



# Juristat

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## SENTENCING IN ADULT CRIMINAL COURTS, 1999/00

by Brenda Bélanger

### Highlights

- In 1999/00, a conviction was recorded in 61% of cases heard in Provincial/territorial criminal courts in nine jurisdictions and Superior Courts in two jurisdictions across Canada (excluding New Brunswick, Manitoba, British Columbia and Nunavut).
- Single-conviction cases comprised 72% of all cases while multiple-conviction cases represented 28% of all cases. Prison sentences were imposed in 27% of single-conviction cases and had an average length of 94 days. A prison sentence was received in 53% of multiple-conviction cases, with an average length of sentence that was almost twice as long (175 days) as single-conviction cases.
- A probation sentence was imposed in 40% of single-conviction cases, with an average sentence length of more than a year (434 days). Probation was imposed somewhat more often (49%) for multiple-conviction cases, and featured an average sentence length that was considerably longer (556 days) than for cases with one conviction.
- A fine was the most frequently imposed sanction, occurring in almost half (45%) of all single-conviction cases. The average fine amount in these cases was \$609. In contrast to prison and probation, a fine was imposed less often for multiple-conviction cases.
- In 1999/00, almost 4% of convicted cases in four reporting jurisdictions resulted in a conditional sentence. In general, conditional sentences were imposed somewhat more often for cases involving *Crimes against Property* (6%) in comparison to other types of Criminal Code offences.
- The majority (84%) of offenders convicted in adult criminal courts were males, roughly the same proportion (82%) of all adults charged by police<sup>1</sup>, while 13% of cases involved females.<sup>2</sup> Less than 1% of convictions for criminal offences were against a company.
- For single-conviction cases, men were convicted at a higher rate than women, and were sentenced more severely in 1999/00. Twenty-nine percent of single-conviction cases involving males resulted in a term of imprisonment compared to 19% for females.
- In 1999/00, adults were more likely than young offenders to receive a term of custody for the most frequently occurring offences, but were often sentenced to shorter custody terms.

<sup>1</sup> For more information see S. Tremblay, *Crime Statistics in Canada 1999 (July 2000) Volume 20, Number 5, Canadian Centre for Justice Statistics, Statistics Canada Catalogue No. 85-002-XIE.*

<sup>2</sup> The sex of the accused was not known in 6,042 (3%) of convicted cases.

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## INTRODUCTION

Sentencing is a very important component of the criminal justice process. For adult offenders whose cases result in a finding of guilt (found guilty or plead guilty), the court must determine the nature and severity of the sentence to be imposed. In arriving at a sentence, the court weighs the effects of many factors, such as the extent of harm inflicted upon victims, the number and nature of any previous convictions and the circumstances related to the commission of an offence. Along with these issues, the court must also consider the principles of sentencing, which include for example, factors relating to the protection of society, the rehabilitation of offenders and crime prevention.

This *Juristat* presents an overview of 1999/00 sentencing information for adult criminal court cases heard and convicted in provincial and territorial courts and two Superior Court jurisdictions (Alberta and the Yukon) that provided data to the Adult Criminal Court Survey (ACCS). It addresses several issues in relation to sentencing outcomes, such as: case complexity in relation to the number of convictions; the proportion of convictions that resulted in a prison sentence; the types of offences that resulted in non-custodial sentences such as probation or fines; the severity of sentences in relation to the number and types of crimes committed; sentencing trends; sentencing patterns for males and females; and comparisons of adult and youth sentencing.

**About the Survey**

The analysis in this report is based on case characteristics data from the Adult Criminal Court Survey. Data on disposed federal statute charges are collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for adult criminal courts.

The primary unit of analysis is the case, which is defined as one or more charges presented against an individual and disposed of in court on the same day. All case information that is used to define the case is determined by the “most serious offence”, as described in the methodology section. The individuals involved are persons 18 years or older at the time of the offence, companies, as well as youths who have been transferred to adult criminal court.

At the time of this report, adult criminal courts in seven provinces and two territories reported to the ACCS. Reporting jurisdictions include: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories. In addition, in 1999/00 Alberta and the Yukon reported Superior Court data to the ACCS. These jurisdictions represent approximately 80% of the national adult criminal court caseload. The information presented in this report covers only these nine participating jurisdictions.

### Principal Sentencing Options in Canada<sup>3</sup>

The main types of sanctions that can be imposed in Canada include the following:

**Imprisonment:** This involves a term of custody served in a provincial/territorial or federal institution. Sentences of two years or more are served in a federal penitentiary, while terms of less than two years are served in provincial/territorial correctional facilities. Sentences of 90 days or less can be served intermittently, which usually refers to serving the sentence on weekends. There are a number of offences, such as impaired driving, homicide and offences committed using a firearm, having minimum sentencing provisions outlined in the *Criminal Code of Canada*, which affect the nature and length of sentences imposed.

**Conditional sentence:** The Sentencing Reform Bill C-41 was enacted in 1996 establishing a new community-based conditional sentencing option as an alternative to incarceration.<sup>4</sup> The Supreme Court of Canada situated the conditional sentence between a prison term and a suspended sentence with probation. With a conditional sentence of imprisonment, the execution of the prison sentence is suspended. In

<sup>3</sup> For more information on sentencing options and the nature of the 1996 sentencing reforms see J. Roberts and D. Cole (eds). 1999. *Making Sense of Sentencing*. Toronto: University of Toronto Press.

<sup>4</sup> For more information, see R. v. Proulx, 1999.

terms of seriousness, it is less serious than prison but more serious than a term of probation. Like probation, conditional sentences are served in the community under supervision and often include a number of conditions restricting the movement and activities of the offender.

**Probation:** An offender sentenced to a term of probation remains in the community, but is subject to a number of conditions for the duration of the probation order. Some conditions are compulsory and apply to all offenders on probation. These include keeping the peace and appearing before the court when required to do so. The optional conditions vary from case to case, and can include performing community service, abstaining from the consumption of alcohol and providing for the support of dependants. Violating the conditions of a probation order is a criminal offence subject to possible prosecution that could result in a maximum sentence of imprisonment of two years.

**Fine:** When a fine is imposed, the offender is ordered to pay a specific dollar amount to the court. Unless the offender has been convicted of an offence carrying a minimum term of imprisonment, or a maximum penalty of more than 5 years, an offender may be fined in lieu of other types of punishment.

**Other types of sanctions:** In addition to these principal sentencing options, the courts can choose a variety of other sentencing options, such as restitution, compensation, a conditional or absolute discharge or a suspended sentence. Multiple sanctions may be imposed, but there are specific rules that govern the types of sentencing options that can be ordered in combination.

**Sentencing Reform in Canada – Bill C-41**

In September 1996, Bill C-41 was proclaimed, constituting a major reform of sentencing in Canada's history. This Bill was the federal government's response to Commissions of Inquiry in the mid-1980s, including the Canadian Sentencing Commission and the Daubney Committee. Both of these groups produced reports that examined the sentencing process in Canada, and provided evaluations of possible reform options.

The sentencing reform Bill introduced a number of significant changes to the sentencing process. For example, the *Criminal Code of Canada* now includes a statement of the purpose and principles of sentencing. This statement is designed to guide trial court judges in their sentencing decisions. Bill C-41 also attempts to promote the greater use of alternative measures, particularly for individuals alleged to have committed relatively minor crimes. The use of alternative measures may occur before or after the case comes to court and will include activities such as participating in an educational program, performing community service, paying for damages or apologizing.

As well, the 1996 sentencing reforms included the creation of a new sanction designed to reduce, in a safe and principled way, the number of offenders admitted to prison. Judges in Canada now have the discretion to allow some offenders sentenced to terms of imprisonment to spend the sentence in the community under supervision. The prerequisites for imposing a conditional sentence include: the offence must not have a prescribed minimum sentence; the maximum sentence of imprisonment for the offence must be less than 2 years; and the court must be satisfied that the offender would not endanger the safety of the community. The offender who receives such a *conditional sentence of imprisonment* must abide by certain conditions, such as "house arrest", curfew, alcohol or driving prohibition, treatment programs or a community service order, and may be sent to prison if he or she violates those conditions.

**OVERVIEW**

The Adult Criminal Court Survey (ACCS) currently compiles data from provincial/territorial courts in nine jurisdictions and Superior Courts in two jurisdictions across Canada. Since all offences heard in Superior Courts tend to be very serious, these offences can receive more severe sentences. However, the majority of criminal court cases are disposed of at the provincial/territorial level.<sup>5</sup> Data from the ACCS represent cases involving federal statute offences, including offences against the *Criminal Code*, the *Controlled Drugs and Substances Act* and *Other Federal Statutes*.<sup>6</sup>

**Conviction rates stable**

In 1999/00, a conviction was recorded in 61% (228,267) of the 378,586 cases heard in court. One-third of all cases were stayed or withdrawn and 2% of all cases resulted in the accused being acquitted. The conviction rate has varied by less than 3 percentage points over the past five years.<sup>7</sup>

**Offenders faced with multiple convictions and multiple sentences**

Offenders may often be convicted of more than a single offence. As well, the court may frequently impose upon the offender more than one sentence per offence. Therefore, some offenders receive multiple convictions and multiple sentences. In 1999/00, 228,267 convicted cases resulted in the imposition of 372,733 sanctions with an average of 1.6 sanctions per case. As indicated in Figure 1, single-conviction cases represented a larger proportion of convicted cases (72%) than cases with multiple convictions (28%).

**Most convicted offenders are males under 45 years of age**

The majority of offenders convicted in adult criminal courts (84%) were males, while 13% of cases involved females.<sup>8</sup> This is reflective of the fact that the majority of adults charged by the police were also males (approximately 82%).<sup>9</sup> Less than 1% of convictions for criminal offences were against a company.

Younger adults were over-represented when comparing the age distribution of the offender to the age distribution of the adult population. In 1999/00, 18 to 24 year-olds comprised 12% of the adult population, but accounted for 31% of convicted cases. Offenders under 45 years of age accounted for 86% of cases convicted in adult criminal court and only 57% of the adult population. In contrast, persons 55 and older represented 28% of the adult population, but accounted for only 4% of convicted cases.

<sup>5</sup> In Québec, in addition to Provincial Courts, Municipal Courts hear some Criminal Code offences as well.

<sup>6</sup> Other Federal Statutes include the Employment Insurance Act, the Income Tax Act and the Fisheries Act, among others.

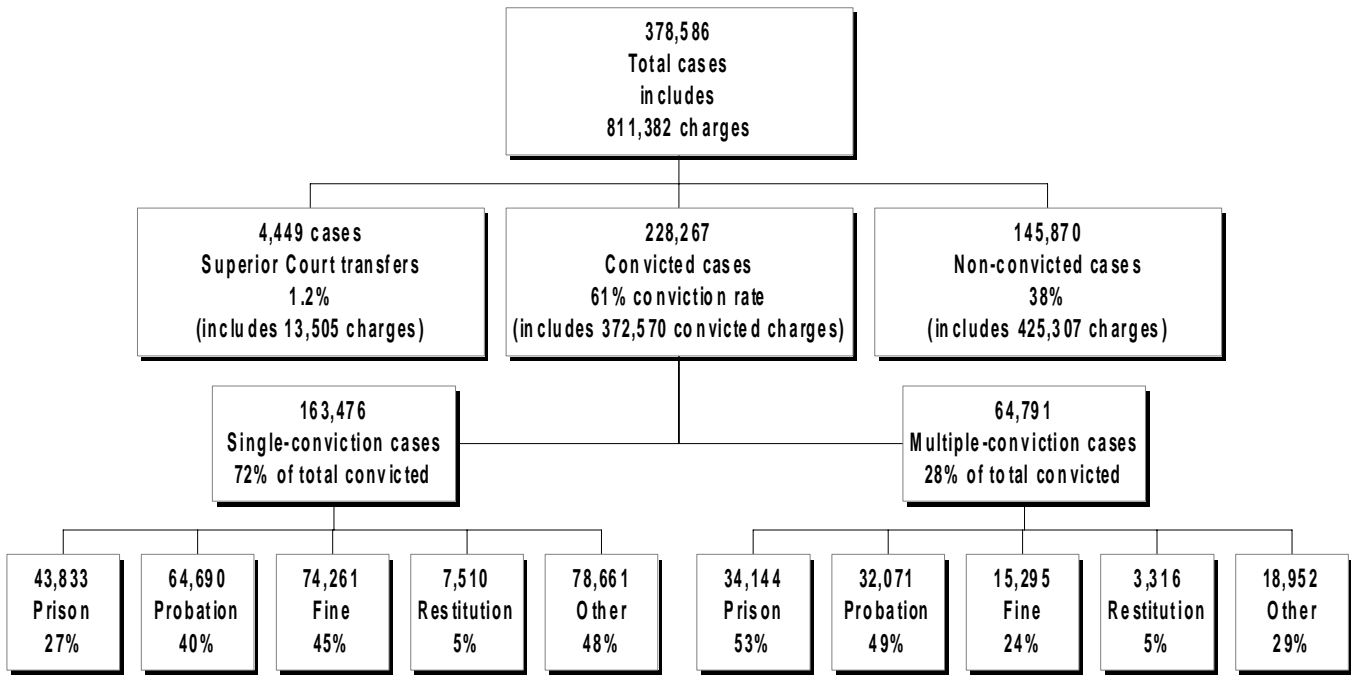
<sup>7</sup> The calculation of conviction rates excludes cases where the last available disposition is a change in court level.

<sup>8</sup> The sex of the accused was not known in 6,042 (3%) of convicted cases.

<sup>9</sup> For more information see S. Tremblay, Crime Statistics in Canada 1999 (July 2000) Volume 20, Number 5, Canadian Centre for Justice Statistics, Statistics Canada Catalogue No. 85-002-XIE.

Figure 1

**Adult Criminal Court Processing of Federal Statute Cases with Type of Sentences Imposed  
Nine Provinces and Territories in Canada, 1999/00**



**Notes:** The sentence was not known in 2,941 (1.3%) convicted cases in 1999/00. Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. The calculation of conviction rates excludes cases with final dispositions of 'Committed for trial in superior court' and 'Re-election to provincial court' (1.2% of disposed cases). Since Alberta and the Yukon provide the survey with Superior Court data, transfers to Superior Court are not final dispositions for these two jurisdictions. Non-convicted equals Total minus Superior Court transfers minus Convicted. More than one sentence can be imposed in a charge or a case resulting in a conviction therefore, the percentage total is greater than 100%.

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

**A small number of offences account for a large proportion of convictions**

As can be seen in Figure 2, a small number of offences accounted for slightly more than half of convicted charges. The 10 offences listed in Figure 2 accounted for 54% of all the charges that resulted in a conviction. Impaired driving was the single most frequently occurring offence, accounting for 12% of convictions.

**SENTENCING PATTERNS**

**Multiple-conviction cases resulted in longer average prison sentences**

The number of convictions in a case can influence the severity of the sentence imposed. For example, when comparing all types of sentences, prison sentences were imposed more often for multiple-conviction cases than for single-conviction cases. The same can be said for probation. A fine was more often imposed in single-conviction cases than in multiple-conviction cases.

Sixty-nine percent of cases with five or more convictions received a term of imprisonment compared to 27% of single-conviction cases (see Figure 3). Conversely, 9% of cases with five or more convictions received a fine, compared to 45% for single-conviction cases.

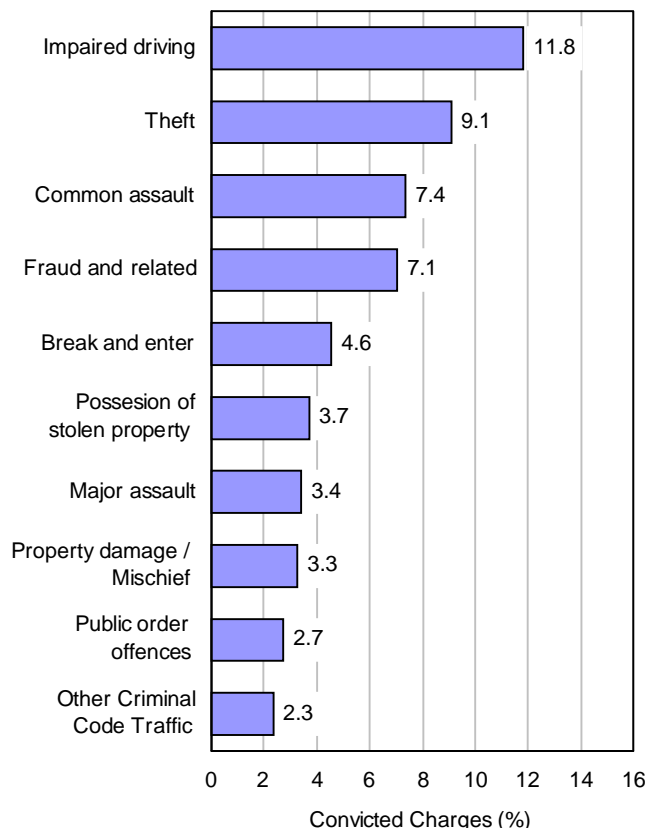
The length of the prison sentences varied depending on the number of convictions within a case. The average length of prison term was almost twice as long for multiple-conviction cases (175 days) than for single-conviction cases (94 days).

In 1999/00, as with prison sentences, probation was imposed more often for multiple-conviction cases. Forty-nine percent of cases with multiple convictions received a term of probation compared to 40% of cases with one conviction. Further, the average length of probation was considerably longer for multiple-conviction cases (556 days) than for single-conviction cases (434 days).

There were also differences in the use of fines. A fine was imposed in 45% of single-conviction cases in 1999/00, compared to 24% for cases with more than one conviction. As with average length of prison, the average fine was more than twice the amount for multiple-conviction cases (\$1,239) than for cases with a single conviction (\$609).

Figure 2

**Criminal Code Offences Most Frequently Receiving a Conviction in Adult Criminal Court Nine Provinces and Territories in Canada, 1999/00**



**Notes:** Combined, the ten most common offences listed in the chart represent 54% of the total for all offences resulting in a conviction. No other types of offence represented at least 2% of the total, though combined, they represent the remaining 46% of all convicted offences. Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

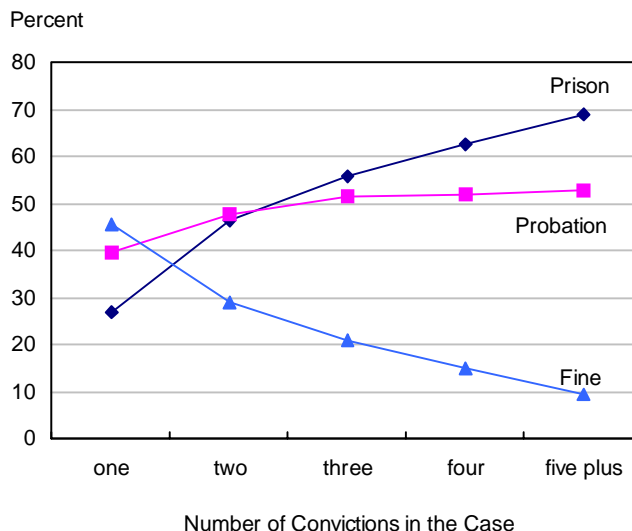
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## SINGLE-CONVICTION CASES

Sentencing data in this section are based on cases with a single conviction. Multiple-conviction cases are excluded from the analysis because only in single-conviction cases can one directly relate the punishment to a specific offence. The data do not include an indicator for consecutive or concurrent sentences and thus it is not possible to identify aggregate prison sentences in cases with more than one conviction. Also, as indicated above, the number and mix of convictions in a case influence the severity of probation and fine sentences. For comparative purposes, sentencing outcomes in this section are examined based on the type of sentences imposed for single-conviction cases (see Table 1).

Figure 3

**Type of Sentence Imposed by the Number of Convictions in the Case Nine Provinces and Territories in Canada, 1999/00**



**Note:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Overall, 1.6 sentences were imposed per single-conviction case. Offenders convicted of *Criminal Code Traffic* offences were somewhat more likely to receive multiple sanctions with an average of 2.0 sanctions imposed. On average, 1.9 sentences were imposed for offenders convicted of *Crimes against the person*, and 1.7 for *Property* offences. *Other Federal Statutes* cases had the lowest average number of sanctions imposed (1.3) per single-conviction case.

### Use of incarceration

#### Incarceration rates highest for the most serious offences

There were several types of offences that often had prison sentences imposed for single-conviction cases. For the 15 offences most frequently receiving a prison sentence, incarceration rates varied from 90% for *Homicide* to 39% for *Arson*. These offences are among the most serious crimes in the *Criminal Code*, several of which carry a maximum penalty of life imprisonment. Thus, the most severe offences had the highest rates of incarceration (see Figure 4). Also, a number of offences have minimum sentencing provisions such as impaired driving, offences committed using a firearm and homicide, which affect the nature and length of the sentences being imposed.<sup>10</sup>

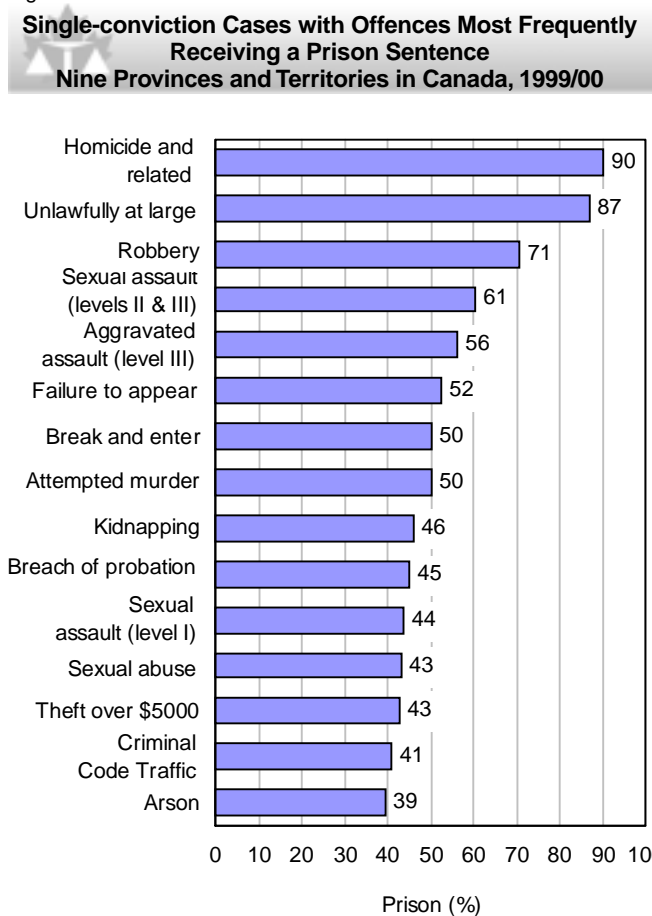
<sup>10</sup> For example, in 1996, mandatory minimum prison sentences were attached to ten offences committed with a firearm. If a firearm is used in the commission of designated offences, the court is required to sentence the offender to at least four years in prison.

Table 1

Offence Group	# of single-conviction cases	Prison		Probation		Fine	
		#	%	#	%	#	%
		<b>Total Offences</b>	<b>163,476</b>	<b>43,833</b>	<b>27</b>	<b>64,690</b>	<b>40</b>
<b>Criminal Code Total</b>	<b>139,668</b>	<b>40,002</b>	<b>29</b>	<b>59,515</b>	<b>43</b>	<b>58,545</b>	<b>42</b>
Crimes Against the Person	24,649	6,521	26	18,763	76	4,600	19
Crimes Against Property	35,638	10,593	30	19,247	54	10,244	29
Other Criminal Code Violation	42,578	16,904	40	15,974	38	13,147	31
Criminal Code Traffic	36,803	5,984	16	5,531	15	30,554	83
<b>Other Federal Statute Total</b>	<b>23,808</b>	<b>3,831</b>	<b>16</b>	<b>5,175</b>	<b>22</b>	<b>15,716</b>	<b>66</b>

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 4



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

In addition to the purpose and principles of sentencing provided in the *Criminal Code*, other considerations are taken into account at sentencing, such as whether the accused pleaded guilty, the type of information contained in victim impact

statements and many other mitigating and aggravating factors.<sup>11</sup> When making comparisons between incarceration rates for different offences, the reader should be aware that some factors affecting sentencing patterns cannot currently be determined from available data. For example, after the seriousness of the offence, an offender's criminal record (not currently available for analysis) is the next most important factor that determines the severity of sentencing.<sup>12</sup>

Some of the sentencing findings in this report may be explained by the influence of the offender's criminal record. For example, *Break and enter* had a higher incarceration rate (50%) than some crimes of violence such as *Common assault* (18%) (see Table 4). This result may seem paradoxical, and may be interpreted as an infringement of the principle of proportionality, since crimes against the person are usually considered to be more serious than crimes involving property. Since offenders convicted of *Break and enter* generally have longer criminal records than offenders convicted of *Common assault*, and *Break and enter* is often pre-meditated, offenders convicted of *Break and enter* are often punished more severely than those convicted of *Common assault*. Research suggests that this is the case. Property offenders have significantly more involved criminal histories than violent offenders have, and this appears to have an impact on the sentences they receive.<sup>13</sup>

### Most serious forms of assault have higher incarceration rates

Consistent with the principle of proportionality in sentencing, the incarceration rate is related to the seriousness of the violent offence. This can be demonstrated by examining some specific offences in the *Criminal Code*, which have tiered levels of severity. For example, the *Criminal Code* defines three levels of assault. The most serious is *Aggravated assault*, which had an incarceration rate of 56% for single-conviction cases. The next most serious level of assault is *Assault with a weapon/ causing bodily harm*, which had an incarceration rate of 33%. The least serious (and also the most frequent) form is *Common*

<sup>11</sup> See C. Ruby. 1999. *Sentencing. Fifth edition.* Toronto: Butterworths.  
<sup>12</sup> See G. Campbell. 1993. *An Examination of Recidivism in Relation to Offence Histories and Offender Profiles.* Ottawa: Statistics Canada.  
<sup>13</sup> *Ibid.*

Table 2



**Single-conviction Cases, Mean and Median Sentence Length and Fine Amount  
Nine Provinces and Territories in Canada, 1999/00**

Offence Group	# of single-conviction cases	Length of prison (days)			Length of probation (days)			Fine amount (\$)		
		#	mean	median	#	mean	median	#	mean	median
<b>Total Offences</b>	<b>163,476</b>	<b>40,987</b>	<b>94</b>	<b>30</b>	<b>64,650</b>	<b>434</b>	<b>365</b>	<b>72,284</b>	<b>609</b>	<b>400</b>
<b>Criminal Code Offences</b>	<b>139,668</b>	<b>37,514</b>	<b>90</b>	<b>30</b>	<b>59,482</b>	<b>437</b>	<b>365</b>	<b>56,740</b>	<b>550</b>	<b>500</b>
<b>Crimes Against the Person</b>	<b>24,649</b>	<b>6,125</b>	<b>220</b>	<b>60</b>	<b>18,759</b>	<b>460</b>	<b>365</b>	<b>4,106</b>	<b>419</b>	<b>350</b>
Homicide and related	83	73	3,664	2,190	12	848	913	2	500	500
Attempted Murder	36	17	1,133	540	15	835	1,095	2	1,000	1,000
Robbery	1,068	727	515	360	587	635	730	20	527	300
Kidnapping	37	16	190	53	27	616	540	4	825	500
Sexual assault (level I)	1,151	493	390	240	876	626	540	99	664	500
Sexual assault (levels II and III)	38	23	1,255	730	16	683	730	-	-	-
Other sexual assault	39	12	1,265	365	23	816	730	-	-	-
Sexual Abuse	417	179	265	180	357	698	730	16	672	625
Assault with a weapon (level II)	4,547	1,415	114	60	3,556	494	365	671	555	500
Aggravated assault (level III)	337	181	483	360	206	615	540	11	805	750
Other major assault	1,035	296	49	30	554	403	365	296	382	300
Abduction	33	9	286	150	27	550	365	1	50	50
Common Assault	15,828	2,684	50	30	12,503	422	365	2,984	379	300
<b>Crimes Against Property</b>	<b>35,638</b>	<b>9,953</b>	<b>100</b>	<b>35</b>	<b>19,241</b>	<b>443</b>	<b>365</b>	<b>9,755</b>	<b>430</b>	<b>250</b>
Break and Enter	3,971	1,905	211	120	2,536	514	365	381	455	300
Arson	175	67	326	300	136	700	730	6	433	500
Fraud over \$5000	1,098	156	240	120	791	695	730	55	13,519	1,000
Fraud under \$5000	1,346	273	73	40	846	446	365	262	382	300
Fraud - unspecified	3,693	860	79	30	2,175	448	365	968	518	250
Possession of Stolen Property	4,936	1,665	85	45	2,265	432	365	1,591	467	300
Theft over \$5000	871	354	190	90	543	570	540	121	1,850	500
Theft under \$5000	12,914	3,469	54	30	5,902	407	365	4,508	258	200
Theft - unspecified	1,810	476	48	30	952	394	365	445	316	250
Property Damage / Mischief	4,824	728	40	30	3,095	374	360	1,418	282	200
<b>Other Criminal Code</b>	<b>42,578</b>	<b>15,541</b>	<b>42</b>	<b>20</b>	<b>15,965</b>	<b>435</b>	<b>365</b>	<b>12,530</b>	<b>425</b>	<b>200</b>
Weapons and Explosives	2,125	355	84	30	1,060	452	365	802	327	250
Unlawfully at large	1,524	1,258	36	30	138	350	360	130	289	250
Failure to appear	13,806	6,562	25	15	3,687	411	365	4,137	197	150
Other Administration of Justice	326	252	73	30	39	489	365	22	268	225
Public Order Offences	4,085	773	26	15	1,398	338	360	2,013	279	200
Morals - Sexual	1,974	462	30	7	858	435	365	669	355	200
Morals - Gaming / Betting	287	3	13	7	92	362	360	142	3,070	1,000
Breach of probation	9,803	4,099	33	26	3,374	394	365	3,164	266	200
Other Criminal Code Offences	8,648	1,777	126	35	5,319	502	365	1,451	1,470	300
<b>Criminal Code Traffic</b>	<b>36,803</b>	<b>5,895</b>	<b>62</b>	<b>30</b>	<b>5,517</b>	<b>348</b>	<b>360</b>	<b>30,349</b>	<b>657</b>	<b>600</b>
Other Criminal Code Traffic	3,479	1,379	79	30	977	322	360	1,729	680	550
Impaired Driving	33,324	4,516	57	30	4,540	353	360	28,620	656	600
<b>Other Federal Statute Total</b>	<b>23,808</b>	<b>3,473</b>	<b>135</b>	<b>30</b>	<b>5,168</b>	<b>398</b>	<b>365</b>	<b>15,544</b>	<b>828</b>	<b>200</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. The number of sentences and the calculation of means and medians in this table, exclude cases where the length of prison sentence (2,846 cases, 6.5%), length of probation sentence (40 cases, 0.1%) or fine amount (1,977 cases, 2.7%) was not known. Since cases can have more than one sentence, sanctions are not mutually exclusive and will not add up to the total number of single-conviction cases.

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

assault which had an incarceration rate of 18%. Thus, the perceived seriousness of the offence was a clear factor influencing the incarceration rate.

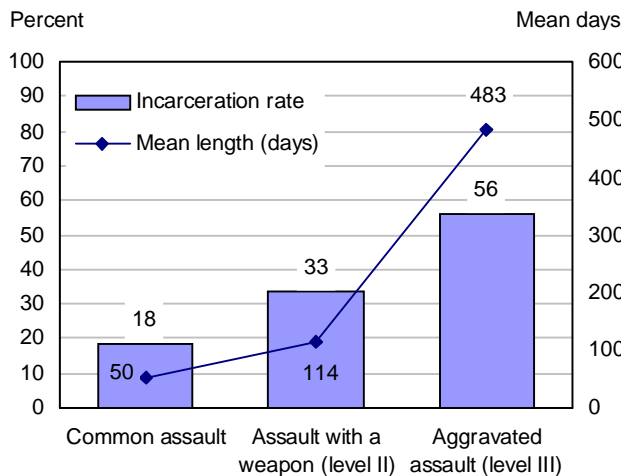
The type of offence committed also had an impact on the length of prison sentence imposed. In Figure 5, for those sentenced to prison, the average prison term for *Aggravated assault* was 483 days, much greater than the average prison sentence length for *Assault with a weapon/causing bodily harm* (114 days) and greater still than the average length of incarceration for *Common assault* (50 days).

**Average length of prison sentence was 94 days**

The average length of prison sentence is another dimension of the severity of sanctions being imposed. Table 2 provides mean sentence lengths and mean fine amounts by offence for single-conviction cases. For all offence types, the average length of prison term imposed was 94 days. For *Crimes against the person* it was 220 days, 100 days for *Crimes against property* offences and for *Other Criminal Code violations*, the average length of prison was 42 days. At over 10 years, *Homicide and related* (including manslaughter and infanticide) had the longest average length of prison sentence imposed.

Figure 5

**Single-conviction Cases  
Severity of Sentence with Level of Assault  
Nine Provinces and Territories in Canada, 1999/00**



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Calculation of means excludes cases where length of prison is unknown.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

**Probation most frequent sanction in combination with prison**

In 46% of single-conviction cases resulting in a prison sentence, other penalties were imposed. For example, in almost two-thirds (64%) of single-conviction cases involving *Crimes against the person*, the additional sentence was a period of probation following the custody term. Also of note, 89% of the offenders incarcerated for *Criminal Code Traffic* offences received additional sanctions as well. These additional sentences included probation (50% of these cases), fine, restitution and in three-quarters of these cases other sanctions (such as license suspension or other various sentencing conditions). Table 3 provides a breakdown of the additional sanctions imposed on offenders sentenced to prison.

Table 3

**Single-conviction Cases by Type of Sentence in Combination with Prison  
Nine Provinces and Territories in Canada, 1999/00**

Offence Group	# of Single-conviction cases with prison	Type of sentence in combination with prison									
		Prison only		Probation		Fine		Restitution		Other	
		#	%	#	%	#	%	#	%	#	%
<b>Total Offences</b>	<b>43,833</b>	<b>23,531</b>	<b>54</b>	<b>16,091</b>	<b>37</b>	<b>1,624</b>	<b>4</b>	<b>1,257</b>	<b>3</b>	<b>7,958</b>	<b>18</b>
<b>Criminal Code Total</b>	<b>40,002</b>	<b>20,953</b>	<b>52</b>	<b>15,028</b>	<b>38</b>	<b>1,464</b>	<b>4</b>	<b>1,238</b>	<b>3</b>	<b>7,757</b>	<b>19</b>
Crimes Against the Person	6,521	1,838	28	4,193	64	159	2	123	2	1,792	27
Crimes Against Property	10,593	6,282	59	3,752	35	256	2	962	9	456	4
Other Criminal Code	16,904	12,160	72	4,091	24	504	3	117	1	1,073	6
Criminal Code Traffic	5,984	673	11	2,992	50	545	9	36	1	4,436	74
<b>Other Federal Statute Total</b>	<b>3,831</b>	<b>2,578</b>	<b>67</b>	<b>1,063</b>	<b>28</b>	<b>160</b>	<b>4</b>	<b>19</b>	<b>-</b>	<b>201</b>	<b>5</b>

- nil or zero.  
**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

**Use of imprisonment varies across the country**

As with previous studies of sentencing patterns, considerable variation emerged in incarceration rates for specific offences across the country. No specific jurisdiction had higher incarceration rates for all crimes examined. Further, except for Newfoundland and Alberta, each jurisdiction had the highest incarceration rate or the longest average length of prison sentence for at least one offence.

Table 4 provides incarceration rates and mean prison sentence lengths for single-conviction cases involving 10 high-frequency offences. In some jurisdictions, the rate of incarceration was higher but the length of the term of imprisonment was shorter. For *Break and enter*, the incarceration rate was 59% in Ontario and the average length of prison sentence was 151 days versus an incarceration rate of 38% in Quebec with a mean length of prison of 329 days.

In comparing other jurisdictions, the reverse is true for the same offence. In Alberta, offences involving *Break and enter* had prison sentences imposed at a rate of 54% with an average length of prison of 273 days, compared to the incarceration rate in Saskatchewan of 28%, with a mean length of prison of 209 days.

In the absence of case-specific information — such as the value of property stolen, the amount of harm inflicted or the extent of offenders' criminal histories — it is not possible to identify the factors accounting for variations in sentencing patterns. However, variations in the use of incarceration reflect the influence of several factors. First, the mix of offences being sentenced can vary from jurisdiction to jurisdiction. If a particular jurisdiction has a higher than average percentage of the more serious crimes, it may also have a higher than average overall percentage of cases being sent to prison at the total offence level. Secondly, courts in different parts of the country may use incarceration in different ways. In Prince Edward Island for example, offenders convicted of their first offence of impaired driving are frequently sent to prison.



Table 4


**Single-conviction Cases by Incarceration Rate, Mean and Median Length of Prison Sentence  
Nine Provinces and Territories in Canada, 1999/00**

	Type of offence									
	Major assault (Level II & III)	Common assault (Level I)	Break and enter	Fraud and related	Possession of stolen property	Theft	Property damage/mischief	Public order offences	Other Criminal Code traffic	Impaired driving
<b>Single-conviction cases</b>										
Total # of cases	5,919	15,828	3,971	6,137	4,936	15,595	4,824	4,085	3,479	33,324
Incarceration rate (%)	34	18	50	23	36	29	16	20	41	14
Mean length (days)	139	50	211	97	85	65	40	26	79	57
Median length (days)	60	30	120	40	45	30	30	15	30	30
<b>Newfoundland</b>										
# of cases	67	308	59	84	61	439	110	106	42	638
Incarceration rate (%)	25	10	27	15	13	9	6	7	40	16
Mean length (days)	37	35	216	23	139	36	23	19	58	56
Median length (days)	30	14	120	14	60	10	30	19	26	21
<b>Prince Edward Island</b>										
# of cases	11	80	24	35	23	73	37	45	43	314
Incarceration rate (%)	64	44	63	23	43	34	22	9	40	91
Mean length (days)	135	23	123	1,178	46	1,124	37	44	1,106	13
Median length (days)	40	8	60	35	30	21	15	11	40	1
<b>Nova Scotia</b>										
# of cases	133	650	115	179	116	697	231	135	120	1,824
Incarceration rate (%)	30	8	58	18	29	28	11	11	23	4
Mean length (days)	265	42	296	125	120	40	45	22	62	45
Median length (days)	83	30	180	30	30	30	30	15	30	18
<b>Quebec</b>										
# of cases	939	1,667	1,140	1,189	806	2,367	676	566	393	7,086
Incarceration rate (%)	24	8	38	20	21	25	12	16	26	8
Mean length (days)	248	124	329	161	166	137	73	43	105	102
Median length (days)	180	90	240	90	90	90	30	21	45	90
<b>Ontario</b>										
# of cases	3,637	9,543	2,000	3,452	2,837	8,277	2,308	1,891	1,726	13,326
Incarceration rate (%)	37	22	59	25	43	36	20	26	60	20
Mean length (days)	98	42	151	71	67	44	33	25	57	51
Median length (days)	60	30	90	30	30	30	21	15	30	30
<b>Saskatchewan</b>										
# of cases	367	996	219	261	196	630	368	281	480	3,218
Incarceration rate (%)	23	9	28	13	27	20	11	12	7	7
Mean length (days)	203	95	209	92	202	70	66	36	151	41
Median length (days)	120	90	180	60	90	30	60	30	83	24
<b>Alberta</b>										
# of cases	709	2,367	377	921	882	3,054	1,018	1,022	652	6,622
Incarceration rate (%)	40	18	54	22	30	21	13	18	28	9
Mean length (days)	200	55	273	78	83	54	32	15	80	62
Median length (days)	90	30	150	30	60	30	14	2	45	30
<b>Yukon</b>										
# of cases	14	59	3	11	10	29	22	16	7	180
Incarceration rate (%)	43	22	-	27	-	24	36	31	86	17
Mean length (days)	45	111	-	31	-	30	27	14	52	63
Median length (days)	60	60	-	31	-	21	30	14	30	45
<b>Northwest Territories</b>										
# of cases	42	158	34	5	5	29	54	23	16	116
Incarceration rate (%)	57	28	53	-	20	14	11	30	31	21
Mean length (days)	214	77	97	-	30	71	65	59	92	85
Median length (days)	180	60	53	-	30	68	60	90	90	30

- nil or zero.

**Note:** The percentage and the calculation of means and medians excludes cases where the sentence length was not known. Information from Quebec's Municipal Courts are not collected by the ACCS.

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

## Use of probation

### Probation often imposed for common assault

Probation was imposed on the offender for 40% of cases with one conviction. Over three-quarters (76%) of the single-conviction cases involving *Crimes against the person* received a term of probation (see Table 1). In comparison, 54% of the cases dealing with *Property* offences received a probation term. These two categories of offences combined accounted for 60% of single-conviction cases with probation. The higher probation rate for offences against the *Person* was a result of the high probation rate for *Common assault* (79%), which made up 64% of single-conviction cases within the *Crimes against the person* category. Figure 6 compares probation rates for specific offences commonly receiving a probation sentence.

### Average term of probation was over one year

For single-conviction cases, the mean length of probation was 434 days. As with the use of incarceration, the length of probation term was proportional to the seriousness of the crime committed. The longest average terms of probation were

imposed for the most serious offences. For example, the mean term of probation for *Homicide and related* offences (Table 2) was over two years<sup>14</sup>, while it was just over one year for *Property damage and mischief*. The duration of the probation order increased with the seriousness of the offence within a particular category of offences as well. For example, the mean probation term for *Robbery* was 1.7 years (635 days), whereas for *Common assault* it was 1.2 years (422 days).

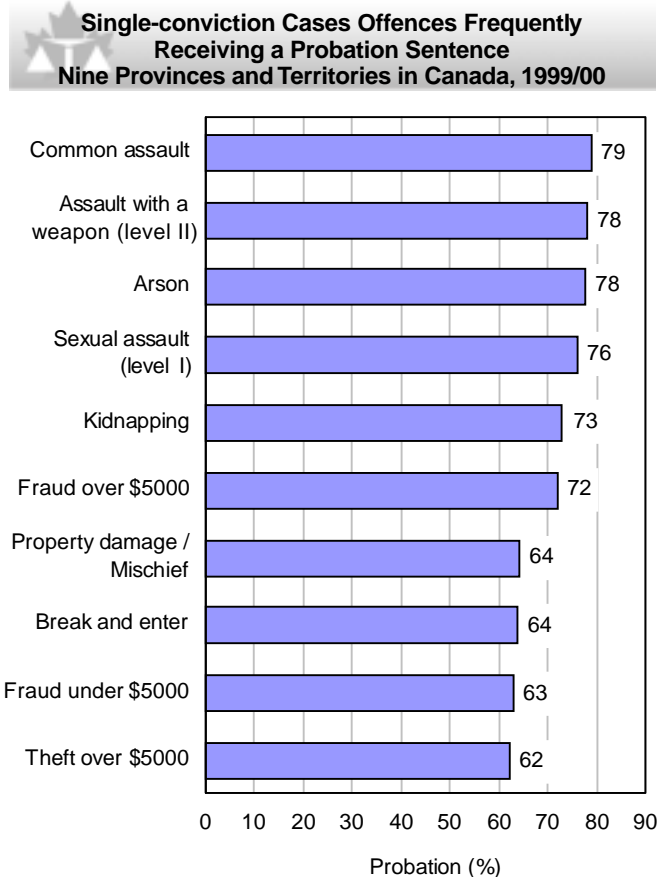
## Use of fines

### Fines imposed most often for impaired driving

A fine was the most frequently imposed sanction, occurring in almost half (45%) of all single-conviction cases. For all offences, the average fine amount was \$609, for cases with a single conviction. Offences in relation to *Crimes against the person* (such as robbery and different types of assault) with a mean fine amount of \$419, comprised the smallest proportion of single-conviction cases (19%) with fines. Figure 7 presents

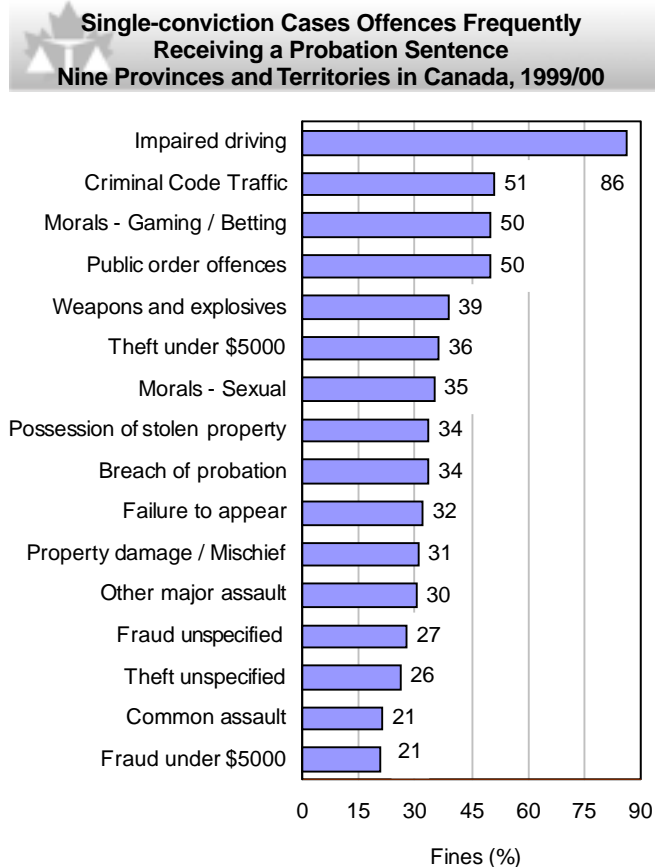
<sup>14</sup> The offence group *Homicide and related* (see Figure 4, Tables 2 and 6) includes the related offences of *manslaughter and infanticide*. The maximum length of a probation sentence available for related offences as specified in the *Criminal Code* is three years.

Figure 6



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Calculation of means excludes cases where length of prison is unknown.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 7



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

an overview of single-conviction cases involving *Criminal Code* offences that most frequently had fines imposed. With a mean fine amount of \$656, *Impaired driving* had the highest percentage of single-conviction cases (86%) in which a fine was imposed.<sup>15</sup>

### Restitution/compensation rarely used as a sanction

Among all of the sentencing options available to the courts, restitution or compensation were used least often in 1999/00. These sanctions are almost always used in combination with other, more serious sentences. As a proportion of all sentences for single-conviction cases, 5% resulted in restitution or

compensation being imposed. Seventeen percent of single-conviction cases involving *Crimes against property*, 3% of *Crimes against the person* and 0.4% of *Criminal Code Traffic* offences resulted in restitution or compensation sentences. These sanctions were used most often in single-conviction cases of *Fraud over \$5,000* (57%), *Fraud under \$5,000* (40%) and *Theft over \$5,000* (23%).

<sup>15</sup> For impaired driving, the Criminal Code states that the minimum punishment for a first offence is a fine of not less than \$600. For a second and each subsequent offence, a term of imprisonment is ordered with minimum and maximum sentence lengths as outlined in the Criminal Code.

### Conditional Sentencing

The Sentencing Reform Bill C-41 was enacted in September 1996 establishing a new community-based sanction, with a maximum of up to 2 years in length, as an added alternative to incarceration.<sup>16</sup> Since being introduced, there has been a great deal of interest in information regarding the number of conditional sentences that have been imposed and the types of conditions attached. This section briefly summarizes information currently available from the Adult Criminal Court Survey on conditional sentences. To date, the ACCS has completed implementation of conditional sentence data collection in four jurisdictions.

In 1999/00, 4% of convicted cases in the 4 reporting jurisdictions resulted in a conditional sentence. Of the reporting jurisdictions, the Yukon had the highest (9%) while Alberta had the lowest (2%) proportion of cases with this type of sentence. In general, conditional sentences were imposed somewhat more often for cases involving *Crimes against Property* (6%) and *Crimes against the person* (5%) in comparison to other types of Criminal Code offences. A conditional sentence was imposed least often for Criminal Code *Traffic* related offences as most of these offences have a minimum sentence of imprisonment and are therefore ineligible for conditional sentencing options.

### Number and Percentage Distribution of Convicted Cases with Conditional Sentences by Offence Group and Jurisdiction, 1999/00

Offence Group	Total			Convicted cases with a conditional sentence							
	Convicted cases #	Cases with a conditional sentence		Newfoundland		Ontario		Alberta		Yukon	
		#	#	%	#	%	#	%	#	%	#
<b>Total Offences</b>	<b>157,222</b>	<b>5,481</b>	<b>3.5</b>	<b>248</b>	<b>5.2</b>	<b>4,264</b>	<b>4.0</b>	<b>899</b>	<b>2.4</b>	<b>70</b>	<b>8.9</b>
<b>Criminal Code Total</b>	<b>140,173</b>	<b>4,843</b>	<b>3.5</b>	<b>217</b>	<b>5.5</b>	<b>3,716</b>	<b>3.9</b>	<b>843</b>	<b>2.5</b>	<b>67</b>	<b>9.0</b>
Crimes Against the Person	28,821	1,432	5.0	69	7.6	1,104	5.2	226	4.1	33	22.4
Crimes Against Property	42,024	2,293	5.5	95	6.9	1,698	6.2	486	4.4	14	9.3
Other Criminal Code Violations	42,130	879	2.1	41	4.3	739	2.5	84	0.9	15	6.1
Criminal Code Traffic	27,198	239	0.9	12	1.6	175	1.1	47	0.6	5	2.5
<b>Other Federal Statute Total</b>	<b>17,049</b>	<b>638</b>	<b>3.7</b>	<b>31</b>	<b>4.1</b>	<b>548</b>	<b>4.8</b>	<b>56</b>	<b>1.7</b>	<b>3</b>	<b>6.7</b>

**Note:** Total convicted cases includes those for the four jurisdictions listed in this table.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

The majority of cases that resulted in a conditional sentence in the Yukon had sentence lengths of 3 months or less. In Ontario and Alberta, conditional sentence lengths were most often ranging within 3 to 6 months in length. In Newfoundland, conditional sentences were most often greater than 6 months, up to the maximum allowable length of 24 months.

### Cases with a Conditional Sentence by Length of Sentence and Jurisdiction, 1999/00

Jurisdiction	Total convicted cases		Length of conditional sentences							
	# of conditional sentences	% of total	3 months or less		>3 to 6 months		>6 to 12 months		>12 to 24 months	
			#	%	#	%	#	%	#	%
Newfoundland	248	5.2	46	18.5	26	10.5	87	35.1	89	35.9
Ontario	4,264	4.0	1,435	33.7	1,569	36.8	863	20.2	397	9.3
Alberta	899	2.4	99	11.0	296	32.9	281	31.3	223	24.8
Yukon	70	8.9	41	58.6	19	27.1	7	10.0	3	4.3

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

<sup>16</sup> See the description of conditional sentences in the *Principal Sentencing Options in Canada* section of this Juristat.

## SENTENCING TRENDS

### The number of cases sentenced to prison declining

The total number of cases sentenced to prison in adult criminal courts has declined 12%, from 88,586 in 1995/96 to 77,977 in 1999/00. The reasons for this decrease may include: (i) the decline in the number of crimes reported to the police, (ii) the decrease (-13%) in the number of cases heard in court, (iii) the decrease in the number of recorded convictions (-16%), and (iv) the use of conditional sentencing as an alternative to incarceration. Further, the decline in cases sentenced to prison is reflected in the 9% decline in the number of sentenced admissions to provincial/territorial custody between 1998/99 and 1999/00.<sup>17</sup>

### Proportion of cases sentenced to prison showed little change

The proportion of cases where prison was used as a sanction remained virtually unchanged during the past five years, moving from 33% in 1995/96 to 34% in 1999/00. However, some variability was evident at the offence level. For example, in the *Crimes against the person* category, the largest decrease in the incarceration rate occurred for *Robbery* offences where 77% of convicted cases resulted in a prison sentence in 1999/00, down from 86% in 1995/96. The incarceration rate for *Major assault* dropped from 53% to 47% during the same period. The only crime in this offence group showing an

increased incarceration rate was homicide and related offences (including manslaughter and infanticide), where prison was ordered in 89% of cases, up from 84% five years earlier.

In the *Crimes against property* category, two offences showed notable change between 1995/96 and 1999/00. The largest changes occurred for *Break and enter*, where the proportion of cases being sentenced to prison dropped from 67% to 61%. In contrast, *Theft* saw an increase in the incarceration rate, growing from 32% in 1995/96 to 38% in 1999/00.

### Average length of prison term increasing for some offences

The mean length of incarceration for all offences has been fluctuating somewhat over the past 5 years, ranging from 122 days in 1995/96 to 137 days in 1998/99, to 130 days in 1999/00 (see Table 5). There have been increases in average sentence lengths for some offences within the *Crimes against the person* category. For *Sexual assault*, the average prison sentence imposed increased from 458 to 500 days, and for *Common assault* cases, from 63 to 71 days. Some *Property* offences showed increases as well. From 1995/96 to 1999/00,

<sup>17</sup> See C. Lonmo, Adult Correctional Services in Canada, 1999/00 (*June 2001*) Volume 21, Number 5, Canadian Centre for Justice Statistics, Statistics Canada Catalogue No. 85-002-XIE. Also see the methodology section for more details on the comparisons between the ACCS and the Adult Correctional Services (ACS) Survey.

#### Superior Court cases not a significant factor in incarceration rates and length of prison terms

In 1999/00, the addition of Superior Court data from Alberta and the Yukon added 0.3% to the total caseload reported by the ACCS, having no significant impact on the overall incarceration rate or length of prison terms imposed. The impact at the jurisdictional level for Alberta and the Yukon cannot currently be determined from the data available.

With the addition of Superior Court, there were 665 cases added to the total convicted case count, changing the incarceration rate from 34.1% to 34.2%. The average length of prison terms demonstrated an increase of 4 days with the inclusion of Superior Court prison sentence lengths, but the median remained unaffected.

#### Cases by Mean and Median Length of Prison Sentence Nine Provinces and Territories in Canada

Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories

	Length of Prison (Days) for Cases with Prison								
	Total Cases			Cases completed in Provincial Court			Cases completed in Superior Court		
	#	mean	median	#	mean	median	#	mean	median
<b>1999/00</b>									
Total Offences	74,128	130	30	73,693	126	30	435	803	365
Criminal Code Total	68,894	126	30	68,550	122	30	344	828	360
Other Federal Statute Total	5,234	188	60	5,143	178	60	91	710	730
<b>1998/99</b>									
Total Offences	80,204	137	45	79,657	133	40	547	763	365
Criminal Code Total	74,521	131	31	74,092	127	30	429	813	360
Other Federal Statute Total	5,683	216	90	5,565	208	90	118	581	729
<b>1997/98</b>									
Total Offences	80,777	128	40	80,777	128	40	-	-	-
Criminal Code Total	75,296	123	30	75,296	123	30	-	-	-
Other Federal Statute Total	5,481	186	80	5,481	186	80	-	-	-

- nil or zero.

Notes: Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

Excludes cases where the length of prison was not known, and cases where the length was specified as indeterminate.

Cases sentenced to life imprisonment were recoded to 9,125 days (or 25 years) for the calculation of sentence lengths means and medians.

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

Table 5

	Mean and Median Sentence Length and Fine Amount for All Cases Selected Provinces and Territories in Canada, 1995/96 to 1999/00								
	Prison			Probation			Fine		
	# of cases	mean (days)	median (days)	# of cases	mean (days)	median (days)	# of cases	mean (\$)	median (\$)
<b>1995/96</b>									
<b>Total Offences</b>	<b>86,797</b>	<b>122</b>	<b>40</b>	<b>102,970</b>	<b>492</b>	<b>365</b>	<b>120,219</b>	<b>542</b>	<b>300</b>
Crimes Against The Person	16,679	228	68	28,691	530	365	9,484	356	300
Crimes Against Property	26,706	130	60	36,882	507	365	21,574	334	200
Other Criminal Code	23,228	59	30	19,808	492	365	20,246	288	175
Criminal Code Traffic	13,915	67	30	10,959	336	360	41,869	550	500
Other Federal Statutes	6,269	162	60	6,630	503	365	27,046	948	130
<b>1996/97</b>									
<b>Total Offences</b>	<b>84,468</b>	<b>126</b>	<b>40</b>	<b>106,421</b>	<b>488</b>	<b>365</b>	<b>113,383</b>	<b>579</b>	<b>300</b>
Crimes Against The Person	16,086	241	90	29,414	529	365	8,153	359	300
Crimes Against Property	26,225	128	60	38,036	500	365	19,710	333	200
Other Criminal Code	23,673	62	30	20,856	487	365	18,604	309	200
Criminal Code Traffic	12,599	69	30	11,085	341	360	41,356	555	500
Other Federal Statutes	5,885	180	70	7,030	496	365	25,560	1,074	150
<b>1997/98</b>									
<b>Total Offences</b>	<b>80,777</b>	<b>128</b>	<b>40</b>	<b>105,994</b>	<b>478</b>	<b>365</b>	<b>101,886</b>	<b>576</b>	<b>300</b>
Crimes Against The Person	15,530	235	90	30,410	512	365	7,209	373	300
Crimes Against Property	24,218	138	60	35,816	494	365	16,232	347	200
Other Criminal Code	24,151	61	30	22,336	474	365	17,959	416	200
Criminal Code Traffic	11,397	71	30	10,323	340	360	39,660	559	500
Other Federal Statutes	5,481	186	80	7,109	473	365	20,826	995	150
<b>1998/99</b>									
<b>Total Offences</b>	<b>80,204</b>	<b>137</b>	<b>45</b>	<b>100,820</b>	<b>477</b>	<b>365</b>	<b>94,690</b>	<b>573</b>	<b>300</b>
Crimes Against The Person	16,158	256	90	30,762	507	365	6,813	429	300
Crimes Against Property	25,056	142	60	33,543	490	365	15,074	337	200
Other Criminal Code	24,762	58	30	22,197	460	365	18,504	335	200
Criminal Code Traffic	8,545	74	30	7,209	355	360	34,217	569	500
Other Federal Statutes	5,683	216	90	7,109	466	365	20,082	1,024	200
<b>1999/00</b>									
<b>Total Offences</b>	<b>74,128</b>	<b>130</b>	<b>30</b>	<b>96,702</b>	<b>474</b>	<b>365</b>	<b>86,981</b>	<b>716</b>	<b>300</b>
Crimes Against the Person	14,672	251	90	29,137	506	365	5,903	386	300
Crimes Against Property	22,496	138	60	31,529	484	365	13,391	403	200
Other Criminal Code	24,174	55	30	22,313	463	365	17,443	843	200
Criminal Code Traffic	7,552	72	30	6,557	363	360	31,978	652	600
Other Federal Statutes	5,234	188	60	7,166	446	365	18,266	1,041	200

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years and Northwest Territories for 1996/97.

The number of sentences and the calculation of means and medians in this table, excludes cases where the sentence length or fine amount was not known, and cases where the length of prison was specified as indeterminant.

Cases can have more than one sentence therefore, sanctions are not mutually exclusive and will not add up to the total number of convicted cases.

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

*Break and enter* cases saw the average prison term increase from 254 to 275 days, and *Fraud* related cases increased from 110 to 135 days.

### Increased use of probation

In recent years, adult criminal courts have been using probation in a larger proportion of cases. Between 1995/96 and 1998/99, the proportion of all convicted cases receiving a probation sentence increased from 38% to 42%. This rate remained stable in 1999/00. Among all offence groups, the largest increase between 1995/96 and 1999/00 occurred for *Crimes against the person* where the rate of probation for guilty cases increased from 68% to 73%. Within this category, *Robbery* showed an increasing proportion (from 44% to 49%) of convicted cases receiving probation. Among all categories, one of the offences with the largest increase in the use of probation was *Gaming* (includes offences such as bookmaking, owning a betting/gaming house or placing a bet on behalf of another), where 32% of convicted cases received probation in 1999/00 compared to 23% in 1995/96. While the relative use of probation has increased over the past five years, there has been little change in the length of probation orders. The overall average length of all probation orders in 1999/00 was 474 days.

### Decreased use of fines

Since 1995/96, the imposition of fines has been steadily decreasing. In 1995/96, 45% (121,000) of convicted cases were given a fine, compared to 39% (90,000) of convicted cases in 1999/00. During the same period, there has been a trend towards imposing higher fines. In 1995/96, 20% of all fines were for amounts over \$500, whereas by 1999/00, 31% of all fines were for amounts over \$500.

## COMPARISON OF MALE AND FEMALE SENTENCING OUTCOMES

### Higher number of single-conviction cases for males

This section compares sentencing patterns and outcomes for male and female offenders by examining single-conviction cases. In 1999/00, there were a total of 136,150 single-conviction cases involving males and 22,823 involving females. To provide examples of variations in sentencing, some high frequency offences (*Theft under \$5,000*, *Common assault* and *Impaired driving*) were selected for comparative analysis.

There are many issues, such as length and type of criminal histories, mitigating circumstances or aggravating factors, which contribute to the variations in sentencing outcomes. However, information on such case characteristics is not currently available to help quantify their impact on sentencing.

### Use of incarceration for males and females

Overall, 29% of single-conviction cases involving males resulted in incarceration compared to 19% for females, in 1999/00. When examining the types of sentences imposed, male offenders were consistently incarcerated at a higher rate than females across all major offence categories.

The incarceration rate for male offenders involved in single-conviction cases of *Common assault* was 20% compared to 8% for females convicted of the same offence. The same pattern was evident for charges of *Theft under \$5,000* (one of the most common offences for both men and women) with males incarcerated at a rate of 33% compared to 16% for females. For *Impaired driving*, convictions involving males resulted in imprisonment at a rate of 15% compared to 6% for females (see Table 6).

Generally, males received longer terms of incarceration than did females, for most offences. For *Common assault* for example, men received a median of 30 days compared to 21 days for women. For *Impaired driving*, the median lengths of incarceration for men and women were 30 and 14 days respectively. One of the few exceptions to this included single-conviction cases involving *Theft over \$5,000* for which men received a median length of imprisonment of 90 days in comparison to 105 days for women (see Table 7).

### Use of probation

Generally, males were less likely to receive a term of probation (39%) than were females (45%), in 1999/00. For *Crimes against Property* and *Other Criminal Code violations*, males received probation sentences less often than did females. For *Theft under \$5,000*, the probation rate for males was 42% compared to 54% for females.

In comparing average lengths of probation sentences, males received longer terms of probation than did females when convicted of the same offence. However, there was a higher proportion of men than women who received longer probation terms, thus producing larger differences in comparing mean lengths of probation ordered. For example, *Common assault* charges involving males resulted in an average of 428 days probation compared to 370 days for females. The median indicated less of a difference with males receiving a median term of probation of 1 year and females a median of 360 days probation.

Similarly, the average length of probation for *Break and enter* involving males was 514 days compared to 457 days for females, but in comparing medians, both males and females had median probation sentence lengths of 365 days. Exceptions to this included charges dealing with *Fraud under \$5,000*, *Arson* and *Impaired driving*. The average lengths of probation sentences ordered for females was somewhat higher than that for males, but when comparing median lengths of probation for these offences there were no differences between males and females.

### Use of fines

Overall, men received a fine in 46% of single-conviction cases, in comparison to a 38% rate of fine for females. Fines were imposed at similar rates for both males and females charged with the most commonly occurring offences, such as *Common assault* and *Theft under \$5,000*. However, males were somewhat less likely to receive a fine than were women for *Criminal Code Traffic* related offences. Generally, males received higher average fine amounts than female offenders, although the differences were much less consistent when comparing median fine amounts (Tables 6 and 7).

Table 6


**Single-Conviction Cases by Number and Type of Sentence by Sex  
Nine Provinces and Territories in Canada, 1999/00**

Offence Group	Prison				Probation				Fine			
	Males		Females		Males		Females		Males		Females	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Offences</b>	<b>38,825</b>	<b>29</b>	<b>4,426</b>	<b>19</b>	<b>53,018</b>	<b>39</b>	<b>10,295</b>	<b>45</b>	<b>62,306</b>	<b>46</b>	<b>8,764</b>	<b>38</b>
<b>Criminal Code Total</b>	<b>35,503</b>	<b>31</b>	<b>4,012</b>	<b>19</b>	<b>48,703</b>	<b>42</b>	<b>9,655</b>	<b>47</b>	<b>49,301</b>	<b>42</b>	<b>7,591</b>	<b>37</b>
<b>Crimes Against the Person</b>	<b>6,026</b>	<b>28</b>	<b>409</b>	<b>13</b>	<b>16,248</b>	<b>76</b>	<b>2,262</b>	<b>74</b>	<b>4,063</b>	<b>19</b>	<b>474</b>	<b>16</b>
Homicide and related	70	91	4	80	10	13	2	40	2	3	-	-
Attempted murder	18	67	-	-	11	41	3	38	2	7	-	-
Robbery	673	72	74	63	517	55	59	50	18	2	4	3
Kidnapping	17	49	-	-	25	71	2	100	5	14	-	-
Sexual assault (level I)	486	43	2	29	850	76	6	86	110	10	1	14
Sexual assault (levels II & III)	23	61	-	-	16	42	-	-	-	-	-	-
Other sexual assault	12	32	-	-	22	58	1	100	1	3	-	-
Sexual abuse	161	43	3	27	319	84	11	100	23	6	1	9
Assault with a weapon (level II)	1,379	36	112	16	2,940	77	567	82	661	17	73	11
Aggravated assault (level III)	173	59	13	34	177	60	25	66	16	5	-	-
Other major assault	292	36	41	20	433	53	116	57	245	30	62	30
Abduction	8	40	1	8	15	75	12	92	1	5	-	-
Common assault	2,714	20	159	8	10,913	79	1,458	75	2,979	22	333	17
<b>Crimes Against Property</b>	<b>9,321</b>	<b>33</b>	<b>1,130</b>	<b>16</b>	<b>14,479</b>	<b>52</b>	<b>4,330</b>	<b>61</b>	<b>8,200</b>	<b>29</b>	<b>1,795</b>	<b>25</b>
Break and enter	1,916	52	46	22	2,295	63	154	75	403	11	30	15
Arson	58	44	8	22	103	79	27	73	6	5	-	-
Fraud over \$5000	121	19	41	9	438	70	344	76	47	7	9	2
Fraud under \$5000	231	26	56	12	505	58	336	73	215	25	57	12
Fraud - unspecified	790	29	125	14	1,479	55	625	69	792	30	172	19
Possess stolen property	1,655	38	106	23	1,966	45	260	55	1,495	34	134	28
Theft over \$5000	341	47	24	19	446	62	82	65	126	17	6	5
Theft under \$5000	3,038	33	596	16	3,799	42	1,970	54	3,361	37	1,220	34
Theft - unspecified	460	33	68	18	714	51	215	58	377	27	71	19
Property damage/mischief	711	17	60	12	2,734	64	317	66	1,378	32	96	20
<b>Other Criminal Code</b>	<b>14,575</b>	<b>41</b>	<b>2,173</b>	<b>34</b>	<b>13,056</b>	<b>37</b>	<b>2,517</b>	<b>40</b>	<b>11,239</b>	<b>32</b>	<b>1,577</b>	<b>25</b>
Weapons	355	18	25	21	967	50	73	61	766	39	30	25
Unlawfully at large	1,184	87	125	89	120	9	17	12	124	9	9	6
Failure to appear	6,339	54	870	45	3,028	26	623	33	3,830	32	530	28
Other administration of justice	261	86	14	74	34	11	5	26	22	7	3	16
Public order offences	742	22	90	15	1,135	33	247	41	1,767	51	257	42
Morals-sexual	108	11	394	42	472	48	350	38	480	48	200	21
Morals-gaming	3	2	-	-	58	34	32	55	78	46	11	19
Breach of probation	3,833	46	510	41	2,779	33	459	37	2,843	34	348	28
Other unspecified CC	1,750	24	145	11	4,463	62	711	56	1,329	19	189	15
<b>Criminal Code Traffic</b>	<b>5,581</b>	<b>18</b>	<b>300</b>	<b>7</b>	<b>4,920</b>	<b>16</b>	<b>546</b>	<b>13</b>	<b>25,799</b>	<b>82</b>	<b>3,745</b>	<b>91</b>
Other Criminal Code traffic	1,354	42	50	21	891	28	70	30	1,602	50	146	62
Impaired driving	4,227	15	250	6	4,029	14	476	12	24,197	85	3,599	92
<b>Other Federal Statute Total</b>	<b>3,322</b>	<b>17</b>	<b>414</b>	<b>19</b>	<b>4,315</b>	<b>22</b>	<b>640</b>	<b>29</b>	<b>13,005</b>	<b>65</b>	<b>1,173</b>	<b>53</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Excludes single-conviction cases in which the sex of the offender was unknown, and companies. Percentages represent the percent of all single-conviction cases that resulted in each type of sentence by sex.

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

Table 7


**Single-conviction Cases, Mean and Median Sentence Length and Fine Amount by Sex  
Nine Provinces and Territories in Canada, 1999/00**

Offence Group	Type of sentence											
	Length of prison (days)				Length of probation (days)				Fine amount (\$)			
	Males		Females		Males		Females		Males		Females	
	mean	median	mean	median	mean	median	mean	median	mean	median	mean	median
<b>Total Offences</b>	<b>95</b>	<b>30</b>	<b>66</b>	<b>15</b>	<b>435</b>	<b>365</b>	<b>417</b>	<b>365</b>	<b>583</b>	<b>400</b>	<b>480</b>	<b>300</b>
<b>Criminal Code Offences</b>	<b>92</b>	<b>30</b>	<b>56</b>	<b>15</b>	<b>438</b>	<b>365</b>	<b>419</b>	<b>365</b>	<b>555</b>	<b>500</b>	<b>436</b>	<b>350</b>
<b>Crimes Against the Person</b>	<b>224</b>	<b>60</b>	<b>121</b>	<b>30</b>	<b>466</b>	<b>365</b>	<b>402</b>	<b>365</b>	<b>436</b>	<b>400</b>	<b>291</b>	<b>250</b>
Manslaughter	2,057	1,825	908	908	1,016	1,095	-	-	-	-	-	-
Other homicide and related	6,621	9,125	360	360	603	540	630	630	500	500	-	-
Attempted Murder	1,133	540	-	-	850	1,095	695	540	1,000	1,000	-	-
Robbery	535	365	284	180	631	730	618	720	441	300	1,016	500
Kidnapping	190	53	-	-	636	540	360	360	825	500	-	-
Sexual assault (level I)	391	240	366	366	622	540	593	365	667	500	850	850
Sexual assault (levels II and III)	1,255	730	-	-	683	730	-	-	-	-	-	-
Other sexual assault	1,265	365	-	-	828	730	540	540	-	-	-	-
Sexual Abuse	256	150	300	180	686	730	719	730	683	750	-	-
Assault with a weapon (level II)	112	60	108	60	500	365	450	365	576	500	399	300
Aggravated assault (level III)	482	360	401	360	616	540	583	540	805	750	-	-
Other major assault	53	30	21	18	409	365	370	360	415	350	244	250
Abduction	303	210	150	150	594	365	494	453	50	50	-	-
Common Assault	51	30	31	21	428	365	370	360	394	300	269	200
<b>Crimes Against Property</b>	<b>100</b>	<b>45</b>	<b>94</b>	<b>30</b>	<b>440</b>	<b>365</b>	<b>439</b>	<b>365</b>	<b>406</b>	<b>250</b>	<b>241</b>	<b>200</b>
Break and Enter	211	120	170	90	514	365	457	365	473	300	289	250
Arson	327	270	260	240	694	730	705	730	433	500	-	-
Fraud over \$5000	250	120	199	105	696	730	692	730	13,603	750	1,029	700
Fraud under \$5000	69	30	89	45	439	365	454	365	412	350	262	250
Fraud - unspecified	67	30	149	30	443	365	445	365	340	250	257	200
Possession of Stolen Property	86	45	46	30	430	365	431	365	480	300	336	200
Theft over \$5000	160	90	552	105	566	540	568	540	592	500	1,340	400
Theft under \$5000	50	30	70	15	406	365	402	365	273	200	223	173
Theft - unspecified	50	30	30	15	390	365	392	365	324	250	230	200
Property Damage / Mischief	40	30	31	21	375	360	340	360	283	250	184	200
<b>Other Criminal Code</b>	<b>44</b>	<b>21</b>	<b>25</b>	<b>10</b>	<b>437</b>	<b>365</b>	<b>408</b>	<b>365</b>	<b>425</b>	<b>200</b>	<b>290</b>	<b>150</b>
Weapons and Explosives	85	30	64	30	448	365	462	365	337	250	269	250
Unlawfully at large	37	30	25	18	347	360	343	360	291	250	288	250
Failure to appear	26	15	16	10	408	365	424	365	206	150	136	100
Other Administration of Justice	76	30	19	13	510	365	343	360	299	250	158	150
Public Order Offences	27	15	18	7	340	360	325	360	289	250	220	200
Morals - Sexual	91	30	11	6	457	365	404	365	358	225	358	200
Morals - Gaming / Betting	13	7	-	-	364	360	365	360	2,320	1,000	1,365	750
Breach of probation	34	30	24	15	392	365	379	360	279	200	197	150
Other Criminal Code Offences	124	30	123	30	509	365	443	365	1,579	300	868	200
<b>Criminal Code Traffic</b>	<b>61</b>	<b>30</b>	<b>48</b>	<b>20</b>	<b>343</b>	<b>360</b>	<b>373</b>	<b>360</b>	<b>671</b>	<b>600</b>	<b>602</b>	<b>600</b>
Other Criminal Code Traffic	79	30	63	30	314	360	364	360	695	600	528	500
Impaired Driving	55	30	45	14	349	360	374	360	669	600	605	600
<b>Other Federal Statute Total</b>	<b>128</b>	<b>30</b>	<b>175</b>	<b>30</b>	<b>394</b>	<b>365</b>	<b>384</b>	<b>360</b>	<b>687</b>	<b>200</b>	<b>761</b>	<b>150</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Calculation of means and medians excludes cases where the sentence length or fine amount was not known.

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



## COMPARISON OF ADULT AND YOUTH SENTENCING

The Young Offenders Act states that a young offender should not receive a harsher sentence than an adult would for the same crime. For the most serious criminal offences, such as murder, adults clearly receive harsher penalties. However, offences that carry life sentences represent only a very small fraction of all crimes heard in court. This section makes comparisons of adult offenders sentenced in adult criminal courts and young offenders sentenced in youth courts, based only on cases involving a single charge, for the most common offences. One factor that has a significant impact on the sentence imposed is the prior record of the offender. In this comparison, prior record is not controlled for. Adult offenders may be more likely to have a prior criminal record due to the greater period of time at risk for committing offences.

Overall, an equal proportion of adults and youths (34%) received custody as the most serious sentence. Adults were much less likely to receive a term of probation, 28% versus 48% as the most serious sentence, in 1999/00. Adults on the other hand received fines at a rate notably higher than youths. Thirty-two percent of adults received a fine compared to 6% of youth. Given the differences in the availability and use of the various non-custodial sentences, comparisons between adult and youth offenders will be made on the basis of custody terms. Imprisonment is the most serious sentence that may be

imposed by a court in Canada; it thus provides a useful index of how severely various crimes are dealt with.

Though there were offences for which there was no difference in the proportions of adults and youth receiving a sentence to prison or custody, for some common offences, a greater proportion of adults than youths received imprisonment or a custody sentence.<sup>18</sup> For example, where almost half (47%) of adults were imprisoned for *Break and enter*, one quarter of youths were sentenced to custody for the same crime. The differences were not as pronounced for other common offences. For *Common assault*, 17% of adults and 16% of youths were sentenced to custody in 1999/00. Similarly, for *Property damage/mischief*, near identical proportions of adults and young offenders received custody as the most serious sentence (see Table 8).

Although it may appear from the higher incarceration rates for all the offences examined that adults are punished more severely than youth, a different picture is revealed when the same offences are examined in terms of the length of the prison sentence. Adults are frequently sentenced to shorter periods of imprisonment. As Table 8 shows, for many common offences, a greater proportion of adults who received incarceration were sentenced to a term of one month or less. Even without accounting for the early release provisions for which

<sup>18</sup> Includes only single-charge cases.

Table 8

Type of Offence		Single-charge cases				
		# of convicted cases	Prison		Length of prison sentence	
			#	%	1 month or less %	Greater than 1 month %
Theft under \$5,000	Adult	9,571	2,475	26	65	35
	Youth	4,571	646	14	43	57
Failure to appear	Adult	10,507	5,631	54	86	14
	Youth	3,837	1,383	36	51	49
Common assault (level I)	Adult	11,570	1,997	17	59	41
	Youth	3,506	578	16	43	57
Break and enter	Adult	2,581	1,209	47	21	79
	Youth	2,863	769	27	20	80
Property damage/mischief	Adult	3,377	532	16	70	30
	Youth	1,861	258	14	45	55
Assault weapon/bodily harm (level II)	Adult	2,974	932	31	33	67
	Youth	1,047	227	22	35	65
Possession of stolen property	Adult	3,172	1,040	33	46	54
	Youth	1,520	390	26	29	71
Robbery	Adult	632	444	70	13	87
	Youth	667	233	35	18	82

**Notes:** Adult data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

**Source:** Adult Criminal Court Survey (ACCS), Youth Court Survey (YCS), Canadian Centre for Justice Statistics, Statistics Canada.

only adults are eligible, adult prison sentences are routinely shorter for these offences.

For single-charge cases of *Common assault*, where the incarceration rates were nearly identical, 59% of adults sentenced to prison received a term of one month or less, while only 43% of youths received this shorter custody sentence.

Similarly, in single-charge cases of *Property damage/mischief*, where a nearly identical proportion of adults and young offenders received sentences of imprisonment, adults were more likely to receive a short custody term. Seventy percent of adult offenders, compared to 45% of young offenders received custody sentences of 30 days or less.

## METHODOLOGY

The purpose of the Adult Criminal Court Survey (ACCS) is to provide a national database of statistical information on the processing of cases through the adult criminal court system. The survey consists of a census of *Criminal Code* and other federal statute charges dealt with in provincial/territorial adult criminal courts.

### Coverage

Some limitations on coverage of the survey should be noted. Three provinces and one territory (New Brunswick, Manitoba, British Columbia and Nunavut) are not included in the survey at this time. The data do not include Northwest Territories for 1996/97 and include three fiscal quarters of data for the territory in 1999/00. Also, some court locations in Quebec are not included. Information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta and the Yukon, data are not provided from Superior Courts.

The absence of data from all but two Superior Court jurisdictions may result in a slight underestimation of the severity of sentences imposed across Canada. The reason for this is that some of the most serious cases, which are likely to result in the most severe sanctions, will be processed in Superior Courts. While these limitations are important, they have existed for several years, therefore, it is possible to make comparisons from one year to another using the ACCS.

### Counting Procedures

The basic unit of count for the Adult Criminal Court Survey is a case. A case is one or more charges against an accused person or corporation, where the charges receive a final disposition on the same date. Charges are linked to a case on the basis of the accused identifier and the date of the last court appearance.

The survey counts a charge more than once under any of the following circumstances:

- a charge is stayed in one reporting time period (fiscal year) and restarted in another time period;

- a charge is stayed and subsequently restarted with different case identifiers;
- a charge is transferred from one court location to another; and
- a charge is transferred to Superior Court but subsequently returns to Provincial Court with different case identifiers.

### Most Serious Offence and Disposition Rules

When a case has more than one charge, it is necessary to decide which charge will be used to represent the case (since a case is identified by a single-charge). In such multiple-charge cases, the "most serious disposition" rule is applied. Dispositions are ranked from the most to the least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) committed for trial in a Superior Court, 4) other dispositions were imposed, 5) stay of proceeding, 6) acquitted, withdrawn, dismissed.

In cases where two or more offences have resulted in the same disposition (e.g., guilty), the "most serious offence" rule is applied. All charges are ranked according to a seriousness scale based on the average length of prison sentence. If two charges are tied according to this criterion, information about the sentence type (e.g., prison, probation, and fine) is considered. If a tie still exists, the magnitude of the sentence is considered.

### Factors influencing the number of charges laid

Charging policies are determined individually by provinces and territories. In British Columbia, Quebec and New Brunswick for example, the police must obtain the approval of the Crown prosecutor before a charge is laid. However, British Columbia and New Brunswick do not provide data to the ACCS at this time. In other provinces and territories, the police have exclusive responsibility for the laying of a charge. This variability may affect the number and nature of charges laid across the country.

### Youth Court Survey

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for persons aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence. The YCS follows a similar pattern as the ACCS in defining cases. Though respondents and the Canadian Centre for Justice Statistics (CCJS) make every effort to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the publication *Youth Court Data Tables, 1999/00* for more information on data collection, editing and compilation for this survey.

### Comparisons with other sectors of the justice system

#### Policing:

The Canadian Centre for Justice Statistics conducts the Uniform Crime Reporting (UCR) survey. This survey collects data on the crimes reported to the police. Counts from the UCR survey for offences cleared by charge are not comparable to ACCS figures for charges disposed of. There are many reasons for this. In part, it is the result of scoring rules used by

the UCR survey. The UCR survey counts violent offences in terms of the number of victims in the incident; non-violent offences are counted in terms of the number of separate incidents. Furthermore, the UCR figures include offences involving youths, while the ACCS case counts include only the very few youth offences that have been transferred to adult court.

**Corrections:**

The number of cases sentenced to prison, as reported by the ACCS, will differ from the number of actual admissions to correctional facilities. The CCJS conducts the Adult Correctional Services (ACS) Survey, which measures, among other things, the number of persons admitted to correctional facilities

in Canada. The number of cases with prison sentences (ACCS) and the number of admissions to correctional facilities (ACS) differ because the number of sentenced admissions reported by the Adult Correctional Services survey includes persons sentenced to prison in Superior Courts as well as admissions resulting from fine defaults. In 1999/00, only two jurisdictions, Alberta and the Yukon, reported Superior Court data to the Adult Criminal Court Survey, and sentences to prison for reason of fine defaults are not collected by the survey. Also, any accused sentenced to time-served prior to a sentence commencing would be counted differently in each survey. The ACCS does not have data on the duration of prison time already served, and the adult correctional data identifies these sentences as a remand prior to the completion of the trial.

## 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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