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## YOUTH COURT STATISTICS, 1998/99 HIGHLIGHTS

by *Denyse Carrière*

- In 1998/99, 106,665 cases were processed in the youth courts of Canada. This represents a 4% decrease from the previous year and a decrease of 7% from 1992/93. It also represents a 13% decrease in the number of cases per 10,000 youths from 1992/93; since that year, the rate has dropped from 500 cases to 435 cases.
- From 1992/93 to 1998/99, the rate of property crime cases decreased annually, dropping 31% over this period. On the other hand, the rate of violent crime cases has increased by 2% since 1992/93.
- Cases before youth courts most often involved property crimes (43%). While violent crimes made up slightly more than one-fifth of the caseload, close to half of these were minor assaults.
- Five offences accounted for a large proportion (59%) of the total caseload. These were theft under \$5,000, failure to comply with a disposition under the *Young Offenders Act* (YOA), breaking and entering, failure to appear/comply/breach of recognizance and minor assault.
- Older youths were involved in the majority of cases before youth courts; 16 year-olds accounted for 25% of the caseload, while 17 year-olds accounted for 26% of cases. Young offenders aged 15 were involved in 21% of cases while younger adolescents aged 12 to 14 years accounted for the remaining 26%.
- Females accounted for 21% of the caseload in 1998/99. This proportion has gradually increased from 18% in 1992/93.
- Two-thirds of cases heard in youth court resulted in a conviction. This proportion has remained virtually unchanged since 1992/93.
- Probation was the most significant sentence in 48% of all cases with convictions.
- Custody (open and secure) was ordered in over one-third of cases with convictions, with more than three-quarters of these cases having a sentence of three months or less.
- Custodial sentences are getting shorter. Cases with custodial sentences of three months or less accounted for 77% of custody cases in 1998/99 compared to 71% in 1992/93.
- Repeat offenders (defined as youths with at least one prior conviction) were involved in about four out of every ten cases with convictions.
- One-half of all youth court cases were dealt with by the courts within two months or less and 82% took 6 months or less.



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## INTRODUCTION

Providing effective treatment and rehabilitation of young offenders, and ensuring the safety of Canadian communities are primary objectives of the youth justice system. The *Young Offenders Act*, proclaimed in 1984, introduced rights for adolescents previously guaranteed for adults only. It recognized the special needs that youths have as a result of their varying levels of maturity, the necessity for youths to accept responsibility for unlawful action and the right of society to protection from illegal behaviour. In response to concerns about youth crime, the federal government will soon be replacing the *Young Offenders Act* with the *Youth Criminal Justice Act*. This new legislation proposes to treat young offenders committing serious violent crimes more severely than the present legislation while making previous to keep first-time offenders of less serious crimes out of the formal justice system.

This *Juristat* presents case-based<sup>1</sup> data from the Youth Court Survey (YCS) which is conducted by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for youth courts. The YCS collects data from youth courts on persons aged 12 to 17 at the time of offence, appearing on federal statute offences. In this report, federal statute offences include *Criminal Code* offences, drug offences, offences against the *Young Offenders Act* (YOA), and other federal statute offences. All youth courts in Canada have reported to the YCS since 1992/93.

The YCS, through the collection and dissemination of youth court information, continues to assist policy-makers and program managers as they redefine the nature of Canada's youth justice system. As not all youth crime is reported to police and not all youths in conflict with the law proceed to court, the YCS focuses on the court process and the response to youth crime rather the prevalence of youth criminal activity.<sup>2</sup> These data should therefore not be used as an indicator of total youth criminal activity.

## Seven Year Trends

### Decline in the rate of cases before youth courts

In the last seven years, the number of cases heard in youth courts has generally followed a downward trend; the 106,665 cases processed in 1998/99 represent a drop of 7% from 1992/93. However, in terms of the rate of youth court cases per 10,000 youths, the drop at the national level for the same period was more pronounced at 13% (Table 1). This decline occurred primarily on two occasions, the first, between 1993/94 and 1994/95 when the rate declined by 6.5% and the second, between 1997/98 and 1998/99, when the rate decreased by 4%.

### Marked drop in the rate of *Property crime* cases

A decrease of 31% in the *Property crime* case rate from 1992/93 to 1998/99 is responsible for the overall decline in the rate of cases during that period. In 1998/99, there were 186 *Property crime* cases heard per 10,000 youths compared to 271 cases per 10,000 youths in 1992/93 (Figure 1). The rate of *Property crime* cases decreased markedly for several major offence groups: theft (-36%), possession of stolen property (-34%), breaking and entering (-32%) and fraud (-28%).

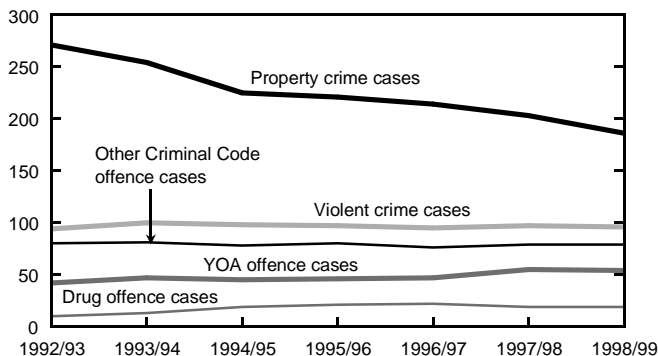
In general, as can be seen in figure 1, the youth *Violent crime* rate varied little from 1992/93 to 1998/99. While it has increased slightly (+2%) since 1992/93, it decreased by 1% from 1997/98 to 1998/99. However, large increases over the seven years were noted for aggravated assault (+32%) and robbery (+28%). Together, these two types of crimes accounted for only 1% of the total caseload.

<sup>1</sup> See the methodology section for a case definition and other key concepts related to the YCS and this *Juristat*.

<sup>2</sup> Refer to *Juristat "Canadian Crime Statistics, 1998"* for counts of youths charged by police.

Figure 1

**The rate of property crime cases has dropped substantially since 1992/93 while the rates of other types of cases have varied little**



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

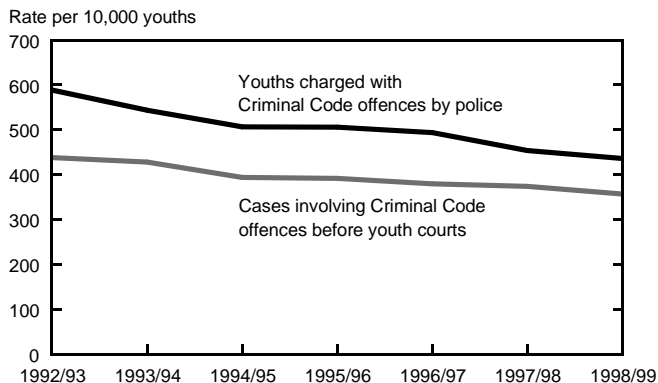
While the rate of cases of minor assault, which accounted for 10% of the total caseload, also increased, this change was more moderate (+2%). Significant decreases occurred with regard to other sexual offences (-39%), dangerous use of a weapon (-25%), possession of a weapon (-24%) and sexual assault (-21%).

While most offences under the *Other Criminal Code offence* category experienced declines, increases occurred in some administrative offence cases. For example, the rate per 10,000 youths of failure to appear cases before the courts has increased by 15% since 1992/93. As well, some low volume cases experienced notable increases, such as offences against the person and reputation (68%) and other Criminal Code offences (33%). As in the case of administrative offences, the rate of cases heard under the *Young Offenders Act* increased by 28%. Nearly all cases heard in this category dealt with failure to comply with a previous sentence.

Although the rate of *Drug-related offence* cases remained stable in 1998-99, it nearly doubled between 1992/93 and 1998/99. Most *Drug-related offence* cases involved possession of narcotics.

Figure 2

**The trends in police and court data closely correspond, showing decreasing involvement of youths in the criminal justice system**



\* To compare counts of Criminal Code offences from police data (Uniform Crime Reporting Survey) with youth court data (YCS), cases involving impaired driving and other motor vehicle offences have been removed from YCS counts.  
Source: Youth Court Survey, 1992/93 to 1998/99, and Uniform Crime Reporting Survey, 1992 to 1998, Canadian Centre for Justice Statistics.

**Rate of youths charged by police also decreases**

A comparison of the rate of young persons charged by police and of cases processed by youth courts per 10,000 youths illustrates the diminishing involvement of youths in the criminal justice system in recent years. From 1992 to 1998, the rate of youths charged with only *Criminal Code* offences gradually declined by 26%, a pattern reflected in the rate of youth court cases involving *Criminal Code* offences brought to youth court, which declined (by 18%) during these years (Figure 2). This trend may be due in part to increased use of police diversion and alternative measures for youths committing less serious crimes. This would also serve to explain the decrease in the rate of *Property crime* cases observed since 1992/93.

Box 1 shows that, while youth account for 8% of Canada's total population, they represent 22% of persons charged by police. Nevertheless, the percentage of the youth population convicted of an offence in 1998/99 is quite low, at 3%.

**Box 1  
Youth and Youth Crime in Context**

Population – 1998 <sup>1</sup>	- total Canadian population was 30.3 million with 2.45 million youths aged 12 to 17 years (8% of total) - demographic projections for youths over the next 5 years suggest declines in most jurisdictions with the exception of Quebec, Ontario, British Columbia, the Northwest Territories and Nunavut. This is based on children aged 10 to 19.
Persons charged by police in 1998 <sup>2</sup>	- 542,279 adults and youths charged with federal offences, excluding traffic crimes - 117,036 of these were youths - youth represent 22% of all persons charged
Youths convicted in court, 1998/99	44,090 young offenders (71,961 cases with convictions) 3% of the youth population of Canada were convicted 4% of 16 and 17 year old population were convicted

<sup>1</sup> Postcensal estimates as of July 1<sup>st</sup>, 1998, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

<sup>2</sup> Uniform Crime Reporting Survey, 1998, Canadian Centre for Justice Statistics, Statistics Canada.

## Inter-jurisdictional comparisons

Differences across the country in the reporting of criminal incidents to police, in procedures and eligibility requirements for police diversion and alternative measures programs, and differences in provincial policy directing Crown discretion may influence the volumes and characteristics of cases heard in youth courts. For example, Alternative Measures programs that are intended to be alternatives to formal judicial proceedings for youths, differ among the jurisdictions with regard to eligibility criteria (e.g., they may be restricted to first-time offenders), timing (i.e., pre-charge or post-charge) and coverage (e.g., they commonly involve less serious crimes only). Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec, and British Columbia. Together, these processes serve to keep less serious cases out of the court process and therefore, reduce court workload. Consequently, these factors must be considered when making inter-jurisdictional comparisons.

The national rate of youth court cases shows a gradual decline from 500 cases per 10,000 youths in 1992/93 to 435 cases per 10,000 youths in 1998/99. However, this same trend is found only in Ontario where the rate dropped by 23%. In most other jurisdictions, the rate tended to fluctuate with no discernible pattern. In Quebec, the rate has been fairly stable over the period, showing a slight increase in 1998/99. However, the Quebec rate of youth court cases was also the lowest in the country throughout the period, at 201 cases per 10,000 youths in 1998/99, while the highest rate was recorded in the Yukon (1,456). For the provinces, in 1998/99, the highest rate was recorded for Manitoba, at 871 cases per 10,000 youth (Table 2).

## 1998/99 Case Characteristics

### Composition of cases

The types of cases processed in youth courts most often involved *Property crimes* (43%), *Violent crimes* (22%) and *Other Criminal Code offences* (18%), which includes offences

such as failure to appear in court and escaping custody. Less frequent were cases involving offences under the *Young Offenders Act* (12%), *Drug-related offences* cases (4%) and *Other federal statute offence* cases (<1%).

**Box 2**  
**Cases by Principal Offence Category, 1998/89**

	Number of cases	% of total cases
Property crimes	45,566	43
Violent crimes	23,564	22
Other Criminal Code offences	19,421	18
YOA offences	13,289	12
Drug-related offences	4,716	4
Other federal statute offences	109	< 1

Source: Youth Court Survey, 1998/99, CCJS

### A few offences account for a large proportion of the total caseload

While cases involving *Property crimes* accounted for the largest proportion of the caseload, only two of the five most frequent individual offences belonged to that category: theft \$5,000 and under accounted for 15% of the total caseload and breaking and entering accounted for 11%. The other three most frequent types of cases before youth courts involved *YOA offences* (12%) (the vast majority were failure to comply with a court disposition), *Other Criminal Code administrative offences* (11%) (i.e., failure to appear in court, failure to comply with a previous court order and breach of recognizance), and minor assaults which accounted for 10% of the total number of cases.

As can be seen in Figure 3, a very small number of offences accounted for a large proportion of the caseload. Together, the five types of offences mentioned above represented 59% of the caseload. In terms of frequency, these few offences far outranked all others reported to the Youth Court Survey.

**Box 3**

**Description of crime categories**

**Violent Crime:** murder, manslaughter, attempted murder, aggravated sexual assault, sexual assault/weapon, sexual assault, rape/indecent assault, aggravated assault, assault with a weapon, cause bodily harm/intent, minor assault, unlawfully cause bodily harm, assaulting peace officer, other assaults, robbery, dangerous use of weapon, possession of a weapon, other weapon offences, infanticide and other related, kidnapping/hostage taking, extortion, other sexual offences, criminal negligence

**Property Crime:** breaking and entering, arson, taking a vehicle without consent, theft over \$5,000, theft under \$5,000, theft unspecified, theft other, false pretences, forgery, fraud, other fraudulent transactions, possession of stolen property, mischief/damage

**Other Criminal Code offences:** impaired operation, escape custody, unlawfully at large, failure to appear, breach of recognizance, failure to comply, attempt/accessories/conspiracy, disorderly conduct/ nuisances, abduction, procuring, bawdy house, soliciting, other motor vehicle of

fences, gaming and betting, against the administration of justice, currency offences, exposure/nudity, public morals, public order, offences against the person, other Criminal Code offences

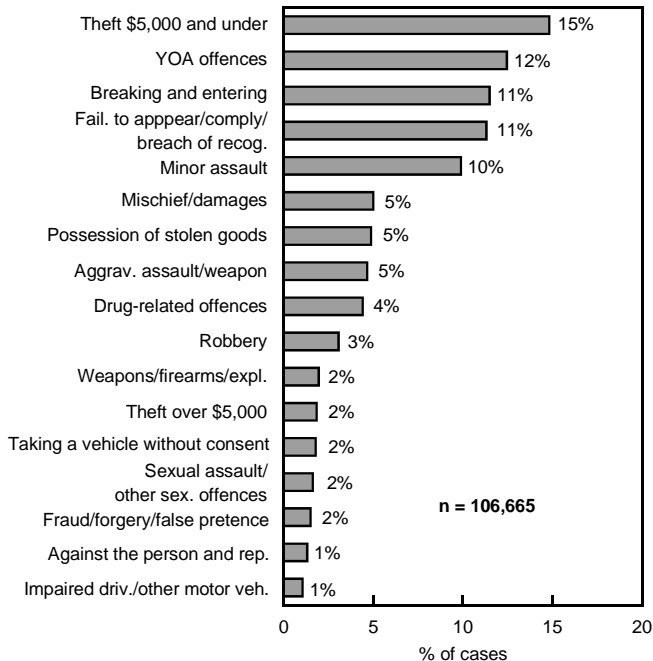
**Drug-related Offences (Narcotic Control Act, Food and Drugs Act, and Controlled Drugs and Substances Act):** importing/exporting of narcotics, trafficking in narcotics, possession of narcotics, failure to disclose previous prescriptions, cultivation, trafficking in drugs, possession of drugs, other Food and Drugs Act offences, importing/exporting of controlled drugs and substances, trafficking in controlled drugs, possession of controlled drugs.

**Young Offenders Act:** failure to comply with a disposition, failure to comply with undertaking, contempt against youth court, inducing/assisting a young person, interfering with performance of terms of sentence.

**Other federal statute offences:** This category includes offences against all other federal statutes not listed above, such as, the Income Tax Act, the Canada Shipping Act, the Elections Act, the Fisheries Regulations and the Employment Insurance Act. As this information is collected under a group code, it cannot be shown separately.

Figure 3

**Only a few offences accounted for a large proportion of the caseload in 1998/99**



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

**Minor assault cases accounted for almost one half of violent offence cases**

While minor assaults<sup>3</sup> accounted for 10% of the total caseload, they made up 45% of all *Violent crimes*. Murder, manslaughter and attempted murder cases together accounted for less than 1% of *Violent crime* cases heard in youth courts. There were 37 cases of murder and manslaughter, and 71 cases of attempted murder in 1998/99.

**Box 4  
Violent Crime Cases, 1998/99**

	Number of cases	% of violent cases
Minor assault	10,545	45
Aggravated assault/weapon	4,978	21
Robbery	3,263	14
Weapons/firearms/explosives	2,091	9
Sexual assault/other sexual offences	1,743	7
Murder/manslaughter/attempted murder	108	< 1
Other	836	3

Source: Youth Court Survey, 1998/99, CCJS

**Half of youth court cases involve 16 and 17 year olds**

Sixteen and 17 year-olds appear more often in youth court than other age groups. In 1998/99, 16 year-olds accounted for 25% of cases and 17 year-olds made up 26%. Fifteen year-old young offenders represented the next most frequent age group, appearing in 21% of cases, while young offenders aged 12, 13 and 14 showed proportionately less involvement, appearing for 3%, 8% and 15% of cases, respectively (Table 3).

Younger adolescents appeared in youth court for different kinds of offences than older youths. Offenders aged 12, 13 and 14 years old were slightly more likely to be involved in *Violent crime* cases, being responsible for 5%, 10% and 16% of these types of cases, respectively.

Young offenders aged 16 and 17, on the other hand, were proportionately more involved in *Drug-related offences*. For example, while offenders in each age group were responsible for 25% of cases overall, they accounted for 27% and 34% of cases under the *Narcotic Control Act*, 30% each of cases under the *Food and Drugs Act* and 28% and 39% of cases under the *Controlled Drugs and Substances Act*<sup>4</sup>.

**Males account for eight in ten youth court cases**

Males accounted for eight in ten youth court cases and they predominate in all age groups. The proportion of cases against males increased with age, while cases against 15 year old females accounted for the largest proportion of cases against females. Among males, 16 and 17 year-olds accounted for 54% of cases, while the comparable figure for females was 42% (Figure 4).

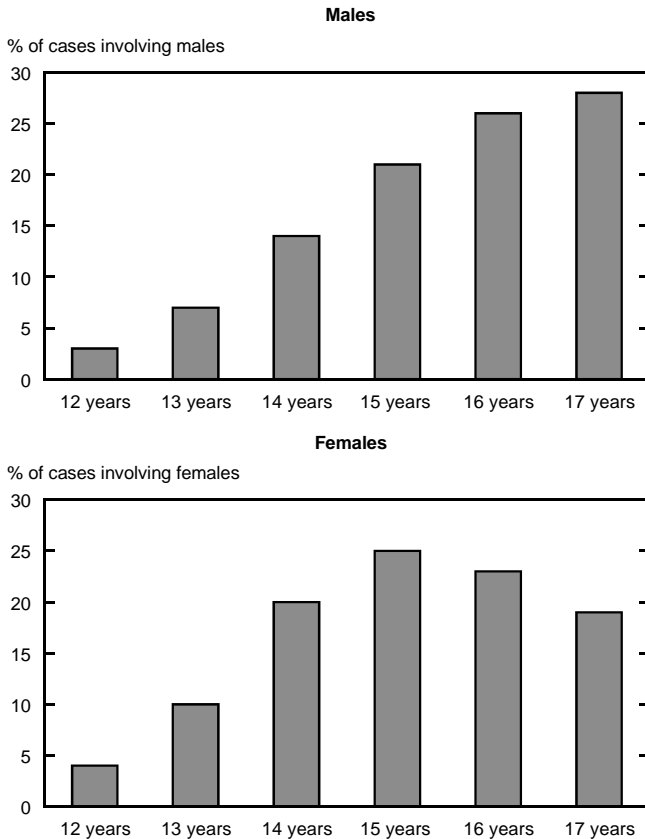
Court cases against females have risen slowly, from 18% of cases in 1992/93 to 21% in 1998/99. While the total number of cases before youth courts decreased from 115,187 in 1992/93 to 106,665 in 1998/99, the number of cases involving females rose from 20,775 to 22,535 in the same period. This increase was reflected in most categories of offences, but it was most evident in three specific categories: the *Other Criminal Code offences* category, where cases against females increased from 21% to 26% of all offences in this category, the *Violent crimes* category, which increased from 18% to 22%, and the *YOA offences* category, where there was an increase from 21% to 25% in the same period (Figure 5). Within the *Other Criminal Code offences* category, the proportion of cases against females increased substantially with regard to escape custody (from 10% to 15% of all escapes), unlawfully at large (from 13% to 18%), failure to appear (from 24% to 28% of all failures to appear) and offences against the person and reputation (from 22% to 27%). In fact, for escape custody, while the number of cases involving males dropped, those involving females increased. Within the *Violent crimes* category, the most marked increases for females were recorded for cases involving murder, all types of assault (except aggravated assault), robbery and kidnapping/hostage taking.

<sup>3</sup> Refers to the least serious form of assault and includes pushing, slapping, punching and face-to-face verbal threats.

<sup>4</sup> The controlled Drugs and Substances Act replaced the Narcotic Control Act and parts III and IV of the Food and Drugs Act in May of 1997.

Figure 4

**For females, court activity peaks at age 15 while male activity continues to increase**



**Note:** Excludes 2,306 cases (2.0%) where the young offender was <12 years old, older than 17 or the age was unknown.

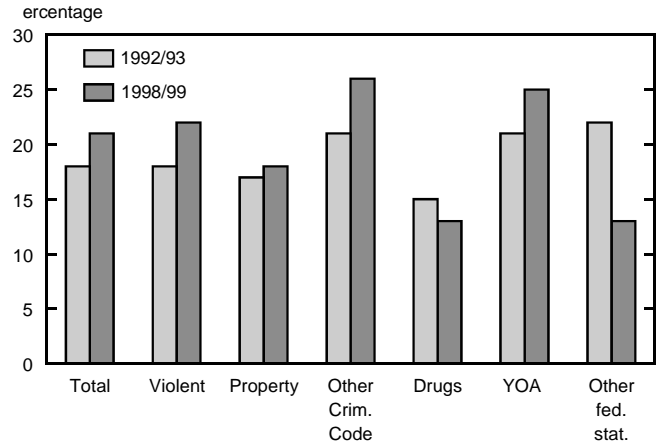
**Source:** Youth Court Survey, Canadian Centre for Justice Statistics.

While the proportion of *Property crime* cases involving females rose only slightly, specific offences within that category showed noteworthy increases. Females had proportionately more cases of breaking and entering, taking a vehicle without consent, false pretences, possession of stolen property and mischief/damage offences.

Between 1992/93 and 1998/99, there was a decline in the proportion of cases against females involving *Drug-related offences* (from 15% to 13% of all drug-related offences) and *Other federal statute offences* (from 22% to 13%). With regard specifically to *Drug-related offence* cases, however, the actual number of cases involving females increased from 346 in 1992/93 to 608 in 1998/99. The lower proportion of cases involving females is due to the remarkable increase in the total number of cases in that category from 2,331 to 4,716 over the same period.

Figure 5

**Female involvement rose in all but two categories of offences from 1992/93 to 1998/99**



**Proportion of cases involving females in each category**

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

**Box 5  
Victims of Youth Violence**

Victims of youth violence are more often other youths and male youths in particular.\*\* In 1998, more than half (52%) of all victims of youth violence were other youths, 11% were children under the age of 12, 10% were young adults aged 18 to 24 years, while the remainder of the victims were adults aged 25 and older (27%). In contrast, victims of all violent offences perpetrated by adults were much more likely to be adult; 9% were 12 to 17 years old, 4% were children under the age of 12 and 87% of them were 18 years and older. These figures exclude incidents where the age of the victim was unknown.

Almost six in ten victims (59%) of youth violence were male. The corresponding proportion for crimes committed by adults was 54%. These figures exclude incidents where the sex was unknown.

\*\* *Youth Violent Crime*, Juristat no. 85-002-XPE, Vol. 19, no. 13 and Revised Uniform Crime Reporting Survey, 1998

**Decisions in Youth Court**

**About two-thirds of youth court cases result in a conviction**

Cases resulting in a conviction (a finding of guilt for at least one charge) accounted for 67% of cases heard in youth court in 1998/99 (Table 4). Cases were stayed or withdrawn in 29% of cases, and another 3% resulted in findings of not guilty or dismissal. Transfers to adult court accounted for just one-tenth of one percent of the 1998/99 caseload. These proportions have remained virtually the same since 1992/93.

Revisions to the YOA in 1995 made transfers to adult court the standard response for serious violent crime cases involving 16 and 17 year-olds, unless otherwise ruled by the court. This provision applies to murder (first or second degree), manslaughter, attempted murder and aggravated sexual assault. For these offences, the onus is on the accused to make an application to stay in youth court. For other crimes, the Crown or defence counsel must apply for transfer to adult court. Conditions stipulated in the Act for these transfers include a minimum age requirement of 14 years of age.

As can be seen in the text box, the proportion of young offenders aged 16 or 17 years transferred to adult court was higher than their percentage of total cases. While young offenders aged 17 were involved in 26% of cases, they accounted for 57% of transfers.

Of the 91 cases transferred to adult court in 1998/99, 59% involved *Violent crimes* and 30%, *Property crimes*. Of the 54 cases involving *Violent crimes*, 15 were robberies (16%).

Box 6 Percentage of transfers to adult court, 1998/99		
Age	Percentage of total cases	Percentage of transfers to adult court
14	15	3
15	21	10
16	25	30
17	26	57

Source: Youth Court Survey, 1998/99, CCJS

**Conviction rates vary considerably from one jurisdiction to another**

The proportion of cases resulting in a conviction ranged from a low of approximately 60% in Manitoba, Yukon, and Ontario, to a high of 84% and over in Prince Edward Island and New Brunswick (Table 4). The proportions of charges withdrawn or stayed tend to vary considerably across the country and are usually high where the conviction rate is low. These variations can in part be explained by differences in charging practices. High proportions of cases stayed or withdrawn are often indicative of charges set aside pending completion of alternative measures programs, or the systematic use of these decisions to correct or amend administrative records. For example, Manitoba, where the conviction rate was lowest, recorded the highest proportion of cases stayed (40%). Conversely, percentages of cases withdrawn or stayed were lower in jurisdictions with higher conviction rates (15% of cases stayed or withdrawn in Prince Edward Island and 11% of cases withdrawn in New Brunswick ) (For more details, see the Methodology section.) (Table 4).

The conviction rate varied somewhat among offence categories. *Other federal statute offences* and offences against the *Young Offenders Act* had the highest conviction rates (both 75%), while *Other Criminal Code offences* recorded the lowest proportion of guilty verdicts (63%). Within each offence category, there were considerable variations. The rate of conviction was 75% or higher for the following offences for which there were at least 200 cases: unlawfully at large, escape custody, impaired operation, breaking and entering, assaulting a police officer, theft over \$5,000, trafficking in narcotics and failure to comply with a disposition. Generally speaking, the more serious offences resulted in lower conviction rates.

Box 7 Conviction by offence category, 1998/99			
Most significant charge	Total	Guilty	% Guilty
<b>Total offences</b>	<b>106,665</b>	<b>71,961</b>	<b>67</b>
Violent crimes	22,284	14,373	64
Property crimes	45,336	31,100	69
Other Criminal Code offences	20,295	12,792	63
Drug-related offences	4,755	3,175	67
Young Offenders Act	13,884	10,438	75
Other federal statute offences	111	83	75

Source: Youth Court Survey, 1998/99, CCJS

Box 8 Percentage of conviction by Sex, 1998/99			
Most significant charge	Total	% Male	% Female
<b>Total offences</b>	<b>67</b>	<b>68</b>	<b>64</b>
Violent crimes	64	65	64
Property crimes	69	71	59
Other Criminal Code offences	63	63	62
Drug-related offences	67	68	61
Young Offenders Act	75	74	78
Other federal statute offences	75	79	43

Source: Youth Court survey, 1998-1999, CCJS



The conviction rate was not the same for males and females. For males, it was 68% while for females, it was slightly lower, at 64%. For three categories of offences, the conviction rate was substantially lower for females than for males. These were: *Other federal statute offences* (36 percentage points lower), *Property crimes* (difference of 12 percentage points) and *Drug-related offences* (7 percentage points lower).

With regard to the *Young Offenders Act* category, the rate of conviction for females was slightly higher than that for males. Within the *Property crimes* category, the difference in the conviction rate between males and females was more pronounced for theft under \$5,000, theft unspecified and possession of stolen property offences. For these three offences, the rate of conviction for females was 14 percentage points lower than the rate for males. For cases involving mischief/damages, on the other hand, the conviction rate was higher for females than males (67% versus 64%)

## Sentencing in Youth Court

Factors considered in sentencing include the type of offence committed, the circumstances in which the offence was committed, the criminal history of the offender and, in the case of custody under section 24(1) of the YOA, “the protection of society” and “the needs and circumstances of the young person”.

### Most youth court sentences are served in the community

In 1998/99, probation was the most significant sentence in one-half of cases with convictions (48%). Open custody was the next most frequent sentence (18%), followed by secure custody (17%; 35% for both types of custody), community service (7%), and fines (6%). In addition, 2% of cases ended in an absolute discharge and 3% received another type of sentence. The distribution of most significant sentence types has varied little since 1992/93 (Table 5).

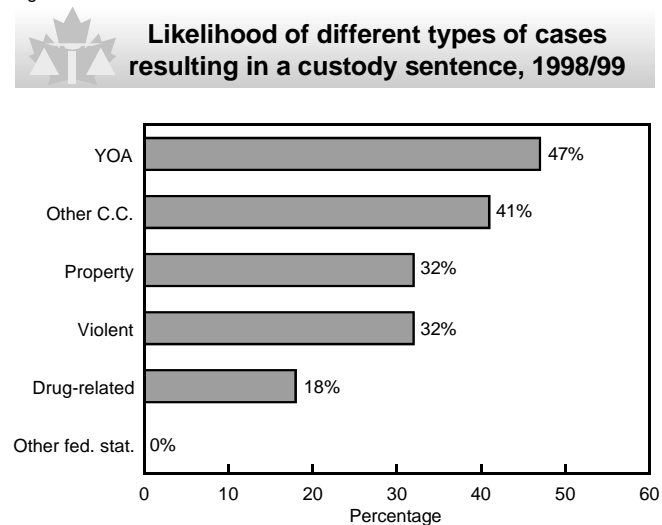
The percentage of some sentence types appears low because multiple sentences are often imposed by the courts. In these cases, the less serious sentence types would be given in combination with a more serious sentence. For example, the percentage of cases with a community service order appears low because, in most cases, these orders are used as a condition of probation which is a more serious sentence. In fact, 29% of all cases resulting in a conviction included a community service order in 1998/99 and most of these orders were given in combination with a more serious sentence (22% of all cases, 75% of all community service orders).

Many cases result in more than one sentence for a young offender. In 1998/99, 47% of all cases with a conviction gave rise to one sentence, 39% resulted in two sentences, and 14% resulted in three or more sentences. For those cases ending in multiple sentences, the most frequent combinations include probation and a community service order (28%), open custody and probation (14%), and secure custody and probation (7%).

### Offences against the Young Offenders Act are more likely to result in a term of custody

Figure 6 shows that of all offence categories, cases involving offences against the *Young Offenders Act* (47%) and *Other Criminal Code offences* (41%) are most likely to result in a term of custody. Within the *Young Offenders Act* offence category, the great majority of cases involved failure to comply with a disposition offences and in the *Other Criminal Code offences* category, it is the administrative offences which were responsible for the higher proportion of custody sentences. These included escape from custody/being unlawfully at large (91%) and failure to appear/comply with a disposition/breach of recognizance (41%).

Figure 6



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

Although cases involving *Violent crimes* and *Property crimes* were less likely to result in a sentence of custody, certain offences within these categories were associated with a high percentage of these types of sentences: attempted murder (92%), murder/manslaughter (83%), aggravated assault (71%), and robbery (50%) (Table 5).

### Probation sentences more likely to be ordered in relation to Violent crime cases

The proportion of probation sentence varied as well among offence categories. Probation was more often ordered in *Violent crime* cases, more specifically those involving sexual assault/other sexual offences and minor assault (both 62%). As well, *Property crime* cases (54%) and *Drug-related offence* cases (53%) more often resulted in probation. Within the *Property crimes* category, cases involving taking a vehicle without consent (59%) and mischief/damages (58%) were the most likely to result in a probation sentence.

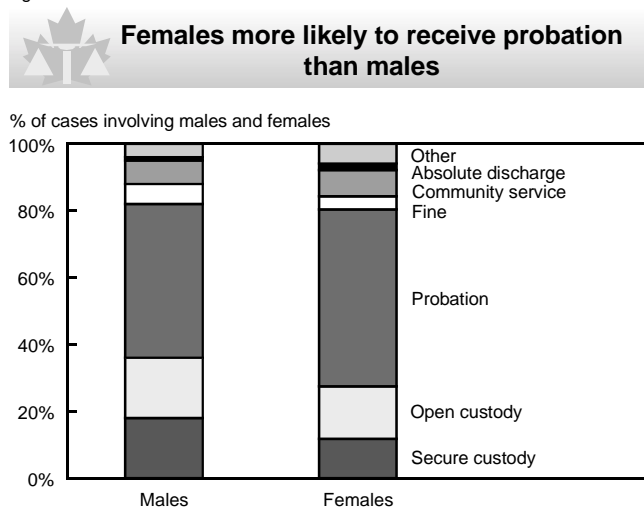


As can be expected, fines were more likely to be imposed in cases involving impaired driving/other motor vehicle offences (46%). Of all types of offences, cases of offences against the *Young Offenders Act* were most likely to result in a community service order (11 %) (Table 5).

**Females more likely to receive probation than males**

While one-half of convictions ended in a term of probation overall, females were more likely than males to receive probation as the most significant sentence in 1998/99 (54% versus 46%). The differences between male and female young offenders were also apparent with regard to custody sentences. Thirty-six percent of cases involving males ended in a term of custody compared to 28% for females. Differences in other types of sentences were slight (Figure 7).

Figure 7



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

**The use of custody varies widely across Canada**

The jurisdictions varied widely in the use of custody as well as other sentences. The use of secure custody ranged from 2% of cases with convictions in Nova Scotia to 35% in Yukon. The situation with regard to open custody was reversed, the proportion of cases with convictions resulting in open custody being highest in Nova Scotia (33%) and lowest in the Yukon(7%). The combined use of open and secure custody ranged from just over one-quarter of cases in Alberta (26%) to slightly less than one-half of convictions in Prince Edward Island (45%). In Yukon, the proportion of total custody orders was higher than the percentage of probation orders imposed: these figures were 42% for both open and secure custody, and 40% for probation. The availability of custodial facilities may have an impact on the use of custody orders across the country.

The use of probation orders was highest in New Brunswick (60%) and lowest in the Northwest Territories (39%). The province of Alberta shows an overall sentencing pattern that is somewhat different from the other jurisdictions. In this

province, secure and open custody sentences, and probation sentences are ordered in proportions which are below the national figures, while the proportions of fines (15%) and community service orders (13%) are significantly above the national figures. Two other provinces reported proportions of community service orders which were higher than the national figure of 7%; these are Quebec (8%) and Saskatchewan (12%) (Table 6).

**Sentence lengths**

Under the YOA, the maximum sentence length of secure or open custody is generally two years. However, this sentence can be three years if the crime would normally carry a maximum penalty of life imprisonment in adult court or involves multiple offences. In addition, the most serious crimes (first or second degree murder) carry higher sentences. First-degree murder carries a maximum custodial sentence of six years, followed by four years of conditional supervision. Second-degree murder carries a maximum four-year custodial term followed by three years of conditional supervision. However, not all murder cases first heard in youth court are sentenced in youth court as the YOA transfer provisions to adult court would apply.

**Box 9  
Sentence Review**

The length of sentence ordered by the court may be subject to revision under conditions stipulated in the *Young Offenders Act*. A court or review board must review all custodial sentences after one year and may reduce the term or type of disposition at that time. Otherwise, the initial sentence ordered is to be served. There is no parole or statutory release in the *Young Offenders Act*. Sentences are subject to review upon request by the parent or young offender, although permission must be granted by the court if less than six months have been served. The principal correctional service administrator (Provincial Director) may ask the court for a review hearing if a revision to the sentence would be in the youth's best interest.

**The majority of custodial sentences are for three months or less**

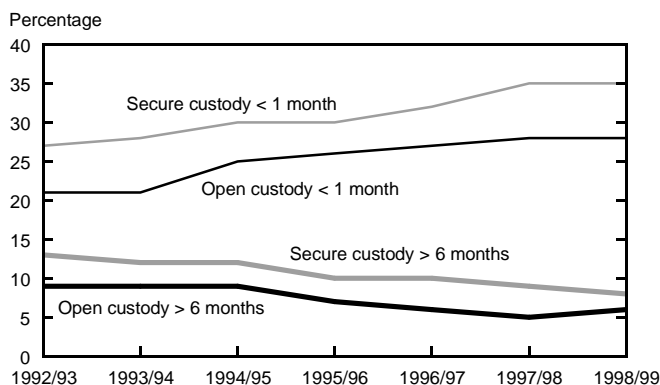
Of the 25,169 cases resulting in a custodial sentence (open and secure) in 1998/99, 32% were for terms of less than one month, 45% were from 1 to 3 months, 16% from 4 to 6 months, and 7% were for more than 6 months. The proportion of cases with short custodial sentences (three months or less) has increased from 71% of cases with convictions in 1992/93 to 77% in 1998/99.

Of the cases resulting in open custody in 1992/93, 21% were for terms of less than one month, compared to 28% in 1998/99. For secure custody cases, the proportion with orders of less than one month increased from 27% in 1992/93 to 35% in 1998/99. From 1997/98 to 1998/99, there was no change in the proportions of custody orders of less than one month (Figure 8).

In 1998/99, the median sentence length for cases resulting in custody was 1 month. For secure custody alone, it was 1 month, while for open custody, it was a little longer, at

Figure 8

**Shorter lengths of custody showed little variation in 1998/99 from the previous year**



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

43 days. Cases involving murder (6 cases) and attempted murder (11 cases) had the highest median custodial lengths (32 months and 18 months respectively). These were followed by causing bodily harm with intent (7 cases) at 9 months, sexual assault with a weapon (12 cases) at 8 months, manslaughter (8 cases) at 7 months, and both sexual assault (199 cases) and aggravated assault (137 cases), both at 6 months. Breaking and entering and theft of goods valued over \$5,000 resulted in median sentence lengths of 3 months, followed by forgery, theft unspecified and possession of stolen property at 2 months.

Several cases involving *Other Criminal Code offences* resulted in fairly long custodial sentence lengths. For cases of procuring (3 cases), the median sentence length was 17 months, for offences against the public order (12 cases), it was 6 months, while for exposure/nudity (6 cases) it was 4.5 months.<sup>5</sup>

**Four in five terms of probation are 12 months or less**

Under the YOA, youth courts may sentence a young offender to probation for a maximum of two years. In 1998/99, a probation order was the most significant sentence for 48% of convictions. Of the 34,451 cases resulting in a term of probation as the most significant sentence, 23% were for a period of 6 months or less, 55% ranged from 7 to 12 months, and 22% were for more than 12 months. The median sentence length for a probation sentence was just under 1 year.

Probation, as the most significant sentence, was ordered most often for cases involving minor assault (62%), sexual assault/other sexual offences (62%), and trafficking in drugs (61%). However, the longest median term of probation, 21 months, was imposed in relation to criminal negligence offences (4 cases). For cases involving sexual assault, other sexual offences and aggravated assault, the median length of the probation was 18 months.

**One-half of fines are \$100 or less**

Under the YOA, a young offender may be ordered to pay a fine with a maximum of \$1,000. In 1998/99, 4,081 cases or 6% of convictions ended in a fine as the most significant sentence. Fines greater than \$100 to \$500 were most often ordered (45%), followed by fines greater than \$50 to \$100 (42%), less than \$50 (11%) and over \$500 (2%). The average dollar amount of fines was \$165.

Fines, as the most significant sentence, were ordered most frequently in cases involving the impaired operation of a motor vehicle (418 of the 712 convictions for impaired operation or 59%). Conviction for this offence resulted in one of the highest average fines (\$359). Only two types of offences resulted in average fines higher than this amount: failure to appear (\$362) and sexual assault (\$400). The three types of cases most frequently heard in youth courts ended in lower fines, an average of \$120 for failure to comply with a disposition under the YOA, \$130 for theft under \$5,000 and \$227 for breaking and entering.

**Repeat offenders**

**Repeat offenders are involved in four in ten convictions**

As in previous years, in 1998/99, approximately 42% of cases with convictions involved repeat offenders.<sup>6</sup> In comparison to first-time offenders, repeat offenders tended to be brought to court more often for *Property crimes* and conversely, less often for *Violent crimes* than first-time offenders. In 1998/99, for repeat offenders, 57% of cases involved property crimes and 25% violent crimes. Comparable figures for first-time offenders were 50% and 31% respectively. The use of police diversion and alternative measures programs for first-time offenders of minor property crime may have contributed to this difference.

Males tend to re-offend at a higher rate than females. In 44% of cases involving males in 1998/99 which resulted in a conviction, the young offender had been previously convicted; the corresponding figure for female offenders was 34%.

Unlike repeat offenders, first-time offenders were most likely to be given a term of probation (Figure 9). In 1998/99, 67% of convictions for first-time young offenders ended in probation compared to 39% for repeat offenders. Repeat offenders were three times more likely to be ordered to serve a term of

<sup>5</sup> The YCS does not distinguish between consecutive and concurrent sentences and does not include sentencing revisions made under review by the court. In multiple sentence cases, for example, the sentence length may be underestimated because of the assumption of concurrent sentences for all charges and may not reflect actual time ordered.

<sup>6</sup> The information on repeat offenders was obtained by selecting young offenders convicted in 1998-99 from the case file by date of sentencing and tracking any previous convictions for them from 1990-91 to 1997-98. The repeat offender analysis excludes Nova Scotia for all years, all offences under the YOA and post-disposition offences under the Criminal Code (e.g. failure to comply, unlawfully at large and escape). Because of this, the number of cases presented in this section does not correspond to the number of cases reported elsewhere in the Juristat.

custody (46%) than were first-time offenders (14%). This wide gap was apparent for both *Violent crime* cases (53% of convictions resulting in custody for repeat offenders versus 18% for first-time offenders) and *Property crime* cases (45% versus 12%).

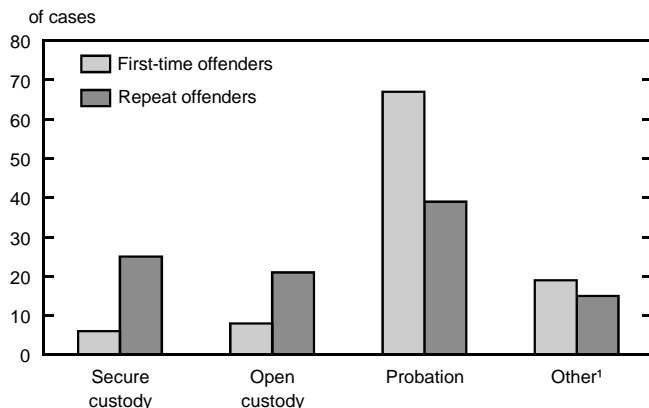
The most troublesome offender for the criminal justice system is the persistent offender, that is, the young offender who has been through the system many times. In 1998/99, persistent offenders, defined in this report as offenders with at least three prior convictions, accounted for 12% of convictions (5,474 cases). Again, males were more likely to be persistent offenders than females (4,902 cases or 13% of the male caseload versus 572 cases or 7% of the female caseload). The average number of cases per young offender in a year is 1.5.

As young offenders move towards persistent re-offending, the number of charges per case increases. For example, while only 16% of cases involving first-time offenders had 4 or more charges, this proportion increased to 24% for repeat offenders with one prior conviction, 29% for those with 2 prior convictions and 31% for repeat offenders with 3 prior convictions or more.

In addition, repeat offenders tend to receive harsher sentences as the number of prior convictions increase. In 1998/99, 14% of cases involving first-time offenders resulted in a custody term, while this type of sentence was imposed in 33% of cases involving repeat offenders with 1 prior conviction, 48% of repeat offenders with 2 prior convictions and 66% of repeat offenders with 3 prior convictions or more.

Figure 9

**Repeat offenders are three times more likely than first-time offenders to serve terms of custody and much less likely to receive probation**



\* Only the most significant sentence is indicated.

<sup>1</sup> Other includes all other sentences, for example, community service, absolute discharge, conditional discharge and fines.

**Note:** Excludes data from Nova Scotia, YOA offence cases and post-dispositional administrative offence cases.

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

## Case Processing

### One-half of all cases are processed in two months or less

The successful rehabilitation of a young offender is often reliant on a prompt court process. In 1998/99, one-half of all cases (49%) were processed in two months or less from the time of the youth's first court appearance to the date of decision or sentencing, with only 18% of cases lingering longer than six months. In fact, 16% of cases were completed at the first court appearance.

Cases dismissed, cases resulting in a verdict of not guilty and cases transferred to adult court take the longest to process. Sixty-five percent of cases dismissed, 48% of cases resulting in a verdict of not guilty and 44% of cases transferred to adult court spent more than four months in the youth courts before the decision was handed down. Overall, 31% of cases took more than four months to process, while 27% of cases resulting in a guilty verdict spent longer than 4 months in court.

In 1998/99, the median elapsed time for all cases was 63 days. Manitoba had the longest median elapsed time at 88 days, followed by the Northwest Territories (76 days) and Nova Scotia (70 days).

The type of offence in a case has a significant impact on the amount of time it takes to complete it. Cases involving *Violent crimes* had by far the longest median elapsed time (103 days), followed by *Property crime* cases (63 days) and *Drug-related offence* cases (58 days). Within the *Violent crime* category, cases taking a long time to complete involved murder (203 days), sexual assault with a weapon (192 days) and criminal negligence (158 days). Within the *Property crime* category, the highest median elapsed time recorded was 95 days for arson followed by 74 days for breaking and entering, and 68 days for forgery. The median elapsed time was low for administrative offences such as unlawfully at large (3 days), escape custody (9 days), failure to appear (43 days) and failure to comply with a probation order (48 days), as well as for impaired driving cases (44 days). The median elapsed time of cases involving males was somewhat longer than for females. For males, it was 63 days and for females, it was somewhat lower at 59 days.

In 1998/99, 58% of cases involved only one charge, 23% had two charges, 9% three charges and 10% more than three charges. The number of charges in a case does not seem to have much of an impact on the median amount of time taken to process cases in court. Surprisingly enough, the lowest median elapsed time was recorded for cases with 6 charges or more (61 days), followed by single-charge cases (62 days). For all other cases, the median elapsed time was higher: for cases involving 2 or 3 charges, it was 65 days, for cases involving 4 charges, it was 64 days and for cases involving 5 charges, it was 66 days.

The shorter median elapsed time recorded for cases with 6 charges or more can in part be explained by the fact that this group of cases tends to have a higher percentage of *Property crime* cases, which have lower median elapsed times than cases involving violent crimes. While the proportion of *Property crime* cases for the total caseload was 43%, for cases with 6 charges or more, it was 64%, which was also higher than that of any other group. Also, the proportion of *Violent crime* cases was lower for cases with 6 charges or more (28%) than it was for cases involving 3, 4 or 5 charges (31%, 33% and 33% respectively).

## Methodology

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for youths aged 12 to 17 (up to the 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the publication *Youth Court Data Tables, 1998/99* for more information on data collection, editing, and compilation.

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

The determination of the most significant charge at the beginning of court proceedings is by the ordering of charges from most to least serious. Violent charges are given first priority in the ordering process, followed by drug and narcotic offences, property offences, other *Criminal Code* offences, offences under the *Young Offenders Act* (YOA), and other federal statute offences. Offences are further ranked within these offence categories. Refer to the publication *Youth Court Data Tables, 1998/99* for more information on the ordering criteria.

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

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

The reader is advised that the use of the decisions 'stay' and 'withdrawn' for administrative purposes (e.g., to reduce charges or to correct details on an information) vary by jurisdiction. To terminate and recommence a case for administrative purposes has been found to inflate the total number of cases reported to the Youth Court Survey. As much as 30% of the national caseload is stayed or withdrawn and a proportion of these are the result of administrative procedures. Ontario, Manitoba, Alberta, British Columbia and Yukon are most affected by this practice. Consequently the reader is encouraged, where possible, to analyze cases with guilty findings (convictions) to increase comparability among the jurisdictions.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the number of youth appearing in court. The Crown Attorney, for example, may decide not to proceed with a charge, or the initial charge may be changed. Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec and British Columbia. A youth may also be diverted from the court process into a program such as Alternative Measures (either before or after police lay charges) or a police diversion program.

Alternative Measures (AM) programs are generally reserved for first-time offenders and are often limited to specific types of less serious offences, although young offenders committing more serious offences can be considered for acceptance in the program in most jurisdictions. Except for New Brunswick, Ontario and Yukon, all AM programs are combined pre-and post-charge programs where the preferences, and the general practices are to refer youths at the pre-charge stage (i.e. before charges are laid). In New Brunswick, the AM program operates at the pre-charge stage only. In Ontario, youths are only referred to AM programs at the post-charge stage (i.e. after charges are laid). In Yukon, the general practice is to refer youths to the AM program at the post-charge stage, although, on occasion, they may be referred at the pre-charge stage. Alternative measures cases are excluded from the Youth Court Survey data either in the jurisdiction or at the CCJS, if they are identified. Nevertheless, differences in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.

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Table 1


**Cases Heard in Youth Courts by Principal Offence Category,  
Canada, 1992/93 to 1998/99**

Offence category	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	change from 1992/93 to 1998/99
<b>Total cases</b>								
Number	115,187	115,949	109,743	111,027	110,065	110,882	106,665	
Percentage change in the number of cases* %	...	0.7	-5.4	1.2	-0.9	0.7	-3.8	-7.4
Rate per 10,000	500	497	465	465	455	454	435	
Percentage change in the rate* %	...	-0.5	-6.5	0.0	-2.1	-0.2	-4.3	-12.9
<b>Violent crimes</b>								
Number	21,653	23,374	23,010	23,084	23,044	23,711	23,564	
Percentage change in the number of cases* %	...	7.9	-1.6	0.3	-0.2	2.9	-0.6	8.8
Rate per 10,000	94	100	98	97	95	97	96	
Percentage change in the rate* %	...	6.8	-2.7	-0.8	-1.5	2.0	-1.1	2.3
<b>Property crimes</b>								
Number	62,456	59,138	53,007	52,743	51,767	49,602	45,566	
Percentage change in the number of cases* %	...	-5.3	-10.4	-0.5	-1.9	-4.2	-8.1	-27.0
Rate per 10,000	271	254	225	221	214	203	186	
Percentage change in the rate* %	...	-6.4	-11.4	-1.6	-3.1	-5.1	-8.6	-31.4
<b>Other Criminal Code offences <sup>1</sup></b>								
Number	18,517	18,918	18,327	19,173	18,285	19,316	19,421	
Percentage change in the number of cases* %	...	2.2	-3.1	4.6	-4.6	5.6	0.5	4.9
Rate per 10,000	80	81	78	80	76	79	79	
Percentage change in the rate* %	...	1.0	-4.3	3.4	-5.9	4.7	0.0	-1.4
<b>Drug-related offences</b>								
Number	2,331	3,130	4,522	4,897	5,353	4,549	4,716	
Percentage change in the number of cases* %	...	34.3	44.5	8.3	9.3	-15.0	3.7	102.3
Rate per 10,000	10	13	19	21	22	19	19	
Percentage change in the rate* %	...	32.8	42.7	7.1	7.9	-15.8	3.2	90.2
<b>YOA offences</b>								
Number	9,780	11,024	10,704	10,906	11,335	13,442	13,289	
Percentage change in the number of cases* %	...	12.7	-2.9	1.9	3.9	18.6	-1.1	35.9
Rate per 10,000	42	47	45	46	47	55	54	
Percentage change in the rate* %	...	11.5	-4.1	0.7	2.6	17.5	-1.6	27.7
<b>Other federal statute offences</b>								
Number	450	365	173	224	281	262	109	
Percentage change in the number of cases* %	...	-18.9	-52.6	29.5	25.4	-6.8	-58.4	-75.8
Rate per 10,000	2	2	1	1	1	1	0	
Percentage change in the rate* %	...	-19.8	-53.2	28.0	23.8	-7.6	-58.6	-77.2

\* Refers to the previous year

... Not applicable

<sup>1</sup> Includes cases involving traffic offences.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 2



**Cases Heard in Youth Courts, Rate per 10,000 Youths,  
1992/93 to 1998/99**

	Rate of cases per 10,000 youths							% change from 1997/98	% change from 1992/93
	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99		
<b>Canada</b>	<b>500</b>	<b>497</b>	<b>465</b>	<b>465</b>	<b>455</b>	<b>454</b>	<b>435</b>	<b>-4</b>	<b>-13</b>
Newfoundland	427	364	364	308	534	425	432	2	1
Prince Edward Island	411	422	337	281	377	311	268	-14	-35
Nova Scotia	403	414	432	472	470	459	419	-9	4
New Brunswick	320	387	396	416	376	367	323	-12	1
Quebec	176	175	185	174	196	189	201	6	14
Ontario	585	604	552	561	532	496	449	-10	-23
Manitoba	810	883	832	762	710	787	871	11	8
Saskatchewan	864	862	797	896	883	943	841	-11	-3
Alberta	885	837	746	728	643	654	671	3	-24
British Columbia	459	386	358	342	346	415	369	-11	-20
Yukon	1,037	1,300	1,375	1,981	1,774	1,681	1,456	-13	40
Northwest Territories	1,025	1,129	990	856	886	847	1,051	24	3

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 3



**Cases Heard in Youth Court by Offence Category and Age,  
Canada, 1998/99**

Principal Offence Category	Total	Age Group									
		< 12	12	13	14	15	16	17	> 17	Unknown	
	#	%	%	%	%	%	%	%	%	%	
<b>Total Offences</b>	<b>106,665</b>	<b>100</b>	<b>--</b>	<b>3</b>	<b>8</b>	<b>15</b>	<b>21</b>	<b>25</b>	<b>26</b>	<b>1</b>	<b>1</b>
Violent Offences	23,564	100	--	5	10	16	21	23	23	--	1
Property Offences	45,566	100	--	4	9	16	22	25	24	--	1
Other Criminal Code Offences	19,421	100	--	2	6	14	20	24	29	3	1
Narcotic Control Act	173	100	--	2	4	10	20	27	34	--	2
Food and Drugs Act	10	100	--	10	--	10	20	30	30	--	--
Controlled Drugs and Substances Act <sup>1</sup>	4,533	100	--	1	3	9	19	28	39	--	--
Young Offenders Act	13,289	100	--	1	5	14	24	26	25	5	1
Other Federal Statutes	109	100	--	1	3	5	19	28	44	--	--

-- nil or zero


-- too small to be expressed

<sup>1</sup> The controlled Drugs and Substances Act replaced the Narcotic Control Act and parts III and IV of the Food and Drugs Act in May of 1997.

Source: Youth Court Survey, Canadian Centre for Justice Statistics



Table 4



**Cases Heard in Youth Courts by Most Significant Decision,  
1998/99**

Jurisdiction	Total	Transfer to adult court	Guilty	Not guilty	Stayed	Dismissed	Withdrawn	Transfer to other jurisdiction	Other
		%	%	%	%	%	%	%	%
<b>Canada</b>	<b>106,665</b>	--	<b>67</b>	<b>1</b>	<b>10</b>	<b>2</b>	<b>19</b>	--	--
Newfoundland	2,142	--	82	--	4	3	12	--	--
Prince Edward Island	324	--	84	1	13	1	2	--	--
Nova Scotia	3,158	--	68	3	--	12	16	1	--
New Brunswick	1,999	--	87	1	--	--	11	1	--
Quebec	11,297	--	81	6	3	1	7	--	1
Ontario	40,697	--	60	--	7	2	30	--	--
Manitoba	8,477	--	58	1	40	1	--	--	--
Saskatchewan	8,127	--	82	--	5	1	11	--	--
Alberta	17,510	--	68	1	2	2	26	1	--
British Columbia	11,764	--	70	1	27	1	1	--	--
Yukon	438	--	59	--	34	4	2	1	--
Northwest Territories	732	--	83	--	--	--	17	--	--

-- nil or zero

-- too small to be expressed

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 5


**Youth Court Cases with Convictions by the Most Significant Charge and Sentence<sup>1</sup>,  
Canada, 1998/99**

Most significant charge	Total	Secure custody	Open custody	Probation	Fine	Community service	Absolute discharge	Other <sup>2</sup>
		%	%	%	%	%	%	%
<b>TOTAL OFFENCES</b>	<b>71,961</b>	<b>17</b>	<b>18</b>	<b>48</b>	<b>6</b>	<b>7</b>	<b>2</b>	<b>3</b>
<b>VIOLENT CRIMES</b>	<b>14,144</b>	<b>16</b>	<b>16</b>	<b>58</b>	<b>2</b>	<b>5</b>	<b>1</b>	<b>3</b>
Murder/manslaughter	14	79	21	--	--	--	--	--
Attempted murder	12	92	--	--	--	--	--	8
Robbery	2,054	27	23	45	--	3	--	1
Sexual assault/other sexual offences	916	13	16	62	--	2	1	5
Aggravated assault/assault with a weapon	2,686	19	18	55	1	4	--	2
Minor assault	6,782	12	13	62	2	6	1	3
Weapons/firearms/explosives	1,199	15	13	58	3	5	2	3
Other violence crimes	481	23	18	49	2	5	1	2
<b>PROPERTY CRIMES</b>	<b>30,823</b>	<b>15</b>	<b>17</b>	<b>54</b>	<b>4</b>	<b>7</b>	<b>2</b>	<b>3</b>
Breaking and entering	8,959	18	20	55	1	4	--	2
Taking a vehicle without consent	1,268	13	16	59	2	7	2	2
Theft over \$5,000	1,269	25	23	45	2	3	--	1
Theft \$5,000 and under	9,736	10	13	55	7	10	3	2
Possession of stolen property	4,031	18	19	49	3	7	2	2
Fraud/forgery	1,092	15	15	52	7	6	1	4
Mischief/damage	3,598	10	12	58	3	9	2	6
Other property offences	870	14	18	55	1	6	2	3
<b>OTHER CRIMINAL CODE OFFENCES</b>	<b>13,064</b>	<b>22</b>	<b>19</b>	<b>38</b>	<b>9</b>	<b>6</b>	<b>2</b>	<b>4</b>
Failure to appear/comply/breach of recognizance	7,177	19	22	39	7	8	2	3
Escape custody/unlawfully at large	1,599	65	26	6	1	2	--	1
Impaired operation/other motor vehicle offences	1,006	8	7	30	46	7	--	2
Other Criminal Code offences	3,282	14	12	53	6	6	2	7
<b>DRUG-RELATED OFFENCES</b>	<b>3,125</b>	<b>8</b>	<b>10</b>	<b>53</b>	<b>14</b>	<b>7</b>	<b>4</b>	<b>3</b>
<b>YOUNG OFFENDERS ACT</b>	<b>10,722</b>	<b>22</b>	<b>25</b>	<b>28</b>	<b>10</b>	<b>11</b>	<b>1</b>	<b>3</b>
Failure to comply with disposition	10,547	22	25	28	10	11	1	3
Other YOA offences	175	21	37	31	3	5	--	3
<b>OTHER FEDERAL STATUTE OFFENCES</b>	<b>83</b>	<b>--</b>	<b>--</b>	<b>22</b>	<b>71</b>	<b>5</b>	<b>2</b>	<b>--</b>

-- nil or zero


-- too small to be expressed

<sup>1</sup> Refers to the most significant charge which resulted in the sentence with the greatest impact on the young person.

<sup>2</sup> Includes restitution, prohibition, seizure, forfeiture, compensation, pay purchaser, essays, apologies, counseling programs and conditional discharge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 6



**Youth Court Cases with Convictions by the Most Significant Sentence,  
1998/99**

	Most Significant Disposition							
	Total	Secure custody	Open custody	Secure and open custody	Probation	Fine	Community service order	Other <sup>1</sup>
		%	%	%	%	%	%	%
<b>Canada</b>	<b>71,961</b>	<b>17</b>	<b>18</b>	<b>35</b>	<b>48</b>	<b>6</b>	<b>7</b>	<b>5</b>
Newfoundland	1,748	22	21	43	50	3	1	4
Prince Edward Island	271	26	19	45	46	4	4	1
Nova Scotia	2,152	2	33	35	52	6	5	1
New Brunswick	1,741	19	13	32	60	5	1	2
Quebec	9,099	16	14	30	55	3	8	4
Ontario	24,308	20	21	42	46	3	5	5
Manitoba	4,904	16	16	32	47	6	7	7
Saskatchewan	6,683	19	16	35	48	4	12	2
Alberta	11,909	16	10	26	40	15	13	5
British Columbia	8,276	12	22	33	56	4	2	4
Yukon	260	35	7	42	40	4	-	14
Northwest Territories	610	14	23	38	39	3	2	19

<sup>1</sup> Other includes compensation, pay purchaser, compensation in kind, restitution, prohibition, seizure, forfeiture, conditional discharge, absolute discharge, essays, apologies and counselling programs.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

## Canadian Centre for Justice Statistics

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

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