--
Alberta	1992-93	19,882	12	--	14,296	72%	984	5%	506	3%	3,986	20%	98	--
	1993-94	19,240	14	--	13,394	70%	866	5%	468	2%	4,400	23%	98	1%
	1994-95	17,505	15	--	12,309	70%	653	4%	487	3%	3,962	23%	79	--
	1995-96	17,502	11	--	12,178	70%	587	3%	460	3%	4,203	24%	63	--
British Columbia	1992-93	12,202	2	--	8,354	68%	423	3%	3,335	27%	39	--	49	--
	1993-94	10,613	7	--	7,615	72%	319	3%	2,612	25%	21	--	39	--
	1994-95	10,258	8	--	7,236	71%	277	3%	2,679	26%	16	--	42	--
	1995-96	10,137	6	--	6,923	68%	242	2%	2,881	28%	40	--	45	--
Yukon	1992-93	256	-	-	150	59%	8	3%	76	30%	17	7%	5	2%
	1993-94	323	-	-	172	53%	17	5%	112	35%	7	2%	15	5%
	1994-95	343	-	-	181	53%	13	4%	132	38%	7	2%	10	3%
	1995-96	530	-	-	296	56%	10	2%	198	37%	14	3%	12	2%
Northwest Territories	1992-93	650	-	-	474	73%	16	2%	58	9%	100	15%	2	--
	1993-94	732	-	-	532	73%	14	2%	45	6%	141	19%	-	-
	1994-95	659	1	--	459	70%	8	1%	77	12%	113	17%	1	--
	1995-96	585	-	-	423	72%	11	2%	51	9%	100	17%	-	-
Canada	1992-93	115,187	52	-	77,256	67%	5,506	5%	8,263	7%	23,832	21%	278	--
	1993-94	115,949	94	-	78,010	67%	5,028	4%	7,940	7%	24,644	21%	233	--
	1994-95	109,743	123	-	73,969	67%	4,628	4%	8,142	7%	22,677	21%	204	--
	1995-96	111,027	74	-	72,945	66%	4,252	4%	12,325	11%	21,166	19%	265	--

¹ Includes transfer of jurisdiction and other decisions.

- Nil or zero

-- Amount too small to be expressed

Source: Youth Court Survey, CCJS

Table 4



Youth Court Cases with Guilty Findings by Most Significant Disposition and Most Serious Charge, Canada, 1995-96

	Total guilty findings	Secure custody	Open custody	Probation	Fine	Community Service	Absolute discharge	Other ¹
Murder/Manslaughter	7 100%	4 57%	3 43%	- -	- -	- -	- -	- -
Robbery	1,390 100%	484 35%	332 24%	534 38%	6 --	16 1%	7 1%	11 1%
Sexual assault/Sexual offences	1,041 100%	154 15%	204 20%	649 62%	6 1%	6 1%	14 1%	8 1%
Aggravated assault/with a weapon	2,048 100%	375 18%	392 19%	1,153 56%	22 1%	60 3%	24 1%	22 1%
Minor assault	7,432 100%	629 8%	1,057 14%	4,807 65%	192 3%	395 5%	255 3%	97 1%
Weapons/firearms/explosives	1,418 100%	202 14%	213 15%	819 58%	55 4%	51 4%	56 4%	22 2%
Other violent	400 100%	88 22%	89 22%	183 46%	5 1%	20 5%	8 2%	7 2%
Total violent crime	13,736 100%	1,936 14%	2,290 17%	8,145 59%	286 2%	548 4%	364 3%	167 1%
Theft \$5,000 or less	11,503 100%	715 6%	1,471 13%	6,292 55%	916 8%	1,386 12%	551 5%	172 1%
Motor vehicle theft - no consent	999 100%	55 6%	157 16%	639 64%	31 3%	82 8%	24 2%	11 1%
Theft over \$5,000	1,569 100%	359 23%	336 21%	771 49%	27 2%	53 3%	9 1%	14 1%
Break and enter	9,463 100%	1,711 18%	2,010 21%	5,253 56%	59 1%	283 3%	59 1%	88 1%
Possession of stolen goods	5,283 100%	851 16%	1,099 21%	2,675 51%	179 3%	280 5%	125 2%	74 1%
Fraud/Forgery/False pretense	1,219 100%	139 11%	180 15%	692 57%	51 4%	76 6%	41 3%	40 3%
Mischief/Damages	3,736 100%	248 7%	468 13%	2,262 61%	132 4%	327 9%	146 4%	153 4%
Other property	962 100%	113 12%	169 18%	569 59%	24 2%	50 5%	20 2%	17 2%
Total property crime	34,734 100%	4,191 12%	5,890 17%	19,153 55%	1,419 4%	2,537 7%	975 3%	569 2%
Failure to appear/Comply/Recog.	6,470 100%	1,011 16%	1,650 26%	2,443 38%	458 7%	451 7%	133 2%	324 5%
Escape/Unlawfully at large	1,876 100%	1,181 63%	496 26%	99 5%	8 --	32 2%	11 1%	49 3%
Impaired driving/other motor vehicle	1,100 100%	87 8%	85 8%	359 33%	454 41%	97 9%	4 --	14 1%
YOA crime	8,469 100%	1,845 22%	2,275 27%	2,317 27%	767 9%	907 11%	122 1%	236 3%
Drug crime	3,239 100%	249 8%	335 10%	1,534 47%	471 15%	232 7%	367 11%	51 2%
Other crimes ²	3,321 100%	350 11%	441 13%	1,733 52%	363 11%	216 7%	118 4%	100 3%
Total cases with guilty findings	72,945 100%	10,850 15%	13,462 18%	35,783 49%	4,226 6%	5,020 7%	2,094 3%	1,510 2%

¹ Includes restitution, prohibition, compensations, pay purchaser, and other dispositions such as essays, apologies, counseling programs and conditional discharges.

² Includes other Criminal Code and federal statute crimes not listed above.

- Nil or zero

-- Too small to be expressed

Source: Youth Court Survey, CCJS

Table 5

Daily Caseloads in Correctional Institutions and Community Supervision, Canada and the Provinces/Territories, 1991-92 to 1995-96

		Young Offenders in Custody per Day ¹		Total no.	% change over previous year	Persons Temporarily in Custody ²		Young Offenders in Community Supervision ³	
		Secure Custody no.	Open Custody no.			no.	% change over previous year	no.	% change over previous year
Newfoundland	1991-92	51	75	126		10		1,326	
	1992-93	68	77	145	15.1%	13	30.0%	1,397	5.4%
	1993-94	66	71	137	-5.5%	8	-38.5%	1,395	-0.1%
	1994-95	63	81	144	5.1%	8	-	1,258	-9.8%
	1995-96	51	77	128	-11.1%	15	87.5%	1,271	1.0%
Prince Edward Island	1991-92	18	16	34		4		425	
	1992-93	28	19	47	38.2%	3	-25.0%	485	14.1%
	1993-94	23	22	44	-6.4%	3	-	490	1.0%
	1994-95	16	16	32	-27.3%	4	33.3%	475	-3.1%
	1995-96	19	12	31	-3.1%	4	-	375	-21.1%
Nova Scotia	1991-92	33	95	128		16		1,334	
	1992-93	40	108	147	14.8%	16	-	1,372	2.8%
	1993-94	47	97	143	-2.7%	15	-6.3%	1,376	0.3%
	1994-95	45	107	152	6.3%	17	13.3%	1,446	5.1%
	1995-96	37	111	148	-2.6%	24	41.2%	1,597	10.4%
New Brunswick	1991-92	82	119	200		16		1,020	
	1992-93	86	100	187	-6.5%	14	-12.5%	1,028	0.8%
	1993-94	83	113	197	5.3%	14	-	1,124	9.3%
	1994-95	65	120	185	-6.1%	15	7.1%	1,175	4.5%
	1995-96	70	115	184	-0.5%	16	6.7%	1,257	7.0%
Quebec	1991-92	228	241	469		108	..	..	..
	1992-93	237	258	495	5.5%	99	-8.3%	..	..
	1993-94	245	227	472	-4.6%	119	20.2%	..	..
	1994-95	282	261	543	15.0%	118	-0.8%	..	..
	1995-96	266	255	520	-4.2%	95	-19.5%	..	..
Ontario	1991-92	689	791	1,480		385		15,145	
	1992-93	785	868	1,653	11.7%	411	6.8%	16,079	6.2%
	1993-94	813	922	1,735	5.0%	405	-1.5%	16,584	3.1%
	1994-95	629	723	1,352	-22.1%	..	..	12,791	-22.9%
	1995-96	..	..	..	..	..	..	..	..
Manitoba	1991-92	103	102	205		77		1,496	
	1992-93	77	101	178	-13.2%	52	-32.5%	1,456	-2.7%
	1993-94	97	101	197	10.7%	77	48.1%	1,594	9.5%
	1994-95	98	117	215	9.1%	83	7.8%	1,759	10.4%
	1995-96	74	129	203	-5.6%	83	-	1,974	12.2%
Saskatchewan	1991-92	121	145	265		51		1,705	
	1992-93	129	119	248	-6.4%	43	-15.7%	1,769	3.8%
	1993-94	140	132	273	10.1%	45	4.7%	1,735	-1.9%
	1994-95	153	141	294	7.7%	57	26.7%	1,614	-7.0%
	1995-96	159	139	298	1.4%	56	-1.8%	1,671	3.5%
Alberta	1991-92	174	179	352		126		2,871	
	1992-93	209	194	402	14.2%	140	11.1%	2,962	3.2%
	1993-94	251	224	474	17.9%	151	7.9%	2,923	-1.3%
	1994-95	250	225	475	0.2%	156	3.3%	3,019	3.3%
	1995-96	218	223	441	-7.2%	146	-6.4%	3,237	7.2%
British Columbia	1991-92	108	146	254		47		3,989	
	1992-93	106	156	262	3.1%	54	14.9%	3,877	-2.8%
	1993-94	115	169	283	8.0%	76	40.7%	3,923	1.2%
	1994-95	123	194	317	12.0%	88	15.8%	4,399	12.1%
	1995-96	116	191	306	-3.5%	94	6.8%	4,509	2.5%
Yukon	1991-92	4	7	11		3		72	
	1992-93	4	3	7	-36.4%	3	-	81	12.5%
	1993-94	4	2	6	-14.3%	2	-33.3%	81	-
	1994-95	8	1	8	33.3%	4	100.0%	80	-1.2%
	1995-96	8	2	10	25.0%	5	25.0%	116	45.0%
Northwest Territories	1991-92	23	23	46		3	..	..	..
	1992-93	21	29	50	8.7%	5	66.7%	121	..
	1993-94	24	33	57	14.0%	5	-	429	254.5%
	1994-95	27	22	49	-14.0%	4	-20.0%	366	-14.7%
	1995-96	24	26	50	2.0%	6	50.0%	308	-15.8%
Canada ⁴	1991-92	1,633	1,939	3,572		845		14,238	
	1992-93	1,790	2,032	3,822	7.0%	853	0.9%	14,457	1.5%
	1993-94	1,906	2,112	4,018	5.1%	919	7.7%	15,069	4.2%
	1994-95	1,758	2,008	3,766	-6.3%	554	-39.7%	15,589	3.5%
	1995-96	..	..	..	..	..	..	..	..

¹ Refers to the average daily count of sentenced young offenders.

² Refers to those on remand.

³ Refers to average month-end probation count.

⁴ Quebec and Ontario have been excluded from all years where data are unavailable. The Northwest Territories has been excluded from Community Supervision counts for the first nine months of 1992-93.

- Nil or zero

.. Not available

Source: Corrections Key Indicator Report for Adults and Young Offenders, 1995-96

Note: Due to rounding, figures may not add to totals

Canadian Centre for Justice Statistics

For further information, please contact the Canadian Centre for Justice Statistics, 19th floor, R.H. Coats Building, Ottawa, Ontario K1A 0T6 at **(613) 951-9023**, or call toll-free 1 800 387-2231, or fax 1(613) 951-6615. To order a publication, you may telephone (613) 951-7277 or fax (613) 951-1584 or internet: order@statcan.ca. You may also call 1 800 267-6677 (Canada and United States) toll-free. If you order by telephone, written confirmation is not required.

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