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ADULT CORRECTIONAL SERVICES IN CANADA, 1998-99

by Jennifer Thomas

HIGHLIGHTS

- At any given time, in 1998-99, there was an average of 150,986 adults under the supervision of correctional authorities in Canada, a 3% decrease from 1997-98. Almost 8 out of every 10 (79%) offenders in the correctional system were under some form of supervision in the community. Custodial facilities housed 21% of supervised offenders (including individuals on remand and held for other temporary reasons such as immigration holds).
- For the sixth consecutive year, the total number of adult admissions to custody declined. In 1998-99, there were 218,009 adults admitted to provincial/territorial and federal custody, a 3% decrease over 1997-98. Since the peak of custodial admissions in 1992-93 (following almost a decade of growth), the number of custodial admissions has decreased by 14%.
- The majority of adult custodial admissions (97%) were to provincial/territorial facilities. Although provincial/territorial admissions to custody continued to decline (3%) in 1998-99, admissions to federal facilities rose by 3%.
- Similar to custodial admissions, admissions to sentenced community supervision (i.e., probation and conditional sentences) declined (2%) in 1998-99, the first time since the introduction of the conditional sentence in 1996. Admissions to conditional sentences totalled 14,236 for the year, a 3% decrease over 1997-98, while admissions to probation declined slightly (2%), totalling 78,819.
- The typical adult offender admitted on sentence to a provincial/territorial facility was male, between the ages of 18 and 34, and convicted of a property offence. Those admitted to federal institutions were also likely to be male, and between the ages of 18 and 34, but more likely to be convicted of a violent offence, specifically, robbery or assault.
- Over-representation of Aboriginal people in Canada's prisons continues to be a problem, both in provincial/territorial and federal adult facilities. Though Aboriginal persons account for only 2% of the adult population in Canada, in 1998-99 they accounted for 17% of admissions to custody both at the provincial/territorial and federal levels. The greatest disproportionality exists in Saskatchewan and Ontario where the proportion of Aboriginal admissions to custody is roughly ten times the proportion of Aboriginal representation in the adult population in those provinces.
- Expenditures¹ on adult corrections reached \$2.26 billion in 1998-99, an increase of 8% compared with 1997-98 expenditures. The national average daily cost of housing an inmate in a federal facility was \$171, up 10% from the previous year. In provincial/territorial facilities, the average daily inmate cost declined marginally (0.5%) to \$123.

¹ Refers to operating expenditures only (i.e., excludes capital costs).



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INTRODUCTION

Criminal justice is a fundamental facet of Canadian society and its provincial/territorial and federal governments and, as such, must reflect the accepted values and concerns of Canadians. So, not surprisingly, the administration of justice is often the subject of much public scrutiny. Public perceptions and attitudes towards crime and offenders play a large role in the development of justice-related policy, as well as the response of the justice system to criminal behaviour.

Policy-makers often respond to public concern over crime through the development of and changes to legislation relating to: defining what constitutes criminal activity; victims' rights in the justice process; sentencing of convicted offenders; corrections and conditional release activity, etc. Public concern or opinion may also generate non-policy responses such as changes in charging practices by the police, sentencing practices of the judiciary (e.g., the imposition of harsher sentences for certain types of crime), levels of supervision of offenders in custody or the community, and levels of security of correctional institutions.

In the area of corrections, the importance of public perception and concern creates a major challenge. A primary principle of the correctional component of the Canadian criminal justice system is the contribution to the achievement of a safe and just society, while balancing offenders' rights and needs towards rehabilitation. However, correctional agencies must first respond to the decision of the court, where a warrant to a term of imprisonment in a correctional facility or an order to a community-based sanction has been issued for an offender.

Administration of Corrections in Canada

In Canada, the administration of corrections is shared between the federal and provincial/territorial governments. The 'two-year rule' applied to custodial sentences constitutes one of the unique facets of the correctional system in Canada, which decrees offenders sentenced to custody for two years or longer to the jurisdiction of the federal government (Ministry of the Solicitor General Canada); while offenders receiving custodial sentences of less than two years fall under the responsibility of provincial/territorial correctional authorities.

Correctional authorities at the provincial/territorial level are also responsible for the supervision of individuals remanded to custody while awaiting trial and offenders ordered to serve a term of probation or conditional sentence.

Three provinces (Quebec, Ontario, and British Columbia) have their own parole boards with jurisdiction over the release of offenders from provincial facilities into the community to serve the remainder of their sentence on supervised parole. The federal government (National Parole Board) is responsible for the decisions concerning the release of offenders from federal custody, as well as for those provincial/territorial inmates in provinces and territories that do not operate their own parole boards. The supervision of offenders released by the National Parole Board under some form of conditional release (i.e., day parole, full parole, statutory release) is the responsibility of Correctional Service Canada.

Despite the various levels of correctional jurisdiction in Canada, all agencies responsible for the administration of corrections provide and promote a wide range of programs and services developed to meet the needs and interests of sentenced offenders. Essential to the success of rehabilitation is a sound assessment of the risks and needs of individual offenders as well as the offender's participation in programs that address the specific needs related to their offending.

Correctional Reform in Canada

Within the justice community, much concern exists over the relatively high number of offenders sentenced to custody. There is a belief that some of the offenders sent to prison could be just as safely and effectively rehabilitated in the community. Recently, important legislative reform providing additional alternatives to incarceration was introduced. The Sentencing Reform Bill (C-41) was proclaimed into law in September 1996, which, among other things, created the new disposition of conditional sentence of imprisonment and introduced the notion of alternative measures for adults. The conditional sentence was designed to reduce the number of offenders admitted to provincial/territorial custody, as it applies only to sentences of up to two years less a day, and where there is no minimum sentence. If certain conditions are met, once a sentence of imprisonment has been imposed, the court may order the offender to serve the term of imprisonment in the community, under the supervision of a probation officer or other designated official. The intent of the new legislation is to safely reduce levels of incarceration by allowing offenders who would have previously gone to prison to serve their sentence in the community.

This *Juristat* summarizes data and trends related to correctional services in Canada, collected from the Adult Correctional Services (ACS) Survey, for the 1998-99 fiscal year. Information is presented on the composition of the correctional system, the number and characteristics of offenders admitted to supervision in custody or the community, and the costs associated with the administration of the correctional system. More detailed data are available in the data table product *Adult Correctional Services in Canada, Data Tables, 1998-99* (Canadian Centre for Justice Statistics, 2000).

THE ADULT CORRECTIONAL POPULATION

The size and characteristics of correctional populations (custody and community) are affected by a number of variables. For instance, changes in the crime rate will affect the number of cases being processed by the courts. This in turn will have an impact on the number of persons admitted to prison or to a period of community supervision.

Changes in sentencing patterns as a result of evolving judicial attitudes towards sentencing alternatives (i.e., community service, restitution) or the length of sentences may also have an effect on the correctional population. In addition, legislative reforms relating to the sentencing or parole systems can influence the volume and nature of correctional populations. For example, federal legislation relating to the illegal use of firearms created mandatory four-year minimum terms of imprisonment. Similarly, the introduction of new sanctions such as the conditional sentence can affect the general composition of the correctional system: offenders that would have otherwise been ordered a custodial sentence serve their sentence in the community under some form of supervision.

Box 1 Measures of Correctional Activity: Admissions and Inmate Counts

This report makes use of two different indicators that describe the use of correctional services: (i) the number of annual *admissions* to correctional facilities or to community supervision programs; and (ii) the *average count* of offenders imprisoned or serving a sentence in the community at a given point in time.

Admission data are collected when the offender enters the institution or community supervision program. While admission data describe and measure the changing caseload of correctional agencies over time, they do not indicate the number of unique individuals using correctional services since the same person can be included several times in annual admission totals. Although the Adult Correctional Services Survey attempts to define the way in which status changes should be counted, limitations due to differing jurisdictional operational systems may restrict uniform application of the definitions in some situations. For this reason, inter-jurisdictional comparisons of the actual numbers of admissions should not be made. However, as a result of consistent counting practices within jurisdictions, comparative statements may be made concerning the trends within each jurisdiction.

Average counts of inmates in custody or serving a sentence in the community at a given point in time provide a snapshot of the correctional population on any given day and are then used to calculate an annual average count. Average counts provide a useful operational measure for correctional managers and are used as formal indicators of the utilization of bed space in institutions. Typically, correctional officials perform daily counts of inmates in their facility and monthly counts of offenders under community supervision.

By and large, provincial and territorial correctional case management systems cannot provide case characteristics about their average daily populations to the same degree as those collected upon admission to custody or intake to probation.

Composition of the Correctional System

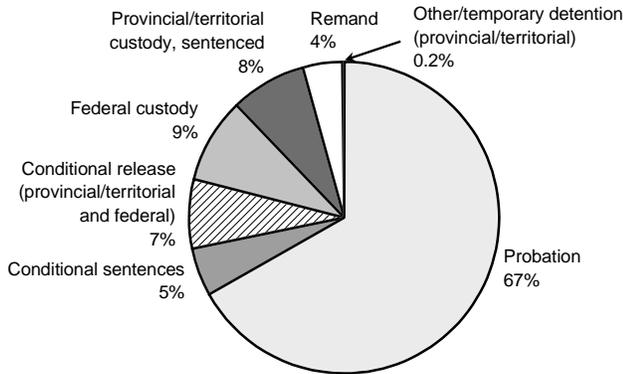
It is typical practise that correctional staff conduct daily counts of inmates in their custody. Counts of offenders in the community are normally taken at month-end. From these daily or month-end counts an average is calculated, providing a picture of the average number of offenders under the different types of correctional supervision.

In 1998-99, an average of 150,986 adult offenders were under the supervision of correctional authorities. This represents a decrease of 3% in the average adult correctional population from 1997-98. Of all those supervised (including 67% who were on probation, 7% on some form of parole or conditional release, and 5% serving a conditional sentence), a total of almost 8 out of every 10 (118,576) offenders (79%) were in the community (see Figure 1).

In 1998-99, provincial/territorial and federal inmates accounted for about one-fifth (21%) of the average correctional population (12% and 9% respectively). On average, there were 32,411 adult inmates (including those on remand or other temporary forms of detention, such as immigration holds) in provincial/territorial and federal custody, a slight (1%) decrease from 1997-98.

Figure 1

Composition of the adult correctional population (average counts), 1998-99



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

Table 1

Average adult inmate counts and incarceration rates, provincial/territorial and federal custody, 1998-99

Jurisdiction	Average count	Incarceration rate (per 100,000 adult population)	% change from 1997-98
Newfoundland	328	78	12
Prince Edward Island	85	83	-7
Nova Scotia	376	52	-4
New Brunswick	328	56	-14
Quebec	3,321	58	2
Ontario	7,689	89	-1
Manitoba	1,071	127	19
Saskatchewan	1,209	161	2
Alberta	2,126	99	6
British Columbia	2,270	73	-12
Yukon	74	318	-7
Northwest Territories	358	838	2
Provincial/Territorial Total	19,233	83	--
Federal Total	13,178	57	-5
Total	32,411	140	-2

-- amount too small to be expressed.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

**Box 2
Incarceration Rates**

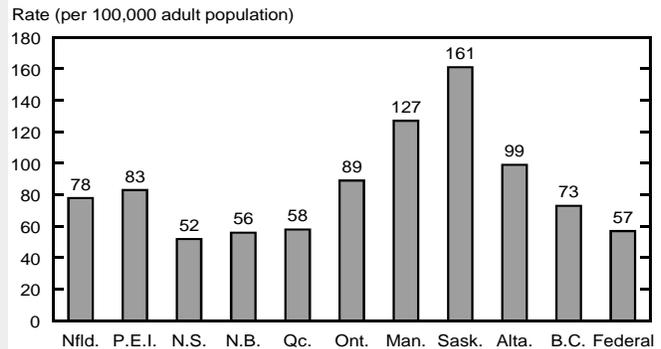
Though there are a number of ways in which incarceration rates may be calculated and reported, the standard method used in reports by the Canadian Centre for Justice Statistics is the average daily count of all offenders in custody at the time of head count (including those on remand and other temporary detention) per 100,000 Canadian population. The incarceration rates for adult offenders are presented as the average number of adult inmates per 100,000 adult population.

The adult incarceration rate generally increased between 1988-89 and 1994-95, peaking at 152 adult inmates per 100,000 adult population. Since then, incarceration rates have declined, down to 140 in 1998-99. The incarceration rates for federal inmates decreased by 5% in 1998-99, down to 57, while the overall incarceration rate for provincial/territorial facilities was constant with 1997-98 at 83.

As Figure 2 illustrates, incarceration rates ranged from 52 in Nova Scotia to 161 in Saskatchewan. In general, incarceration rates increase moving from eastern Canada to the west of the country. This is consistent with rates of adults charged with a criminal offence. For example, in the eastern provinces, the rate of adults charged ranged from 1,598 per 100,000 adult population in Prince Edward Island to 2,165 in Nova Scotia. In comparison, rates of adults charged in the western provinces ranged from 2,397 in British Columbia to 4,428 in Saskatchewan.

Figure 2

Provincial and federal incarceration rates¹, 1998-99



¹ Rates are calculated using the average daily inmate sentenced counts, divided by the number of adults in the Canadian population, then multiplied by 100,000. Provincial/territorial average counts include federally sentenced offenders serving time in provincial/territorial custody, which may affect incarceration rates in those jurisdictions where there are few or no federal institutions (e.g. Newfoundland).

Note: Incarceration rates have not been presented for the territories due to their extreme values.

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

The composition of admissions to the correctional system presents a different picture

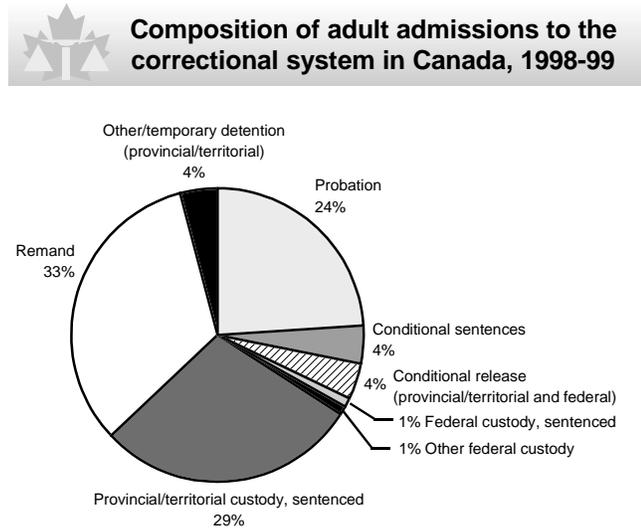
While probationers constitute the largest proportion of supervised adult offenders at any given time, over twice as many offenders are admitted to provincial/territorial or federal custody than to community supervision. As will be examined later, probationers tend to receive longer sentences than

those sentenced to custody, explaining the greater proportion of probationers in the correctional system at any point in time.

Figure 3 shows that in 1998-99, admissions to provincial/territorial and federal custody accounted for approximately two-thirds (68%) of the total supervised adult offender admissions, including 65% to provincial/territorial facilities and 2% to federal custody.

Accused persons detained on remand accounted for a third (33%) of all admissions. Offenders admitted to provincial/territorial custody by order of sentence represented another 29%; another 4% were admitted to provincial/territorial custody for other reasons such as temporary or immigration holds.

Figure 3



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

Approximately one-quarter (24%) of the admissions to the correctional system were individuals on probation, while 4% were serving a conditional sentence, and the remainder (4%) were under some form of parole or conditional release in the community.

TRENDS IN ADMISSIONS TO THE CORRECTIONAL SYSTEM

Admissions to provincial/territorial custody continue to decline; however, federal custody admissions are up slightly

For the sixth consecutive year, the total number of admissions to custody² declined (see Table 2). In 1998-99, there were 218,009 admissions of adult offenders to custody, a 3% decrease over 1997-98. Steady downward trends in admissions have resulted in levels approaching those of the late 1980's. Since the peak of 253,451 admissions to custody in 1992-93, the number of admissions has decreased by 14%.

The trend in decreasing admissions to provincial/territorial facilities continues. In 1998-99, there were 210,591 provincial/territorial custody admissions, a 3% decrease over 1997-98. During the 1980's and early 1990's, these admission levels increased regularly, peaking in 1992-93 at a total of 245,746 admissions. Since then, the gradual decline in custodial admissions at the provincial/territorial level has amounted to 14% overall.

Table 2

Total adult admissions to provincial/territorial and federal custody, 1989-90 to 1998-99

Year	Admissions			% change from previous year
	Provincial/territorial ²	Federal ¹	Total	
1989-90	199,943	6,223	206,166	...
1990-91	207,945	6,186	214,131	4
1991-92	243,745	7,087	250,832	17
1992-93	245,746	7,705	253,451	1
1993-94	240,706	8,552	249,258	-2
1994-95	238,856	8,020	246,876	-1
1995-96 ³	230,300	7,246	237,546	-4
1996-97 ³	228,382	7,422	235,804	-1
1997-98	217,174	7,170	224,344	-5
1998-99	210,591	7,455	218,009	-3

... figures not appropriate or applicable.

¹ Federal admissions include the following types of admissions: Warrant of Committal; sentenced provincial/territorial offenders admitted to federal custody; parole revocation; termination of release; interruption; transfers from foreign countries, and other types of admissions. Federal offenders admitted to provincial/territorial facilities are excluded.

² Provincial/territorial admissions include provincial/territorial inmate admissions as well as federal inmates admitted to the provincial/territorial system during an appeal period prior to being transferred to a federal penitentiary.

³ Provincial/territorial admissions for 1995-96 and 1996-97 exclude Northwest Territories.

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

Admissions to federal custody have been generally declining since 1994-95 (though a slight increase was experienced in 1996-97). However, in 1998-99, there were 7,418 admissions to institutions under federal jurisdiction, a 3% increase over 1997-98 (though still 13% less than the peak in 1993-94). Increased Warrant of Committal (i.e., sentenced) admissions³ accounted for the overall increase in federal custodial admissions, since admissions on account of parole revocation continue to decline. In 1998-99, parole revocation admissions to federal custody declined 10% to 2,495.

Included in the discussion of total provincial/territorial custody admissions are individuals who have been held in temporary detention or on remand. Though the focus of analysis of custodial admissions data will not include detailed information on these two groups, it should be noted that the remand population can represent significant caseload and is thus an important concern for authorities responsible for monitoring the overall correctional population.

Remand admissions include persons who have been charged by police with an offence and ordered to custody (by the court) while awaiting a further court appearance. They have not been sentenced to custody or community-based sanctions, but can be held in a provincial/territorial facility for a number of reasons such as arranging bail, risk that they will fail to appear for their court date, and risk that they might re-offend. There were 104,975 remand admissions in 1998-99, consistent with 1997-98.

² The total number of admissions to custody includes the following: those offenders sentenced to custody on a Warrant of Committal; remand; parole revocation; transfers from other countries; and those detained temporarily for reasons such as immigration holds and parole suspensions.

³ In 1998-99, there was an increase (6%) in the number of Warrant of Committal admissions to federal custody over 1997-98 admissions.

There are other individuals held in custody, some of whom may not have been accused of committing an offence. Individuals detained on "other/temporary detention" status include persons held for immigration purposes, offenders held on exchange of service agreement, in transit, etc. In 1998-99, there were 12,571 admissions to provincial/territorial custody for such reasons, a decrease of 2% over 1997-98.

Sentenced admissions to custody – regional differences exist

Looking only at sentenced admissions, in 1998-99, the number of sentenced admissions to provincial/territorial custody totalled 93,045, a decrease of 6% from the previous year. Sentenced admissions have actually declined by 24% since the peak of 121,817 in 1992-93 (see Figure 4).

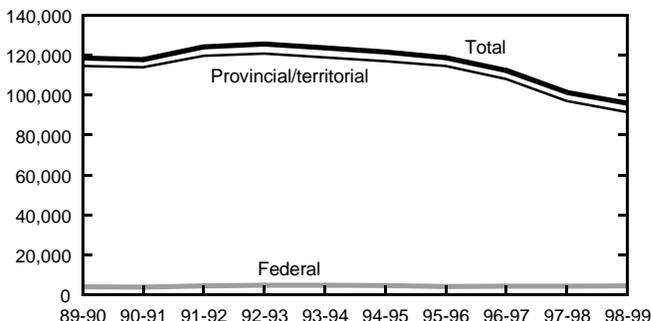
Quebec experienced a notable decrease in sentenced admissions (17%) in 1998-99, followed by British Columbia (9%) and Prince Edward Island (8%). Sentenced admissions to custody remained fairly stable in all other jurisdictions, with the exception of Alberta, where a 7% increase was noted (see Table 3).

As noted, in 1998-99 the largest annual percentage decrease in admissions to sentenced custody was in Quebec. However, if we look at long-term trends in sentenced admissions by jurisdiction, Saskatchewan has also been admitting significantly lower numbers to custody, where sentenced admissions are roughly half (49%) the number admitted in 1988-89.

Turning to federal custody, Warrant of Committal admissions totalled 4,493 in 1998-99, an increase of 6% from 1997-98. As with sentenced admissions to provincial/territorial custody,

Figure 4

Sentenced adult admissions to custody, 1989-90 to 1998-99



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

there are regional differences at the federal level. Interestingly, though Quebec experienced the most significant decrease in sentenced admissions at the provincial/territorial level in 1998-99, the province recorded the largest increase (17%) of the five regions⁴ at the federal level. Sentenced admissions also increased in the Prairie region (10%), while the Atlantic region facilities received 5% fewer sentenced admissions. Warrant of Committal admissions remained stable in Ontario and the Pacific region.

⁴ Correctional Services Canada, the federal department responsible for the operation of federal custodial facilities, reports custodial data by the following regions: Atlantic, Quebec, Ontario, Prairie and Pacific.

Table 3

Sentenced adult admissions to provincial/territorial and federal custody, 1998-99

Jurisdiction	Number of admissions	% change from previous year	Percent female	Percent Aboriginal	Median age	Median sentence length (days)	Admissions per 10,000 adults charged
Newfoundland	1,199	3	6	6	31	90	1,746
Prince Edward Island	803	-8	8	--	..	..	4,929
Nova Scotia	1,964	3	5	5	30	51	1,261
New Brunswick	2,273	--	4	5	31	15	2,136
Quebec	21,735	-17	9	2	34	30	2,285
Ontario	32,815	-3	9	10	31	45	1,850
Manitoba	1,393	-3	6	59	30	120	520
Saskatchewan	3,850	-1	9	76	29	113	1,161
Alberta	15,491	7	11	38	31	30	2,517
British Columbia	9,628	-9	7	20	31	45	1,299
Yukon	300	-1	8	49	33	45	2,473
Northwest Territories	1,594	...	4	..	..	..	4,745
Provincial/Territorial Total	93,045	-6	9	17	...	...	1,834
Federal Total	4,493	6	4	17	31	1,095	89

... figures not available.

... figures not appropriate or applicable.

-- amount too small to be expressed.

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

Trends in rates of sentenced admissions to custody⁵ also vary across the country

Studying rates of custodial admissions against the number of adults charged by police may also offer some insight into sentencing patterns. However, due to limitations with respect to different methods of counting admissions, inter-jurisdictional comparisons of these rates should not be made, though comparative statements can be made with respect to trends. In 1998-99, the national average at the provincial/territorial level was 1,834 per 10,000 adults charged, a 7% decrease from the previous year. The number of admissions per 10,000 adults charged increased in Yukon (14%), New Brunswick (12%), Prince Edward Island (8%), and Nova Scotia (6%). Conversely, the rate of sentenced admissions declined in Quebec (13%), Ontario (9%), British Columbia (9%), Saskatchewan (8%), and Manitoba (5%). In all other jurisdictions, the rate remained relatively constant.

Reflective of the relatively low number of offenders sentenced to federal custody, the rate of sentenced admissions to custody was comparatively low at 89 admissions per 10,000 adults charged, up from 85 in 1997-98.

Assuming consistent counting practices, the resulting rates (or trends in rates) of sentenced admissions to custody (per adults charged) for each jurisdiction could be explained by a number of factors, which likely interact in some way. For instance, 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. Also, there may be jurisdictional differences in sentencing. Judges in some jurisdictions may be more likely to sentence an offender to imprisonment, while others may be more inclined to lean towards community-based supervision (i.e., conditional sentence or probation). There may also be variation in the proportion of withdrawals or stays of proceedings. Jurisdictions that use a higher proportion of stays to dispose of charges would have fewer convictions overall, resulting in fewer admissions to custody.

PROFILE OF ADULT OFFENDERS ADMITTED TO SENTENCED CUSTODY IN CANADA

A sentenced adult entering a custodial facility in 1998-99 was likely to be a male between the ages of 18 and 34.

In 1998-99, 60% of adults admitted to provincial/territorial correctional facilities and 62% of federal sentenced admissions were between the ages of 18 and 34. The median age of offenders admitted to provincial/territorial custody ranged⁶ from a low of 29 years of age in Saskatchewan to a high of 34 years of age in Quebec. The median age for federal offenders on admission was 31 years. Women accounted for only 9% of admissions to provincial/territorial custody and an even lower proportion to federal custody (4%).

Property crimes accounted for the highest percentage (25%) of admissions at the provincial/territorial level (see Table 4). Almost as many offenders were admitted for "other *Criminal Code*" offences (21%). In Newfoundland and Manitoba, the proportion of admissions to custody for violent offences⁷ was higher than for property offence and other *Criminal Code* offence admissions. In Quebec, "other provincial/territorial statutes and municipal by-laws" represented 59% of admissions to custody, a reflection of the high proportion of custodial admissions for fine default in the province.

The large percentage of admissions for property offences at the provincial/territorial level reflects the influence of two factors. First, property crimes are more common than crimes of violence⁸. Second, property offenders often 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 accounted for one-fifth (20%) of provincial/territorial admissions to custody in 1998-99. The number of fine default admissions declined 13% from the previous year. Considerable jurisdictional variation exists in terms of the percentage of admissions to custody for fine default. The range was 1% in Newfoundland and Ontario, to 33% in Nova Scotia and Alberta, and 56% in Quebec, a jurisdiction that admits a high proportion of offenders to custody for fine default. 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 contrast to offenders admitted to provincial/territorial custody, over half (52%) of Warrant of Committal admissions to federal custody were for violent offences, particularly robbery and various levels of assault. The fact that more violent offenders end up in the federal prison system is consistent with the Fundamental Principle of Sentencing as defined in Section 718.1 of the *Criminal Code*, ("a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender"), in that violent crimes are viewed as more serious offences and require harsher and lengthier sentences.

The median sentence length served by inmates in the provinces and territories indicates that there is considerable variation across the country. Upon admission, the median sentence length for provincial/territorial offenders ranged from 15 days in New Brunswick to 120 days in Manitoba. A number of factors likely explain this variability. A province or territory with a higher proportion of serious crime convictions or repeat

⁵ Rates of admissions to custody should not be confused with incarceration rates, which typically are expressed as daily counts (or average counts) per 100,000 population.

⁶ An overall median age for provincial/territorial custody and probation is not available since only aggregate data are collected. The provinces and territories provide median age data based on their respective micro-data.

⁷ For the purposes of classification, violent criminal incidents include homicide, attempted murder, assault, sexual assault, other sexual offences, abduction and robbery.

⁸ In 1998, property crimes accounted for 51% of all crimes recorded by the police, whereas violent crimes represented 11% (Tremblay, 1999).

Table 4

Sentenced adult admissions to provincial/territorial and federal custody, by major offence, 1998-99

Jurisdiction	Unit of count	Number	Criminal Code				Federal Statutes			Provincial/Territorial Statutes and Municipal By-laws			Fine default admissions ¹	
			Crimes of violence	Property crimes	Impaired driving	Other	Total	Drug offences	Other	Total	Liquor offences	Other		Total
			percent											
Newfoundland	MSO	1,199	29	26	11	22	88	4	6	11	1	1	2	1
Prince Edward Island	MSO	803	10	32	4	11	56	10	18	28	3	12	16	2
Nova Scotia	MSO	1,964	19	20	10	31	79	8	3	11	4	6	10	33
New Brunswick	MSO	2,273	9	13	7	31	60	2	22	25	5	7	12	7
Quebec	MSO	21,735	4	9	12	8	33	6	1	7	2	59	61	56
Ontario	MSO	32,815	32	37	6	14	89	8	1	9	--	1	1	1
Manitoba	MSO	1,393	33	27	10	20	90	5	3	8	--	2	2	3
Saskatchewan	MSO	3,850	23	28	15	27	92	2	1	3	2	2	4	5
Alberta	MC	43,535	9	23	5	29	65	4	1	5	..	..	30	33
British Columbia	MSD	10,820	16	28	8	25	76	7	6	14	--	10	10	2
Yukon	MC	1,442	21	15	11	49	95	4	1	5	--	1	1	4
Northwest Territories	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total Provincial/Territorial²	..	..	17	25	7	21	71	6	2	8	..	..	21	16
Federal	MSO	4,493	52	18	6	7	83	16	--	16	-	-	-	...

.. figures not available.
 ... figures not appropriate or applicable.
 -- nil or zero.
 -- amount too small to be expressed.
 MC - Multiple Charge
 MSD - Most Serious Disposition
 MSO - Most Serious Offence

¹ The percentage shown for 'Fine default admissions' is based on the total number of sentenced admissions in Table 3 (i.e., at least one of the charges the offender was convicted for was fine default).
² The Total Provincial/Territorial percentage breakdown represents only those jurisdictions reporting either the offence for the most serious offence or most serious disposition.

Note: Figures may not add due to rounding.

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

offenders would likely have a longer median sentence length since the more serious crimes bear stiffer penalties. The use of incarceration for fine defaulters can also affect the median sentence length. A jurisdiction with a larger proportion of admissions to custody for fine default will likely have a lower median sentence length due to relatively shorter sentences.

Naturally, the median sentence length on admission to a federal correctional facility is much higher than for provincial/territorial admissions. In 1998-99, the median sentence length for offenders admitted to federal custody was slightly over three years (36.5 months)⁹. Almost a quarter (22%) of Warrant of Committal admissions to federal custody were for a period of 5 years or longer. Offenders admitted to federal custody on a life sentence accounted for only 4% of all sentenced federal admissions.

Intermittent sentences – little change despite the introduction of conditional sentencing

Judges may sentence certain types of offenders under certain circumstances to an intermittent term of imprisonment, whereby the offender serves the custodial term on the weekend. This allows the offender to work, attend school or 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.

It was thought that the introduction of the conditional sentence would present an alternative to the use of intermittent sentences, with the expectation of decreased intermittent sentence admissions. Overall, intermittent sentences represented 13% of all admissions to custody in 1998-99, unchanged from the previous year. In 1996-97, the year that conditional sentencing was introduced, 15% of admissions to custody were for intermittent sentences. Though the proportion of intermittent sentence admissions has not changed significantly, the actual number of intermittent sentences has decreased by 26%.

There is variation between the provinces and territories with respect to the proportion of intermittent sentence admissions. The use of intermittent terms ranged from a low of 2% of sentenced admissions in British Columbia, to highs of 18% in Yukon and 19% in Ontario.

⁹ The median sentence length on admission to federal custody excludes persons serving life sentences.

Box 3
Female inmates – effective programming is a challenge

The proportion of adult males and females in the Canadian population is roughly equal (49% male, 51% female). However, females account for a relatively small proportion of police-reported crime committed by adults. In 1998, women accounted for 16% of all adults charged (Canadian Centre for Justice Statistics, 1999). Consequently, women also represent a small proportion of offenders in the court and correctional systems. For instance, on October 5, 1996, females accounted for 5% of the on-register inmates in provincial/territorial and federal facilities (Trevelyan, Carrière, MacKillop, Finn, Robinson, Porporino & Millson, 1999).

Admissions to custody figures show a slightly different picture. Though females still account for a much smaller proportion than males, the proportion of women being admitted to custody is increasing. Twenty years ago, the proportion of women admitted to provincial/territorial custody was 5%. This proportion increased over the years to 9% in 1992-93 and has remained constant since. The proportion of female offenders admitted to federal custody remained fairly constant (around 3%) over the same period of time. In 1998-99, a slight increase in the proportion of female admissions at the federal level was experienced, with women accounting for 4% of admissions. The recent increase in the proportion of adult females admitted to custody may in part, be attributed to the trend in increased charges of violent crime for females, compared with recent decreases in violent crime charges against males. The number of adult females charged by police with a violent offence in 1998 (15,694) represents a substantial increase (58%) over the number charged in 1989 (9,955).

As data from the One-Day Snapshot (1996) indicate, females were less likely than males to be incarcerated for crimes against the person in both provincial/territorial and federal facilities. In general, females were more likely to have been incarcerated for crimes involving property or drugs. Female inmates (as with male inmates) also tended to be unemployed and to have low levels of education. They also were classified as being a lower risk than males in terms of possible re-offence, and female inmates in provincial/territorial facilities had slightly higher needs than their male counterparts in most areas, particularly in the areas of substance abuse and marriage/family.

Despite the small number and proportion of women in both provincial/territorial and federal custody, due to the different characteristics and higher level of needs of female offenders compared to their male counterparts, gender-responsive program planning is often challenging for correctional staff and policy makers. Historically, correctional programming for women tended to be based on assumptions of male characteristics and needs.

In 1990, the Task Force on Federally Sentenced Women made recommendations to the Correctional Service of Canada designed to develop a comprehensive strategy for the management of federally sentenced women. One of the recommendations in the Task Force's report proposed the replacement of the federal Prison for Women in Kingston (PFW) with four regional facilities and an Aboriginal healing lodge, all of which have since been operationalized. Among other things, this will likely help reduce the general displacement of female offenders. The PFW has long been criticized for its lack of programming options and excessive level of security. The new facilities were designed to respond more specifically to the needs of the individual women as well as their styles of learning (Stableforth, 1999).

Box 4
Aboriginals in custody – a cause for concern

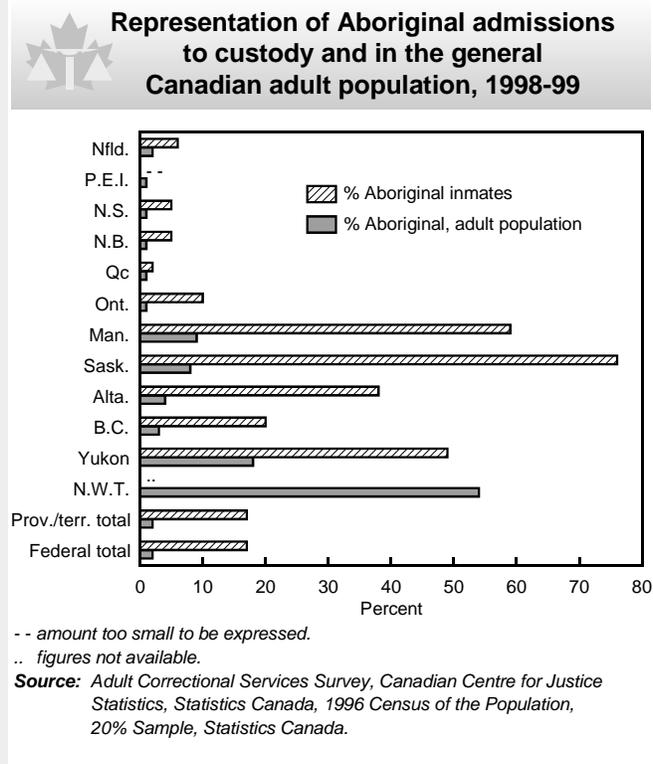
Consistent Aboriginal over-representation has been the focus of much concern, both within the Aboriginal community and the justice system. Aboriginal people represent 2% of the adult population, but accounted for 17% of the admissions to provincial/territorial custody in 1998-99, and the same proportion to federal custody. At the provincial/territorial level, this represents a slight increase (2%) in the proportion of Aboriginal admissions over 1997-98, while the representation of Aboriginal persons as a proportion of federal custodial admissions remained relatively stable.

However, as Figure 5 shows, there is considerable variation across the country with respect to the presence of Aboriginal people in the general adult and adult inmate populations. The Western provinces and territories are home to the largest proportions of Aboriginal persons in the general adult population, as well as the greatest disproportionate representation of adult admissions to custody. For example, in 1998-99 the proportion of Aboriginal persons admitted to adult provincial facilities in Saskatchewan (76%) was almost ten times that of their proportion in the provincial adult population (8%). In Manitoba 59% of admissions to provincial custody were Aboriginal (compared to 9% in the provincial adult population) and in Alberta, 38% of admissions to provincial facilities were Aboriginal persons (compared to 4% in the provincial adult population). In other jurisdictions, the proportion of Aboriginal admissions ranged from twice to ten times their proportion in the provincial/territorial population.

Data from the One-Day Snapshot showed that on Snapshot day, Aboriginal inmates were incarcerated for crimes against the person more often than non-Aboriginal inmates, and had lower levels of education. In addition, a larger proportion of Aboriginal than non-Aboriginal inmates was unemployed at the time of admission. The Snapshot also revealed that a larger proportion of Aboriginal than non-Aboriginal inmates were classified as a high risk to re-offend, and scored higher in all areas of a general needs assessment, particularly in the area of substance abuse.

Traditional Aboriginal justice practices have generally taken a restorative approach, emphasizing healing and the importance of

Figure 5



community involvement in the justice process. When a restorative approach is not used, it is important that programs that are responsive to Aboriginal needs, values and traditions be made available.

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

Consistent with the principle of restraint in the use of punishment, Canada's criminal justice system has made a priority of developing and administering community-based alternatives to incarceration. The Sentencing Reform Bill (C-41), which was proclaimed law in September 1996, provides judges with a statement outlining the purposes and principles underlining the sentencing process. Section 718.1 of the *Criminal Code* defines the fundamental principle of sentencing, stating that "a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender." The *Criminal Code* outlines other principles that should also be considered in the determination of sentence, including consideration that "all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders" (Section 718.2).

Community-based corrections can offer the opportunity to provide a degree of punishment reflecting the seriousness of the offence, while also providing an effective means of rehabilitating offenders. In Canada, offenders under community supervision within the correctional system constitute those offenders serving conditional sentences, terms of probation, parole or statutory release.

Like custodial admissions, admissions to sentenced community supervision declined

In 1998-99, admissions to sentenced community supervision (i.e., probation and conditional sentences) declined slightly (2%) from the previous year, the first time since the introduction of the conditional sentence in 1996. However, there was noticeable variation across the jurisdictions with respect to trends in admissions to probation and conditional sentences.¹⁰

The conditional sentence – an alternative to incarceration

As previously described, Bill C-41 was enacted to respond to concern over high levels of incarceration in Canada. Among other things, the bill introduced the notion of conditional sentencing. 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 is required to comply with a number of mandatory conditions such as reporting to a probation officer or a designated supervisor. There may be additional conditions imposed by the sentencing judge, such as house arrest, restitution, fines, participation in specific treatment programs, abstaining from contact with certain individuals, community service work, and others. If the offender breaches these conditions, he or she will be returned to court for a breach hearing at which 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 conditional sentence has fallen under much scrutiny since its introduction. The intention of this new sentence was to reduce the number of admissions to provincial/territorial custody by acknowledging that some offenders who would otherwise have been sentenced to custody could be safely rehabilitated in the community. But a great deal of concern seems to exist over several aspects of the sentence such as the types of crimes for which a conditional sentence may be imposed, the length of the term imposed, treatment availability, net-widening¹¹, etc. In a survey conducted for the federal Department of Justice, almost 80% of the judges surveyed said that before they impose a conditional sentence, they consider the impact of the sentence on public opinion. Some judges were concerned over the lack of knowledge about whether or not appropriate programming or supervision was available in the community. (Makin, October 1, 1999).

On January 31, 2000, the Supreme Court of Canada ruled on a long-awaited series of cases where conditional sentences were the focus of attention¹². Although the court decided against narrowing the types of offences for which a conditional sentence may be imposed, it did stress that conditional sentences are least appropriate in any case where there is a great need to deter others or to express society's repugnance of a particular crime. The decision gives the judiciary a fair amount of discretion in the use of conditional sentencing, but does provide them with some guidance (Makin, February 1, 2000).

Declining admissions to conditional sentences

The decrease in the number of sentenced admissions to custody coincided with a decline in the number of conditional sentence admissions in 1998-99. Overall, admissions to conditional sentences numbered 14,236 for the year, a 3% decrease over 1997-98. As with custodial admissions, differences exist between the provinces and territories.

As Table 5 indicates, although overall admissions to conditional sentences declined, substantial increases were experienced in Manitoba (28%), Prince Edward Island (21%), Yukon (20%), and Saskatchewan (17%). Conditional sentence admissions also increased in Nova Scotia (7%), and Quebec (5%). The jurisdictions that experienced decreased admissions to conditional sentences were Alberta (23%), New Brunswick (15%), and Ontario (14%). Admissions to conditional sentences remained relatively stable in British Columbia and Newfoundland.

¹⁰ Admissions data for community supervision excludes Northwest Territories. Accordingly, comparisons with previous years exclude Northwest Territories' data for community supervision.

¹¹ The concept of "net-widening" in the case of conditional sentencing refers to the possibility that with the introduction of the new sentence, offenders who may not otherwise have received a custodial sentence will be given a conditional sentence, resulting in harsher sentences overall, thus increasing the number of supervised offenders in the correctional system.

¹² The Supreme Court of Canada released its decisions on five conditional sentence appeals: *R. v. Proulx*, *R. v. Bunn*, *R. v. R.A.R.*, *R. v. L.F.W.*, *R. v. R.N.S.*

Table 5


Number of conditional sentences imposed, September 1996 to March 1999

Jurisdiction	Year	Number of conditional sentences ¹	% change from previous year	Percent female ²	Percent Aboriginal ²	Median age
Newfoundland	1996-97	212	...	30	1	25
	1997-98	304	...	25	7	31
	1998-99	300	-1	24	5	32
Prince Edward Island	1996-97	4	...	-	--	..
	1997-98	29	...	10	--	..
	1998-99	35	21	29	-	36
Nova Scotia	1996-97	242	...	16	2	31
	1997-98	476	...	14	3	30
	1998-99	510	7	14	3	30
New Brunswick	1996-97	185	...	19	..	27
	1997-98	596	...	19	..	29
	1998-99	507	-15	19	..	32
Quebec	1996-97	2,555	...	14	3	32
	1997-98	3,983	...	14	4	32
	1998-99	4,202	5	14	2	32
Ontario	1996-97	1,940	...	23	7	33
	1997-98	4,293	...	25	7	33
	1998-99	3,690	-14	24	1	34
Manitoba	1996-97	..	...	..	..	..
	1997-98	526	...	..	..	..
	1998-99	672	28	..	..	..
Saskatchewan	1996-97	445	...	16	78	29
	1997-98	928	...	29	73	29
	1998-99	1,083	17	17	70	29
Alberta	1996-97	1,004	...	27	22	..
	1997-98	1,343	...	26	22	..
	1998-99	1,035	-23	26	19	..
British Columbia	1996-97	1,064	...	15	15	31
	1997-98	2,080	...	16	16	32
	1998-99	2,142	3	15	17	34
Yukon	1996-97	22	...	23	23	30
	1997-98	50	...	20	93	29
	1998-99	60	20	..	86	29
Northwest Territories	1996-97	..	...	..	..	..
	1997-98	..	...	..	..	..
	1998-99	..	...	..	..	..
Provincial/Territorial Total	1996-97	7,673	...	19	12	...
	1997-98	14,608	...	20	12	...
	1998-99	14,236	-3	18	11	...

.. figures not available.

... figures not appropriate or applicable.

-- amount too small to be expressed

- nil or zero.

¹ Conditional sentences were introduced in September 1996.

² Proportions are based on the number of known cases only.

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

Box 5
Case characteristics of conditional sentences

Of the total admissions to conditional sentences in 1998-99, females represented 18%, double the proportion of females admitted to provincial/territorial custody (9%). Over-representation of Aboriginal persons is seen in admissions to conditional sentences, as was the case with custody. As mentioned, Aboriginal persons account for 2% of the adult population; however they represented 11% of conditional sentence admissions. The median age of offenders upon admission to a conditional sentence ranged from 29 in Yukon and Saskatchewan to 36 in Prince Edward Island.

For the 1998-99 reference period, the Adult Correctional Services survey collected additional data on other characteristics of conditional sentences on a pilot basis. Data are not available for all jurisdictions¹³, so caution must be used in generalizing results.

Like custody admissions, the most serious offence reported upon admission to a conditional sentence was most likely to be a property offence, accounting for 42% of all conditional sentence admissions in 1998-99. In all jurisdictions that reported most serious offence data¹⁴, property crimes accounted for the highest percentage of admissions to conditional sentences. Violent crimes accounted for the next highest proportion of admissions (29%), where common or sexual assaults were reported most often in this category.

Perhaps surprisingly, the median sentence length upon admission to conditional sentences was longer than that of sentenced provincial/territorial custody in all reporting jurisdictions. For example, in 1998-99, the median sentence length on admission to provincial custody in Quebec was 1 month (30 days); for conditional sentences it was 8 months, eight times that for custody. Ontario's median sentence length for conditional sentence admissions (approximately 6 months) was about 4 times that of custody (approximately 1.5 months). Newfoundland reported the smallest difference between the median sentence length for custodial and conditional sentence admissions (3 months and 4.5 months respectively).

¹³ Data from the pilot collection were received from Newfoundland, New Brunswick, Quebec, Ontario, Alberta and Yukon.

¹⁴ Alberta was unable to report most serious offence data.

The actual number of admissions, both to custody and conditional sentences, has been dropping steadily. Many factors can have an impact on the rates of admission to custody, including decreasing crime rates in general (especially those crimes that historically receive more sentences to custody), restorative justice initiatives, and changing sentencing patterns. In addition, as the population has been aging, the size of the age cohort generally recognized as being most criminally active is decreasing. This will clearly have an effect on trends in both the rate of crime and the numbers of admissions to correctional supervision.

Probation still widely used

When an offender is ordered by the court to serve a sentence of probation, the sentence is served in the community under the supervision of a probation officer. The offender must abide by certain conditions as prescribed in the probation order, often similar to those that may be ordered for a conditional sentence. Probation may be ordered as a sentence on its own, or in conjunction with other sanctions. Offenders are often required to serve a term of probation after completion of a custodial sentence.

In 1998-99, the number of admissions to probation totalled 78,819, a 2% decrease from 1997-98. As Table 6 shows, admissions to probation declined in half of the provinces or territories: Prince Edward Island (24%), New Brunswick (6%); Quebec (5%); British Columbia (5%); Newfoundland (4%); and Ontario (4%).

Manitoba noted a large increase (21%) in the number of admissions to probation in 1998-99 (4,426), almost double the number in 1989-90 (2,421). Probation admissions also increased in Alberta (10%) and Yukon (4%). The number of admissions to probation remained stable in Nova Scotia and Saskatchewan.

Despite the slight decrease in admissions to probation in 1998-99, it is important to note the general increase in the use of probation during the 1990's. The most significant increase in probation admissions occurred in 1991-92 (an increase of 20% over the previous year). Since then, probation admissions have fluctuated slightly from year to year, but the number of admissions to probation is still 34% higher than the 58,995 admissions in 1989-90.

Analysis of trends by jurisdiction still hides considerable variation in the use of probation across the country. Looking at probation rates in terms of the number of admissions to probation per 10,000 adults charged by police with a criminal offence, the national rate was 1,542 per 10,000 adults charged. However, probation rates varied from a low of 723 per 10,000 adults charged in Quebec, to 3,850 per 10,000 adults charged in Yukon.

Profile of offenders upon intake to probation – differs little from offenders admitted to conditional sentences

As with provincial/territorial and federal custody and conditional sentences, on intake to probation, offenders are typically male (84%) and relatively young. In 1998-99, 63% of offenders admitted to probation were between the ages of 18 and 34 years. The median age on intake to probation ranged from 28 years in New Brunswick and Saskatchewan to 33 years in Newfoundland. Female offenders accounted for a greater percentage of probation admissions than sentenced admissions to provincial/territorial custody (16% versus 9%), possibly reflecting the less serious nature of crimes committed by women and less lengthy criminal records. Aboriginal persons represented 13% of admissions to probation, compared with 11% to conditional sentences, and 17% to custody.

A considerable proportion of offenders admitted to probation in 1998-99 was convicted of a violent offence (39%). It is important to note that, while the aggregate Adult Correctional Services Survey cannot link definitively the same individuals who have started their supervision in custody, it is likely that many of these probationers admitted on a violent offence commenced their period of supervision with a sentence to custody, thereby also counted in the custody admissions. In fact, analysis provided in the *Juristat* entitled "Adult Criminal Court Statistics, 1998-99" indicates that "a substantial proportion of cases involving a *crime against the person* received probation in addition to a term of imprisonment." (Roberts & Grimes, 2000)

Table 6



Number of probation admissions, 1998-99

Jurisdiction	Number of admissions	% change from previous year	Percent female ¹	Percent Aboriginal ¹	Median age	Admissions per 10,000 adults charged
Newfoundland	1,903	-4	16	6	33	2,770
Prince Edward Island	564	-24	..	..	..	3,462
Nova Scotia	3,719	--	15	4	30	2,388
New Brunswick	1,740	-6	16	..	28	1,635
Quebec	6,877	-5	12	8	31	723
Ontario	34,469	-4	17	7	31	1,944
Manitoba	4,426	21	..	..	..	1,653
Saskatchewan	3,305	1	19	63	28	997
Alberta	8,544	10	18	20	..	1,388
British Columbia	12,805	-5	15	17	31	1,727
Yukon	467	4	20	80	29	3,850
Northwest Territories	..	..	..	..	..	..
Provincial/Territorial Total²	78,819	-2	16	13	...	1,542

.. figures not available.

... figures not appropriate or applicable.

-- amount too small to be expressed.

¹ Proportions are based on the number of known cases only.

² Percentage change calculation from the previous year excludes Northwest Territories.

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

A further 35% of admissions to probation were for property offences. Quebec was the only province where offenders were admitted to probation more often for property crimes (39%) than for violent crimes (31%).

As with conditional sentences, the median sentence length upon admission to probation is longer than that of sentenced provincial/territorial custody. Median sentence lengths for probation ranged from a low of 10 months in New Brunswick to a high of 24 months in Quebec, compared to a low of 15 days in New Brunswick to 120 days (approximately 4 months) in Manitoba for sentenced provincial/territorial admissions.

Parole – grant decisions and successful completions

Parole is a form of conditional release from a custodial facility, which allows offenders to serve part of their sentence in the community. Decisions with respect to parole (e.g., parole review dates, decisions to grant parole, decisions to revoke parole, etc.) are generally the responsibility of the parole boards in Canada, with minor exceptions. Three provinces (Quebec, Ontario and British Columbia) operate parole boards that are responsible for parole-related decisions concerning inmates in their provincial prisons. The National Parole Board is responsible for decisions relating to parole for all offenders serving custodial sentences of over two years, as well as for those provincial/territorial inmates in provinces and territories that do not operate their own parole boards.

Parole boards must take a number of factors into consideration when making a decision as to whether to release an offender on parole. The major considerations can include the following: the offender's criminal history, including the kinds of offences committed, and the length of criminal-free activity between convictions; the seriousness of the current

Box 6 Types of conditional release

There are three types of conditional release by which offenders may be released into the community: day parole, full parole and statutory release. Only day parole and full parole apply to provincial/territorial offenders.

- **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 (federal offenders only);
- **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 for full parole after having served one-third of their sentences.¹⁵;
- **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.¹⁶

¹⁵ 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.

¹⁶ Some offenders will be detained in prison for the full sentence.

offence; the inmate's comprehension of his or her criminal behaviour and efforts taken to change that behaviour; accomplishments during incarceration (e.g., successful training, participation in activities and/or programs, etc.); behaviour while on temporary absence release or day parole (if applicable); previous parole violations; interpersonal relationships; the offender's release plan (e.g., where he or she will live, support from family and friends, definite plans for employment or training, etc.); risk to re-offend, and possible effects on the community (National Parole Board, 1987).

Trends in parole can be analyzed using the grant rate, which represents the percentage of inmates who applied for day or full parole and were granted release on parole. The National Parole Board's grant rate for federal offenders who applied for day parole increased for the third year in a row (2%), reaching 74%, the highest level in more than a decade. The provincial/territorial day parole rate for National Parole Board cases, increased by 23% in 1998-99 (to 64%), the first increase in 7 years. Despite this increase, the National Parole Board's day parole grant rate for provincial/territorial offenders is still 10% below the grant rate for federal offenders.

In 1998-99, the full parole grant rate for federal offenders increased for the fourth consecutive year, to 44% from 42% in 1997-98. What is noteworthy is that not only have the federal grant rates increased, but the actual number of federal offenders granted parole has been increasing as well. In 1998-99, there were 7% more offenders granted parole than in 1997-98 (see Table 7). Provincially, the National Parole Board granted full parole in 62% of its provincial/territorial cases. This is a considerable increase over the proportion (43%) in 1997-98.

The grant rate for the provincial parole boards has remained relatively stable¹⁷ (near 51%) since 1996-97. Despite this stability, it is interesting to note that the number of offenders

granted full parole has been declining recently. In 1998-99, there were 3,813 full paroles granted by the Ontario and Quebec parole boards, a decrease of 4% over 1997-98. Declining numbers of offenders being granted parole may be a consequence of the recent declining numbers of sentenced admissions to custody.

A large proportion of offenders complete their periods of parole successfully

Conditional release may be suspended as a result of a violation of the release conditions or because there are reasonable grounds to believe that continuation of the release will result in a risk to the public. When conditional release is suspended, the parolee or person on statutory release is returned to custody while an investigation commences immediately. The case may be referred to the parole board of authority, which has the authority to cancel the suspension or revoke the release. Prior to revocation the offender has a chance to make representation to the parole board at a post-suspension hearing. If the release is revoked or terminated the offender is returned to custody (National Parole Board, 1987).

A majority of parolees serve the remainder of their sentences in the community on parole, without violating their parole conditions. A successful completion of parole is typically defined as a completion of the sentence without revocation or suspension for breach of condition or re-offence.

Provincial/territorial offenders, released by the National Parole Board, who completed their day parole in 1998-99 had a success rate of 79%, compared with an 81% full parole success rate (both 3% lower than the previous year). Where

¹⁷ Grant rate data based on data from the Ontario and Quebec parole boards, since parole data for British Columbia have not been available for the past three years.

Table 7

Full parole grant rate, provincial parole boards and National Parole Board, 1996-97 to 1998-99									
	Released by provincial parole boards ¹								
	Quebec			Ontario			Total		
	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)
1996-97	2,945	1,598	65	1,476	2,725	35	4,421	4,323	51
1997-98	2,760	1,674	62	1,231	2,348	34	3,991	4,022	50
1998-99	2,728	1,521	64	1,085	2,195	33	3,813	3,716	51
	Released by National Parole Board								
	Federal offenders			Provincial/territorial offenders					
	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)
1996-97	1,745	2,611	40	462	424	52			
1997-98	1,979	2,730	42	325	425	43			
1998-99	2,118	2,747	44	435	267	62			

¹ Percentage change calculation from the previous year excludes Prince Edward Island and Northwest Territories. Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

provincial parole boards had releasing authority for full parole, 79% of completed full paroles were done so successfully in 1998-99, relatively consistent with 1997-98 levels.

The National Parole Board's day parole program for federal offenders has had higher successful completion rates than for full parole or statutory release. In 1998-99, 83% of the federal day paroles completed were done so successfully. Few day paroles completed during the year were revocations due to the commission of another offence (6%), while another 11% of the completions were due to breach of one or more conditions of release.

In 1998-99, of the federal full paroles completed during the year, 72% were completed successfully, an increase over the 68% successful completions in 1997-98. As with day parole, few full paroles are revoked due to the commission of another offence (13%). In 1998-99, 2% of full parole completions were the result of the commission of a violent offence while on full parole, and 12% were for the commission of a non-violent offence. The remaining 14% of completions of full parole occurred where one or more conditions of release were breached.

The successful completion rate for statutory release (60%) continues to be considerably lower than the rates for federal day and full parole. However, in 1998-99, the proportion of completions as the result of the commission of another offence while on statutory release (14%) was practically the same as the proportion for full parole. Unsuccessful statutory releases were typically the result of breaching one or more conditions, representing 26% of completions. The success rates for day and full parole as well as statutory release would contradict the possible public perception that a significant number of offenders on parole re-offend.

Conclusion and Future Concerns in Canadian Adult Corrections

High levels of incarceration have been a concern for Canada's criminal justice system for many years. From a policy perspective, attempts have been made to reduce the reliance on custody as a sentencing option, including conditional sentencing. Though admissions to provincial/territorial custody have been declining, this cannot be attributed specifically to the introduction of the conditional sentence since admissions to custody were declining prior to its inception. Also, crime rates have been declining, especially those crimes for which offenders are more likely to be incarcerated (i.e., violent and property crimes). Admissions to both custody and community supervision declined in 1998-99, which is most likely a reflection of the declining rates of crime, especially for property and violent crimes.

The conditional sentence, however, will continue to receive much attention, from both the criminal justice system and from the public. While it still may be too early for policy-makers to comment on the effectiveness of this sanction, one thing that is clear is that more information about its use is required. This would increase the ability to evaluate this option as an effective means of balancing public safety and offender rehabilitation in the community.

**Box 7
Expenditures on adult corrections are increasing**

In 1998-99, overall operating expenditures for federal and provincial/territorial adult corrections reached \$2.26 billion compared with \$2.08 billion in 1997-98, an increase of 9%. However, after adjusting to control for inflation, total 1998-99 operating expenditures were \$2.08 billion (in 1992-93 dollars), an 8% increase over the 1997-98 adjusted expenditures of \$1.94 billion.

Federal operating expenditures on corrections (including parole) reached \$1.14 billion in 1998-99, up 11% from 1997-98. Spending on correctional services at the provincial/territorial level was \$1.11 billion, a 6% increase over 1997-98.

In 1998-99, the average daily cost of housing an inmate at the federal level was \$171, up 10% from 1997-98. To house provincial/territorial inmates, the average daily cost actually declined marginally (0.5%) to \$123. Provincially, the average daily inmate cost varies substantially across the country. In 1998-99, it ranged from a low of \$81 per inmate per day in Alberta, to a high of \$230 in Yukon.

A continual concern is the over-representation of Aboriginal persons in custody. Though addressed as a priority in the *Corrections and Conditional Release Act*, efforts to reduce the number of Aboriginal admissions to custody have not yet been successful. Where the answer lies continues to be explored and debated - whether it possibly be in restorative justice, the sensitization of the judiciary to Aboriginal needs (as the Supreme Court of Canada judgment in the Gladue case would suggest), or other possibilities.

The range of issues and concerns related to corrections in Canada is diverse. Current and future concerns of the justice system and the public in the area of corrections seem to be related to a broad mix of recurring issues from the past, along with changing demographics and attitudes towards crime. For these reasons, creative solutions need to be explored in an attempt to reduce crime in a humanitarian way, while maintaining a safe and just society.

METHODOLOGY

The data summarized in this *Juristat* are drawn from the Adult Correctional Services (ACS) survey, which is conducted annually on a fiscal year basis (from April 1 to March 31). The survey collects aggregate caseload and case characteristics data on adult offenders under the authority of provincial/territorial and federal correctional agencies in Canada. Data relating to operating expenditures and personnel are also collected on a fiscal year basis through the ACS Resource, Expenditures and Personnel (REP) survey. It is important to note that the expenditure data reported do not include "capital costs" (e.g., building construction costs) which are incurred over and above daily operational costs. Data for both surveys are collected via paper questionnaires sent to provincial/territorial and federal agencies responsible for the administration of correctional services.

Table 8



Total admissions, by type, by jurisdiction, 1998-99 (provincial/territorial and federal)

Jurisdiction	Provincial/territorial admissions							Federal			
	Sentenced custody	Remand	Other/ temporary detention	Probation	Conditional sentences	Provincial parole boards	Total provincial/ territorial admissions	Admissions		Releases	
								Sentenced custody	Other custody	Conditional release ¹	Total federal admissions and releases
Newfoundland	1,199	306	5	1,903	300	...	3,713	..	..	..	..
Prince Edward Island	803	134	-	564	35	...	1,536	..	..	..	..
Nova Scotia	1,964	1,399	426	3,719	510	...	8,018	..	..	..	..
New Brunswick	2,273	1,101	-	1,740	507	...	5,621	..	..	..	..
Quebec	21,735	25,342	2,714	6,877	4,202	2,682	63,552	..	..	..	..
Ontario	32,815	45,351	5,151	34,469	3,690	960	122,436	..	..	..	..
Manitoba	1,393	3,182	3,955	4,426	672	...	13,628	..	..	..	..
Saskatchewan	3,850	7,175	316	3,305	1,083	...	15,729	..	..	..	..
Alberta	15,491	8,298	-	8,544	1,035	...	33,368	..	..	..	..
British Columbia	9,628	11,076	-	12,805	2,142	527	36,178	..	..	..	..
Yukon	300	318	4	467	60	...	1,149	..	..	..	..
Northwest Territories	1,594	1,293	-	..	..	...	2,887	..	..	..	..
Total	93,045	104,975	12,571	78,819	14,236	4,169	307,815	4,493	2,925	7,406	14,824
Total admissions to correctional supervision	322,639										

.. figures not available.
 ... figures not appropriate or applicable.
 - nil or zero.
¹ Conditional release includes offenders released from federal custody on day parole, full parole and statutory release.

Given the aggregate nature of the survey, there are several limitations in data analysis. For instance, since the individual jurisdictions report medians and means based on their respective micro-data, it is not possible to calculate overall medians for various data elements. Also cross-tabulations of data elements are limited to the survey's aggregate data categories, and the examination of characteristics of certain types of offenders is not possible, thus limiting the available depths of data analysis.

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