



# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XIE Vol. 19 no. 3

## SEX OFFENDERS

*Integration and Analysis Program*

### HIGHLIGHTS

- In 1997, there were 30,735 sex offences reported to the police, representing 10% of violent crimes. The majority of incidents (85%) were classified as sexual assault level 1, the type involving the least physical injury to the victim. Sexual assault level 2 and level 3, the more serious forms, together constituted 3%. “Other” sexual offences, which most often involve sexual abuse of children, accounted for 12% of sexual offence incidents.
- After 1983 when new sexual assault legislation was passed, the rate of reported sex offences began to rise. Increases continued until 1993, at which point the rate peaked at 135 incidents per 100,000 population. Since then, the rate has been decreasing. The rate in 1997 was 25% lower than the 1993 peak. Nevertheless, it remained 74% higher than in 1983.
- According to data from a sample of police forces, the large majority of accused sex offenders are males. In 1997, males accounted for 98% of accused sex offenders. This was considerably higher than the overall figure for violent offences, which was 85%. Sex offenders were also somewhat older, with a median age of 32 years compared to 29 years for all violent offenders.
- In 1997-98, one in five cases involving adult sex offenders was transferred to superior court, where more serious cases are heard. For the remainder of cases in adult provincial/territorial courts, sentences for convicted sex offenders were more severe than for all violent offenders. In 1997-98, the majority of sex offenders (57%) were sentenced to prison compared with 38% for all violent offenders. Prison terms for sex offenders were longer, with 37% of terms exceeding 1 year, compared to an equivalent figure of 14% for all violent offenders.
- Sex offenders formed nearly one-tenth (9%) of all inmates on register in Canadian adult correctional institutions in a snapshot taken on October 5, 1996. Sex offenders accounted for 7% of inmates serving sentences of less than two years, but 14% of those serving two years or more.
- Inmates convicted of sex offences resembled all violent inmates in matters such as education, employment, marital and Aboriginal status. They were, however, older than most violent inmates. For example, almost half of federal inmates over 55 years of age were sex offenders.
- According to 1997 data from a sample of police forces, 62% of victims of sex offences were under 18 years old. This was quite different from violent offences generally, where 24% of victims were under 18. The majority of sex offence victims were female (82%). Males accounted for 18% of victims overall, but made up 31% of victims under 12 years of age.



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## INTRODUCTION

Over the past twenty years, there has been growing public awareness and concern about the occurrence of sexual offending and the personal and societal costs associated with these acts. There has been a gradual reduction in the stigma associated with being a victim of these crimes and, as supports for victims have developed, there has been an apparent increased willingness of victims to report these crimes to police, often long after the abuse has occurred. In many cases, the perpetrators of these crimes are in trusted positions of authority and the victims are dependent children.

This *Juristat* presents statistical data on the prevalence of sexual offences reported to the police and the characteristics of the offenders and victims involved. It also highlights some of the salient issues associated with the response of the justice system and the public to offenders and their victims. Data sources include statistics collected by the police, courts and correctional institutions. These official sources probably represent only a small portion of all sexual offences and offenders, since results from victimization surveys suggest that as many as 90% of all sexual offences are not reported to the police.<sup>1</sup> Data concerning victims of sexual offences, including information available from victimization surveys, are presented in the final section of this report.

## Sexual Offence Legislation

The law surrounding sexual offences has undergone several recent changes. In 1983, the offences of rape, attempted rape, and indecent assault were abolished and replaced with three new crimes of sexual assault that parallel the offences of assault. The definition of sexual assault now encompasses conduct ranging from unwanted sexual touching to sexual violence resulting in serious physical injury or disfigurement to the victim (see *Sexual Offences defined*).<sup>2</sup> The offence is assigned to one of three levels according to the seriousness of the offence or the degree of physical injury sustained by the victim in accordance with criteria set out in the *Criminal Code*. The purpose of these changes was to de-emphasize the sexual nature of the offence, to stress the violent and assaultive nature of such crimes, to encourage victims to report incidents to the police, and to improve police and court handling of cases, thereby reducing the trauma to victims and increasing the number of convictions (Roberts and Gebotys, 1992). In addition, as a result of the changes, both men and women can now be victims of sexual assault and “spousal immunity” no longer exists. Prior to 1983, a victim of what was then rape could only be a woman and a man could not be charged with raping his wife.

When implemented in 1983, the crime of sexual assault was not specifically defined. However in 1987, in the case of *R. v. Chase*, the Supreme Court of Canada ruled that a sexual assault is differentiated from common assault by the part of the body touched, the nature of the contact, the situation in which it occurred, the words or gestures accompanying the act, and all other circumstances surrounding the contact.

Further changes to sexual assault laws took place in 1991, when in the case of *R. v. Seaboyer and Gayme*, the Supreme Court struck down provisions of the sexual assault legislation that prevented a defendant from introducing evidence regarding the complainant’s sexual history. Subsequent to this decision, new “rape shield” legislation was introduced in 1992. It provided a test to determine whether evidence of a complainant’s sexual activity could be admitted at trial, and in addition, provided a definition of consent for the purposes of the sexual assault provisions. It also restricted the circumstances under which accused persons could say they “mistakenly believed” that the victim was consenting. It was established that the defence of mistaken belief could not be used if the belief stemmed from the accused’s drunkenness, recklessness, or willful blindness, or if the accused did not take reasonable steps to determine whether the victim was in fact consenting.

<sup>1</sup> For data on reporting rates see “Trends in Criminal Victimization : 1988-1993” by Rosemary Gartner and Anthony N. Doob in *Juristat* (Catalogue 85-002, Vol. 14, No. 13) and “Criminal Justice Processing of Sexual Assault Offences” by Julian Roberts in *Juristat* (Catalogue 85-002, Vol. 14, No. 7).

<sup>2</sup> The law does not take into account psychological harm to the victim.

Also during 1995, in the case of *R. v. O'Connor*, the Supreme Court of Canada ruled that counseling and other personal records of sexual assault victims could be ordered to be produced to the accused in criminal court proceedings. The Court provided specific guidelines governing the production of such records to the court. Many believed that these guidelines were too lenient and the privacy and equality rights of the victims were not being protected.<sup>3</sup> Bill C-46, passed in 1997, restricts access to medical and other personal records of victims by providing new, clearer guidelines for determining how and under what circumstances defence lawyers can examine these records.<sup>4</sup>

### The law regarding children

Sexual assault offences (i.e., sexual assault levels 1, 2 and 3) are applicable regardless of whether the victim is a child or adult. However in 1988, several new offences were created to deal specifically with incidents of sexual abuse involving victims under 18 years of age. The new offences include sexual interference, invitation to sexual touching, sexual exploitation and incest (see *Sexual Offences defined*).

Also, legislation was passed in 1993 that authorized the courts to order specific prohibitions for convicted sex offenders and resulted in changes to protective orders and other administrative processes involved in sexual offence cases involving children. For example, the courts can order convicted sex offenders to stay away from parks and schools and prohibit them from working in positions of trust with children. As well, judges can prohibit accused sex offenders who are representing themselves, from personally cross-examining a child victim.

<sup>3</sup> Department of Justice "An Act to Amend the Criminal Code (Production of Records in Sexual Offence Proceedings)" Background, June 12, 1996.

<sup>4</sup> *Ibid.*

<sup>5</sup> See "Children Involved in Prostitution", a Report by the (Alberta) Task Force on Children Involved in Prostitution, January, 1997.

#### Children Involved in Prostitution

Children and youths under 18 years of age who are involved in prostitution are increasingly coming to be viewed as victims of child sexual abuse or exploitation. Often the victims of physical and sexual abuse at home, these children and youths are then exploited on the street by pimps and johns. In addition, they can risk sexually transmitted diseases and the consequences of drug abuse.

A 1998 Report by the Federal/Provincial/Territorial Working Group on Prostitution recommends that youths involved in prostitution be dealt with by child welfare and criminal justice systems as persons in need of assistance, as distinct from being treated as offenders. In addition, the *1998 Declaration and Agenda for Action* on sexually exploited children and youths specifies that the term *child or youth prostitute* should no longer be used. These children and youths are sexually exploited and any language or reference to them should reflect this belief. The *Declaration* stems from the 1998 International Summit of Sexually Exploited Youth, a follow-up to the *1996 World Congress Against Commercial Sexual Exploitation Of Children* organized by UNICEF.

The law (Sections 212 (2) and 212 (4) of the *Criminal Code*) prohibits living on the avails of prostitution or engaging, for money, the sexual services of a person under the age of 18. Some jurisdictions have proposed that johns and pimps be charged whenever possible and that appropriate support and treatment programs be targeted at children involved in prostitution.<sup>5</sup>

On February 1 1999, the Government of Alberta enacted the *Protection of Children Involved in Prostitution Act*. This law will allow for the protection of children under the age of 18 years who are at risk or involved in prostitution related activities. The law protects these children by providing protective services, such as taking them to a safe house for 72 hours to be assessed, and increases the prosecution of johns and pimps who are sexually abusing or exploiting children.

#### Sexual Offences defined

The term "sexual offence" encompasses a wide range of criminal acts in the *Criminal Code* of Canada. Such conduct ranges from unwanted sexual touching to sexual violence resulting in serious physical injury or disfigurement to the victim. It also includes special categories of offences designed to protect children from sexual abuse.

In this *Juristat*, **sexual assault** includes the following *Criminal Code* offences:

- (a) Sexual assault (level 1) – involves minor physical injuries or no injuries to the victim. It carries a maximum sentence of 10 years imprisonment.
- (b) Sexual assault (level 2) – involves sexual assault with a weapon, threats or causing bodily harm. It carries a maximum sentence of 14 years imprisonment.
- (c) Aggravated sexual assault (level 3) – results in wounding, maiming, disfiguring or endangering the life of the victim. The maximum sentence for this offence is life imprisonment.

In this *Juristat*, "**other**" **sexual offences** include a group of offences that are primarily meant to address incidents of sexual abuse directed at children. The *Criminal Code* offences that are included in this category are:

- (a) Sexual interference (Section 151) – is the direct or indirect touching (for a sexual purpose) of a person under the age of 14 years using a part of the body or an object. It carries a maximum sentence of 10 years imprisonment.
- (b) Invitation to sexual touching (Section 152) – is the inviting, counseling, or inciting of a person under the age of 14 years to touch (for a sexual purpose) the body of any person directly or indirectly with a part of the body or with an object. It carries a maximum sentence of 10 years imprisonment.
- (c) Sexual exploitation (Section 153) – occurs when a person in a position of trust or authority towards a young person or a person with whom the young person is in a relationship of dependency, commits sexual interference or invitation to sexual touching. In this section "young person" refers to a person between 14 and 18 years of age. The offence carries a maximum sentence of 5 years imprisonment.
- (d) Incest (Section 155) – occurs when an individual has sexual intercourse with a person that has a known defined blood relationship with them. It carries a maximum sentence of 14 years imprisonment.
- (e) Anal intercourse (Section 159) and Bestiality (Section 160) are also included in this category of offences. These offences may be directed at children, but not always. The maximum sentence for these offences is 10 years imprisonment.

*Child Pornography on the Internet*

Recent advances in technology have changed the accessibility to, and the nature of, all forms of pornography, including child pornography.

In Canada, all pornography involving children is illegal, regardless of the medium, and this is applicable to Internet child pornography. The *Criminal Code* (section 163.1) states that it is illegal to produce, publish, import, distribute, sell or possess child pornography.<sup>6</sup>

Unlike adult pornography, which is legal and openly accessible (if it does not fall within the definition of obscenity) for a fee on the World Wide Web, child pornography is secretive and often traded in specialized high tech chat groups. Many of these groups are relatively transient and can be difficult to trace and document. The falling cost of such technology as scanners and digital cameras facilitates the reproduction and dissemination of child pornography. This usually involves transferring existing photographs and videos to computer files. In some cases (e.g., *R. v. Pecciarich*, 1995) pseudo-photographs are created in which normal photographs of children are digitally modified so that they appear to be nude or in sexual acts. New technologies, such as live, televised video conferencing, feed images and sound directly into a personal computer via the Internet, allowing the viewer to participate in the real-time sexual abuse of a child instantaneously and according to his or her instructions. There is also, on Web sites, simulated "teen" pornography involving models who only appear to be younger than 18 years old.

In an effort to stop child pornography on the Internet, police typically resort to undercover methods of surveillance or sting operations, posing as traders or customers. A major problem is the ease with which this material can be transferred across borders, and the fact that it may be legal in the country where it originated.

**Prevalence of Sexual Offending**

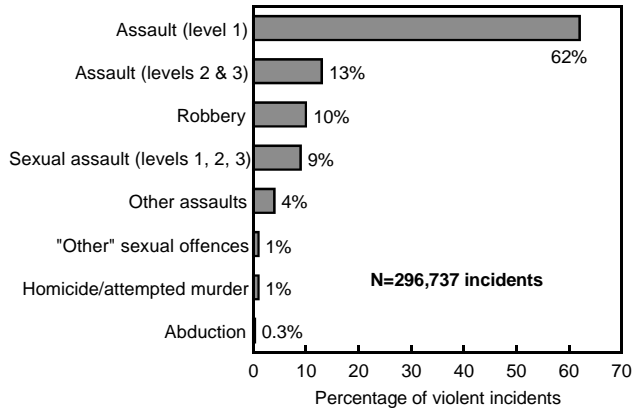
**Sexual offences represent a small proportion of police-reported crime**

A relatively small percentage of all crimes that are reported to the police each year are of a sexual nature. Police-reported crime statistics from 1997 indicate that sexual offences accounted for about 1% of the total number of criminal incidents reported to the police, unchanged for the last five years. Additionally, these offences made up 10% of the total number of violent<sup>7</sup> crimes brought to the attention of the police, with sexual assaults accounting for 9% and "other" sexual offences 1% (see Figure 1). The figure for sexual offences as a proportion of violent offences has fluctuated slightly over the last 5 years, from a high of 13% in 1993 to 10% in 1997.

In 1997, there were 30,735 sexual offence incidents reported to police in Canada. Of these, sexual assault level 1 (the category of least physical injury to the victim) accounted for the largest proportion (85%) of incidents (see Figure 2). Sexual assault levels 2 and 3 accounted for an additional 3% (877 incidents). "Other" sexual offences, which are primarily offences against children, accounted for 12% (3,672 incidents).<sup>8</sup>

Figure 1

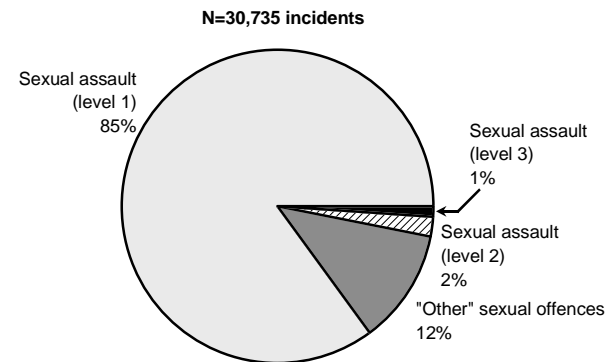
**Distribution of Reported Violent Offences, 1997**



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

Figure 2

**Distribution of Reported Sexual Offences, 1997**  
(% of sexual offence incidents)



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

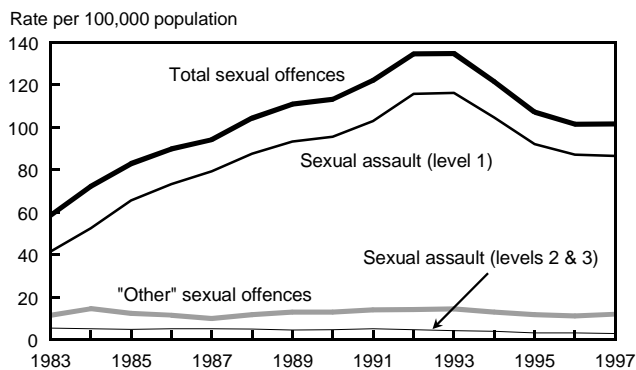
<sup>6</sup> On January 15, 1999, a decision by the British Columbia Supreme Court struck down the provision of the Criminal Code pertaining to simple possession of child pornography. This decision is being appealed.  
<sup>7</sup> Violent offences include any offence that involves the threat or use of violence against a person. Sexual assault and "other" sexual offences, as well as homicide, assault, robbery and abduction are violent offences. In this report, when comparisons are made between sexual offences and violent offences, the data for violent offences include sexual offences.  
<sup>8</sup> It is not possible with this data source (the Uniform Crime Reporting Survey) to provide separate figures for the different types of "other" sexual offences.

### Recent trend in sexual offences is downward

After the passage of the reform legislation in 1983, the rate of total sexual offences reported to the police began to increase (see Figure 3). The increase continued until 1993, at which point it peaked at 135 incidents per 100,000 population. The rate declined steadily until 1996. In 1997, the rate was 101 incidents per 100,000 population, relatively unchanged from the previous year. While the 1997 rate was 25% below its 1993 peak, it was still 8% higher than a decade before and 74% higher than in 1983. The trend in the rate of sexual offences has followed a similar pattern to the overall trend for violent offences.<sup>9</sup>

Figure 3

#### Trend in the Rate of Reported Sexual Offences, 1983 to 1997



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

The decline in the overall rate of sexual offences is reflected in all three categories of sexual assault. (see Table 1 and Figure 3). In 1997, the rate for sexual assault level 1 was 86 incidents per

100,000 population. This was down slightly (-1%) from the previous year and a total of 26% from the peak figure in 1993. The rate of "other" sexual offences increased 9% in 1997 (from 11 to 12 incidents per 100,000), but apart from that increase, the rate had been falling since 1994. Compared to 1993, the rate for "other" sexual offences was down 16% in 1997.

Rates for sexual assault levels 2 and 3 are relatively low, so small changes in the rates can translate into large changes in percentage terms. Over the last 5 years, the rate for sexual assault level 2 has fallen continuously from 3.3 incidents per 100,000 in 1992 to 2.0 in 1997, a decline of 39%. Over the same period, the rate of sexual assault level 3 has fallen from 1.4 incidents per 100,000 to 0.9, a decline of 36%.

### Rates in the provinces/territories vary widely

There is considerable regional variation in the distribution of police-recorded sexual offences across Canada. In 1997, as with other violent crimes, the rate of sexual offences was highest in both territories (see Figure 4). Among the provinces, Saskatchewan, Newfoundland and Manitoba had the highest rates. The lowest rates were reported in Quebec and Ontario. In fact, Quebec and Ontario were the only two provinces with sexual offence rates below the national average, a situation that has existed for the last 5 years.

Five jurisdictions (Newfoundland, Nova Scotia, Saskatchewan, Yukon and the Northwest Territories) reported an increase in the sexual offence rate between 1996 and 1997, with the largest being in Yukon (42%). Rates in Quebec and British Columbia remained the same, while decreases were reported in the remaining five provinces. Prince Edward Island registered the largest decrease (-10%).

<sup>9</sup> The 1983 reform legislation had an impact on the trend in violent offences as well. That legislation redefined the offence of assault, making it easier for police to lay charges. In addition, over the next few years, directives were issued to police, making it mandatory to lay charges in cases of spousal assault. These changes led to increased rates of assault, one of the main contributors to the violent offence rate.

Table 1

#### Sexual Offence Incidents Reported to Police, 1992-1997

	1992		1993		1994		1995		1996		1997	
	Number	Rate*	Number	Rate*	Number	Rate*	Number	Rate*	Number	Rate*	Number	Rate*
Population ('000)	28,532.5		28,895.7		29,264.7		29,616.5		29,959.5		30,285.8	
<b>Total Sexual Offences</b>	<b>38,395</b>	<b>134.6</b>	<b>38,925</b>	<b>134.7</b>	<b>35,524</b>	<b>121.4</b>	<b>31,728</b>	<b>107.1</b>	<b>30,369</b>	<b>101.4</b>	<b>30,735</b>	<b>101.5</b>
Sexual assault level 1	33,022	115.7	33,536	116.1	30,572	104.5	27,278	92.1	26,076	87.0	26,186	86.5
Sexual assault level 2	935	3.3	860	3.0	769	2.6	659	2.2	653	2.2	605	2.0
Sexual assault level 3	398	1.4	358	1.2	365	1.2	297	1.0	297	1.0	272	0.9
"Other" sexual offences	4,040	14.2	4,171	14.4	3,818	13.0	3,494	11.8	3,343	11.2	3,672	12.1
<b>Total Violent Offences</b>	<b>307,512</b>	<b>1077.8</b>	<b>310,201</b>	<b>1073.5</b>	<b>303,745</b>	<b>1037.9</b>	<b>295,702</b>	<b>998.4</b>	<b>296,746</b>	<b>990.5</b>	<b>296,737</b>	<b>979.8</b>

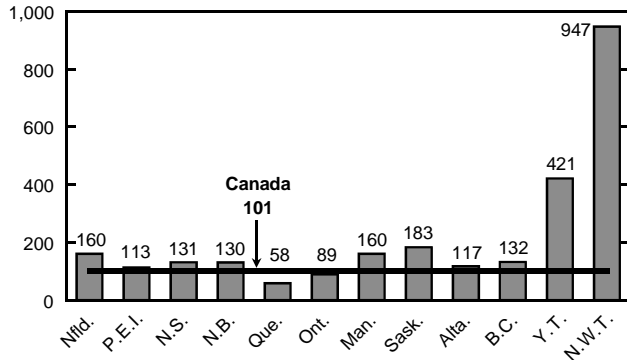
\* Rates are calculated based on 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final postcensal estimates for 1992 to 1995; updated postcensal estimates for 1996 and 1997.

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

Figure 4

**Rates of Reported Sexual Offences Across Canada, 1997**

Rate per 100,000 population



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

**Characteristics of Accused Sex Offenders**

**Majority of accused are males and over 30**

According to 1997 data from a sample of police departments, 98% of accused sex offenders were male.<sup>10</sup> This was considerably higher than the overall figure for violent offences, which was 85%. The percentage of male accused was slightly lower for "other" sexual offences (95%) in comparison to sexual assault offences (98%).

In 1997, 81% of accused persons in sexual offence cases were adults 18 years of age or older. This was slightly higher than the representation of adults in the population 18 years and older (76%). The age distribution was similar for both sexual assault and "other" sexual offences. Overall, 37% of accused were between 18 and 34 years of age, 21% were between 35 and 44 and 23% were 45 or over (see Table 2). Sex offenders tended to be older than violent offenders overall. Of the persons accused of total violent offences,<sup>11</sup> young adults (18 to 34) made up a higher percentage (48%) of cases than for sex offences; the 35- to 44-year-old age group accounted for the same percentage of cases (21%); and the 45 and over age group accounted for fewer cases (12%). The median age<sup>12</sup> of accused sex offenders was 32 years old compared to 29 for all violent offenders.

An examination of the percentage distribution of accused sex offenders by individual year of age shows that in 1997, the peak age was 13 years old, with 3.8% of all accused being that age (see Figure 5). This percentage dropped sharply throughout the teen years, reaching a low of 1.6% for 21-year-olds. There was then an increase through the early adult years, with a second peak at 36 years of age at 3.0% of accused sex offenders. Following this, there was a gradual decline in the proportion of accused for each year of age. The comparable distribution for all violent offenders presents a different picture. The first peak occurred later, at age 16 (3.8% of accused). There was then a less precipitous drop to a low that was reached later, at the age

of 24 (2.5% of accused). Similar to sex offenders, a second peak was reached at age 35, but there was a much steeper decline from then on.

Table 2

**Accused Sex Offenders by Age, 1997**

Age of Accused (years)	Sexual Offences %	Violent Offences %
0-11	1	1
12-17	18	18
18-24	13	20
25-34	24	28
35-44	21	21
45-54	13	8
55+	10	4
<b>Total Accused</b>	<b>100</b>	<b>100</b>

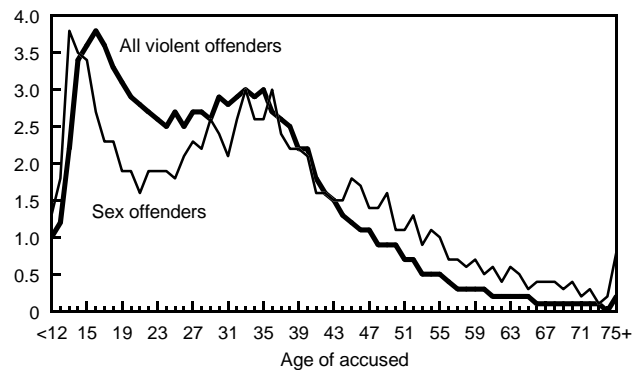
Note: Figures may not add due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCR11), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

Figure 5

**Age of Accused Sex and All Violent Offenders,<sup>1</sup> 1997**

Percentage of accused



<sup>1</sup> Includes accused offenders of sexual assault and "other" sexual offences.

Source: Revised Uniform Crime Reporting Survey (UCR11), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

<sup>10</sup> Information in this section on characteristics of accused sex offenders comes from the Revised Uniform Crime Reporting Survey. This survey collects detailed information on criminal incidents reported to a sample of police departments. The data are not nationally representative. In 1997, data were collected from 179 police departments in 6 provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime.

<sup>11</sup> The reader is reminded that the data for violent offences include sexual offences.

<sup>12</sup> The median age is the middle value. In other words, half of the accused are this age or lower and the other half are this age or higher.

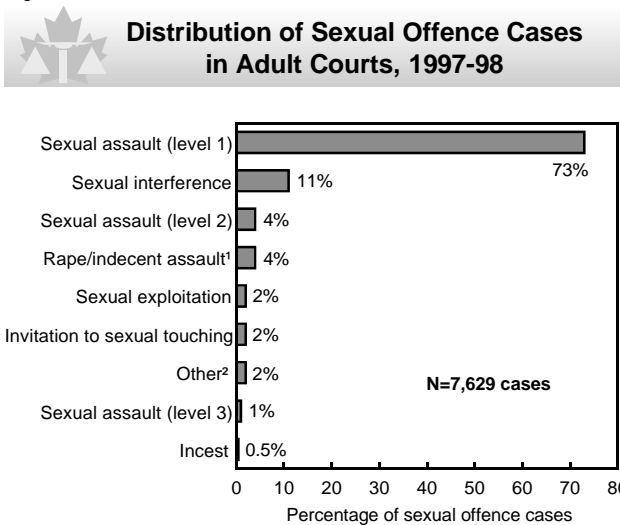
## Sentencing of Adult Sex Offenders

A small proportion of all cases heard in adult criminal courts involve sexual offences. In 1997-98, there were 7,629 sexual offence cases, accounting for 9% of all violent offence cases (83,651) and 2% of all *Criminal Code* cases (366,053) heard in adult provincial/territorial courts in nine jurisdictions.<sup>13</sup> These proportions are about the same as those for incidents reported to the police.

As would be expected given its prevalence in police-reported data, sexual assault level 1 is the most common sexual offence heard in adult courts. In 1997-98, sexual assault level 1 accounted for 73% of the sexual offence cases heard, while sexual assault level 2 and level 3 accounted for 4% and 1%, respectively (see Figure 6).

"Other" sexual offences accounted for close to one-fifth (17%) of the total sexual offence caseload. Sexual interference was the most common, representing 61% of "other" sexual offence cases and 11% of all sexual offence cases.<sup>14</sup> Rape/indecent assault cases represented 4% of cases in 1997-98, indicating that these incidents took place prior to the abolition of these offences in 1983.

Figure 6



<sup>1</sup> Incidents occurring before 1983 are processed under the previous legislation.

<sup>2</sup> Includes anal intercourse and bestiality.

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

### Many adult sex offence cases are transferred to superior court

In 1997-98, 20% of sexual offence cases heard in provincial/territorial courts were transferred to superior court, where more serious cases are usually heard. For the cases that remained in provincial/territorial court, 45% resulted in a conviction and 6% resulted in acquittal. (Most of the other cases were stayed/withdrawn<sup>15</sup>).

In comparison to sexual offence cases, total violent offence cases had a much smaller proportion of cases transferred to superior court (4%). For the cases that remained in lower court, the conviction rate for all violent offences was slightly higher (52%), while the proportion of cases resulting in acquittal was about the same (4%).

### The majority of convicted adult sex offenders are sentenced to prison

Convicted sex offenders receive harsher sentences than total violent offenders.<sup>16</sup> In 1997-98, more than half (57%) of sex offenders convicted in adult provincial/territorial courts were given a prison sentence as their most serious sentence (see Figure 7).<sup>17</sup> Probation was the most serious sentence in 39% of cases. Overall, violent offenders were more likely to receive probation as their most serious sentence (51% of cases), with prison being the most serious sentence in 38% of cases. Violent offenders were also more likely to have a fine or "other" disposition (such as restitution, or conditional discharge) as the most serious sentence.

Not only were sex offenders more likely than violent offenders overall to be incarcerated, they were also more likely to be sent to prison for longer periods of time. In 1997-98, of the 1,533 sexual offence cases resulting in prison,<sup>18</sup> just less than half (45%) of the terms were for 6 months or less, while 37% were for more than 1 year (see Table 3). By comparison, 76% of violent offence cases had prison terms of 6 months or less, while only 14% had terms exceeding 1 year. Violent offence cases had a median prison term of 3 months. The equivalent figures were 10 months for sexual assault cases and 8 months for "other" sexual offence cases.

Probation terms for sex offenders were also long in comparison to all violent offenders. In 1997-98, for sex offenders that received probation, 72% of terms exceeded 1 year, while 29% exceeded 2 years. For violent offenders, only 47% of probation terms exceeded 1 year, while 9% were longer than 2 years. Fewer than 4% of probation terms for sex offenders were for 6 months or less. The median probation term for both sexual assault and "other" sexual offence cases was 2 years, twice the length of median probation for violent offence cases.

<sup>13</sup> Data on adult courts come from the Adult Criminal Court Survey. In 1997-98, this survey collected information on cases disposed in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories. These jurisdictions represent about 80% of the national caseload in provincial/territorial courts. Sentencing information does not include cases that are transferred to superior courts. The cases heard by superior courts tend to be the most serious.

<sup>14</sup> With the Adult Criminal Court Survey it is possible to get a breakdown of the "other" sexual offence category. This is not possible with the police-reported data from the UCR survey.

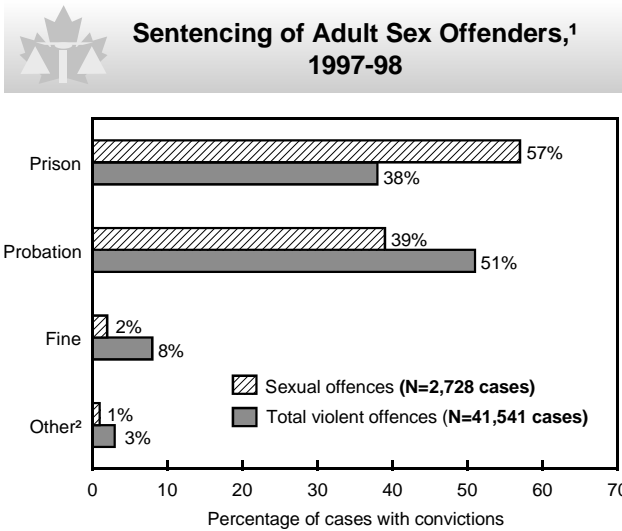
<sup>15</sup> When a case is stayed/withdrawn, it indicates the court has halted criminal proceedings against the accused. This can occur for a variety of reasons, for example a plea bargain. An accused may plead guilty to one charge in exchange for having several other charges withdrawn.

<sup>16</sup> It should be noted that because assault level 1, the least serious form of assault, accounts for the majority of violent offence cases (58% of adult court cases in 1997/98), it has a significant impact on sentencing patterns for violent offences.

<sup>17</sup> Sentences are ordered from most to least serious as follows: prison, probation, fine, other.

<sup>18</sup> There were another 21 cases with a prison term of unknown length.

Figure 7



<sup>1</sup> The figures only include the most serious sentence in the case.

<sup>2</sup> Other includes restitution, absolute and conditional discharges and suspended sentences.

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

## Sentencing of Young Offenders

The proportion of youth court cases involving sexual offences is comparable to adult court cases.<sup>19</sup> In 1996-97, there were 1,746 sexual offence cases, accounting for 2% of the total number of cases, and 8% of the violent crime cases heard in youth courts across Canada.

Sexual assault level 1, the least serious form, is the most common sexual offence heard in youth courts. In 1996-97, it accounted for 80% of the sexual offence cases, a higher proportion than for adults (73%). The proportions of youth court cases for other offence types were: "other" sexual offences (14%),

rape/indecent assault (3%), sexual assault level 2 (3%), and sexual assault level 3 (0.1%). All these figures were lower than comparable figures for adult court cases.

### The majority of youth court cases result in a conviction

In 1996-97, more than half (56%) of sexual offence cases in youth courts resulted in a finding of guilt. Another 37% of cases were stayed, withdrawn or dismissed, while 6% of cases resulted in acquittal. There were 10 cases transferred to adult court, a small proportion of the total sexual offence caseload (1%), but significant in terms of the total number of transfers (11% of all youth court cases transferred). The conviction rate was low in comparison to the figure for all violent offences. In 1996-97, 66% of violent offence cases resulted in a guilty finding, 31% were stayed, withdrawn or dismissed and 3% resulted in acquittal. The percentage of convictions in sex offence cases in youth courts was high compared to adult courts (45% in 1997-98).

### Probation commonly ordered for young sex offenders

Probation was the usual disposition imposed by youth court judges in convictions for sexual offences. It was the most serious sentence ordered in just under two-thirds (65%) of convictions in 1996-97 (see Figure 8).<sup>20</sup> Custody was ordered in a total of 32% of convictions (17% open and 15% secure custody). This distribution of sentences did not differ significantly from that of violent offence cases overall.

In 1996-97, median sentence lengths given to youths for sexual assault level 1 were 6 months for secure custody, 5 months for open custody and 18 months for probation. Total violent offences, in comparison, had shorter median sentence lengths of 2 months for secure custody, 2 months for open custody and 12 months for probation. (The number of cases in the other sex offence categories is too small to examine sentence lengths in any detail.)

<sup>19</sup> Information on youth court cases comes from the Youth Court Survey, which has full national coverage. Youth refers to any person between the ages of 12 and 17 at the time of the offence. Unlike the Adult Criminal Court Survey, data for 1997-98 were not yet available.

<sup>20</sup> Dispositions are ordered from most to least serious as follows: secure custody, open custody, probation, and other.

Table 3

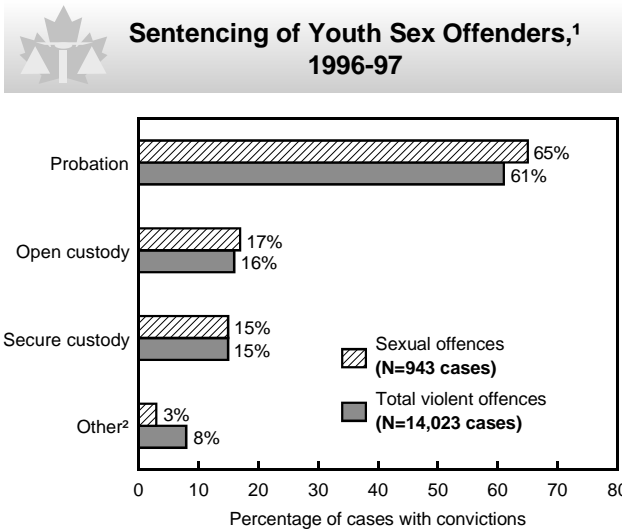
Offence	1 month or less	More than 1 to 6 months	More than 6 to 12 months	More than 1 to less than 2 years	2 years and over	Total
% of prison terms						
Total Sexual Offences	10	35	18	17	19	100
Sexual assault	10	33	18	18	21	100
"Other" sexual offences	9	40	18	17	16	100
Total Violent Offences	33	43	9	6	8	100

Note: Figures may not add due to rounding.

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



Figure 8



<sup>1</sup> The figures only include the most serious sentence in the case. Youth refers to persons aged 12-17 years.  
<sup>2</sup> Other includes community service orders, fines, and absolute discharges.  
**Source:** Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Incarcerated Sex Offenders

Police and courts surveys provide few details on the characteristics of sex offenders, apart from their age and sex. However on October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada on that day.<sup>21</sup> This "snapshot" does not provide information on all convicted sex offenders because, among other things, not all sex offenders are sentenced to prison. However, the snapshot does provide additional information on adult sex offenders who were incarcerated on the day the census was taken.

On snapshot day, sex offenders formed 6% of the inmate population on-register<sup>22</sup> in provincial/territorial facilities, which in general, receive those inmates with less serious sentences (maximum of two years less a day). In federal facilities, which house more serious offenders (sentences of 2 years or longer), sex offenders accounted for more than twice that amount (14% of those incarcerated). In all, there were 1,471 sex offenders in provincial/territorial facilities and 1,872 in federal facilities.

### Incarcerated sex offenders older than other inmates

Incarcerated sex offenders tended to be older than was generally the case for inmates incarcerated for violent offences. The median age of sex offenders in provincial/territorial institutions was 35 years old, four years older than that for all violent offenders. The difference was even greater in federal institutions, where the median age was 41 for sex offenders and 35 for all violent offenders. Sex offenders accounted for a large proportion of the inmate population over 55 years of age. Among provincial/territorial inmates who were 55 years of age or older, 23% were sex offenders. In addition, 45% of federal inmates 55 years or older were sex offenders.

Some additional inmate characteristics are presented in Table 4. Not surprisingly, the inmate population differed considerably from the general population. However, apart from being older, sex offenders differed very little from violent offenders in general. Nearly all sex offenders were male (99%). This compared to 97% of all violent inmates. Aboriginal persons accounted for 23% of incarcerated sex offenders and 19% of incarcerated violent offenders, compared with 2% of the Canadian adult population (18 years and over). Just over one-third of sex offenders and total violent offenders were married or living common law (at the time of admission), compared with about two-thirds of the Canadian adult population.

Both sex offender and violent offender inmates were less educated than the average Canadian. In fact, these two inmate groups had more than twice the national rate (19%) of those with a grade 9 education or less. The problem was particularly apparent for sex offenders in federal facilities (48% with grade 9 or less) as compared to their counterparts in provincial/territorial facilities (28%).

Among the inmate population, unemployment was also high by national standards, although not quite as high for sex offenders. Whereas 41% of sex offender and 50% of violent offender inmates were unemployed at the time of their admission to prison, 10% of the adult population in Canada was unemployed at the time of the 1996 Census. Sex offenders in federal facilities were actually less likely to be unemployed (31% unemployed) than those in provincial/territorial facilities (50% unemployed).

Table 4

	Adult Population in Canada <sup>1</sup>	Sex Offenders	Violent Offenders	Total Offenders
	%	%	%	%
Male	49	99	97	95
Aboriginal <sup>2</sup>	2	23	19	17
Married <sup>3</sup>	63	37	35	31
Education Grade 9 or less <sup>4</sup>	19	41	40	37
Unemployed <sup>5</sup>	10	41	50	52
Number of inmates		3,343	17,482	37,541

**Notes:**  
 1. Based on information from the 1996 Census on persons 18 years and older.  
 2. Data are missing for 185 (<1%) offenders.  
 3. Includes common law. Data are missing for 5,166 (14%) offenders.  
 4. Data are not available for B.C. and Yukon (2,682), and are missing for 9,954 (29%) of the remaining total.  
 5. Data are not available for Quebec and Ontario (14,182), and are missing for 11,500 (50%) of the remaining total.  
**Source:** One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey (1996), Canadian Centre for Justice Statistics, Statistics Canada.

<sup>21</sup> The data describe all inmates who were "on-register" on census day. For more details see "A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities" by David Robinson, Frank J. Porporino, William A. Mills, Shelley Trevethan and Barry MacKillop in Juristat (Catalogue 85-002-XIE, Vol. 18 No. 8).  
<sup>22</sup> "On-register" refers to the number of inmates who have been placed in a facility to serve their sentence. Some inmates may be away temporarily from a facility, for example, due to court appearances or temporary absences.

Nine provinces and territories were able to provide criminal history information for some of the inmates in their facilities.<sup>23</sup> Seventy-three percent of sex offender inmates had at least one other prior adult conviction for some type of offence. This was slightly lower than the figure for total violent offenders (77%). Sex offender inmates were also less likely than violent offenders overall to have had a prior term of incarceration in a provincial/territorial facility (67% of sex offenders compared to 72% of violent offenders).

**Needs of sex offenders**

The snapshot collected information on seven “need factors”: employment problems, marital/family problems, social interaction needs (criminal or negative social associations), attitude (e.g., unmotivated to change, pro-criminal values), community functioning needs (e.g., lack of skills to manage life in the community), and personal/emotional problems (e.g., mental ability, sexual behaviour, cognitive skills) and substance abuse. Needs factors can be important because if not addressed, they can contribute to further criminal activity. Federal inmates and provincial/territorial inmates from seven jurisdictions<sup>24</sup> were

assessed as to their level of need for each of the seven need factors. (See textbox *Scoring for Needs Assessment of Inmates*).

The results (see Table 5) indicate that sex offenders tend to have lower needs levels than violent offenders overall. For example, for the employment factor, 38% of violent offenders in federal facilities had high need, compared to 22% of sex offenders. Violent offenders also had higher needs in the areas of social interaction and substance abuse. Sex offenders had higher needs when it came to personal/emotional problems, and for federal inmates only, marital/family relationships. Overall, the more serious sex offenders housed in federal facilities had higher levels of need than those in provincial/territorial institutions.

<sup>23</sup> Saskatchewan, Alberta, British Columbia and Correctional Service Canada (federal facilities) could not provide any criminal history. Ontario could not provide information on previous convictions. For those jurisdictions that could provide criminal history, there were 671 (8%) missing values for previous convictions and for previous incarceration there were 572 (3%) missing values.

<sup>24</sup> The seven jurisdictions were: Newfoundland, P.E.I., Nova Scotia, New Brunswick, Manitoba, Yukon and the Northwest Territories.

Table 5

 **Distribution of Assessed Needs for Inmates**

Type of Need	Level of Need (% of inmates)					
	None		Low		High	
	Sex Offenders	Violent Offenders	Sex Offenders	Violent Offenders	Sex Offenders	Violent Offenders
<b>Employment</b>						
provincial/territorial	30	23	44	49	25	28
federal	17	9	60	54	22	38
<b>Marital/Family</b>						
provincial/territorial	11	8	61	60	29	32
federal	5	7	50	56	45	37
<b>Social Interaction</b>						
provincial/territorial	16	10	71	68	13	22
federal	22	9	68	57	10	33
<b>Attitude</b>						
provincial/territorial	12	9	63	73	25	17
federal	9	7	56	52	36	40
<b>Community Functioning</b>						
provincial/territorial	15	11	68	76	17	13
federal	11	6	74	69	15	25
<b>Personal/Emotional</b>						
provincial/territorial	17	20	43	52	40	28
federal	1	4	12	22	87	74
<b>Substance Abuse</b>						
provincial/territorial	33	20	39	40	29	41
federal	37	22	20	20	44	58

**Notes:**

1. Provincial/territorial figures come from 7 jurisdictions: Nfld, PEI, NS, NB, Man, Yukon and NWT.

2. The figures on provincial/territorial inmates are based on 201 sex offenders and 841 violent offenders.

3. The figures on federal inmates are based on 1,724 sex offenders and 8,991 violent offenders.

Source: One-Day Snapshot of Inmates in Canada’s Adult Correctional Facilities Survey (1996), Canadian Centre for Justice Statistics, Statistics Canada.

Scoring for Needs Assessment of Inmates

Type of Need	Level of Need		
	None	Low	High
<b>Employment</b>	stable pattern of employment	no current difficulties or employment situation causing minor adjustment problems	employment situation causing major adjustment problems
<b>Marital/Family</b>	pattern of stable and supportive relationships	no current difficulties or occasional instability in relationships	very unstable pattern of relationships
<b>Social Interaction</b>	pattern of non-criminal and/or positive associations	mostly non-criminal and/or positive associations or some criminal and/or negative associations	mostly criminal and/or negative associations
<b>Attitude</b>	actively involved and responding consistently well to assistance	motivated to change and has attitudes receptive to assistance or recognizes problem areas but has attitudes not receptive to assistance	unable to recognize problem areas and has attitudes not receptive to assistance
<b>Community Functioning</b>	pattern of satisfactory adjustment	no current difficulties or deficient skills limit, but don't prohibit independent functioning	deficient skills severely limit independent functioning
<b>Personal/Emotional</b>	no current difficulties	personal/emotional problems indicate some need for assistance	personal/emotional problems indicate significant need for assistance
<b>Substance Abuse</b>	no current difficulties	some substance usage causing moderate adjustment problems	frequent or uncontrolled usage causing serious adjustment problems

## Victims of Sexual Offences

### Most victims are children and youths

According to police statistics, children and youths are targeted in the majority of sexual offences. Sixty-two percent of all victims of sexual offences reported to a sample of police departments in 1997 were under 18 years of age; 30% were children under 12, while 32% were youths between 12 and 17 years of age (see Table 6). The remaining 38% of victims were adults. These findings are quite different from violent offences in general, where 7% of victims were children, 17% were youths and 76% were adults.

Table 6

Sex of Victim	Age of Victim			Total
	Children under 12	Youths 12-17	Adults 18+	
%	%	%	%	
Male	9	5	3	18
Female	20	27	35	82
<b>Total</b>	<b>30</b>	<b>32</b>	<b>38</b>	<b>100</b>

Note: Figures may not add due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

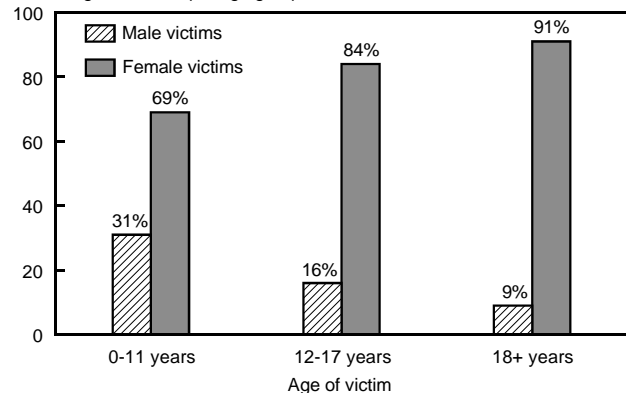
Unlike violent offences where half of the victims were female, 82% of victims of sexual offences in 1997 were female. Relative to males, females were more apt to be victims of sexual assault levels 2 and 3 and less apt to be victims of "other" sexual assaults. Although only 18% of victims were males, males were targeted in a relatively high proportion of cases involving victims under 18 years old. In incidents involving the most vulnerable age

group – children under 12 years of age – 31% of victims were male. By contrast 16% of youth victims (12-17 years) were male (see Figure 9) and only 9% of adult victims were male. Stated somewhat differently, 80% of male sex offence victims were under 18, compared with 58% of female victims.

Figure 9

### Male and Female Victims of Sex Offences, by Age Group, 1997

Percentage of victims per age group



Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

Most victims of a sexual offence were victims of sexual assault level 1. However, in relative terms, adults were more likely to be victims of sexual assault levels 2 and 3, while youths and children were more likely to be victims of sexual assault level 1 and "other" sexual offences. In particular, 56% of victims of sexual assault level 3 were adults; compared to 69% of sexual assault level 2; 41% of sexual assault level 1; and 18% of "other" sexual offences.

### Sex offenders are usually a friend or acquaintance of the victim

Victims of sexual offences usually know the perpetrator. In 1997, only 23% of victims were strangers to the accused sex offender (see Table 7). Friends and acquaintances were by far the largest relationship category of offenders in cases involving both males and females, and children/youths and adults. Overall, for 50% of victims, the accused was a friend or an acquaintance. For just over one-quarter (28%) of victims, the perpetrator was a family member. However, the perpetrator was more likely to be a family member when the victims were children and youths (34% victimized by family) as compared with adult victims, 19% of whom were victimized by a family member.

Homes are the location that present the greatest risk for victims of sexual offences. In 1997, 67% of victims were attacked in a home, followed by public areas at 17% and commercial/public institutions at 16%.<sup>25</sup> For violent offences in general, victims were less likely than sexual offence victims to be victimized in a home (47%), but more likely to be victimized in a public area (26%) or commercial/public institution (27%).

### Age, sex and lifestyle are risk factors

Victimization surveys, which go directly to samples of the population for information about the experiences of the public with certain crimes, offer additional information about victims of sexual offences. Whereas police-reported statistics consist of only those incidents that become known to the police, victimization surveys capture information on both reported and unreported incidents. Statistics Canada's 1993 survey on Violence Against Women (VAWS) is an example of such a survey. It interviewed 12,300 women by telephone about their experiences of sexual and physical assault. Approximately 39% of women reported at least one incident of sexual assault since the age of 16; 5% in the one-year period preceding the survey. (This survey did not question respondents about experiences during childhood).

One advantage of victimization surveys lies in their ability to access factors that are associated with the risk of victimization. According to both the VAWS and Statistics Canada's 1993 General Social Survey (GSS), among adults, rates of sexual assault are highest for young women. The VAWS found that the one-year rate of sexual assault was 18% for young women aged 18 to 24 years of age and dropped off sharply for older women, to only 1% of those aged 45 and over. Similarly, the GSS found that the one-year rate of sexual assault was highest for young adults 15 to 24 years of age, followed by persons aged 25 to 44.

Rates of sexual assault are also linked to other personal characteristics, such as marital status, and lifestyle. For example, the 1993 GSS found that the rates of victimization for single and separated/divorced women were about six times as high as the rate for women who were married/living common law. Rates of victimization were also higher for women who were working or attending school and for those who had an active lifestyle outside the home in the evenings. These are consistent indicators of "exposure" to risk across a variety of violent crime categories.

### Some victims delay reporting

Victimization surveys report that as many as 90% of sexual assaults go unreported to the police. Additionally, incidents that are reported to police are not always reported immediately after the incident. According to data from a sample of police forces (UCR II), 7% of sexual offence incidents reported to police in 1997 occurred prior to 1993. In these older incidents, the proportion of male victims was greater than female victims. Of the incidents reported in 1997, 12% of all male victims were assaulted prior to 1993 compared to 6% of all female victims. Children and youths were also more likely to have been the victims in these older incidents. For the offences that took place prior to 1993, 88% of victims were children or youths (under 18) at the time of the incident. For the more recent incidents, children and youths made up 62% of victims.

<sup>25</sup> Public areas include parking lots, streets, open areas and public transportation. Commercial and public institutions include businesses, restaurants, schools and hospitals.

Table 7

Relationship of Accused to Victim	Age and Sex of Victim						Total Victims
	Children and Youths			Adults 18+			
	Female	Male	Total	Female	Male	Total	
	%	%	%	%	%	%	%
Family (total)	35	31	34	19	15	19	28
Spouse/ex-spouse	–	–	–	11	2	10	4
Parent	15	13	15	3	5	3	10
Other family	19	17	18	6	7	6	14
Friend or acquaintance	48	56	50	47	62	49	50
Stranger	17	13	16	34	23	33	23
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

– Nil or zero.

Note: Figures may not add due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

### *Protecting Communities*

The protection of children and other vulnerable groups from sex offenders is a public safety issue for governments as well as communities. Currently, discussion centres on a number of measures that are designed to reduce the risk that sex offenders will re-offend once released from the control of the criminal justice system. These include the possibility of a national registry of pedophiles, a national screening program, and public notification of the release of sex offenders.

In 1994, a national system was implemented to help organizations screen out child sexual abusers applying for work with children. It is based on the Canadian Police Information Centre (CPIC) operated by the RCMP on behalf of all police services, to provide access to the criminal history records of all offenders reported by police. The system is seen by some to be inadequate because it does not require registration of the offender's address following expiration of the sentence, and it is not available to the public. Concerns about creating a separate sex offender registry parallel to the CPIC system include: duplication of the existing system, problems of verification and misidentification, privacy concerns, driving offenders underground, and vigilante action. There is the additional problem of comprehensiveness in that many sex offenders are not apprehended or convicted.

Recognizing that many sex offenders have no criminal record, the non-profit group Volunteer Canada has been instrumental in developing the National Screening System. This group works to develop and deliver training packages around screening, and promotes the use of screening policies by volunteer agencies. Volunteer Canada advocates a screening process comprised of 10 steps, one of which is a criminal records check.

Many jurisdictions have established protocols concerning community notification about offenders who are believed to pose an imminent public safety risk. These protocols aim to help balance the public's right to be informed about the risk of significant harm with the individual's right to privacy. In most cases, decisions to release identifying information about sex offenders are made by the police in consultation with federal and provincial justice and corrections officials. Cases are reviewed according to their own set of circumstances and the decision can be made to notify only specific individuals (for example a victim or witness), a group of individuals, or the public at large.

#### **Sources:**

Solicitor General of Canada. "National System for Screening Potential Child Sex Abusers Announced" Press Release. Ottawa: November 17, 1994.

Volunteer Canada. "National Education Campaign: Screening Employees and Volunteers in Positions of Trust with Children and Other Vulnerable Individuals". Ottawa: 1997.

*Community Notification and Other Techniques for Managing High-Risk and Dangerous Offenders*. Program from a National Conference. Winnipeg, Manitoba: June 15-17, 1997.

### *Treatment for Sex Offenders<sup>26</sup>*

Sex offender treatment programs attempt to promote acceptable behaviour. They also target the changeable attributes of the offender (for example, deviant sexual arousal) that when altered, are associated with reduced recidivism (re-offending). Sex offenders may participate in these programs, and, because they often possess the same needs as non-sexual offenders, they may also participate in treatment programs that target substance abuse problems, educational and employment deficits, and emotional and familial problems.

The most prevalent treatment approach used in Canada to treat sex offenders is cognitive-behavioral therapy combined with relapse prevention. Specific programs vary but the major treatment targets are:

- (a) *social skills deficits*
- (b) *cognitive distortions and deviant attitudes regarding sexual offences*
- (c) *deviant sexual behaviours and interests*

Social skills deficits are most often improved by teaching offenders how to communicate appropriately, feel empathy for victims and develop relationships with suitable individuals (for example, with other adults in the case of child sexual offenders). Cognitive distortions and deviant attitudes are treated by teaching offenders how to become aware of the thinking and feeling actions that lead to criminal sexual behaviour and then to replace these actions with more appropriate ones. The reduction of deviant sexual behaviours and interests can be accomplished through the use of several treatment methods. Aversion therapy is one such method. The therapist pairs the deviant object or event of arousal with an unpleasant stimulus like a mild electric shock or a foul odor so that the offender can learn self-control over deviant arousal.

Cognitive-behavioral treatment is usually followed by, or combined with, relapse prevention. In relapse prevention, offenders are taught how to recognize risky circumstances that could lead to re-offending and how to prevent such situations from occurring.

Treatment aimed at female sex offenders often includes the components discussed above plus components specific to their needs. Most treatments use a personal victimization model that emphasizes the relationship between the offender's own sexual and physical abuse experiences and her abusive actions.

Adolescent sex offenders (under 18 years old) receive treatment similar to that of adult sex offenders, but there is more emphasis on the involvement of the offender's family in the therapy. (One method that is not used with adolescents is aversion therapy.)

The results of studies done to evaluate the effectiveness of treatment programs in reducing sexual recidivism have been inconclusive.

#### **Sources:**

Correctional Service Canada, "Female Sex Offenders: A Literature Review", 1996

Correctional Service Canada, "Sex Offender Assessment, Treatment and Recidivism: A Literature Review", 1996

Correctional Service Canada, "Standards and Guidelines for the Provision of Services to Sex Offenders", 1996

<sup>26</sup> The discussion on treatment of sex offenders is a general overview based on the sources indicated.

## Data Sources

### Adult Criminal Court Survey (ACCS)

The ACCS collects detailed information on appearances, charges, and cases heard in adult criminal courts in Canada. In 1997-98, adult provincial/territorial courts in seven provinces and two territories contributed data to the survey. This represented approximately 80% of the national adult criminal court caseload.

The primary unit of analysis for the survey is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. Individuals include persons 18 years or older and youths who have been transferred to adult court.

Among other things, the ACCS collects information on how cases are disposed. The possible types of dispositions are: guilty; committed for trial in superior court (criminal proceedings are transferred to a court of higher jurisdiction); stayed/withdrawn (the court stops criminal proceedings against the accused); acquitted; and other (includes absolute and conditional discharge).

### General Social Survey (GSS)

The GSS is a multi-cycle survey designed to measure the social conditions of Canadians. The 1988 and 1993 GSS looked at criminal victimization. Telephone interviews were conducted with approximately 10,000 Canadians aged 15 and older. The sample covered the non-institutionalized population of the ten provinces and was selected using random digit dialing techniques. Respondents were asked about their experiences with crime and the criminal justice system over the previous 12-month period. On the basis of these interviews, estimates were made of the incidence of eight specific crimes (three violent and five property crimes) in the general population of 15 years of age and over.

### One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities

On October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada. The data include inmate demographic and background information (e.g. marital status, education, employment, criminal history), case characteristics, such as offence and sentencing data and program needs of inmates.

### Uniform Crime Reporting Survey (UCR)

The UCR is a summary or aggregate-based survey that records the number of criminal incidents reported to the police. The survey does not gather information on the victims, but does

collect information on the number of persons charged by sex and by an adult/youth breakdown. For all violent crimes (except robbery), a separate incident is counted for each victim. For non-violent crimes, one incident is counted for each distinct occurrence. Incidents that involve more than one infraction are counted under the most serious violation. As a result, less serious offences are under-counted. The survey has been in operation since 1962 and has full national coverage.

### Revised Uniform Crime Reporting Survey (UCR II)

In 1984, the UCR survey was redeveloped to expand the information collected. This new survey, called the Revised Uniform Crime Reporting Survey (UCR II), provides detailed information on criminal incidents reported to the police. Information includes the age and sex of the accused and the victim, the relationship of the victim to the accused, and the location of the incident. The 1997 data were collected from 179 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative. The exception to this urban sample is in Quebec, where all police departments (municipal and provincial) report to the UCR II.

### Violence Against Women Survey (VAWS)

In 1993, Statistics Canada conducted the VAWS on behalf of Health Canada. It was conducted by telephone using random digit dialing techniques. A total of 12,300 women aged 18 years and older were interviewed about their experiences of physical and sexual violence since the age of 16, their responses to these experiences, and their perceptions of their personal safety. Responses were weighted to represent the 10.5 million adult women in the Canadian population. Estimates of violence were made for both the previous 12 months and since the age of 16.

### Youth Court Survey (YCS)

The Youth Court Survey collects information on federal statute cases heard in youth courts across Canada. Federal statutes include the *Criminal Code*, *Narcotic Control Act* and the *Young Offenders Act*. Information is collected on charges, cases and accused persons aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence.

Most analysis is based on the case, which is defined as one or more charges against the same person and presented in court on the same date. Cases are classified according to the most serious charge in the case, resulting in an undercounting of less serious offences. The kind of information collected by the YCS includes the type of decision (transfer to adult court, guilty, not guilty, stayed, dismissed, withdrawn and other) and the type of disposition (including secure custody, open custody, probation, fine, and compensation)

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