



# Juristat

Canadian Centre for Justice Statistics



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## ADULT CORRECTIONAL SERVICES IN CANADA, 1997-98

Micheline Reed<sup>1</sup>

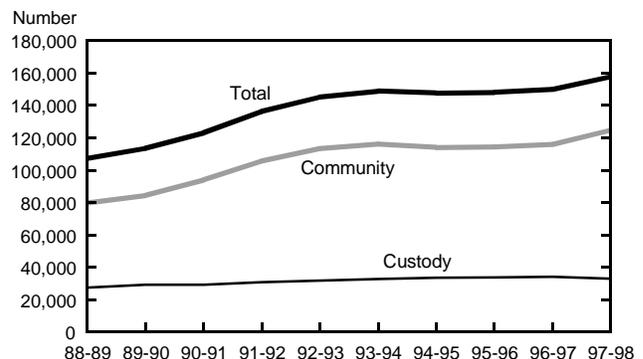
Julian Roberts<sup>2</sup>

### HIGHLIGHTS

- On any day during 1997-98, an average of 157,766 adults were under the supervision of correctional agencies in Canada, an increase of 1% from the previous year. Some 32,970 offenders (21%) were housed in custodial facilities, representing a decrease of 3% from the previous year. The remaining 124,796 offenders (79%) were under some form of community supervision, an increase of 2% since 1996-97.
- After nearly a decade of growth, ending in 1992-93, adult admissions to custody in Canada continue to decline. In 1997-98, the number of admissions to custody declined by 6% from the previous year, the largest drop in decades.
- The typical offender serving a custodial sentence in a provincial/territorial facility (under two years) was male, aged 32, had been convicted of a property offence and sentenced to 44 days in custody. The typical offender in a federal institution was male, 33 years of age, convicted of robbery, and serving a 45-month sentence.
- The over-representation of Aboriginal persons in the federal prison population is worsening. Aboriginal persons accounted for 11% of admissions to federal penitentiaries in 1991-92, 15% in 1996-97 and 17% in 1997-98. (Aboriginal persons represent 2% of the adult population in Canada.)
- There is considerable variation across the country with respect to a number of important correctional statistics. Rates of persons sentenced to custody ranged from 548 per 10,000 adults charged in Manitoba to 4,741 in the Northwest Territories. The median duration of custody ranged from 15 days in New Brunswick to 115 days in Manitoba. The use of intermittent sentences ranged from 3% in British Columbia to 20% in Ontario.
- In 1997-98, the national average daily cost of housing an inmate in custody was \$128.35. In provincial/territorial facilities that cost was \$119.82, while in federal institutions, the cost was on average \$140.28 a day.
- Despite the occasional high profile incident, most offenders serving part of their sentences in the community under supervision on parole complete their terms of supervision in the community without being returned to prison for a breach of conditions. Ten percent of federal parole releases were returned to prison following an allegation of a new offence. Only 1% of paroles at the federal level were revoked following a new criminal charge involving violence during the period.

Figure 1

**Average daily number of provincial/territorial and federal offenders in custody or under supervision in the community, 1988-89 to 1997-98<sup>1</sup>**



<sup>1</sup> Provincial/territorial conditional sentences for 1997-98 are included in the community and total counts. However, conditional sentences are excluded when making year to year comparisons.

**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

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## INTRODUCTION

When offenders are sentenced to custody or to a community-based program such as probation, they come under the responsibility of a correctional agency. These agencies will assume responsibility for implementing the sentence of the court. Correctional authorities also assess the offender's needs (e.g., with respect to drug or alcohol treatment) and provide supervision and treatment to minimize the risk that offenders will return to crime after their sentences have been served. There are three distinct types of offenders in the correctional population: prisoners on remand who are awaiting a court appearance, offenders sentenced to custody, and offenders serving part or all of their sentences in the community.

The responsibility for administering corrections is shared between the federal and provincial/territorial governments. The federal Ministry of the Solicitor General Canada is responsible for all offenders sentenced to two or more years of imprisonment. The provincial and territorial governments are responsible for offenders serving terms of imprisonment of less than two years. These provincial and territorial authorities also supervise offenders sentenced to a community-based sanction such as probation. Figure 2 provides an overview of the major events in the adult correctional system.

A number of legislative reforms introduced in recent years have focused on the correctional population. The most important recent reform which was designed to affect the provincial/territorial prison population was Bill C-41, proclaimed into law in September 1996. One of the components of that Bill created a new disposition, the Conditional Sentence of Imprisonment<sup>3</sup>, another was the introduction of alternative measures for adults. If certain conditions are met, once a sentence of imprisonment has been imposed, the court may order that the offender serve the term of imprisonment in the community, under supervision. The conditional sentence applies only to sentences of up to two years less a day and where there is no minimum sentence. Thus, it was designed to reduce the number of provincial/territorial admissions to custody.

Many Commissions of Inquiry have noted that Canada imprisons a large number of offenders<sup>4</sup>, and have suggested that some of the offenders sent to prison could be safely punished in the community (Canadian Sentencing Commission, 1987). By allowing some offenders who would in the past have gone to prison to now serve their sentences in the community, the federal government hoped to reduce the use of incarceration in a safe and principled way. In this *Juristat* we provide some information about the use of the new sanction to date. We attempted to address the critical question of whether the new sanction has been effective in reducing the number of admissions to custody at the provincial/territorial level.

This *Juristat* examines recent trends in the adult correctional system. A number of important questions are addressed, including the following: Has there been a change in the number of persons admitted to custody? What kinds of offenders are sent to prison, and for what kinds of crimes? To what extent are Aboriginal persons over-represented in the correctional population? Has there been any change in the cost of keeping someone in prison or supervising them in the community?

Finally, for the first time, data are presented relating to the impact of the new conditional term of imprisonment.

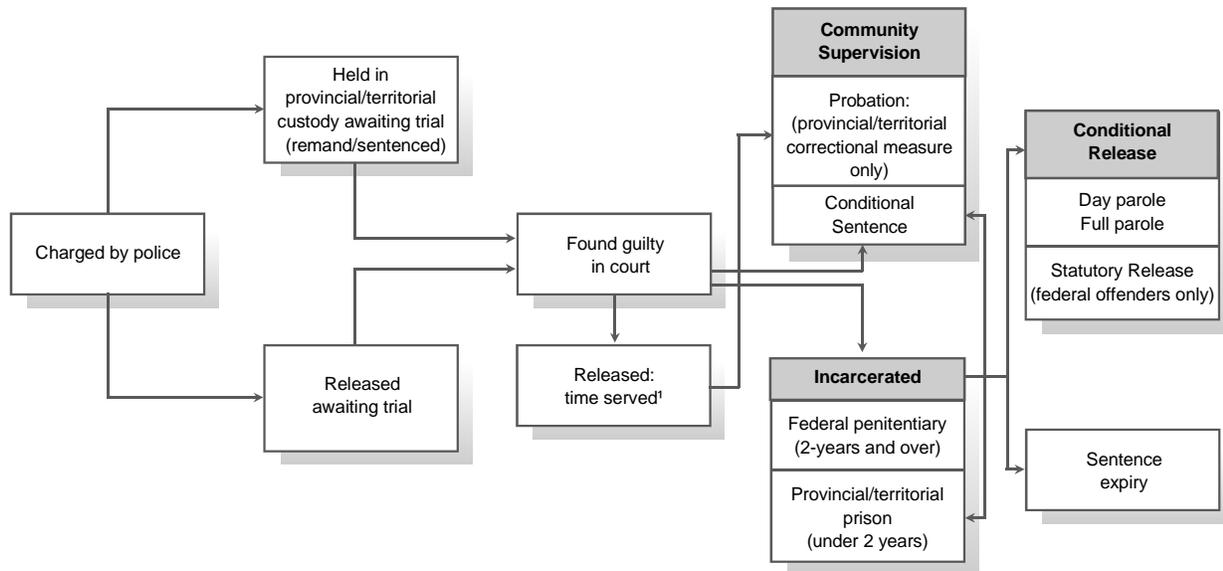
The data summarized in this *Juristat* are drawn from the Adult Correctional Services (ACS) Survey which provides a comprehensive analysis of the adult correctional system. Additional information about the issues explored here can be found in the report *Adult Correctional Services in Canada, 1997-98* (Catalogue No. 85-211-XIE).

<sup>3</sup> Section 742.1 of the Criminal Code.

<sup>4</sup> Canada's incarceration rate for 1997-98 was 109 per 100,000 population. In a recent survey (1996) from the Council of Europe, participating countries reported varying incarceration rates, such as in the Ukraine (425), Poland (149), England (107), France (90) and Germany (83).

Figure 2

**An overview of events in the adult correctional system**



<sup>1</sup> An individual whose sentence approximates time already held in custody (i.e. while awaiting trial) is generally released by virtue of having already served their sentence.

Source: Canadian Centre for Justice Statistics, Statistics Canada.

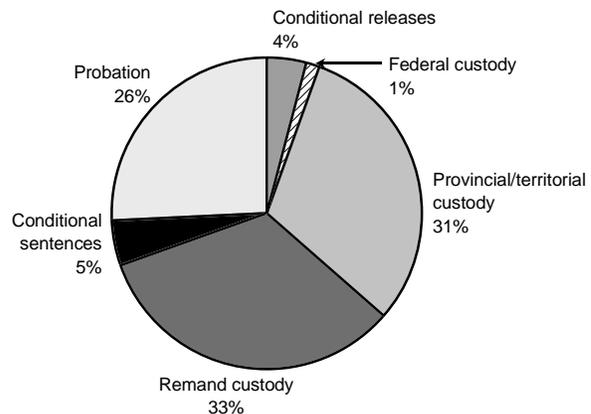
**TRENDS IN THE CORRECTIONAL POPULATION**

On a day to day basis, the number of offenders in the correctional population varies (inmates are admitted and released) and correctional staff conduct daily count of inmates in their custody. From these daily counts an annual average is calculated. In 1997-98, an average of 157,766 adult offenders were under the care of correctional authorities. More than three-quarters (124,796) were under community supervision. Of this total, almost two-thirds (81,606) were offenders on probation. The remaining 32,970 offenders were incarcerated in provincial/territorial and federal custodial facilities.

Although many people associate corrections exclusively with prison, correctional authorities have responsibility for a number of different populations. In fact, sentenced prisoners admitted to a period of custody (provincial/territorial or federal) account for slightly less than one-third (32%) of the total offender population. Accused persons detained on remand account for an additional one-third (33%) of all admissions. Approximately one-quarter (26%) of the correctional population are individuals on probation, while some (4%) are under conditional release in the community such as parole or statutory release and the remainder (5%) are serving a conditional sentence (Figure 3).

Figure 3

**Adult correctional population<sup>1</sup>, 1997-98**



<sup>1</sup> Excludes other provincial/territorial admissions (9,763).

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

## Admissions to custody and to community-based penalties down

In 1997-98, 218,526 adult offenders were admitted to custody. For the fifth consecutive year, the total number of admissions to custody across Canada declined in 1997-98. The drop from 1996-97 of 6% is the largest decrease since the overall correctional population began to decline in 1993-94. Despite the declines recorded over the past few years, in 1997-98, the number of admissions in Canada's prison was still 7% higher than a decade ago (Table 1).

admissions to custody. In Manitoba and Newfoundland, admissions to custody declined by 30% and 26%, respectively. Only one province (Prince Edward Island, +0.2%) did not experience a decline in the number of admissions to custody.

Table 2 also reveals variability in the rates of admissions to custody expressed in terms of the number of adults charged. The national average at the provincial/territorial level was 1,964 per 10,000 adults charged. However, the rate of admissions varied from a low of 548 per 10,000 adults charged in Manitoba to a high of 4,555 in Prince Edward Island and 4,741 per 10,000 in the Northwest Territories.

Table 1

### Total Number of Admissions to Provincial/Territorial and Federal Corrections, 1988-89 to 1997-98

Year	Total number of admissions				Total
	Custody services	% change from previous year	Community services	% change from previous year	
1988-89	202,572	2.0	63,893	-1.2	266,465
1989-90	204,892	1.1	68,792	7.7	273,684
1990-91	212,592	3.8	76,000	10.5	288,592
1991-92	249,091	17.2	89,691	18.0	338,782
1992-93	251,329	0.9	91,902	2.5	343,231
1993-94	246,376	-2.0	94,609	2.9	340,985
1994-95	243,785	-1.1	92,911	-1.8	336,696
1995-96	234,732	-3.7	90,089	-3.0	324,821
1996-97	230,031	-2.0	92,981	3.2	323,012
1997-98 <sup>1</sup>	218,526	-5.0	108,828	-0.3	327,354

<sup>1</sup> Provincial/territorial conditional sentences(14,608) are included for the first time in community services for 1997-98. However, in calculating percent change from the previous year, conditional sentences have been excluded.

**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

There was little difference in the magnitude of the decline at the federal and provincial/territorial levels in the last year: admissions to federal institutions declined by 3% (from 4,569 to 4,412), while admissions to provincial/territorial institutions declined by 6% (from 225,462 to 214,114 admissions, excluding Northwest Territories in 1997-98).

Admissions to a community-based sanction or supervision (such as probation, parole) show a different picture. In 1997-98, 108,828 offenders were admitted to a community sentence. This represents a slight (0.3%) decrease over the previous year.

Going back a little further makes the point clearer. Over the period 1995-96 to 1997-98, admissions to custody (of all kinds, including remand) decreased by 8%, while admissions to a community-based sanction increased by 3%. Thus fewer offenders are being admitted to prison, and more offenders are beginning to serve a sentence in the community.

Excluding persons on remand, the overall decline in the number of persons admitted at the provincial/territorial level varied across the country. As Table 2 shows, in 1997-98, there was a 9% decrease from the previous year in the number of sentenced admissions to prison at the provincial/territorial level. However, some jurisdictions experienced much sharper declines in

What accounts for this variation? There are several potential explanations. One explanation is that the crimes recorded in some provinces or territories may be more serious, or some jurisdictions may have a higher percentage of repeat offenders who are more likely to be sent to prison. This cannot explain all the variation however. Quebec, for example, had the lowest proportion of violent crime in 1997<sup>5</sup> but this was not associated with a greater decline in the number of admissions to custody.

Another possible explanation for the variation in custody rates is that judges in some jurisdictions may be more likely to use imprisonment as a sanction. For example, recent sentencing statistics show that the proportion of offenders incarcerated (percentage of convictions resulting in a period of custody) varied across Canada from 22% in Nova Scotia to 60% in Prince Edward Island (Brookbank and Kingsley, 1998). One reason for the high rate of incarceration in Prince Edward Island is that judges in that province sentence impaired drivers to prison five times more than the national average (Birkenmayer and Roberts, 1997). This would account, in large part, in the high rate of admissions to custody in that province.

<sup>5</sup> Only 4% of Criminal Code charges in Quebec involved violence, compared to 32% in Manitoba, 33% in Newfoundland and 24% in Saskatchewan.

### Remand and Other/temporary Detention Admissions to Provincial/Territorial Facilities, 1997-98

Jurisdiction	Remand admissions	% change from previous year	Other/temporary detention admissions
Newfoundland	276	10.0	9
Prince Edward Island	169	32.0	—
Nova Scotia	1,532	7.0	406
New Brunswick	1,201	8.4	—
Quebec	27,681	-11.6	—
Ontario	44,795	-0.1	5,174
Manitoba <sup>1</sup>	2,761	-2.6	3,859
Saskatchewan	6,685	7.8	314
Alberta	8,294	-11.4	—
British Columbia	10,904	7.1	—
Yukon	293	15.8	1
Northwest Territories	1,114	...	..
<b>Provincial/Territorial Total</b>	<b>105,705</b>	<b>-2.0</b>	<b>9,763</b>

<sup>1</sup> In Manitoba many of the "Other/temporary detention" admissions subsequently convert to remand.  
 — nil or zero.  
 ... figures not appropriate or applicable.  
**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Remand admissions include persons who have been charged with an offence and remanded (ordered by the court) to custody while awaiting a further court appearance. They have not been sentenced to custody or community sanctions but can be held for a number of reasons (e.g. arranging bail, risk that they will fail to appear for their court date, risk to re-offend, etc.)

While the focus of this report will not include a detailed analysis of remand prisoners, this group is still important in monitoring the overall correctional population.

The number of remand admissions has decreased 6% over the last five years. During 1997-98, 49% of all custodial admissions to provincial/territorial facilities were for remand.

Offenders detained on "Other/temporary detention" status include offenders held for immigration, on exchange of service agreement, in transit, etc. and account for nearly 5% of all admissions. In some jurisdictions, they represent a significant number of offenders, ranging from less than one percent (0.6%) in Newfoundland, 3% in Saskatchewan to highs of 11% in Nova Scotia and 48% in Manitoba.

Table 2

### Sentenced Admissions to Provincial/Territorial and Federal Custody, 1997-98

Jurisdiction	Number of admissions	% change from previous	Rate per 10,000 adults charged	Per cent female adults	Per cent Aboriginal	Median age
Newfoundland	1,166	-25.6	1,710	5	7	31
Prince Edward Island	869	0.2	4,555	7	--	29
Nova Scotia	1,914	-9.4	1,190	4	4	30
New Brunswick	2,278	-22.0	1,909	4	4	30
Quebec	26,188	-8.9	2,639	8	1	33
Ontario	33,971	-7.0	2,025	9	9	31
Manitoba <sup>1</sup>	1,439	-30.4	548	7	61	30
Saskatchewan	3,894	-18.9	1,264	9	72	29
Alberta	14,467	-12.5	2,487	11	39	31
British Columbia	10,583	-8.2	1,431	7	16	30
Yukon	304	-1.9	2,162	5	41	29
Northwest Territories	1,573	...	4,741	3	..	..
<b>Provincial/Territorial Total</b>	<b>98,646</b>	<b>-8.7</b>	<b>1,964</b>	<b>9</b>	<b>15</b>	<b>32</b>
<b>Federal Total</b>	<b>4,412</b>	<b>-3.4</b>	<b>84</b>	<b>5</b>	<b>17</b>	<b>(average) 33</b>

<sup>1</sup> In Manitoba, these admissions represent the front door status. In other words, people who enter the front door as arrestee or remandee status, and proceed through to being sentenced in this period, are not counted in these admissions.  
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**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

It is also possible that there is variation in the rate of withdrawals or stays of proceedings. Jurisdictions that use a higher proportion of stays to dispose of charges would have fewer convictions overall, and this would result in fewer admissions to custody. In Nova Scotia for example, 30% of cases were stayed/withdrawn in 1997-98, with 53% resulting in a conviction. In Prince Edward

Island, the percentage of cases stayed/withdrawn was lower (22%) but the proportion of convictions was higher (75%). Finally, if the new conditional sentence is being more widely used in some jurisdictions than others, this, too, will result in different rates of admissions to custody.

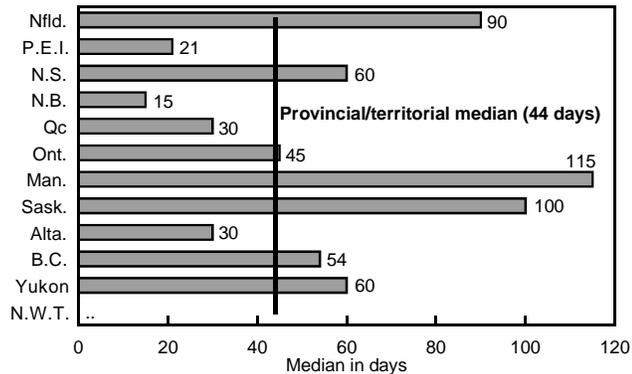
### Incarceration at the provincial/territorial level is usually brief

The median<sup>6</sup> sentence of imprisonment at the provincial/territorial level in 1997-98 increased to 44 days from 37 days the previous year, and 36 days in 1993-94. Few inmates serve their entire sentence in prison; some prisoners serve the last portion under supervision in the community. The median length of time actually served in prison in 1997-98 was 24 days.

As with other variables examined in this *Juristat*, there is considerable variation in the median sentence length across the country. The median varied from a low of 15 days in New Brunswick to a high of 115 in Manitoba (Figure 4). This variability also reflects the influence of a number of factors. A jurisdiction with a higher percentage of serious crimes or repeat offenders will have a longer median sentence length (as the more serious crimes result in longer terms of imprisonment). The median sentence length can also be affected by the very short sentences served by fine defaulters. If a jurisdiction has a large number of admissions to custody for fine default, this will probably result in a lower median sentence length in that jurisdiction, as these individuals admitted for fine default spend a relatively brief period in custody.

Figure 4

### Median sentence length on admission to provincial/territorial custody, 1997-98



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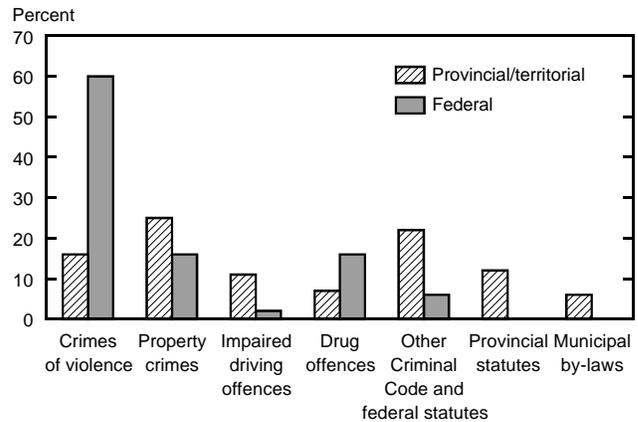
Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Property crimes account for the highest percentage of admissions to custody

A clear distinction emerges between the provincial/territorial and federal prison populations in terms of the crime for which the offender is admitted to prison. Property crimes account for the highest percentage (25%) of admissions at the provincial/territorial level, while crimes of violence account for the highest percentage of admissions to custody at the federal level (60%). In fact, the provincial/territorial prison population is quite heterogeneous in terms of the most serious crimes for which prisoners are admitted. Although the highest percentage of admissions are accounted for by property offences, almost as many offenders were admitted for "other Criminal Code offences and related federal statutes"<sup>7</sup> (22%) (Figure 5).

Figure 5

### Most serious offence committed on admission to custody<sup>1,2</sup>, 1997-98



<sup>1</sup> The percentage breakdown shown in this chart represents jurisdictions reporting either the offence for the most serious disposition or most serious offence.

<sup>2</sup> Offence data were known for 87% of federal admissions.

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

The large percentage of admissions for property offences at the provincial/territorial level reflect the influence of two factors. First, property crimes are more common than crimes of violence<sup>8</sup>. Second, property offenders usually acquire lengthy criminal records faster than persons convicted of a crime of violence (Campbell, 1993). After the seriousness of the crime, an offender's criminal record is the most important determinant of the sentence imposed.

### Fine defaulters still account for a significant percentage of provincial/territorial admissions to custody

Fine defaulters accounted for over one-fifth (22%) of provincial/territorial<sup>9</sup> admissions to custody in 1997-98. Although this represents a decline from 26% in the previous year, there has been only a modest reduction in the volume of admissions to custody for fine default over the past 15 years: in 1981-82, 29% of provincial/territorial admissions were fine defaulters. There is considerable variation across the country in terms of the percentage of admissions to custody who are fine defaulters. The range was 1% in Newfoundland, 2% in Ontario but 33% in Alberta and 57% in Quebec.

<sup>6</sup> The median score represents the mid-point when all values are arranged in order of magnitude. One-half of all scores have a value less than or equal to the median, one-half have a value greater than or equal to the median.

<sup>7</sup> This group includes other Criminal Code offences such as arson, administration of justice and mischief and federal statutes such as immigration.

<sup>8</sup> In 1997, property crimes accounted for 56% of all crimes recorded by the police, violent crimes represented 11%.

<sup>9</sup> No data were available from the Northwest Territories.

**Fine Default Admissions to Provincial/Territorial Facilities, 1997-98**

Jurisdiction	Number of admissions	% change from previous year
Newfoundland	14	-90.5
Prince Edward Island	88	-53.4
Nova Scotia	397	2.1
New Brunswick	122	-32.6
Quebec	14,817	-7.0
Ontario	730	-73.4
Manitoba	208	-77.4
Saskatchewan	196	-81.5
Alberta	4,780	-16.3
British Columbia	356	-71.9
Yukon	8	...
Northwest Territories	..	..
<b>Provincial/Territorial Total</b>	<b>21,716</b>	<b>-23.9</b>

... figures not available.  
 ... figures not appropriate or applicable.  
**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Fine default admissions represent the number of offenders admitted to a provincial/territorial facility to serve a sentence in default of paying a fine.

Significant decreases were reported in the number of offenders admitted to custody for defaulting on payment of a fine.

In the last year, many jurisdictions have initiated various programs to collect unpaid fines. For example a person must pay all outstanding fines before a driver's license is renewed.

Between 1996-97 and 1997-98, the decrease in admissions was 24%.

**Little change in percentage of offenders admitted to serve a life term**

The percentage of offenders admitted to serve a term of life imprisonment in federal facilities declined slightly, from 4.6% in 1996-97 to 4.3% in 1997-98.

**Female offenders represent less than 10% of prison admissions**

In 1997-98, males represented 91% and females 9% of all sentenced admissions to provincial/territorial prisons (Table 2). This gender ratio has not changed in recent years: women accounted for the same percentage of admissions in 1992-93. Female offenders represent an even smaller percentage (5%) of admissions to federal penitentiaries. The gender difference in admissions to custody in federal institutions is explained by the fact that females are less likely to be charged and convicted of the kinds of offences which result in sentences in excess of two years.

**The prison population is ageing in provincial/territorial facilities**

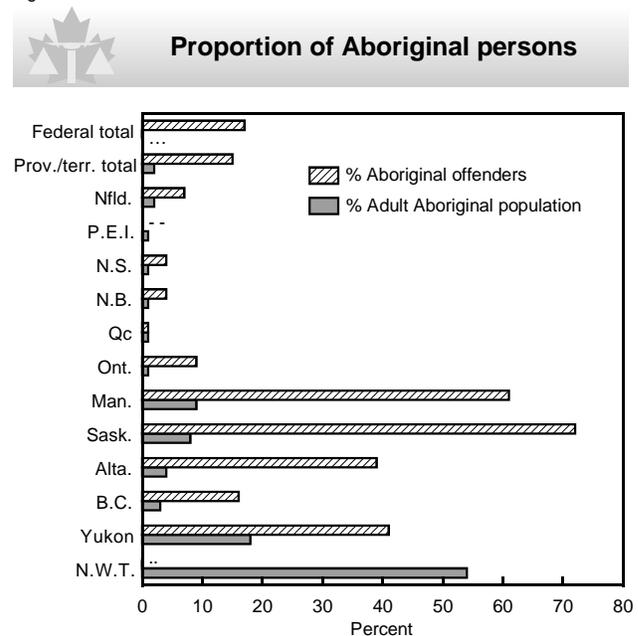
There has been a slight increase in the age of persons admitted to provincial/territorial custody. The median age of provincial/territorial inmates was 32, up from 31 in 1996-97 (Table 2). The increase in the age of offenders reflects two trends. First, an increased use of alternative sentences for first offenders (who are more likely to be younger than the average offender). Second, the general population is ageing, and this will be reflected in the age profile of the offender population. The average age of offenders in federal facilities was 33 in 1997-98, a decrease from 36 the previous year.

**Aboriginal offenders still over-represented in admissions to prison**

Aboriginal peoples represent 2% of the adult population, but 15% of the admissions to custody at the provincial/territorial level. As in previous years, there is considerable variation across

the country. Figure 6 shows the percentage of Aboriginal admissions ranged from a low of about 1% in Quebec to a high of 72% in Saskatchewan. Manitoba and the Yukon also had significant percentages of Aboriginal admissions (61% and 41% respectively; Table 2).

Figure 6



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 - - amount too small to be expressed.  
**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

The percentage of federal admissions that are Aboriginal continues to increase: it was 11% in 1991-92, 15% in 1996-97 and 17% in 1997-98. These data suggest that efforts<sup>10</sup> designed to reduce the use of incarceration for Aboriginal offenders have yet to prove effective.

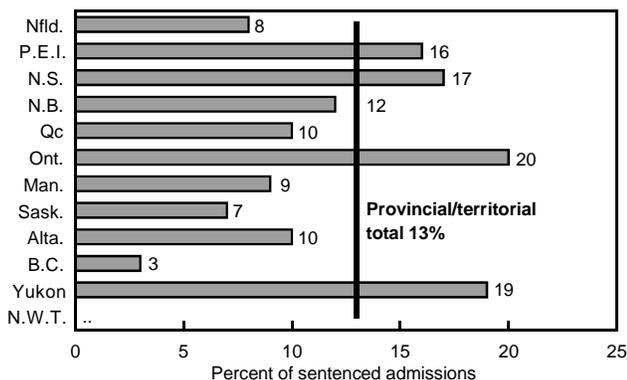
**Intermittent sentences continue to account for significant percent of prison terms**

The *Criminal Code* permits judges to sentence some offenders to an intermittent term of imprisonment. This means that the offender serves the time on the weekend, thereby allowing him or her to work, go to school or attend a treatment program during the week. When the offender is not in custody, he or she must abide by the conditions of a probation order imposed by the court. There are certain restrictions regarding the imposition of intermittent sentences, and they cannot exceed 90 days in length. In some jurisdictions, correctional facilities are so overcrowded that there is insufficient room for the offender sentenced to serve time on the weekend. The result is that when the offender arrives to serve the sentence he or she may be simply required to sign in and authorised to return home. For this reason, judges in some jurisdictions are reluctant to impose intermittent terms of imprisonment (Edgar, 1999).

Overall, intermittent sentences represented 13% of all admissions to custody in 1997-98, down 2% from the previous year. There was considerable variation across the jurisdictions with regard to the use of intermittent sentences. The use of intermittent terms ranged from a low of 3% of all admissions in British Columbia to a high of 20% in Ontario (Figure 7). This is noteworthy because it was thought that with the creation of the conditional sentence, judges would use the new disposition in cases that would previously have attracted an intermittent term of imprisonment.

Figure 7

**Percentage of intermittent sentence admissions, 1997-98**



.. figures not available.

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

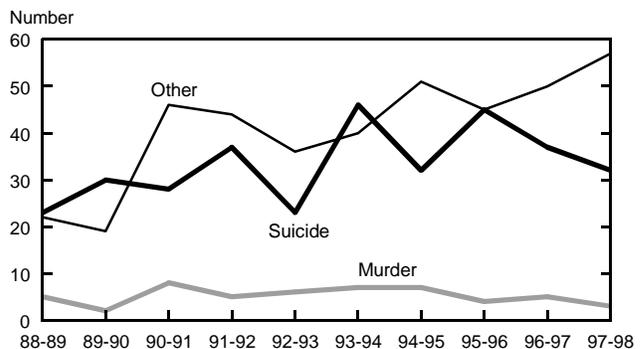
The extent to which judges in a particular province or territory impose intermittent sentences may well be influenced by prison populations in that jurisdiction. If the prisons are full, there will be reduced capability to accommodate offenders for a brief period of time, such as a weekend.

**Suicide the most frequent cause of death in custodial population**

There were 92 inmate deaths in Canada's custodial institutions in 1997-98, the same number as in the previous year. Suicide continues to be the most frequent cause of deaths in custody, accounting for 32 (35%) of all deaths. The number of suicides in custody declined slightly at both the federal (down from 10 to 9) and provincial/territorial (down from 27 to 23) levels. The suicide rate in prison is more than twice as high as the general population. Three murders were recorded in Canada's prisons in 1997-98, two in federal penitentiaries and one in a provincial institution. The remaining deaths were from natural causes or were classified "other" by correctional officials.

Figure 8

**Causes of death in the provincial/territorial and federal custodial population**



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

**Escapes are very rare**

In 1997-98, only one federal inmate escaped from a maximum security penitentiary. Two individuals escaped from medium security level facilities, and 66 from minimum level security facilities, up slightly from 1996-97. At the provincial/territorial level, the number of inmate escapes decreased 24%, from 1,220 to 923. More than half of all provincial/territorial escapes were individuals who did not report to an institution to serve an intermittent sentence.

<sup>10</sup> For example, according to section 718.2 (e) of the *Criminal Code* urges judges to consider all available sanctions other than imprisonment, "with particular attention to the circumstances of Aboriginal offenders".

## TRENDS IN COMMUNITY-BASED CORRECTIONS: CONDITIONAL SENTENCES, PROBATION AND PAROLE

Community-based corrections include a number of different categories including offenders serving conditional terms of imprisonment, offenders on probation, offenders on parole, and offenders on statutory release.

### Type of conditional release

There are three types of conditional release by which federal offenders can be released into the community: day parole, full parole and statutory release.

- **Day parole** provides offenders with the opportunity to participate in on-going community activities. Usually the offender resides at a correctional institution or halfway house in the community. Inmates are granted day parole in order to help them reintegrate back into the community, participate in educational or training programs, work and prepare for eventual full parole or statutory release.
- **Full parole** is a form of conditional release from prison, granted at the discretion of the parole authorities. Offenders released from prison on full parole serve part of their sentence in the community under supervision. If the offender violates the conditions of parole, he or she may be returned to prison to serve the balance of the sentence in custody. Most federal inmates are eligible to apply for full parole after having served one-third of their sentences.<sup>11</sup> Decisions regarding parole for federal inmates, as well as inmates in provincial and territorial institutions (except in British Columbia, Ontario and Quebec which have their own parole boards) are made by the National Parole Board (NPB).
- **Statutory release** requires that federal inmates serve the final one-third of their custodial sentence in the community under supervision. Offenders on statutory release are typically inmates who either waived full parole, or who were denied release on full parole.<sup>12</sup>

### Conditional terms of imprisonment

As noted earlier in this *Juristat*, if certain conditions are met, a judge, after imposing a term of imprisonment of less than two years in provincial/territorial facilities, may order the offender to serve the prison sentence in the community, under supervision. The offender will have to follow a number of mandatory conditions such as reporting to a probation officer or a designated supervisor. As well, the judge may impose additional conditions, such as requiring the offender to attend a treatment program. If the offender breaches these conditions, he/she will be returned to court for a breach hearing. At this point the court may modify the conditions, take no action, or order that the offender be committed to prison to serve the balance of the sentence. The purpose of this new disposition was to reduce the number of admissions to custody at the provincial/territorial level.

This *Juristat* provides some preliminary data on the use of conditional sentences since the creation of the new sentence in September 1996. Over the period September 6, 1996 to

March 31, 1998, 22,281 offenders began to serve a conditional term of imprisonment in the community. The goal of the conditional sentence was to create another alternative to conventional imprisonment, in order to reduce the number of admissions to custody. Since the conditional sentence is restricted to custodial terms under two years in length, reductions in the numbers of admissions to custody would only be seen at the provincial/territorial level.

### Significant numbers of offenders being sentenced to imprisonment in the community

The number of sentenced admissions to custody declined in all provinces or territories except Prince Edward Island (Table 3). However, this general decline in admissions cannot be attributable to the introduction of conditional sentences, since, as we have seen, admissions to custody had been declining for several years before conditional sentences were introduced. The source of this decline is most likely the downturn in the crime rate: fewer offences, fewer charges, fewer convictions and hence fewer admissions to prison (i.e., fine defaulters and intermittent sentence servers). Another factor contributing to this decrease could be the introduction of alternative measures for which data are not yet available.

In order to determine whether the conditional sentence has reduced the number of admissions to custody, we have to examine sentencing patterns. The conditional sentence was created to replace serving the actual term in custody. Indeed, as noted, before placing an offender on a conditional sentence, judges must have first imposed a term of imprisonment. This means that if the conditional sentence has been effective, the percentage of admissions under sentence to provincial/territorial facilities should have declined by the number of conditional sentences imposed.

However, preliminary analyses reveal little change in the number of incarceration since the introduction of the new conditional sentence. Thus in the year prior to the creation of conditional sentencing (fiscal year 1995-96), 35% of sentences imposed for the jurisdictions that provided data<sup>13</sup> involved a term of imprisonment. In 1997-98, by which time over 22,000 conditional sentences had been imposed, the proportion of incarcerations was unchanged (35%).

In the province of Ontario, in 1997-98, 4,293 conditional sentences were imposed. The number of incarcerations was unchanged in the province from 1996-97 to 1997-98 (38%). In Alberta, the proportion of offenders incarcerated actually rose, from 27% in 1996-97 to 28% in 1997-98. However, until all jurisdictions are collecting and coding conditional sentences in a consistent fashion, it is impossible to draw a definitive conclusion about the impact of the new disposition on incarceration rates.

<sup>11</sup> For a limited number of offences, the sentencing judge can defer the parole eligibility date from one-third to one-half of the sentence. Inmates serving life terms have different parole eligibility dates (usually set by the court), depending on the seriousness of the crime for which their life terms were imposed.

<sup>12</sup> Some offenders will be detained in prison for the full sentence.

<sup>13</sup> Data from the Adult Criminal Courts Survey for Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Yukon and the Northwest Territories.

Table 3

**Changes in the Number of Admissions to Custody and Community 1997-98, Following the Introduction of Conditional Sentences in September 1996**

Jurisdiction	Number of conditional sentences imposed	Change in sentenced admissions		Change in probation admissions	
		Number	%	Number	%
Newfoundland	304	-402	-25.6	36	1.8
Prince Edward Island	29	2	0.2	53	7.7
Nova Scotia	476	-199	-9.4	-65	-1.7
New Brunswick	596	-641	-22.0	77	4.3
Quebec	3,983	-2,565	-8.9	63	0.9
Ontario	4,293	-2,559	-7.0	2,467	7.4
Manitoba	526	-630	-30.4	2	0.1
Saskatchewan	928	-908	-18.9	249	8.3
Alberta	1,343	-2,068	-12.5	-646	-7.7
British Columbia	2,080	-948	-8.2	-2,712	-16.8
Yukon	50	-6	-1.9	-64	-12.4
Northwest Territories	..	...	...	...	...
<b>Provincial/Territorial Total</b>	<b>14,608</b>	<b>-9,351</b>	<b>-8.7</b>	<b>1,007</b>	<b>1.2</b>

... figures not available.

... figures not appropriate or applicable.

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

As Table 4 shows, fewer women (20%) than men were given a conditional sentence during 1997-98. The median age of offenders serving a conditional sentence was 34, and Aboriginal offenders represented 12% of the overall number of conditional sentences. It is interesting to note the similarities in these offender characteristics to those receiving a term of probation. Women made up 16% of all probationers while Aboriginal offenders account for 12% and the median age is 31. Women serving a custodial sentence represented 9% of all sentenced admissions, Aboriginal offenders represented 15% of sentenced offenders and the median age was 32.

**Admissions to probation stable, but rates variable across the country**

Probation allows an offender to live in the community under the supervision of a probation officer. Overall, there was little change in the volume of admissions to probation: a small decrease of almost 1% from the previous year. However, this overall statistic hides a great deal of variation across the jurisdictions. The number of admissions to probation declined significantly in three provinces or territories (British Columbia, Yukon, and Alberta had declines of 17%, 12% and 8%, respectively) (Table 5). Increases were recorded in four other jurisdictions (Prince Edward Island and Saskatchewan - 8%, Ontario - 7%, and New Brunswick - 4%). Admissions were essentially stable in the remaining provinces or territories.

Rates of probation per 10,000 adults charged with a criminal offence also varied, from a low of 728 in Quebec to 4,662 in the Northwest Territories. The national average was 1,640 per 10,000 adults charged.

The most frequently imposed length of probation (accounting for 30% of cases) was 12 months. The profile of persons sentenced to probation differed little from the profile of persons admitted to custody. The median age was 31 years and 12% were Aboriginal offenders. Female offenders accounted for a greater percentage of probationers than sentenced admissions to custody (16% compared to 9%). This finding reflects the fact that women tend to be convicted of less serious offences which are more likely to result in probation than custody. Judges may also be more likely to sentence women to probation, if they believe that female offenders represent a lower risk of re-offending.

**Parole grant rates up, at the federal and provincial/territorial levels**

Three provinces (Quebec, Ontario and British Columbia) operate parole boards that are responsible for inmates in their provincial prisons. The National Parole Board is responsible for all prisoners serving sentences of over two years, as well as prisoners in provinces or territories that do not have their own parole boards.

The grant rate represents the percentage of inmates who applied for full parole and who were granted release on parole over the course of the year. The National Parole Board's federal grant rate increased for the third successive year in 1997-98 to 42% from 40% in 1996-97, while it's provincial/territorial grant rate decreased significantly to 43% from 52% over the same time period. The grant rate for the provincial parole boards increased slightly in 1997-98 to 51% from 50% in 1996-97.

Table 4


**Number of Conditional Sentences Imposed September 1996 to March 1998**

Jurisdiction	Year	Number of conditional sentences	Per cent females	Per cent Aboriginal	Median age
Newfoundland	1996-97	212	30	1	25
	1997-98	304	25	7	31
Prince Edward Island	1996-97	4	-	--	..
	1997-98	29	10	..	..
Nova Scotia	1996-97	242	16	2	31
	1997-98	476	14	3	30
New Brunswick	1996-97	185	20	..	27
	1997-98	596	19	..	29
Quebec	1996-97	2,555	14	3	32
	1997-98	3,983	14	4	32
Ontario	1996-97	1,940	23	7	33
	1997-98	4,293	25	7	33
Manitoba	1996-97	..	..	..	..
	1997-98	526	..	..	..
Saskatchewan	1996-97	445	16	78	29
	1997-98	928	29	73	29
Alberta	1996-97	1,004	27	22	..
	1997-98	1,343	26	22	..
British Columbia	1996-97	1,064	15	15	31
	1997-98	2,080	16	16	32
Yukon	1996-97	22	23	23	30
	1997-98	50	20	93	29
Northwest Territories	1996-97	..	..	..	..
	1997-98	..	..	..	..
<b>Provincial/Territorial Total<sup>1</sup></b>	1996-97	7,673	19	12	34
	1997-98	14,608	20	12	34

<sup>1</sup> Conditional sentences were introduced in September 1996.

.. figures not available.

-- amount too small to be expressed

- nil or zero.

**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 5

 **Number of Probation Admissions, 1997-98**

Jurisdiction	Number of admissions	% change from previous year	Rate per 10,000 adults charged	Per cent female	Per cent Aboriginal	Median age
Newfoundland	1,982	1.8	2,907	18	6	30
Prince Edward Island	744	7.7	3,899	..	..	..
Nova Scotia	3,715	-1.7	2,309	16	5	31
New Brunswick	1,858	4.3	1,557	17	..	28
Quebec	7,225	0.9	728	11	6	31
Ontario	35,930	7.4	2,142	17	7	30
Manitoba	3,659	0.1	1,394	..	..	..
Saskatchewan	3,261	8.3	1,059	18	61	28
Alberta	7,794	-7.7	1,340	18	24	..
British Columbia	13,440	-16.8	1,818	14	16	31
Yukon	451	-12.4	3,208	19	96	30
Northwest Territories	1,547	...	4,662	18	..	28
<b>Provincial/Territorial Total<sup>1</sup></b>	<b>81,606</b>	<b>-0.7</b>	<b>1,640</b>	<b>16</b>	<b>12</b>	<b>31</b>

<sup>1</sup> Percentage change calculation from the previous year excludes Northwest Territories.

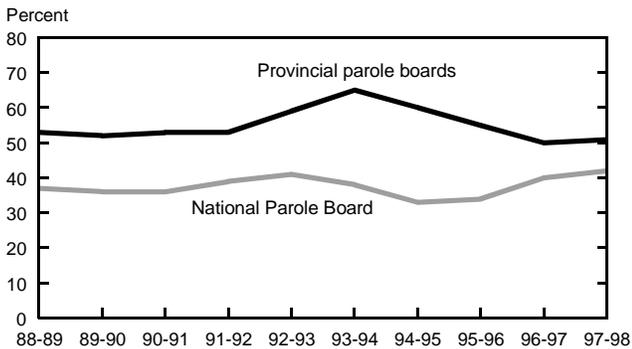
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Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 9

 **Full parole grant rate**



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

As in previous years, there was variation in the grant rates of the provincial boards<sup>14</sup>. The grant rate in Quebec was almost twice as high as the rate in Ontario (65% versus 34%). This reflects a significant (and steady) decline in Ontario's grant rate over the past five years. In 1993-94 the Ontario grant rate was 59%. The following year it was 49%, in 1995-96 it was 42% and last year it reached 35%.

**Almost all offenders on parole complete their periods of parole successfully**

The vast majority of parolees serve out their sentences in the community without violating their parole conditions. Of the provincial/territorial full paroles granted in 1997-98, 78% were completed successfully, that is without revocation or suspension. The federal parole success rate was also high: 67% of prisoners released on full parole successfully completed their sentences in the community. A further 22% of federal parolees were returned to prison for breaching some condition of parole, such as abstaining from the consumption of alcohol. Ten percent were returned to prison following an allegation of a new non-violent offence, and 1% were returned as a result of new charges involving violence. These statistics contradict the public perception that a significant number of offenders on parole re-offend. In 1998, a representative sample of the public was asked to estimate the percentage of federal inmates released on parole who commit another offence before their sentence has ended. Almost nine out of ten respondents over-estimated the rate of recidivism. Over half the sample estimated the new-offence recidivism rate of parolees to be between 50% and 100%. As the statistics show, the actual figure is much lower (Beard, Hann, Nuffield, Roberts and Tremblay, 1999).

<sup>14</sup> Data for parole grant rate in British Columbia were not available for the last two years.

### Temporary absences from federal prisons are almost always completed successfully

Inmates may apply for temporary absences from prison. These allow the prisoner to leave the institution for a short period of time, and are granted for a variety of reasons including medical grounds. The absence can last from a few hours up to a few days, and can be either escorted (by a correctional officer) or unescorted.

In 1997-98, all but 11 of the 47,625 escorted absences and 26 of the 6,154 unescorted absences from federal facilities were completed successfully for a success rate of 99%. Comparable information will be available in the future from the provincial/territorial systems.

## ADULT CORRECTIONAL EXPENDITURES

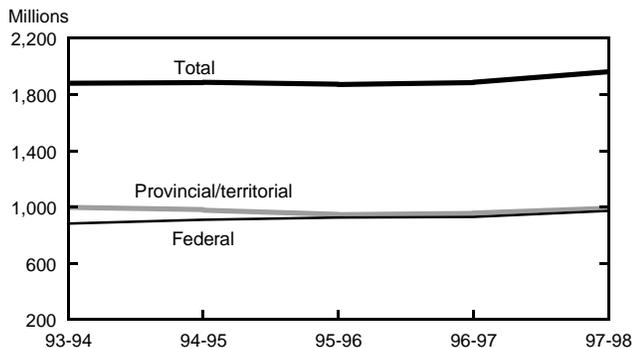
In 1997-98, combined federal and provincial/territorial operating expenditures on corrections reached \$2.08 billion, compared with \$1.88 billion in 1993-94, an increase of 11% (Figure 10). After adjusting to control for inflation, total operating expenditures increased 5% over the same period.

Federal operating expenditures reached \$1.03 billion in 1997-98, up 17% from 1993-94 (a 10% increase when adjusted for inflation). Provincial/territorial spending reached \$1.05 billion in 1997-98, an increase of 5% from the previous year (a decrease of 0.4% after controlling for inflation).

The average daily cost of housing an inmate at the federal level was \$140 in 1997-98. In provincial/territorial facilities, the cost rose to \$120, up 8% from 1996-97.

Considerable variation exists across the country in terms of the average daily inmate cost. Jurisdictions which have a low average daily inmate cost include Alberta (\$83), New Brunswick (\$90) and Saskatchewan (\$95). On the other hand, Yukon (\$219) and Newfoundland (\$146) have relatively high daily inmate costs.

Figure 10



Source: *Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

### Conclusion

The correctional system attracts a great deal of media attention and public scrutiny. As well, it has been the target of significant legislative reform over the past few years. One of the principal goals of these reforms has been to reduce the level of incarceration in Canada. The data summarized in this Juristat show that for a variety of reasons, including a declining crime rate, and the introduction of reform legislation, the number of admissions to custody is declining. However, there has been no change in the rate of incarceration for Aboriginal persons, although this was one of the goals of the 1996 sentencing reform legislation. Indeed, at the federal level, the rate of Aboriginal admissions to custody is actually increasing.

The statistics summarized in this Juristat also show that admissions for remand and fine default continue to consume considerable amounts of correctional resources. Reducing the number of people admitted to custody for failure to pay a fine has been and continues to be a challenge for the criminal justice system in Canada. Finally, these data show that a gap still exists between public perception and reality as reflected in the correctional statistics. Statistics summarized here show that the percentage of full parole releases that are revoked as a result of new criminal charges is much lower than generally believed by the public. Finally, for many issues examined in this report, the data show significant variation across the jurisdictions.

### Methodology and data limitations

The information presented in this *Juristat* is derived from the Adult Correctional Services Survey. This survey is conducted annually (on a fiscal year basis from April 1 to March 31) and is designed to collect caseload and case characteristics information on adult offenders. Data pertain to both the provincial/territorial and federal corrections sectors.

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