



Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 17 no. 13

THE JUSTICE DATA FACTFINDER

By Richard Du Wors*

Introduction

The *Justice Data Factfinder Juristat* provides an annual summary for the public and the justice community of the most recent data from the surveys of the Canadian Centre for Justice Statistics. The format is organized to address some of the most frequently asked questions about crime and justice in Canada:

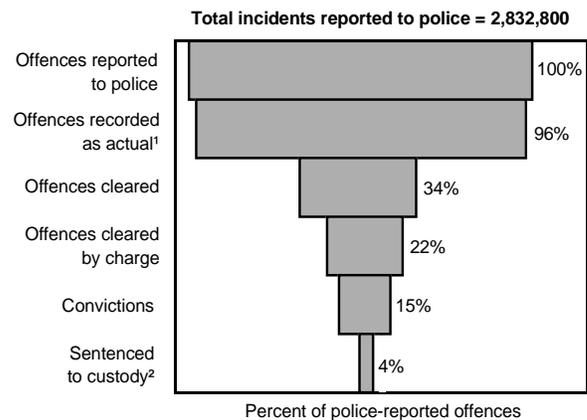
- Are police-reported crime rates increasing?
- Are reported crime rates higher in big cities?
- Are firearms frequently used to commit violent crimes?
- What are the most common offences brought to criminal court?
- How long does it take for cases to go through the court system?
- What proportion of adult criminal cases result in conviction?
- What proportion of adult convictions result in a prison sentence?
- How many adults are in custody or under some form of correctional supervision?
- With what offences are youth most likely to be charged?
- What type of sentences do young offenders receive?
- How much does policing cost?

This *Juristat* begins with an overview of the criminal justice system from the reporting of a crime to the serving of a sentence. However, there are many challenges to tracking the flow of persons or events from one justice sector to another. For example, the data for the different sectors do not always operate on the same time frames, such as calendar or fiscal years. Also, some justice surveys are still being implemented and have not yet achieved complete or representative coverage across Canada. There are also problems such as identifying repeat offenders in the same year, or linking police-reported offences with court cases, due to reporting variations. Despite these limitations, however, a useful high level picture of the criminal justice system can be presented.

* Senior Analyst, Integration and Analysis Program

Figure 1

Caseload within the Canadian Criminal Justice System, 1996



¹ An offence is considered to be "actual" when, following an initial investigation, the police have confirmed that a criminal offence has occurred. An offence is "cleared" when the police are satisfied they have identified an offender. However, it may not be possible to lay a charge against the offender because he/she is dead, under age 12, has diplomatic immunity, is already in prison, etc. If, in the view of the police, it is possible to lay a charge against an offender, the offence is cleared by charge.

² Includes secure custody only for young offenders and any custodial sentence for adults.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, Adult Court Survey, and Youth Court Survey.



Ordering/Subscription information

All prices exclude sales tax

Catalogue no. 85-002-XPE, is published in a **paper version** for \$10.00 per issue or \$93.00 for an annual subscription in Canada. Outside Canada the cost is US\$10.00 per issue or US\$93.00 for an annual subscription. Please send orders to Statistics Canada, Operations and Integration Division, Circulation Management, 120 Parkdale Avenue, Ottawa, Ontario, K1A 0T6 or by dialling (613) 951-7277 or 1 800 700-1033, by fax (613) 951-1584 or 1 800 889-9734 or by Internet: order@statcan.ca. For change of address, please provide both old and new addresses. Statistics Canada publications may also be purchased from authorized agents, bookstores and local Statistics Canada offices.

November 1997
ISSN 0715-271X

Published by authority of the Minister responsible for Statistics Canada.

© Minister of Industry, 1997

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without prior written permission from Licence Services, Marketing Division, Statistics Canada, Ottawa, Ontario, Canada K1A 0T6.

Note of appreciation

Canada owes the success of its statistical system to a long-standing co-operation involving Statistics Canada, the citizens of Canada, its businesses, governments and other institutions. Accurate and timely statistical information could not be produced without their continued co-operation and goodwill.

Standards of service to the public

Statistics Canada is committed to serving its clients in a prompt, reliable and courteous manner and in the official language of their choice. To this end, the agency has developed standards of service which its employees observe in serving its clients. To obtain a copy of these service standards, please contact your nearest Statistics Canada Regional Reference Centre.

The paper used in this publication meets the minimum requirements of American National Standard for Information Sciences – Permanence of Paper for Printed Library Materials, ANSI Z39.48 – 1984.



According to victimization surveys, about four in ten criminal acts are reported to police.¹ Figure 1 shows that of those incidents reported to the police, 34% are cleared, 22% result in the laying of a charge, 15% result in conviction, and 4% result in a prison sentence.

Notable in Figure 1 is the sharp decline in the percentage points from “offences cleared by charge” by the police (22%) to “convictions” by the courts (15%). Discrepancies between the police-reported and courts surveys do not appear to account for this difference, as there are almost identical numbers of offences cleared by charge as there are total court cases. The decrease also cannot be explained by the dropping of secondary charges or plea-bargaining, as both police and court surveys report one offence or case no matter how many charges are associated with it. The decrease appears to be largely due to the proportion of stays and withdrawals in court. (Please see the section: “What proportion of adult criminal cases result in conviction?”) A lesser factor is the absence of conviction data for Superior Court, although little more than 2% of all criminal cases are dealt with in Superior Court.

For a more detailed analysis of the questions and issues raised in this report, refer to the list of recently released publications at the end of this *Juristat*.

Are police-reported crime rates increasing?

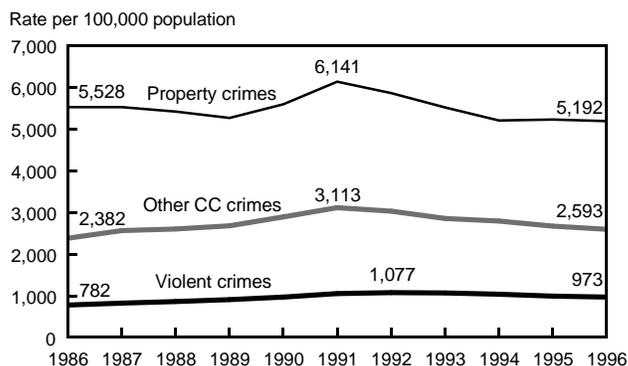
In Canada in 1996, over 2.6 million incidents were reported to the police and were confirmed as actual *Criminal Code* incidents, excluding traffic.² Although there was a long-term increase in the police-reported crime rate from 1962 to 1991, the rate has dropped over the past five years. In 1996 the national rate was similar to that of ten years ago.³ This trend is similar to decreases in the crime rate reported in the United States, England and Wales.

Victimization survey data also suggest that levels of criminal activity have not been increasing. In both 1988 and 1993 approximately one-quarter of Canadians reported being a victim of a crime.⁴ Of the crimes measured by Statistics Canada’s General Social Survey, rates of robbery, theft, break and enter, motor vehicle theft, and vandalism declined.

Over the last five years, from 1992 to 1996, the police-reported crime rate decreased each year for a total reduction of 15%. For the fourth year in a row, the violent crime rate decreased in 1996 (2%), while the property crime rate fell 1%. As well, the rate of Other *Criminal Code* offences such as mischief (vandalism), prostitution, breach of probation, and arson fell 3% (Figure 2). Although

Figure 2

Police-Reported Violent, Property and Other Criminal Code Incidents, Canada, 1986 to 1996



Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

¹ Gartner, Rosemary, and Anthony N. Doob. 1994. Trends in Criminal Victimization: 1988-1993. *Juristat* Vol. 14 No. 13. Ottawa: Statistics Canada.

² Crime rates based on police-reported data are calculated exclusively on “actual” incidents. See Figure 1, footnote 1.

³ Kong, Rebecca. 1997. Canadian Crime Statistics, 1996. *Juristat* Vol. 17 No. 8. Ottawa: Statistics Canada.

⁴ Gartner, Rosemary, and Anthony N. Doob. 1994. Trends in Criminal Victimization: 1988-1993. *Juristat* Vol. 14 No. 13. Ottawa: Statistics Canada.

rates have declined in general, in 1996, rate increases were reported for some offences, including homicide (6%), robbery (2%), motor vehicle theft (9%), and cannabis offences (6%).

Police-reported data are based on the Uniform Crime Reporting Survey (UCR) which gathers information on offences which come to the attention of the police. The reporting of offences to the police is affected by a number of factors including amendments to the law (eg., sexual assault), changes to police charging practices (eg., domestic violence), and citizens' changing tolerance for particular crimes and willingness to report these crimes to police (eg., schoolyard violence). Such changes can influence long-term trends in police-reported crime data. Despite these influences, however, trends in police-reported data are mirrored in data from victimization surveys, which enhance confidence in the information.

Are reported crime rates higher in big cities?

According to a detailed analysis⁵ of police-reported data for the nation's 25 Census Metropolitan Areas (CMAs) in 1995 (excluding Oshawa), these urban areas had an overall rate of *Criminal Code* violations similar to smaller cities, towns and rural areas.⁶ The analysis of CMA data for 1996 which follows is a previously unpublished update of this work.

In 1996, 61% of Canada's over 2.6 million *Criminal Code* violations occurred within these metropolitan areas, and 61% of Canadians lived in the 24 CMAs.

Violent crime does not occur with greater frequency in major metropolitan areas than in non-CMA areas. In 1996, 58% of violent crime occurred in the 24 biggest cities, and these cities accounted for 61% of the population.

The analysis also revealed that youth crime is not specifically an urban phenomenon. The proportion of youth crime occurring within CMA boundaries is less than the proportion of Canada's youth population living in these areas. In 1996, 51% of young offenders were charged within a CMA boundary, and 57% of Canada's youth population lived in a CMA.

The picture is somewhat different when examining specific offences. Specific offences show rates which vary considerably between CMAs and non-CMA areas. In 1996, CMA rates were notably higher for attempted murder, robbery, breaking and entering, motor vehicle theft and prostitution. Non-CMA rates were higher for such offences as sexual assault, common assault, weapons and explosives offences, and impaired driving.

⁵ Leonard, Tim. 1997. Crime in Major Metropolitan Areas, 1991-1995. *Juristat* Vol. 17 No. 5. Ottawa: Statistics Canada.

⁶ A CMA represents an urbanized core of at least 100,000 population and includes adjacent urban and rural areas that have a high degree of economic and social integration. The 25 identified CMAs in Canada in 1996 were: Toronto, Montreal, Vancouver, Ottawa-Hull, Edmonton, Calgary, Québec, Winnipeg, Hamilton, Kitchener, St. Catharines-Niagara, London, Halifax, Victoria, Windsor, Saskatoon, Regina, St. John's, Chicoutimi-Jonquière, Sudbury, Sherbrooke, Trois-Rivières, Thunder Bay, Saint John, and Oshawa. There are 25 CMAs in Canada, but due to mapping difficulties between police jurisdictions and the geographical boundaries of the CMA, Oshawa was not included in the analysis.

Similarly, the nine largest CMAs with 500,000 or more population may be compared to the smaller CMAs with populations between 100,000 and 499,999. Of the 18 million Canadians living within a CMA, 80% live in the nine largest CMAs. In 1996, these larger CMAs also accounted for nearly 80% of all crime in CMAs, so it may be concluded that crime occurred in larger and smaller CMAs in relative proportions. Larger CMAs had higher rates for homicide, attempted murder, robbery, motor vehicle theft and prostitution, while smaller CMAs had higher rates for sexual assault, common assault, weapons and explosives offences, and impaired driving.

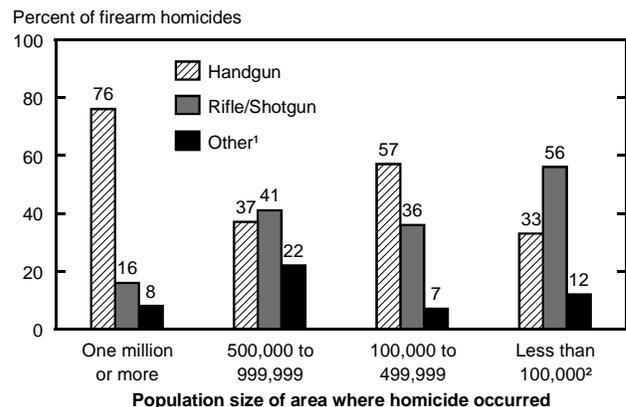
There is also considerable variation from one CMA to another. Vancouver had the highest crime rate among the nine largest metropolitan areas in 1996, ranking highest for robbery, arson, weapons offences, break and enter, and motor vehicle theft. By contrast, Toronto's rates for offences were generally below both the larger CMA average and the national average. In summary, the biggest cities do not necessarily have the highest crime rates.

Are firearms frequently used to commit violent crimes?

In 1996, there were 633 homicides in Canada, an increase of 6% in the homicide rate over the previous year. Firearms were the most common weapons used to commit a homicide (33%). Of these incidents, half involved handguns, and a further 38% involved rifles or shotguns. The remaining 12% of firearm homicides involved either a sawed-off rifle or shotgun or a fully-automatic firearm. Between 1995 and 1996, all types of firearm homicides increased by 20%, and those using rifles or shotguns increased by 33%. However, the levels are still significantly lower than they were in 1991 and 1992.

Figure 3

Type of Firearm Used in Homicide by Population Size of Area, 1996



Figures may not add to 100% due to rounding.

¹ Includes fully automatic firearms, sawed-off firearms, and other types of firearms.

² Non-Census Metropolitan Areas.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey.

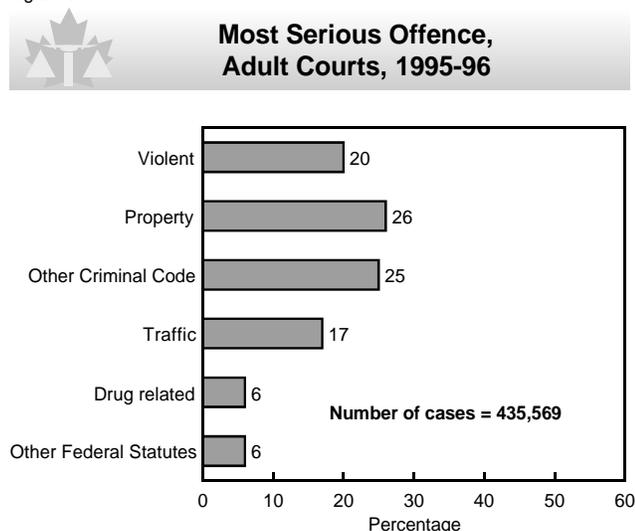
An interesting picture emerges when looking at the use of firearms in homicides for areas of different population size within Canada. In 1996, the three largest Census Metropolitan Areas - Toronto, Montreal and Vancouver - accounted for one-third of the national population, while non-CMAs accounted for 39% of the population. In both of these areas, firearms were the weapons most frequently involved in homicides. What differs, however, are the types of firearms used to commit homicides in these areas. While the use of handguns dominated firearm homicides in the larger areas (76%), in non-CMAs the majority of firearm homicides involved either shotguns or rifles (56%) (Figure 3)

In 1996, robberies accounted for 11% of all violent crimes, and weapons were involved in 54% of all robberies. While the rate of robberies involving weapons other than firearms has remained relatively stable since 1991 (an average of 34 per 100,000 population), the rate of firearm robberies decreased by 31% from 32 per 100,000 population in 1991 to 22 in 1996.

What are the most common offences brought to criminal court?

In fiscal year 1995-96, half of all cases heard by adult criminal courts involved either crimes against property (26%) or Other Criminal Code violations (25%) (Figure 4).⁷ The single most frequent type of case heard was impaired driving. Almost 15% of the 436,000 cases reported by participating jurisdictions in the Adult Criminal Court Survey involved impaired driving.⁸ The next most frequent type of case was the violent crime of common assault (12%), followed by the property crime of theft (11%). Apart from assault, most violent crimes accounted for a small number of cases. Homicide, attempted murder, robbery, kidnapping, sexual abuse and abduction each represented less than 1% of cases.

Figure 4



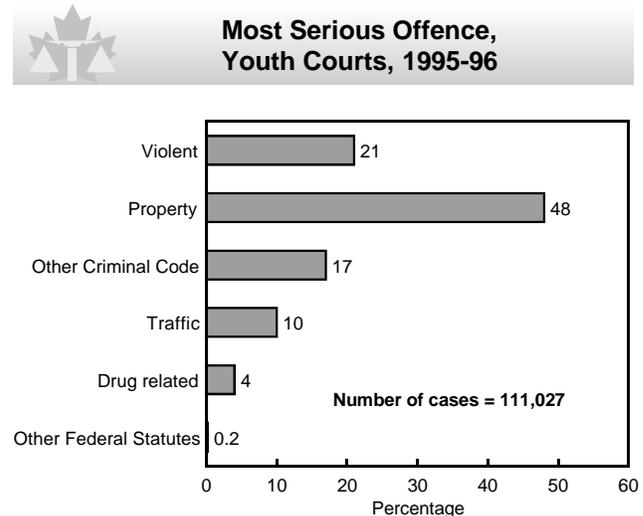
Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey (nine jurisdictions, Provincial and Superior Court cases).

All adult criminal proceedings begin in provincial/territorial courts, although some may end up in Superior Court, depending on the nature of the offence, decisions made by the Crown, and elections made by the accused. In 1995-96, just over 2% of the 436,000 cases first heard in provincial court were transferred to Superior Court. Three types of cases - sexual assault, drug trafficking, and major assault - made up almost half of those cases that were transferred.

The majority of accused persons (65%) were under the age of 35 and approximately 85% were males. The type and prevalence of cases varied with the age of the accused. For the 18-24 year age group, the most common offence type was theft. For individuals over 24 years of age, impaired driving was the most common type of case, and the frequency of these cases increased with age so that the highest proportion occurred in the 55+ age group (26% of all cases for this group).

The distribution of youth court cases differed from that for adults (Figure 5). In 1995-96, about half of the cases were property offences, such as theft under \$5000 (18%), break and enter (12%), and possession stolen goods (6%). There were 10% of cases which involved violations of the *Young Offenders Act*, such as failure to comply with a disposition. The only other types of offence which represented 5% or more of youth court cases were common assault (10%), fail to appear or comply (10%), and mischief (5%).

Figure 5



Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Court Survey.

Young offenders are rarely transferred to adult court. Seventy-four out of 111,000 cases were transferred in 1995-96. Of these, a majority (54%) involved violent offences.

⁷ Grimes, Craig. 1997. Adult Criminal Court Statistics, 1995-96. *Juristat* Vol. 17 No. 6. Ottawa: Statistics Canada.

⁸ Provincial criminal courts in 9 jurisdictions (Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories) report to the survey. This represents about 80% of national coverage.

How long does it take for cases to go through the court system?

The courts have a responsibility to deliver justice services fairly and efficiently. In 1995-96 the median time for completion of cases in adult provincial court was 77 days.⁹ On average, four court appearances were required to complete a case. However, 60% of cases were completed in four months or less. The court process is complex, often involving a judicial interim release or bail hearing, resolution of questions concerning trial court jurisdiction, a preliminary inquiry, entering of a plea, a trial, a decision of guilty or not guilty, and a sentencing disposition. A particular case, however, may not involve all these steps.

In youth court, cases were processed more quickly. In 1995-96, the median time was 68 days for youth courts. Sixty-nine percent of all youth cases were dealt with in four months or less.

The median elapsed time of court cases was related to the number of appearances and the type of offence. For example, in 1995-96, the median number of days in adult court varied from 28 for cases with only two appearances to 109 for cases with four appearances. Sexual assault cases had the longest elapsed time (188 days); offences against the administration of justice, such as failure to appear in court, had the shortest (27 days). Court cases involving homicide and related offences were relatively long (161 days). Theft cases were very brief by comparison (43 days). Impaired driving cases exceeded the median at 97 days.

What proportion of adult criminal cases result in conviction?

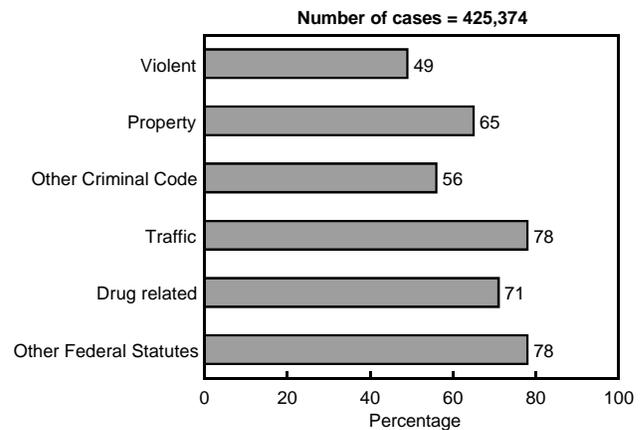
Two-thirds (64%) of adult provincial court cases, excluding those dealt with in Superior Court, resulted in a conviction in 1995-96, either by plea or by trial. Nearly one-third (30%) of cases resulted in a stay or withdrawal of charges.^{10,11} Only 3% of cases resulted in an acquittal, while 4% were resolved through other means, including not criminally responsible on account of mental disorder, and waived to another jurisdiction.¹²

The highest rates of conviction were for Other federal statute offences¹³ and traffic cases (both 78%). Traffic cases, for the most part, involve impaired driving-related offences. Violent crime offences had the lowest rates of conviction at 49% (Figure 6). Of the remaining 51% of violent crime cases not resulting in conviction, 5% were referred to Superior Court, 38% received a stay or withdrawal of charges, 4% were acquitted, while 4% received an "other" disposition. Among violent offences leading to a finding of guilt in provincial court, the highest rates of conviction were for robbery (60%) and sexual offences (60%), followed by common assault (53%).

Offences with high rates of referral to Superior Court, such as homicide offences (58% referred) and attempted murder (26% referred) had relatively low rates of conviction in provincial court (42% and 17% respectively). These homicide offences represent infanticide and manslaughter only, as first and second degree murder are under the absolute jurisdiction of Superior Court. Data on conviction rates for Superior Court are not currently available.

Figure 6

Case Conviction Rates, Adult Courts, by Most Serious Offence, 1995-96



Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey (nine jurisdictions, Provincial Court cases only).

What proportion of adult convictions result in a prison sentence?

In 1995-96, one-third of convictions received a prison sentence. This was second only to fines, which were the most serious sanction in 36% of convictions.¹⁴ As would be expected, the frequency of prison sentences varied by offence type, ranging from 1% for morals/gaming cases (eg., book-making) to 84% for robbery cases.

The median prison term was 46 days. Half of all prison terms were one month or less and only 3% of terms were two years or longer (Figure 7), which implies federal penitentiary time. Again, the length of prison term varied by offence type, with more serious offences receiving longer sentences. Robbery offences, for example, had a median sentence of two years.

Probation was the most serious sanction in 26% of cases resulting in conviction. Offences such as property damage/mischief and common assault tended to receive probation sentences. The median probation term was one year.

⁹ The "median" is the value or score that exactly divides an ordered frequency distribution into equal halves. It is the outcome associated with the 50th percentile.

¹⁰ A "stay" is a temporary or permanent halt in proceedings; a "withdrawal" refers to a withdrawal of charges by the Crown.

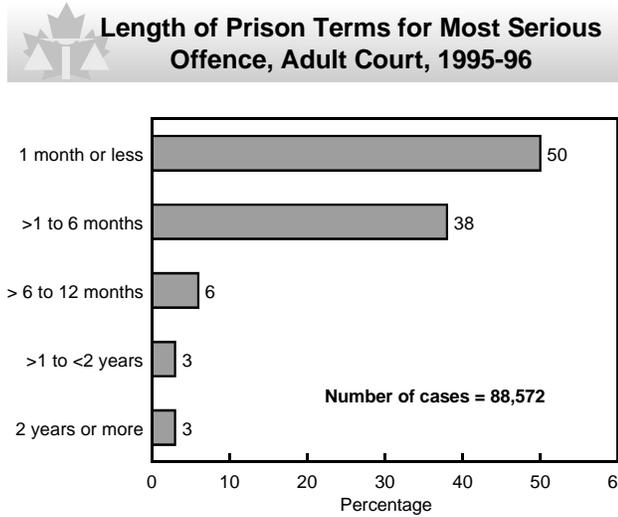
¹¹ Quebec is the only jurisdiction included in the survey in which the decision to lay charges is made by Crown Prosecutors. Quebec has a relatively low percentage (10%) of stays/withdrawals. This suggests that this procedure may affect the outcome of cases. It is possible that the national rate of stays/withdrawals could be somewhat lower if the other two provinces with Crown charging, British Columbia and New Brunswick, were included in the survey.

¹² Percentages do not add to 100% due to rounding.

¹³ Other federal statute offences include all federal statutes other than the Criminal Code and drug-related statutes, eg., the Income Tax Act and the Unemployment Insurance Act. Other Criminal Code offences include those other than violent or property crimes, such as mischief, prostitution, and arson.

¹⁴ Sanction types are ordered from most to least serious as follows: prison, probation, fine, restitution/compensation, and other. For example, a case resulting in both prison and fine would have a most serious sanction of prison.

Figure 7



Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey (nine jurisdictions).

Fines were the most frequently used sanction. The types of offences receiving fines as the most serious sanction included other federal statute offences (89% of cases), impaired driving (66% of cases), and morals/gaming (50% of cases). Other federal statutes are mostly regulatory and for that reason normally receive a fine. There is a mandatory minimum fine on first conviction for impaired driving of \$300. On the other hand, cases involving crimes against the person had a fine as the most serious sanction in only 10% of cases. Overall, the median fine amount was \$300.

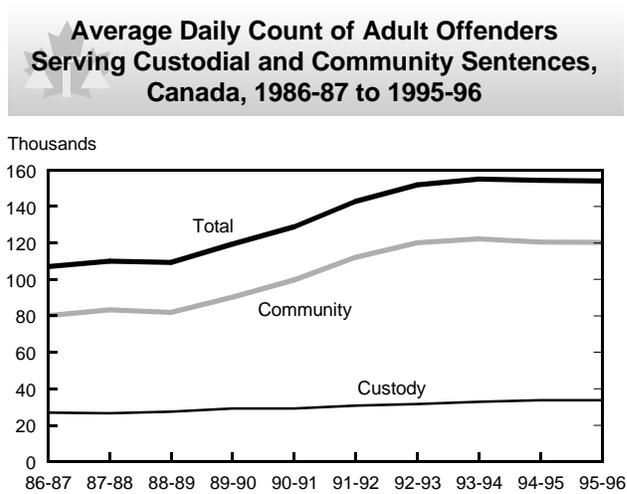
How many adults are in custody or under some form of correctional supervision?

There are three distinct groups in the adult correctional population: (1) those sentenced to a custodial term; (2) those in custody on remand/temporary detention; and (3) those serving all or part of their sentence under supervision in the community (such as parole or probation).

On an average day in 1995-96, 154,000 persons were under the supervision of correctional agencies.¹⁵ Nine percent were inmates in federal penitentiaries (serving sentences of two years or more), 13% were in provincial/territorial facilities (serving sentences of under two years or on remand/temporary detention), and 78% were offenders on probation or some form of conditional release in the community. After a decade of rapid growth, Canada's adult correctional population has stabilized since 1993-94. The increase from 1986-87 to 1993-94 was largely among those serving sentences in the community

¹⁵ Reed, Micheline and Peter Morrison. 1997. Adult Correctional Services in Canada, 1995-96. *Juristat* Vol. 17 No. 4. Ottawa: Statistics Canada.

Figure 8



Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Corrections Survey.

(a 53% increase), rather than among those in custody (a 22% increase) (Figure 8).

A similar number of adults were incarcerated in Canada in 1995-96 as in the previous year (33,800 on an average day). Over the last five years, the percentage increase in the custodial population has been larger in federal institutions, where inmates serve a sentence of two years or longer, than in provincial institutions, where sentences are of less than two years duration (19% compared to 4%).

Men make up 91% of those admitted to provincial/territorial correctional institutions. In 1995-96, the median age of sentenced offenders on admission was 31. While women are under-represented among admissions, Aboriginal peoples are over-represented. Overall, the proportion of Aboriginal peoples in the inmate population (16%) is more than five times their representation in the Canadian population (3%). Aboriginal peoples made up less than 9% of provincial sentenced admissions to custody in all provinces east of Manitoba, but accounted for 72% in Saskatchewan, 55% in Manitoba, 36% in Alberta and 17% in British Columbia.

Almost one-third of sentenced admissions in the nine provinces reporting adult corrections data on the most serious offence or disposition were offenders convicted of property offences (31%). The next largest group of offenders were sentenced for crimes of violence (19%), followed by impaired driving offences (13%).

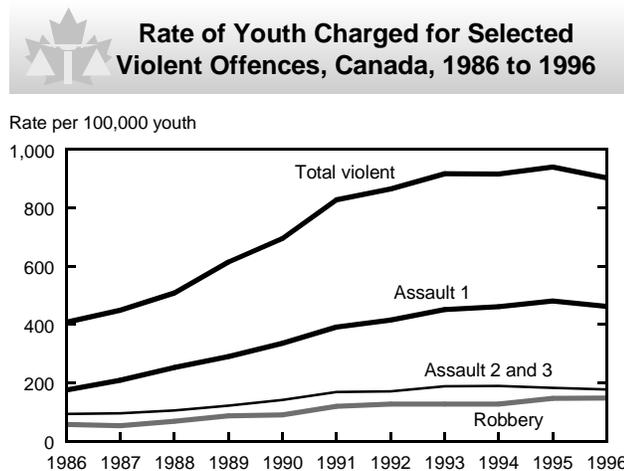
Offenders sentenced to federal facilities are admitted with convictions for more serious crimes than offenders in the provincial sector. The most frequent admissions to federal prison were for robbery (24%), sexual assault (14%) major assaults (12%), and break and enters (12%). Other offenders were incarcerated federally for homicide (8% of admissions), and drug trafficking (4% of admissions).

With what offences are youth most likely to be charged?

Continuing the decline between 1991 and 1995, the overall rate of youth charged with *Criminal Code* offences, per 100,000 youth, decreased by 4% in 1996, with the result that a total of 117,773 youth aged 12 to 17 years were charged. Of these youth, over half (56%) were charged with property offences, approximately one fifth were charged with violent crimes,¹⁶ and the remainder were charged for Other *Criminal Code* violations such as mischief and offences against the administration of justice (eg., breach of probation). The most frequent property crime charges were for theft (49% of youth property offenders). Just over one half (51%) of violent offence charges consisted of level 1 assaults (common assaults).¹⁷

The distribution of youth charged has changed since 1986, when seven in ten youth (72%) were charged for property offences and 9% with violent offences. This long term increase in the proportion of young offenders charged with violent crime is largely due to the increasing proportion of common assaults, the least violent or serious form of assault (Figure 9). However, youth are still less likely to be charged with violent crime than adults. For example, in 1996, 28% of adult offenders were charged with violent crimes, compared to 19% of youth.

Figure 9



Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

While the past decade has witnessed an increase in the proportion of youth charged with violent crimes, in 1996, the rate of youth charged decreased for most crime categories. This resulted in the first notable annual reduction (4%) in the total rate of violent youth crime since 1986, the first year following the implementation of the *Young Offenders Act* which standardized the age of youth to include 12 to 17 year olds. Charge rates for property crimes decreased for the fifth consecutive year (5%), and all property crime categories experienced reductions. Although an overall decrease between 1995 and 1996 in the youth charge rate for violent crime is noted, the 1996 rate is still more than two times higher than in 1986 (an increase of 121%).¹⁸

What type of sentences do young offenders receive?

About one-third of young offenders found guilty of an offence in 1995-96 were sentenced to either secure custody (15%) or open custody (19%).¹⁹ This is similar to the 33% of adult offenders who received a prison sentence in 1995-96.

Custody of Young Offenders

According to the *Young Offenders Act*, youth that are given custodial dispositions by the courts are kept in either *secure* or *open* custody facilities. Open custody refers specifically to the following: community residential centre, group home, childcare facility, forest or wilderness camp, or any other similar facility, all of which must be designated by the province. Secure custody implies custody in a facility designated for the secure containment or restraint of young persons. Secure custody is used only in the most serious cases or when all else fails. The young offender is obliged to serve the full length of the imposed disposition, unlike adults who may be released early under parole or mandatory supervision. All of these factors must be taken into consideration when making comparisons in sentencing patterns between adults and young offenders.

Three-quarters of custodial sentences for youth were for a period of three months or less. Murder/manslaughter cases had the highest median sentence length of twenty-five months. The two most common types of custodial cases, break and enter and theft under \$5000, resulted in median sentence lengths of 90 days and 30 days, respectively.

A major difference from sentencing patterns for adults was the proportion of cases for which a fine was the most serious disposition handed out.²⁰ For young offenders, only 6% received a fine as the most serious disposition, compared to 36% of adults. This perhaps reflects the recognition by the courts of the relative abilities of adults and youth to pay. As well, among the reasons for the difference could be the nature of the offences youth commit; for example, they commit fewer impaired driving and other federal statute offences which more frequently result in fines. As well, there is no mandatory fine in Youth Court for impaired driving.

The most frequent disposition given to young offenders was probation, the most serious disposition in 49% of cases. This far exceeded the adult figure of 26%.

Stand alone Community Service Orders (CSOs) were the most serious disposition in only 7% of cases. The percentage of CSOs appears low because in most cases they are used as a condition of probation or in conjunction with a more serious disposition. Overall, 29% of all cases resulting in a conviction included a CSO.

¹⁶ Violent youth (and adult) crime includes homicide and related, attempted murder, sexual assault, assault, robbery, weapons offences, kidnapping, extortion, other sexual offences, and criminal negligence.

¹⁷ An example of a common assault would be a minor fight at a party which leads to the police being called to break it up. A threatened assault, or an actual assault that did not produce a serious physical injury would be categorized as a common assault.

¹⁸ Kong, Rebecca. 1997. Canadian Crime Statistics, 1996. *Juristat* Vol. 17 No. 8. Ottawa: Statistics Canada.

¹⁹ Hendrick, Dianne. 1997. Youth Court Statistics 1995-96 Highlights. *Juristat* Vol. 17 No. 10. Ottawa: Statistics Canada.

²⁰ Dispositions are ordered in severity, from highest to lowest, as follows: secure custody, open custody, probation, fine, community service, absolute discharge, other.

Data also reveal that the pattern of dispositions for young offenders varies from one type of offence to another. For example, probation was the most serious disposition for 65% of minor assaults, but a fine was the most serious disposition in 53% of impaired driving cases.

How much does policing cost?

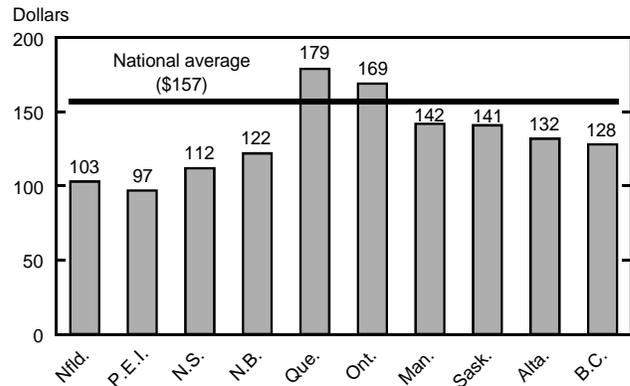
Expenditures on policing account for approximately 60% of the total justice bill of nearly \$10 billion.^{21,22} Other sectors account for smaller proportions: adult corrections (19%), courts (8%), legal aid (7%), youth corrections (5%), and prosecutions (3%). In 1995, governments spent a total of \$5.81 billion on policing.²³ This represents an average cost of \$196 per Canadian. Spending has levelled off for the last three years: average annual increases of less than 1% have been reported following annual increases of 7% between 1985 and 1992. There was one police officer for every 552 Canadians in 1996.

Approximately 80% of the policing budget goes towards salaries, wages and benefits. This has remained constant since 1985. Municipal policing accounts for the largest proportion of policing expenditures (56%), while provincial policing, including RCMP contracts, represents one quarter of spending, and federal policing and other RCMP costs account for the remaining amount (12% and 8% respectively).

Provincial comparisons reveal that Quebec and Ontario had the highest per capita cost for municipal and provincial policing in 1995 (\$179 and \$169 respectively), while Prince Edward Island and Newfoundland reported the lowest (\$97 and \$103 respectively) (Figure 10).²⁴ These patterns have remained unchanged since police expenditure data were first collected for 1985. Federal policing and other RCMP costs are excluded from this provincial expenditure analysis.

Figure 10

Per Capita Spending on Municipal and Provincial Policing by Province, 1995



Source: Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Survey.

²¹ Integration and Analysis Program, Canadian Centre for Justice Statistics. Justice Spending in Canada. *Juristat* Vol. 17 No. 3. Ottawa: Statistics Canada.

²² Police expenditures include actual operating expenditures incurred during the 1995 calendar year or the 1995-96 fiscal year (April 1995 to March 1996). Most municipal police forces operate on a calendar year while the provincial forces and the RCMP operate on a fiscal year. For the purposes of this *Juristat* policing expenditures refer to calendar year.

²³ Swol, Karen. 1997. Police Personnel and Expenditures in Canada - 1995 and 1996. Catalogue No. 85F0019XPE. Ottawa: Statistics Canada.

²⁴ Per capita cost figures for Yukon and the Northwest Territories were not included in the comparative analysis because the sparse populations in these jurisdictions result in per capita costs which are considerably higher than the rest of Canada.

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**. 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.

Recent Juristat Releases

Catalogue 85-002-XPB

- Vol. 16 No. 4 Youth Court Statistics 1994-95 Highlights / Statistiques sur les tribunaux de la jeunesse : Faits saillants de 1994-1995
- Vol. 16 No. 5 Youth Custody and Probation in Canada, 1994-95 / Le placement sous garde et la probation chez les adolescents au Canada, 1994-1995
- Vol. 16 No. 6 Violent Crime in Canada / Les crimes de violence au Canada
- Vol. 16 No. 7 Adult Correctional Services in Canada: Highlights for 1994-95 / Les services correctionnels pour adultes au Canada : Faits saillants de 1994-1995
- Vol. 16 No. 8 Adult Community Corrections in Canada: 1994-95 / Les services correctionnels communautaires pour adultes au Canada : 1994-1995
- Vol. 16 No. 9 The Justice Data Factfinder / Recueil de données sur la justice

Catalogue 85-002-XPE

- Vol. 16 No. 10 Canadian Crime Statistics, 1995
- Vol. 16 No. 11 Homicide in Canada — 1995
- Vol. 16 No. 12 Criminal Harassment
- Vol. 17 No. 1 Sentencing in Adult Provincial Courts — A Study of Nine Canadian Jurisdictions: 1993 & 1994
- Vol. 17 No. 2 Street Prostitution in Canada
- Vol. 17 No. 3 Justice Spending in Canada
- Vol. 17 No. 4 Adult Correctional Services in Canada, 1995-96
- Vol. 17 No. 5 Crime in Major Metropolitan Areas, 1991-1995
- Vol. 17 No. 6 Adult Criminal Court Statistics, 1995-96
- Vol. 17 No. 7 Weapons and Violent Crime
- Vol. 17 No. 8 Canadian Crime Statistics, 1996
- Vol. 17 No. 9 Homicide in Canada — 1996
- Vol. 17 No. 10 Youth Court Statistics 1995-96 Highlights
- Vol. 17 No. 11 Assaults Against Children and Youth in the Family, 1996
- Vol. 17 No. 12 Impaired Driving in Canada, 1996