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## Youth custody and community services in Canada, 2004/2005

by Donna Calverley

### Highlights

- In 2004/2005, there were about 31,700 young persons (aged 12 to 17 years) admitted to correctional services. Of those, 15,900 (50%) admissions were to custody and 15,800 (50%) admissions were to community supervision, with the majority (12,900 or 81%) of community supervision admissions being to probation.
- There were approximately 2,200 admissions to each of secure and open custody. The majority of admissions to custody (72% or 11,500) were to remand (pre-trial detention).
- Although admissions to remand decreased 7% from 2003/2004, as a proportion of total admissions to correctional services it was up to 36% in 2004/2005, from 34% in the previous year.
- Aboriginal youth are highly represented within correctional services. Nearly one-third of all females and just over one-in-five males admitted to sentenced custody were Aboriginal. Overall, Aboriginal youth made up one-quarter of all sentenced custody admissions in 2004/2005, yet they represent approximately 5% of the total youth population.
- On any given day in 2004/2005, there were approximately 13,100 young persons either in custody or under supervised probation in Canada. The majority of young persons in correctional services were on probation (87%), while 10% were in sentenced custody, and 3% were in remand.
- Coinciding with a decline in the youth crime rate, both the total rate of youth incarceration (sentenced custody and remand) and the probation rate decreased in 2004/2005 – by 10% and 16% respectively.



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## Introduction

This *Juristat* provides an overview of the youth correctional population (12-to-17 year olds) in Canada for 2004/2005, the second year since the *Youth Criminal Justice Act* (YCJA) came into force (see Text box 1). The introduction of the YCJA represents a significant change in the way the criminal justice system in Canada treats young persons. In particular, the YCJA aims to increase diversion and reduce reliance on the use of incarceration.

Youth correctional supervision programs include sentenced custody (both secure and open), remand (pre-trial detention) and community supervision, which are administered under the authority of the provincial/territorial agencies responsible for youth corrections.

Sentenced custody is the most serious sentence that youth may receive. The YCJA allows a young person to be sentenced to custody only if he or she has committed a serious violent offence, has not complied with non-custodial sentences, has committed an offence for which an adult would be liable to imprisonment for more than two years, or in exceptional circumstances, where non-custodial sentences would be inconsistent with the purposes and principles of sentencing (*s.39, YCJA*). The *Young Offenders Act* (YOA) defined two levels of custody, open and secure. Under the YCJA, definitions of open and secure custody have been omitted. Instead, there is a requirement of two levels of custody distinguished by the level of restraint. For conventional purposes, in this *Juristat*, the two levels of restraint are referred to as open and secure custody.

Community supervision programs such as probation, the community portion of a custody and supervision order (CPCS), the intensive support and supervision order, and deferred custody and supervision, often include placing a number of restrictions on the young person. Community supervision orders are sometimes given with other sanctions and, at a minimum, require the young person to keep the peace, be of good behaviour and appear before the court as required.

### Text box 1

#### The YCJA: A summary

In 1998, the Department of Justice Canada introduced a Strategy for Youth Justice that approached youth justice with a more inclusive framework, focusing on public awareness, crime prevention, education, child welfare, health, family and the community. One aspect of the Youth Justice Strategy was the Youth Criminal Justice Act (YCJA), which was developed in 1999 and enacted on April 1, 2003.

The YCJA integrates all areas of young peoples' lives including their mental health, education and welfare, putting emphasis on the long-term protection of the public, while also focusing on the rehabilitation and reintegration of the young person (Tustin and Lutes, 2005).

This legislation states in its preamble that the youth justice system "reserves its most serious intervention for the most serious crimes." The new Act implements a larger array of extrajudicial measures and, when entering the formal system, encourages the use of a number of new community supervision options – including deferred custody, the community portion of a custody and supervision order, and an intensive support and supervision order.

Finally, in an effort to reduce the use of remand, (Department of Justice Canada: Youth Justice) the YCJA has added two noteworthy requirements that must be taken into account before judges are able to place a young person in remand; remand cannot be used as a social measure, and it cannot be used if the young person could not be sentenced to custody if he/she were found guilty of the offence (*s.29(1), YCJA*).

Overall, the YCJA is, "an attempt to find a ... balance on youth justice issues" (Bala, 2003) by including provisions that would ensure that the most serious offenders serve longer sentences, while youth who have committed less serious offences are diverted from youth courts and custodial facilities.

## Text box 2

### Data sources and measures

The data in this *Juristat* are primarily drawn from the Youth Custody and Community Services (YCCS) Survey, and the Corrections Key Indicator Report (KIR), conducted by the Canadian Centre for Justice Statistics (CCJS). For 2004/2005, the KIR data were originally released in September 2006. Admissions and releases data for Newfoundland and Labrador, New Brunswick, as well as all community supervision data for Alberta were taken from the Integrated Correctional Services Survey (ICSS), a new person-based survey that is being implemented by the CCJS, and which will eventually replace the YCCS survey. The ICSS collects detailed data pertaining to the delivery of both youth and adult correctional services in Canada.

This *Juristat* makes use of two basic indicators that describe the use of correctional services: the number of annual admissions to correctional facilities or to community supervision programs; and the average number, or count, of young persons under correctional supervision on any given day.

Admissions data are collected when an individual enters an institution or community supervision program, and describe and measure the caseload in correctional agencies over time. While aggregate admissions include all persons passing through the correctional system, they do not indicate the number of unique individuals in the correctional system. The same person can be included several times in the admission counts where the individual moves from one type of correctional service to another (e.g. from remand to sentenced custody) or re-enters the system in the same year. Although the YCCS survey attempts to standardize the way in which status changes are counted, limitations due to differences among jurisdictional operational systems may restrict uniform application of the survey definitions in some situations. For this reason, inter-jurisdictional comparisons of the number of admissions should be made with caution. Nevertheless, as a result of consistent counting practices within jurisdictions over time, statements can be made about the trends within each jurisdiction.

Counts of the number of persons in custody or serving a sentence in the community at a given point in time provide a snapshot of the daily correctional population and are used to calculate an annual average count. Managers in correctional services use average counts as a key operational measure for the utilization of services, such as bed space in institutions. Typically, correctional officials perform daily counts in their facilities and monthly counts of offenders under community supervision. Average count statistics are more representative of longer term inmates and offenders serving longer term community supervision orders. For more information on definitions and limitations, please see the Methodology section at the end of the *Juristat*.

Young persons may also be remanded into custody based on the judge's decision that the young person poses a danger to society, that there may be a risk of failure to appear for court, or where detention is necessary to maintain confidence in the administration of justice. The YCJA also states that remand must not be used as a social measure (e.g., child protection, mental health) and that the court can not detain a young person if that person could not be committed to custody if found guilty.

## Admissions to custody

### Admissions to correctional services decline in 2004/2005

Consistent with the ongoing implementation of the principles and practices of the YCJA and a further decrease in the youth crime rate in 2004/2005, there were approximately 31,700 admissions to youth correctional services,<sup>1</sup> a decrease of 12% from 2003/2004.<sup>2</sup> This overall decrease was driven by a 20% decline in admissions to probation, from 16,100 in 2003/2004 to 12,900 in 2004/2005. Over the same period, admissions to custodial supervision (remand and sentenced custody) declined by 7%.

Sentenced custody declined by 7% in 2004/2005 due to a 12% decrease in admissions to secure custody. However, admissions to open custody remained stable (see Text table 1).

### Remand represented majority of youth custodial admissions

Remand includes all persons who have not yet been sentenced but are being held in custody while awaiting trial or sentencing. In 2004/2005, there were approximately 11,500 admissions to remand, accounting for almost three-quarters of all custodial admissions. The number of admissions to remand did, however, decline by 7% from 2003/2004 (Text table 1).

Coinciding with the introduction of the YCJA, remand increased as a proportion of all custodial admissions - to 72% in 2004/2005, from 63% in the final year of the *Young Offenders Act* (YOA) (Calverley, 2006).

As remand becomes a more significant proportion of custodial admissions, added pressures may be placed on the youth correctional system. Remand presents operational challenges for the correctional system that are different from those in handling sentenced offenders. These include the need for higher levels of security, regular transportation to and from court, and limits to the system's ability to deliver adequate programming (Johnson, 2002).

Although there was an overall decrease in remand admissions from 2003/2004 to 2004/2005, there was substantial variation among the provinces and territories, ranging from an 18% decline in Alberta to a 63% increase in the Northwest Territories (see Table 1).

**Text table 1**

## Composition of admissions to youth correctional services, 2003/2004 and 2004/2005

	2003/2004		2004/2005		Percentage change from 2003/2004
	number	Percentage of total	number	Percentage of total	
<b>Custodial supervision</b>					
Sentenced custody	4,771	13.3	4,439	14.0	-7.0
Secure custody	2,548	7.1	2,245	7.1	-11.9
Open custody	2,223	6.2	2,194	6.9	-1.3
Remand	12,303	34.2	11,505	36.2	-6.5
<b>Total custodial supervision</b>	<b>17,074</b>	<b>47.4</b>	<b>15,944</b>	<b>50.2</b>	<b>-6.6</b>
<b>Community supervision</b>					
Probation	16,146	44.9	12,877	40.6	-20.2
YCJA sentences <sup>1</sup>	2,767	7.7	2,925	9.2	5.7
<b>Total community supervision</b>	<b>18,913</b>	<b>52.6</b>	<b>15,802</b>	<b>49.8</b>	<b>-16.4</b>
<b>Total correctional services</b>	<b>35,987</b>	<b>100</b>	<b>31,746</b>	<b>100</b>	<b>-11.8</b>

1. YCJA sentences include the community portion of a custody and supervision order and deferred custody and supervision.

**Note:** Excludes Prince Edward Island, Ontario 12-to-15 year olds, Saskatchewan, Yukon, the Northwest Territories and Nunavut.

**Sources:** Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

### Text box 3

#### Jurisdictional comparisons

The administration of the youth justice system is the responsibility of the provinces and territories. Correctional services provided to youth include remand, secure and open custody, and programs administered within the community such as probation and community service.

When examining the data contained in this *Juristat*, and the trends and differences among jurisdictions, it is important to consider that these results are, in part, a reflection of the differences in the administration of youth justice across Canada. As the data in this report are drawn from provincial/territorial administrative information systems, they are also sensitive to local case management practices as well as differences in the way information is maintained on these systems.

Also, overall levels of admissions and average counts will vary because of the informal (e.g. police discretion) and formal diversion measures (e.g. extrajudicial sanctions) employed by the police and the Crown. Such diversion programs have an impact on both the court case flow as well as intakes to correctional facilities and programs. Consequently, the reader is advised to consider table notes and use caution in making comparisons among jurisdictions. For more information on definitions and limitations, please see the Methodology section at the end of this *Juristat*.

### Half of all youth held in remand released within one week

Just over half (52%) of all young persons admitted to remand were released within one week of admission.<sup>3</sup> With the exception of the Northwest Territories and New Brunswick, in

which 78% and 63% of remanded young persons had served more than one week respectively, jurisdictions did not vary greatly by the amount of time young persons had served in remand (see Table 2). Notably, just over 1% of young persons spent more than six months in remand.

### Admissions to sentenced custody decreased

In the second year of the YCJA, admissions to provincial and territorial sentenced custody<sup>4</sup> decreased 7% from 4,800 in 2003/2004 to 4,400 in 2004/2005 (Text table 1). Admissions to secure custody declined 12%, while open custody admissions were relatively unchanged (-1%). Jurisdictions varied in the change in admissions to both open and secure custody. Between 2003/2004 and 2004/2005, the percent change in admissions to secure custody ranged from a 41% decline in Nova Scotia to increases of 19% in Manitoba and 33% in the Northwest Territories. There was also some variation in admissions to open custody among jurisdictions, ranging from a 40% decline in Nova Scotia to a 45% increase in the Northwest Territories (Table 1).

### Text box 4

#### Sentence Length

When examining sentence lengths, it is important to distinguish between the sentence ordered by the youth court judge and the length of time served upon release. Appeals, reviews and the effects of sentences served concurrently or consecutively (aggregate) may influence the amount of time served. In many instances, time served on release will differ from the time ordered at sentencing.

### **Majority of youth spent less than 6 months in either open or secure custody**

In 2004/2005, 21% of young persons who entered open custody<sup>5</sup> spent more than six months in custody. Jurisdictions were quite variable in the time young persons spent in open custody, in Ontario 31% of young persons spent more than six months in open custody, whereas only 3% of young persons in open custody in Newfoundland and Labrador spent more than six months (Table 2).

Overall, a smaller percentage (10%) of young persons nationally spent more than six months in secure custody. Most (44%) releases from secure custody occurred within one month, whereas 30% of releases from open custody occurred within one month. Jurisdictions were more consistent in the time young persons spent in secure custody when compared to open custody. With the exception of Manitoba, where 37% of young persons admitted were released after six months, figures ranged from 7% in British Columbia to 19% in Ontario.

Using data from the Integrated Correctional Services Survey (ICSS), releases from either secure or open custody can be aggregated into one 'sentenced custody' length. For example, under the YCCS, if a youth spent one month in secure custody and 3 months in open custody these sentence lengths would be reported separately, hiding the total time spent in custody. Under the ICSS, total time spent in sentenced custody can be analysed more accurately. In 2004/2005, in Newfoundland and Labrador and New Brunswick, of the total releases from sentenced custody, 24% of releases occurred within one month, 62% of releases occurred between one and six months, and 15% of all releases occurred after six months of admittance. On average, of the total amount of time spent in sentenced custody, youth spent 60% (or 73 days) of time in secure custody and 40% (or 49 days) in open custody.

### **Many jurisdictions admitted a larger proportion of youth for property offences than violent offences**

In 2004/2005, violent offences<sup>6</sup> accounted for 45% of all sentenced custody admissions, followed by property offences<sup>7</sup> (22%), other *Criminal Code* offences<sup>8</sup> (20%), and other offences<sup>9</sup> (13%) (see Table 3).

The national proportion of admissions to sentenced custody for violent offences was driven by Manitoba, in which 66% of all admissions to sentenced custody were for violent offences (followed next by the Northwest Territories at 40% and British Columbia at 38%). In most jurisdictions, there was a higher proportion of admissions for property offences than violent offences, including Newfoundland and Labrador (59% versus 29%), Nova Scotia (32% versus 26%), New Brunswick (35% versus 28%), Ontario (38% versus 30%), Alberta (16% versus 12%) and the Northwest Territories (58% versus 40%).

In 2004/2005, 37% of all young persons were admitted to remand for other *Criminal Code* offences, which mainly include administrative offences such as failure to appear and disorderly conduct. Admissions to remand for violent offences accounted for 27% of all admissions, followed by property offences (26%),

and other offences (9%). The largest proportion of remand admissions for violent offences was reported in Manitoba at 54% and the smallest in Alberta at 9%.

## **Young persons admitted to community supervision**

### **Admissions to probation also decline**

Admissions to probation<sup>10</sup> decreased 20% from 16,100 in 2003/2004 to 12,900 in 2004/2005 (Text table 1). Compared to custodial supervision, probation as a proportion of all admissions to correctional services has decreased substantially, from 45% in 2003/2004 to 41% in 2004/2005.

Under the YOA, probation was sometimes imposed as a measure to reintegrate youth back into the community after a period of sentenced custody. With the introduction of the YCJA, a period of community supervision became a mandatory component of most custody orders, likely reducing the need to impose a probation order.

Not all jurisdictions experienced a decline in probation between 2003/2004 and 2004/2005. Probation admissions remained stable in British Columbia, and increased in New Brunswick and Manitoba (see Text table 2).

### **Half of releases from probation occurred after 1 year of admission**

In 2004/2005, among the six reporting jurisdictions,<sup>11</sup> there were a total of 15,600 releases from probation. More than one-third of releases occurred within 6 months to 1 year of admission, while half of probationers spent more than 1 year under supervision. Generally, very few releases occurred within 1 month (see Table 4).

### **Two in five admissions to probation were for property offences**

In 2004/2005, 43% of young persons were admitted to probation for property offences,<sup>12</sup> compared to remand, where 26%, and sentenced custody, where 22% of youth were admitted for property offences.

With the exception of British Columbia and Manitoba, all jurisdictions reported property offences making up the largest proportion of admissions by most serious offence, ranging from 37% in Nova Scotia to 56% in Newfoundland and Labrador (Table 3).

### **Increase in the use of YCJA community sentences**

With the inclusion of the new deferred custody sentence and the community portion of custody and supervision orders (CPCS), there are more community corrections sanctions available under the YCJA. Deferred custody sentences are similar to conditional sentences which are available in the adult system. Deferred custody allows a young person who would otherwise be sentenced to custody to serve the sentence in

Text table 2

Admissions of young persons to probation, 2003/2004 and 2004/2005

Jurisdiction	2003/2004	2004/2005		Change from 2003/2004
		number	percentage	
Newfoundland and Labrador	430 <sup>r</sup>	344		-20.0
Prince Edward Island	133	..		...
Nova Scotia <sup>1</sup>	771	535		-30.6
New Brunswick	439	450		2.5
Quebec	4,014	3,663		-8.7
Ontario	11,091	7,824		-29.5
Manitoba	788	931		18.1
Saskatchewan	1,339	1,265		-5.5
Alberta <sup>2</sup>	2,119	1,723		...
British Columbia	1,664	1,668		0.2
Yukon	20	..		...
Northwest Territories	..	..		...
Nunavut	..	..		...

.. not available for a specific reference period

... not applicable

<sup>r</sup> revised

1. The reduction in probation between 2003/2004 and 2004/2005 may be partially attributable to a change in data capture systems.

2. Data for 2004/2005 have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata. Comparisons to data from previous years should be made with caution.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

the community under a number of strict conditions. Any breach of conditions may result in the young person being sent to custody. The community portion of a custody and supervision order is meant to allow a smoother transition from custody to the community.<sup>13</sup> A CPCS is similar to a federal statutory release where, ordinarily, the final one-third of a custody sentence is served under community supervision (s.42 (1)(n), YCJA).

In 2004/2005, there were approximately 1,300 admissions to deferred custody<sup>14</sup> - an increase of 16% from the previous year (see Text table 3).

In 2004/2005, there were approximately 2,700 admissions to the CPCS,<sup>15</sup> which remained stable from 2003/2004.

### Characteristics of young persons admitted to correctional services

In 2004/2005, male youth made up the majority of admissions to correctional services. Female youth<sup>16</sup> accounted for 21% of all young persons admitted to remand and 16% of all sentenced custody admissions. Historically, a larger proportion of youth serving probation sentences than sentenced custody sentences are females and this was the case in 2004/2005, where females represented 22% of all probation admissions (see Text table 4).

Among the provinces and territories, there was substantial variation in the proportion of female youth admitted to correctional services. The proportion of females admitted to remand ranged from 11% in Nova Scotia to 26% in the

Northwest Territories, while the proportion of females admitted to sentenced custody ranged from 8% to 28% in the same two jurisdictions. The proportion of females admitted to probation showed less variation ranging from 17% in New Brunswick to 26% in British Columbia.

### One in five admissions to correctional services were Aboriginal youth

Aboriginal youth accounted for one in five admissions to correctional services.<sup>17</sup> At the same time, Aboriginal youth represented approximately 5% of the total youth population. There were approximately 6,200 admissions of Aboriginal youth to some type of correctional service. One-quarter of all admissions to sentenced custody, 22% of all admissions to remand and 15% of all admissions to probation were of Aboriginal youth (Text table 4).

Aboriginal youth had higher levels of representation in sentenced custody compared to their representation in the Canadian youth population in almost all provinces and territories. For example, in British Columbia six times as many Aboriginal youth were admitted to sentenced custody than their representation in the youth population.

### Female Aboriginal youth represent considerable share of all female admissions

While both Aboriginal male and female youth are highly represented in correctional services, this was particularly true for Aboriginal female youth. For example, in 2004/2005, female Aboriginal youth represented 35% of all female youth admissions to secure custody and 29% of all female admissions to open custody, whereas Aboriginal male youth represented

Text table 3

**Admissions of young persons to the community portion of custody and supervision orders and to deferred custody and supervision orders, 2003/2004 and 2004/2005**

Jurisdiction	Community portion of a custody sentence <sup>1</sup>			Deferred custody and supervision <sup>2</sup>		
	2003/2004	2004/2005	Change from 2003/2004 to 2004/2005	2003/2004	2004/2005	Change from 2003/2004 to 2004/2005
	number	number	percentage	number	number	percentage
<b>Total</b>	<b>2,710</b>	<b>2,693</b>	<b>-0.6</b>	<b>1,086</b>	<b>1,262</b>	<b>16.2</b>
Newfoundland and Labrador	95 <sup>r</sup>	116	22.1	9 <sup>r</sup>	19	111.1
Prince Edward Island	24	..	...	..	..	...
Nova Scotia	44	121	175.0	73	98	34.2
New Brunswick	128	175	36.7	111	107	-3.6
Quebec	..	..	...	69	148	114.5
Ontario	1,864	1,502	-19.4	449	521	16.0
Manitoba	193	287	48.7	112	121	8.0
Saskatchewan	..	214	...	..	167	...
Alberta <sup>3</sup>	366	468	27.9	263	248	-5.7
British Columbia	..	..	...	..	..	...
Yukon	..	..	...	..	..	...
Northwest Territories	20	24	20.0	x	x	...
Nunavut	10	..	...	..	..	...

.. not available for a specific reference period

... not applicable

<sup>r</sup> revised

x suppressed to meet the confidentiality requirements of the Statistics Act

1. Total excludes Prince Edward Island, Quebec, Saskatchewan, British Columbia, Yukon and Nunavut.

2. Total excludes Prince Edward Island, Saskatchewan, British Columbia, Yukon and Nunavut.

3. Data for 2004/2005 have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata. Comparisons to data from previous years should be made with caution.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Intergrated Correctional Services Survey.

Text table 4

**Characteristics of young persons admitted to correctional services, 2004/2005**

	Remand		Sentenced custody		Probation		Total youth population 2001 (age 12 to 17 years)
	Aboriginal	Female	Aboriginal	Female	Aboriginal	Female	Aboriginal
	percentage						
<b>Total<sup>1</sup></b>	<b>21.7</b>	<b>20.9</b>	<b>24.9</b>	<b>15.8</b>	<b>15.4</b>	<b>21.6</b>	<b>4.5</b>
Newfoundland and Labrador	6.5	18.2	3.4	12.1	3.5	18.0	5.3
Prince Edward Island	..	..	..	..	..	..	1.4
Nova Scotia	9.8	11.0	5.5	8.1	4.9	17.8	2.7
New Brunswick	9.5	16.1	7.2	15.4	4.7	17.3	3.0
Quebec	..	..	..	..	..	..	1.6
Ontario	8.1	20.7	11.6	16.4	6.7	21.2	2.2
Manitoba	73.6	12.7	84.2	14.4	54.9	23.8	19.0
Saskatchewan	..	..	74.7	11.7	65.7	25.2	19.3
Alberta	37.2	22.2	36.7	13.7	31.6	21.6	7.5
British Columbia	36.2	24.1	39.3	19.2	26.6	26.1	6.6
Yukon	..	..	..	..	..	..	25.9
Northwest Territories	92.3	25.6	96.2	28.3	..	..	62.7
Nunavut	..	..	..	..	..	..	94.8

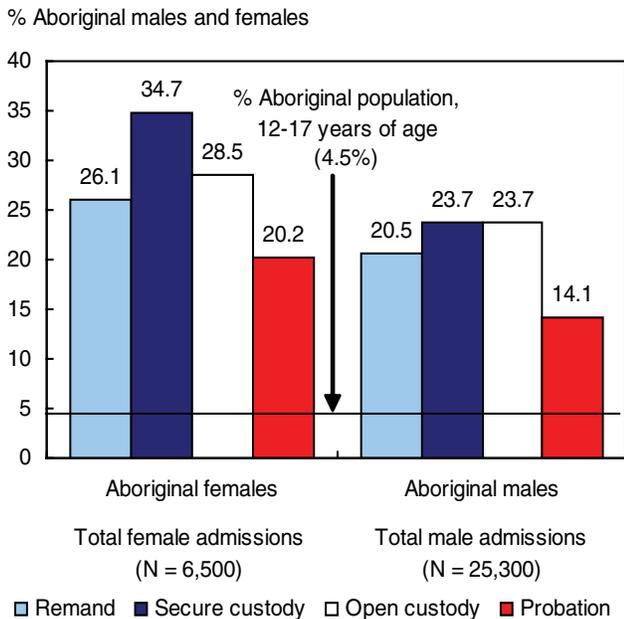
.. not available for a specific reference period

1. Total excludes Prince Edward Island, Quebec, Saskatchewan, Yukon, Northwest Territories and Nunavut.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey; Demography Division, Population Estimates.

**Figure 1**

**Aboriginal male and female youth are highly represented as a percentage of all males and females admitted to correctional services**



**Note:** Excludes Prince Edward Island, Quebec Saskatchewan, Yukon, Northwest Territories and Nunavut.

**Sources:** Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey; Demography Division, Population Estimates.

24% of all male admissions to each of secure and open custody (see Figure 1).

**A higher proportion of 12-to-15 year olds on probation than in sentenced custody**

In 2004/2005, just over 1 in 10, or 12%, of youth admitted to sentenced custody were under fifteen years of age, whereas about 1 in 5, or 21% of youth admitted to probation were under fifteen<sup>18</sup> (see Figure 2).

Generally, the types of offences for which young persons are admitted to probation rather than sentenced custody tend to be less serious, which are consistent with the types of offences that younger youths commit.

**Average counts**

The incarceration rate is the average daily number of young persons in custody per 10,000 youth aged 12- to-17 in the population. This number describes the level of incarceration in relation to the number of young persons in the population and

**Text box 5**

**Aboriginal justice**

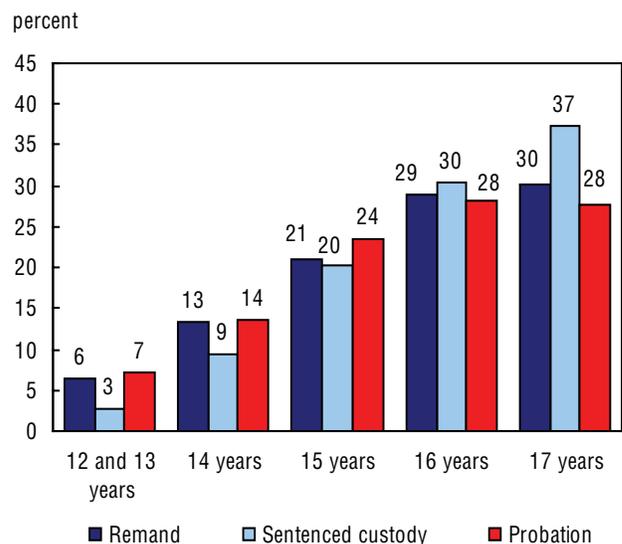
Most Aboriginal societies focus on holistic understanding and inclusive decision-making when finding a “solution” within the context of crime (Chartrand, 2005). Both the *Criminal Code* and the *Youth Criminal Justice Act* include provisions that are intended to respond to the high level of Aboriginal representation in the justice system as well as Aboriginal needs.

In 1996, the *Criminal Code* introduced principles of sentencing consistent with the Aboriginal model. The objectives of sentencing include “to provide reparations for harm done to victims or to the community” and “to promote a sense of responsibility in offenders and acknowledgement of the harm done to victims and the community” (s.718 (e&f), *Criminal Code*). The YCJA also acknowledges the need to respect cultural and linguistic differences of Aboriginal persons and to respond to their specific needs. In this regard, *part 4* of the YCJA states that, with particular attention to the circumstances of Aboriginal young persons, all available sanctions other than custody should be considered, (s.38 (2)(d), *YCJA*). Through conferencing provisions and its guiding principles, the YCJA encourages those administering the Act to “prevent crime by addressing the circumstances underlying a young person’s offending behaviour” (s.3 (1)(a)(i)).

permits comparisons over time by taking into account changes in the size of the Canadian population of young persons.

**Figure 2**

**A higher proportion of 12-to-15 year olds on probation than in sentenced custody**



**Note:** Excludes Prince Edward Island, Quebec Saskatchewan, Yukon, Northwest Territories and Nunavut.

**Sources:** Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

### Decline in the incarceration rate continues

The incarceration rate<sup>19</sup> has decreased by one-third since 2002/2003 and 10% from the prior year. Although the rate has decreased substantially since the implementation of the YCJA, the overall youth incarceration rate has been on the decline over the last decade, decreasing 57% since 1995/1996 (see Text table 5).

In most jurisdictions the initial large decrease in 2003/2004 was followed by another, somewhat smaller, decrease in 2004/2005. The incarceration rate varied greatly throughout the provinces and territories, from 3 per 10,000 youth population in Prince Edward Island to 56 per 10,000 youth population in the Northwest Territories.

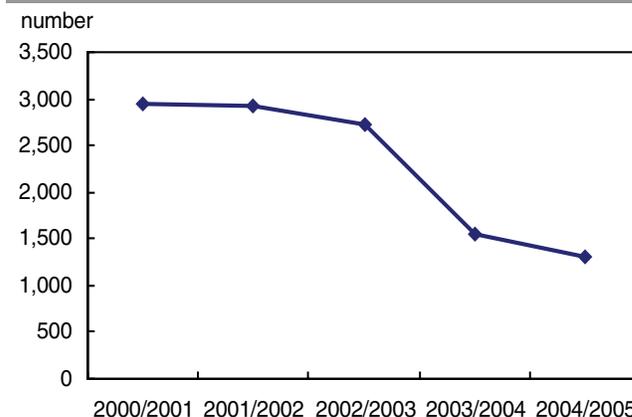
### Sentenced custody counts continue to decline

In 2004/2005, an average of 1,300 young persons were in sentenced custody on any given day in Canada, a decline of 16% from 2003/2004, and an overall decline of about 60% since the implementation of the YCJA (see Figure 3). Among the young persons in sentenced custody in 2004/2005, there were, on average, 700 young persons in secure custody and 600 in open custody, a decrease of 15% and 18% from 2003/2004 respectively (see Table 5).

In 2004/2005, jurisdictions varied substantially in the rate of young persons in sentenced custody per 10,000 youth population, ranging from 2.5 in Prince Edward Island to 39.8 in the Northwest Territories (see Text table 6).

Figure 3

### Average count of young persons in sentenced custody continues to decline



**Note:** Data includes estimates for 2002/2003 and 2003/2004 for Ontario 12-to-15 year olds.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report .

A substantial decrease in the average counts of young persons in sentenced custody has occurred in all jurisdictions since the introduction of the YCJA. The most notable declines have taken place in Prince Edward Island (-78%), Nova Scotia (-64%), Ontario (-62%) and the Northwest Territories (-60%).

Text table 5

### Incarceration rates of young persons per 10,000 youth population, 1995/1996 to 2004/2005

Jurisdiction	Incarceration rate <sup>1</sup>									
	1995/1996	1996/1997	1997/1998	1998/1999	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004	2004/2005
<b>Total<sup>2</sup></b>	<b>18.7</b>	<b>18.0</b>	<b>17.2</b>	<b>16.6</b>	<b>15.4</b>	<b>14.4</b>	<b>13.5</b>	<b>12.6</b>	<b>9.0</b>	<b>8.1</b>
Newfoundland and Labrador	26.0	28.1	24.0	22.9	21.4	20.6	22.1	24.2	12.8	12.7
Prince Edward Island	29.1	33.0	23.1	18.8	17.9	14.9	13.7	12.4	5.7	2.5
Nova Scotia	22.9	23.0	19.5	19.5	18.0	18.4	15.8	17.0	10.0	7.4
New Brunswick	31.4	31.1	25.6	23.2	23.5	24.2	21.6	18.0	12.6	12.7
Quebec	10.5	8.8	4.2	9.1	8.7	8.4	7.9	7.5	5.5	4.7
Ontario <sup>3</sup>	..	..	..	..	..	..	..	..	10.2	8.5
Manitoba	30.1	32.8	32.5	31.0	30.1	27.9	26.4	25.5	19.7	17.5
Saskatchewan	36.9	37.3	39.6	41.0	36.2	35.6	35.3	34.1	28.0	25.5
Alberta	24.4	22.3	18.9	17.8	16.4	14.4	13.5	11.8	8.3	7.5
British Columbia	13.5	13.0	12.2	11.2	10.2	8.9	7.9	6.7	4.7	4.7
Yukon	56.4	56.2	63.6	50.4	46.8	32.2	25.1	21.6	14.1	17.7
Northwest Territories <sup>4</sup>	142.9	157.3	174.4	110.7	157.0	133.9	134.8	109.2	59.2	56.2
Nunavut <sup>5</sup>	...	...	...	...	..	36.6	17.0	38.3	29.1	34.1

.. not available for a specific reference period

... not applicable

1. The incarceration rate is the average daily counts of remand, secure and open custody per 10,000 youths aged 12 to 17 in the population.

2. National figures excludes Ontario and Nunavut for all reference years.

3. Ontario 2002/2003 and 2003/2004 incarceration rate includes partial estimates for 12-to-15 year olds.

4. Northwest Territories data prior to 1999/2000 may not be compared with the current year due to the creation of Nunavut on April 1, 1999. Therefore caution is advised when making comparisons.

5. Nunavut data for 1999/2000 are unavailable. Prior to the creation of Nunavut on April 1, 1999, data for this territory are included as part of the Northwest Territories, therefore caution is advised when making comparisons.

**Sources:** Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report; Demography Division, Population Estimates.

## Remand counts increases as a proportion of total custodial services

Remand has increased as a proportion of the custodial population,<sup>20</sup> from one-quarter in 2002/2003 to one-third in 2004/2005 due to the decreases in sentenced custody rates since the introduction of the YCJA (see Text table 7).

Although remand has increased as a proportion of the custodial population, the rate of young persons in remand has remained stable at about 3 per 10,000 youth population (Text table 6).

In 2004/2005, jurisdictions varied in the rate of young persons held on remand, ranging from 0.3 per 10,000 youth population in Prince Edward Island to 16 in the Northwest Territories.

## Probation declines

On any given day in 2004/2005, there were 11,300 young persons on probation, down from 13,500 in 2003/2004 (see Table 6).

The probation rate is the number of young persons on probation per 10,000 youth. Probation rates have been declining gradually,

as the rates of youth being charged by police and convicted by the courts have been dropping. In 2004/2005, the probation rate was 73 young persons on probation<sup>21</sup> per 10,000 young persons in the population, 16% lower than in the previous year, and a 35% decline since 2000/2001 (see Text table 8).

In 2004/2005, the rate of young persons on probation ranged from 39 per 10,000 youth population in British Columbia to 153 in Newfoundland and Labrador.

## More youth on new YCJA community supervision provisions

Deferred custody allows a young person who would otherwise be sentenced to custody, to serve the sentence in the community under a number of strict conditions. In 2004/2005, there were, on average, 465 young persons on deferred custody, an 94% increase from the previous year (see Text table 9).

The average count of young persons on the community portion of a custody and supervision order has doubled since 2003/2004, from 264 in 2003/2004 to 548 in 2004/2005.

**Text table 6**

**Average daily counts of young persons in remand and sentenced custody per 10,000 youth population, by jurisdiction, 2002/2003 to 2004/2005**

Jurisdiction	Remand <sup>1</sup>			2003/2004 to 2004/2005		Sentenced custody <sup>2</sup>			2003/2004 to 2004/2005	
	rate			Change in average counts		rate			Change in average counts	
	2002/2003	2003/2004	2004/2005	percentage		2002/2003	2003/2004	2004/2005	percentage	
	number			percentage		number			percentage	
<b>Total</b>	<b>3.2</b>	<b>2.8</b>	<b>2.8</b>	<b>-1.2</b>	<b>-12.5</b>	<b>7.8</b>	<b>6.2</b>	<b>5.2</b>	<b>-15.0</b>	<b>-32.8</b>
Newfoundland and Labrador	2.9	2.1	2.0	-2.1	-31.1	21.3	10.6	10.7	1.2	-49.6
Prince Edward Island	1.4	0.8	0.3	-69.4	-82.3	11.4	4.9	2.5	-49.2	-78.2
Nova Scotia	3.0	2.5	2.0	-17.1	-31.1	14.0	7.6	5.1	-32.9	-63.7
New Brunswick	1.7	2.0	2.2	8.2	27.0	16.4	10.4	10.1	-2.6	-38.2
Quebec	1.8	1.4	1.4	4.7	-19.4	5.7	4.2	3.2	-23.8	-44.0
Ontario	..	4.2	3.6	-13.6	...	12.9	6.1	4.9	-20.1	-62.3
Manitoba	10.3	9.0	8.5	-5.9	-18.1	15.1	10.3	8.3	-19.8	-45.2
Saskatchewan	7.8	7.9	8.1	2.7	3.5	26.3	20.2	17.4	-13.6	-33.7
Alberta	3.5	3.1	3.0	-5.9	-15.5	8.3	5.2	4.6	-11.0	-45.0
British Columbia	2.1	1.9	2.0	6.7	-1.3	4.7	2.8	2.7	-2.7	-42.2
Yukon	5.0	3.5	3.5	0.7	-28.6	16.7	10.6	14.2	34.2	-14.9
Northwest Territories	9.7	9.5	16.4	72.9	68.5	99.5	52.1	39.8	-23.6	-60.0
Nunavut	12.4	15.9	13.1	-17.5	5.8	25.9	13.2	21.0	58.4	-19.1

.. not available for a specific reference period

... not applicable

1. Ontario is excluded from the total for all years.

2. Includes estimates for Ontario 12-to-15 year olds in 2002/2003 and 2003/2004.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report; Demography Division, Population Estimates.

**Text table 7**

**Average count of young persons in remand, 2002/2003 to 2004/2005**

	2002/2003		2003/2004		2004/2005	
	Average count	Total custody	Average count	Total custody	Average count	Total custody
	number	percentage	number	percentage	number	percentage
<b>Total<sup>1</sup> – Remand</b>	<b>495</b>	<b>25.4</b>	<b>440</b>	<b>31.6</b>	<b>438</b>	<b>34.6</b>
Newfoundland and Labrador	13	12.1	9	16.1	8	15.9
Prince Edward Island	2	11.8	1	17.1	0 <sup>s</sup>	8.8
Nova Scotia	22	17.4	19	24.6	15	27.7
New Brunswick	10	9.5	12	16.6	13	16.9
Quebec	98	23.8	77	24.9	82	30.7
Ontario	..	...	411	40.7	478	42.7
Manitoba	104	40.5	91	45.6	86	48.3
Saskatchewan	73	22.9	73	27.9	74	31.8
Alberta	96	29.5	86	37.8	81	39.1
British Columbia	67	30.6	62	40.7	66	43.2
Yukon	1	22.6	1	27.5	1	21.6
Northwest Territories	4	8.9	4	13.8	7	27.3
Nunavut	5	32.4	6	54.3	5	37.1

.. not available for a specific reference period

... not applicable

0<sup>s</sup> value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded

1. Total excludes Ontario.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report.

**Text table 8**

**Probation rate per 10,000 youth population, 2000/2001 to 2004/2005**

Jurisdiction	Probation rate <sup>1</sup>				
	2000/2001	2001/2002	2002/2003	2003/2004	2004/2005
<b>Total<sup>2</sup></b>	<b>112.2</b>	<b>113.5</b>	<b>107.8</b>	<b>86.5</b>	<b>72.5</b>
Newfoundland and Labrador	184.3	182.7	184.4	158.9	152.9
Prince Edward Island	144.6	128.4	122.3	109.7	88.6
Nova Scotia <sup>3</sup>	147.2	127.3	116.5	108.0	88.0
New Brunswick	..	131.7	141.2	111.3	93.6
Quebec	88.8	99.9	93.7	72.0	64.6
Ontario <sup>4</sup>	103.1	201.7	99.2	146.0	97.5
Manitoba	202.0	205.3	203.6	178.0	135.4
Saskatchewan	188.9	190.2	192.6	163.6	150.5
Alberta	106.7	101.9	95.4	76.8	63.0
British Columbia	84.9 <sup>r</sup>	81.9	75.2	53.7	38.5
Yukon	225.8	158.2	116.1	95.2	56.8
Northwest Territories	..	..	..	..	..
Nunavut	..	44.6	..	47.7	52.5

.. not available for a specific reference period

<sup>r</sup> revised

1. The probation rate is the averaged month-end counts of probation per 10,000 youth population.

2. Due to the unavailability of data, total probation excludes New Brunswick, Ontario, the Northwest Territories and Nunavut for all reference years.

3. The reduction in probation between 2003/2004 and 2004/2005 may be partially attributable to a change in data capture systems.

4. Ontario 12-to-15 year olds are excluded in 2002/2003.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report; Demography Division, Population Estimates.

**Text table 9**

**Average count of young persons on the community portion of a custody and supervision order and on a deferred custody and supervision order, 2003/2004 and 2004/2005**

Jurisdiction	Community portion of a custody and supervision order <sup>1</sup>			Deferred custody and supervision <sup>2</sup>		
	2003/2004	2004/2005	Change from 2003/2004 to 2004/2005	2003/2004	2004/2005	Change from 2003/2004 to 2004/2005
	number		percentage	number		percentage
<b>Total</b>	<b>264</b>	<b>548</b>	<b>107.1</b>	<b>240</b>	<b>465</b>	<b>93.7</b>
Newfoundland and Labrador	4	13	234.0	2	2	0.0
Prince Edward Island	2	4	100.0	0	21	...
Nova Scotia	..	..	...	..	..	...
New Brunswick	7	20	181.2	24	40	64.8
Quebec	..	..	...	0 <sup>s</sup>	0 <sup>s</sup>	0.0 <sup>s</sup>
Ontario	147	298	97.1	67	140	108.7
Manitoba	19	33	88.8	28	37	32.0
Saskatchewan	31	61	98.1	38	73	93.6
Alberta	42	74	76.4	55	88	58.6
British Columbia	11	40	262.2	26	65	147.9
Yukon	1	2	185.7	0 <sup>s</sup>	0 <sup>s</sup>	0.0 <sup>s</sup>
Northwest Territories	..	..	...	..	..	...
Nunavut	1	4	162.5	..	2	...

.. not available for a specific reference period

... not applicable

0 true zero or a value rounded to zero

0<sup>s</sup> value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded

1. Total excludes Nova Scotia, Quebec and the Northwest Territories.

2. Total excludes Nova Scotia, Northwest Territories and Nunavut.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report.

## Summary

In 2004/2005, the second year of the implementation of the YCJA, there was a continued decline in the volume of admissions to correctional services. Total correctional services declined 12% from the previous year to about 31,700 admissions. This decline was driven by a decrease in admissions to probation (-20%), followed by smaller declines in admissions to sentenced custody (-7%) and remand (-7%).

Although admissions to remand decreased, they increased as a proportion of admissions to correctional services, from 34% in 2003/2004 to 36% in 2004/2005.

As is the case in adult correctional services, Aboriginal youth are highly represented as well. Nearly one-third of all females and just over one-in-five males admitted to sentenced custody were Aboriginal. Overall, Aboriginal youth made up one of every four admissions to sentenced custody in 2004/2005, yet they represent approximately 5% of the total youth population.

On any given day in 2004/2005, there were approximately 13,100 young persons either in custody or under supervised probation in Canada. The majority of young persons in correctional services were on probation (87%), while 10% were in sentenced custody, and 3% were in remand. Coinciding

with a decline in the youth crime rate, both the total rate of youth incarceration (sentenced custody and remand) and the probation rate decreased in 2004/2005.

## Methodology

The information presented in this *Juristat* comes from data collected on youth correctional services in Canada through three surveys: the Youth Custody and Community Services (YCCS) survey, the Key Indicator Report and the Integrated Correctional Services Survey (ICSS) which is currently being implemented and is intended to eventually replace the YCCS. Currently, data from the ICSS are presented in this *Juristat* for Newfoundland and Labrador, New Brunswick as well as Alberta community supervision. The YCCS collects aggregate caseload and case characteristics information on young persons between 12 and 17 years old under some form of provincial or territorial correctional supervision. The ICSS collects person-level descriptive data on young persons in participating jurisdictions. Data from the Key Indicator Report measure the average counts of young persons in custody (remand, secure, and open) and on probation. Jurisdictions submit monthly counts in aggregate format. Average counts include all young persons on remand and temporary detention, sentenced offenders and other young offenders who are legally

required to be at a youth correctional facility and are present at the time the count is taken by correctional facility officials. Average counts for young persons on probation include those on supervised probation at the end of the month.

The data are provided by the various provincial and territorial ministries, and the departments and agencies that administer correctional services across the country. As a result of consistent counting practices within jurisdictions over time, statements may be made about the trends within each jurisdiction. These surveys are conducted annually, on a fiscal-year basis.

Given that most of the data are reported in aggregate form, there are limits to the types of analyses or cross-tabulations that can be performed. For example, data such as median age of offenders and median sentence length for each province cannot be combined to calculate a national median for all offenders.

## Unit of analysis

Admissions data measure the movement of young offenders through admissions to different types of supervision. The following example provides an illustration of how admissions for one young offender are tabulated by the YCCS survey. Where a youth has been denied judicial interim release and is held in remand until he or she is sentenced to serve a term of secure custody, followed by a term of open custody and probation, the YCCS counts:

e.g. remand + secure + open + probation (all served consecutively)

Admissions:	1 admission to remand
	1 admission to secure custody
	1 admission to open custody
	1 admission to probation

Youth transferred from one facility to another while still under the same level of supervision are not counted as new admissions. New admission counts also exclude young offenders placed in secure custody as transfers from open custody facilities. These “administrative” transfers are for a short period of time, not to exceed 15 days, and are authorized by a senior correctional official. In addition, youth returning from a period of temporary absence are not included as new admissions.

## Glossary of terms

**Aboriginal identity:** Indicates whether the youth is an Aboriginal person. Aboriginal identity includes North American, Métis and Inuit registered under the *Indian Act* and those that are non-registered. Please note that this variable is self-reported and data availability varies among jurisdictions.

**Admission:** Refers to the youth’s commencement of an uninterrupted period of supervision by the Provincial/Territorial Director within a specific status (i.e., remand, secure and open custody, probation, intensive support and supervision, and deferred custody). For the YCCS survey, a new admission is counted each time an offender changes status.

**Age:** Refers to the age of the offender at the time of admission into a youth facility or community program.

**Community portion of a custody and community supervision order:** Under the YCJA most custody sentences have a community supervision component attached. The community supervision portion can be up to half as long as the custodial period, and the periods combined must not exceed the maximum sentence length specified in the YCJA.

**Custody:** A status that requires the young offender to spend time in a designated correctional facility, either in secure custody, open custody or remand as ordered by the youth court.

**Deferred custody and supervision:** A deferred custody and supervision order allows a young person, who would otherwise be sentenced to custody, to serve his/her sentence in the community. A deferred custody and supervision order is similar to a conditional sentence of imprisonment for adults.

**Intensive support and supervision program (ISSP):** Similar to probation, the intensive support and supervision order is served in the community under conditions, but an ISSP provides closer monitoring and support than probation.

**Month-end probation count -** Data are an indication of the current monthly caseload of young offenders on supervised probation.

**Most serious offence (Youth Custody and Community Services Survey):** The YCCS survey categorizes the “most serious offence” (MSO) according to the offence classification scheme currently being used by the Youth Court Survey. The MSO categories include the following:

1. **Violent offences:** include offences such as murder, attempted murder, sexual assault, aggravated assault, common assault, robbery, kidnapping, and extortion. Violent offences involve the use or threatened use of violence against a person. Robbery is considered a violent offence because unlike other theft offences, it involves the use or threat of violence.
2. **Drug related offences:** include offences under the *Controlled Drugs and Substance Act* such as importing/exporting narcotics, trafficking in narcotics, possession of narcotics, cultivation, trafficking in drugs, and possession of drugs.
3. **Property offences:** include offences such as break and enter, theft, arson, motor vehicle theft, fraud, possession of stolen property, and mischief. Property offences involve unlawful acts to gain property, but do not involve the use or threat of violence against the person.
4. **Other Criminal Code offences:** include offences such as prostitution, impaired operation of a motor vehicle, escaped custody, failure to appear, disorderly conduct, soliciting, and other offences against the administration of justice.

5. **YOA/YCJA offences:** include offences such as failure to comply with a court ordered disposition, and contempt against youth court.
6. **Provincial/territorial, municipal and other federal offences:** include offences such as provincial liquor offences, provincial/territorial traffic violations, violations of municipal by-laws, and violations of other federal statutes such as offences under the *Income Tax Act* and *Immigration and Refugee Protection Act*.

**Open custody:** Under the *Youth Criminal Justice Act*, each province or territory must have at least two levels of custody which are distinguished by the degree of restraint of the young persons within them. For conventional purposes, this *Juristat* has designated the levels of restraint as open and secure custody.

**Probation/supervised probation:** A common type of community-based disposition, where the offender is placed under the supervision of a probation officer or other designated person. This includes both supervised and unsupervised probation.

**Release:** Refers to the completion of an uninterrupted period of supervision by the Provincial/Territorial Director within a specific status (i.e., remand, secure and open custody and probation). For the YCCS survey, a new release is counted each time an offender changes type of correctional supervision.

**Remand:** To hold a young person temporarily in custody, pursuant to a Remand Warrant, while awaiting trial or sentencing, or prior to commencement of a custodial disposition.

**Secure custody:** Under the *Youth Criminal Justice Act*, each province or territory must have at least two levels of custody which are distinguished by the degree of restraint of the young persons within them. For conventional purposes, this *Juristat* has designated the levels of restraint as open and secure custody.

**Sentenced custody:** Refers to both secure and open custody.

**Sentence length:** This refers to the aggregate sentence or total amount of days a young person is ordered to serve under the *Youth Criminal Justice Act*. The specific number of days must be for an uninterrupted period of time during which the youth is under the authority of the Provincial/Territorial Director. For multiple *custodial sentences* (i.e., secure and open custody), if sentences are concurrent then the sentence length is the longest sentence; if the sentences are consecutive then the sentence length is the sum of all custodial sentences; and if sentences are both concurrent and consecutive then the aggregate sentence is the sum of both types as calculated above.

**Time served:** Refers to the aggregate time served or total number of days a young person spent in custody upon

completion of an uninterrupted period of time during which time the youth was under the authority of the Provincial/Territorial Director.

**Young person:** A person who is twelve years of age or older, but less than eighteen years of age, at the time of committing an offence.

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## Endnotes

1. Excludes Prince Edward Island, Ontario 12-to-15 year olds, Saskatchewan, Yukon, the Northwest Territories and Nunavut.
2. Ibid.
3. Excludes Prince Edward Island, Quebec, Saskatchewan, Yukon and the Northwest Territories.
4. Excludes Prince Edward Island, Ontario 12-to-15 year olds, Saskatchewan, Yukon, the Northwest Territories and Nunavut.
5. Excludes Prince Edward Island, Quebec, Saskatchewan, Yukon and the Northwest Territories.
6. Violent offences include offences such as murder, attempted murder, sexual assault, aggravated assault, common assault, robbery, kidnapping, and extortion.
7. Property offences include offences such as break and enter, theft, arson, motor theft, fraud, possession of stolen property, and mischief.
8. Other *Criminal Code* offences include offences such as failure to appear and disorderly conduct.
9. Other offences include drug related offences, YOA/YCJA, and provincial/territorial/municipal/other federal offences.
10. Excludes Prince Edward Island, Ontario 12-to-15 year olds, Saskatchewan, Yukon, the Northwest Territories and Nunavut.
11. Excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, Yukon, the Northwest Territories and Nunavut.
12. See endnote 7.

13. See Department of Justice Canada, "YCJA Explained".
14. Excludes Prince Edward Island, Quebec, Saskatchewan, British Columbia, Yukon and Nunavut.
15. Excludes Prince Edward Island, Saskatchewan, British Columbia, Yukon and Nunavut.
16. Excludes Prince Edward Island, Quebec, Saskatchewan, Yukon, the Northwest Territories and Nunavut.
17. Ibid.
18. Ibid.
19. Excludes Ontario and Nunavut for all reference years.
20. Excludes Ontario.
21. Excludes New Brunswick, Ontario, the Northwest Territories and Nunavut.

**Table 1**
**Admissions of young persons to custody, 2003/2004 and 2004/2005**

Jurisdiction	Remand			Secure custody			Open custody		
	2003/2004	2004/2005	Change from	2003/2004	2004/2005	Change from	2003/2004	2004/2005	Change from
			2003/2004			2003/2004			
	number		percentage	number		percentage	number		percentage
<b>Total<sup>1</sup></b>	<b>12,303</b>	<b>11,505</b>	<b>-6.5</b>	<b>2,548</b>	<b>2,245</b>	<b>-11.5</b>	<b>2,223</b>	<b>2,194</b>	<b>3.1</b>
Newfoundland and Labrador	159 <sup>r</sup>	154	-3.1	86 <sup>r</sup>	52	-39.5	59 <sup>r</sup>	64	8.5
Prince Edward Island	17	..	...	11	..	...	8	..	...
Nova Scotia	188	163	-13.3	17	10	-41.2	106	64	-39.6
New Brunswick	295	275	-6.8	125	137	9.6	119	130	9.2
Quebec	1,165	1,347	15.6	651	569	-12.6	415	362	-12.8
Ontario (16 and 17 year olds)	5,640	4,955	-12.1	816	630	-22.8	709	739	4.2
Manitoba	1,539	1,552	0.8	114	136	19.3	261	243	-6.9
Saskatchewan	..	..	...	239	160	-33.1	256	216	-15.6
Alberta	2,016	1,655	-17.9	497	486	-2.2	239	249	4.2
British Columbia	1,301	1,404	7.9	242	225	-7.0	315	343	8.9
Yukon	23	..	...	x	..	...	8	..	...
Northwest Territories	24	39	62.5	18	24	33.3	20	29	45.0
Nunavut	25	..	...	13	..	...	11	..	...

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<sup>r</sup> revised

x suppressed to meet the confidentiality requirements of the Statistics Act

1. Totals exclude Prince Edward Island, Ontario 12-to-15 year olds, Saskatchewan, Yukon, the Northwest Territories and Nunavut.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

**Table 2**
**Releases from remand, secure, and open custody, by time served, 2004/2005**

Jurisdiction	Remand <sup>1</sup>				Secure custody <sup>2</sup>			Open custody <sup>2</sup>		
	1 week or less	>1 week to 1 month	>1 month to 6 months	>6 months	1 month or less	>1 to 6 months	>6 months	1 month or less	>1 to 6 months	>6 months
	percentage									
<b>Total</b>	<b>51.7</b>	<b>28.4</b>	<b>18.5</b>	<b>1.4</b>	<b>44.4</b>	<b>45.3</b>	<b>10.3</b>	<b>30.2</b>	<b>48.7</b>	<b>21.2</b>
Newfoundland and Labrador	50.3	38.2	11.5	0.0	36.7	45.0	18.3	20.9	76.1	3.0
Prince Edward Island	..	..	..	..	..	..	..	..	..	..
Nova Scotia	57.6	26.6	15.8	0.0	42.9	42.9	14.3	20.6	65.4	14.0
New Brunswick	37.1	38.2	24.3	0.4	31.2	52.5	16.3	29.1	64.6	6.3
Quebec	..	..	..	..	..	..	..	..	..	..
Ontario	52.9	28.0	17.5	1.6	39.2	41.9	18.9	25.9	43.4	30.7
Manitoba	51.1	23.9	23.5	1.5	30.8	32.3	36.9	31.9	60.0	7.7
Saskatchewan	..	..	..	..	..	..	..	..	..	..
Alberta	52.2	25.6	21.0	1.2	52.9	37.7	9.4	29.1	58.6	12.3
British Columbia	48.2	35.7	15.6	0.6	47.1	45.5	7.3	53.8	41.1	5.1
Yukon	..	..	..	..	..	..	..	..	..	..
Northwest Territories	22.5	32.5	45.0	0.0	..	..	..	..	..	..
Nunavut	..	..	..	..	..	..	..	..	..	..

.. not available for a specific reference period

1. Total remand excludes Prince Edward Island, Quebec, Saskatchewan, Yukon and the Northwest Territories.

2. Total open and secure custody excludes Prince Edward Island, Quebec, Saskatchewan, Yukon, the Northwest Territories and Nunavut.

Note: Due to rounding, percentages may not add to 100%.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

**Table 3**

**Distribution of young persons admitted to remand, sentenced custody and probation, by most serious offence, 2004/2005**

Jurisdiction	Remand <sup>1</sup>				Sentenced custody (secure and open) <sup>1</sup>				Probation <sup>2</sup>			
	Violent <sup>3</sup>	Property <sup>4</sup>	Other Criminal Code <sup>5</sup>	Other Offences <sup>6</sup>	Violent <sup>3</sup>	Property <sup>4</sup>	Other Criminal Code <sup>5</sup>	Other Offences <sup>6</sup>	Violent <sup>3</sup>	Property <sup>4</sup>	Other Criminal Code <sup>5</sup>	Other Offences <sup>6</sup>
	percentage											
<b>Total</b>	<b>27.1</b>	<b>26.3</b>	<b>37.4</b>	<b>9.1</b>	<b>45.2</b>	<b>21.6</b>	<b>20.4</b>	<b>12.7</b>	<b>32.0</b>	<b>42.6</b>	<b>17.9</b>	<b>7.5</b>
Newfoundland and Labrador	11.8	35.3	52.9	0.0	28.7	59.3	12.0	0.0	39.1	56.3	3.4	1.1
Prince Edward Island	..	..	..	..	..	..	..	..	..	..	..	..
Nova Scotia	25.2	25.8	36.2	12.9	25.7	32.4	29.7	12.2	25.4	36.8	17.3	20.5
New Brunswick	20.8	30.2	23.4	25.7	28.2	35.3	21.1	14.3	28.1	43.7	10.9	17.3
Quebec	..	..	..	..	..	..	..	..	..	..	..	..
Ontario	24.0	24.1	40.9	4.1	30.0	37.5	29.4	3.1	26.9	47.2	18.3	7.6
Manitoba	54.0	39.1	6.6	0.2	65.9	33.4	0.6	0.0	45.8	42.7	8.0	3.5
Saskatchewan	..	..	..	..	..	..	..	..	..	..	..	..
Alberta	9.1	16.4	34.7	39.8	11.9	16.4	17.5	54.2	27.7	46.2	15.0	11.1
British Columbia	37.1	23.3	36.3	3.3	37.9	34.9	12.3	14.5	36.1	24.8	33.0	6.1
Yukon	..	..	..	..	..	..	..	..	..	..	..	..
Northwest Territories	41.0	53.8	2.6	2.6	40.0	58.0	0.0	2.0	..	..	..	..
Nunavut	..	..	..	..	..	..	..	..	..	..	..	..

.. not available for a specific reference period

1. Total excludes Prince Edward Island, Quebec, Saskatchewan, Yukon and Nunavut.

2. Total excludes Prince Edward Island, Quebec, Saskatchewan, Yukon, the Northwest Territories and Nunavut.

3. Violent offences include offences such as murder, attempted murder, sexual assault, aggravated assault, common assault, robbery, kidnapping, and extortion.

4. Property offences include offences such as break and enter, theft, arson, motor theft, fraud, possession of stolen property, and mischief.

5. Other 'Criminal Code' offences include offences such as failure to appear and disorderly conduct.

6. Other offences include drug-related offences, YOA/YCJA and other federal offences, and provincial/municipal offences.

**Note:** Due to rounding, percentages may not add to 100%.

**Sources:** Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

**Table 4**

**Releases from probation, by time served, 2004/2005**

Jurisdiction	Total	Duration by time served				
		1 month or less	>1 to 6 months	>6 months to 1 year	>1 to 2 years	More than 2 years
	number	percentage				
<b>Total<sup>1</sup></b>	<b>15,588</b>	<b>1.4</b>	<b>11.4</b>	<b>37.2</b>	<b>33.1</b>	<b>16.9</b>
Newfoundland and Labrador	298	0.3	15.4	12.1	69.8	2.3
Prince Edward Island	..	..	..	..	..	..
Nova Scotia	..	..	..	..	..	..
New Brunswick	444	0.0	7.4	12.2	60.8	19.6
Quebec	..	..	..	..	..	..
Ontario	10,254	0.5	4.7	45.2	30.1	19.6
Manitoba	794	0.8	4.4	8.2	45.6	41.1
Saskatchewan	..	..	..	..	..	..
Alberta	1,788	1.1	28.5	25.3	39.4	5.7
British Columbia	2,010	7.1	33.5	28.0	26.0	5.4
Yukon	..	..	..	..	..	..
Northwest Territories	..	..	..	..	..	..
Nunavut	..	..	..	..	..	..

.. not available for a specific reference period

... not applicable

1. Total excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, Yukon, the Northwest Territories and Nunavut.

**Note:** Due to rounding, percentages may not add to 100%.

**Sources:** Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, Integrated Correctional Services Survey.

**Table 5**

**Average daily count of young persons in sentenced custody by jurisdiction, 2002/2003 to 2004/2005**

Jurisdiction	Sentenced custody					Secure custody					Open custody				
	Average count			Change of average count		Average count			Change of average count		Average count			Change of average count	
	2002/2003	2003/2004	2004/2005	2002/2003 to 2003/2004	2003/2004 to 2004/2005	2002/2003	2003/2004	2004/2005	2002/2003 to 2003/2004	2003/2004 to 2004/2005	2002/2003	2003/2004	2004/2005	2002/2003 to 2003/2004	2003/2004 to 2004/2005
	number			percentage		number			percentage		number			percentage	
<b>Total</b>	<b>2,719</b>	<b>1,552</b>	<b>1,299</b>	<b>-42.9</b>	<b>-16.3</b>	<b>1,258</b>	<b>820</b>	<b>697</b>	<b>-34.8</b>	<b>-15.1</b>	<b>1,460</b>	<b>732</b>	<b>602</b>	<b>-49.9</b>	<b>-17.8</b>
Newfoundland and Labrador	93	45	44	-51.1	-2.8	42	28	18	-32.9	-35.8	51	17	26	-66.2	51.7
Prince Edward Island	14	6	3	-54.4	-50.7	7	3	2	-55.0	-53.4	6	3	1	-53.7	-65.4
Nova Scotia	105	57	38	-46.3	-32.2	21	12	6	-41.9	-46.0	85	45	32	-47.4	-28.5
New Brunswick	97	61	59	-36.7	-3.3	45	30	32	-32.6	5.0	52	31	28	-40.1	-11.3
Quebec	313	232	184	-26.0	-20.5	192	159	127	-17.6	-19.8	121	73	57	-39.5	-21.9
Ontario <sup>1</sup>	1,262	598	485	-52.6	-18.9	536	300	254	-44.1	-15.3	726	299	231	-58.9	-22.6
Manitoba	152	104	84	-31.6	-19.4	61	43	34	-30.0	-20.5	91	61	50	-32.6	-18.7
Saskatchewan	246	188	160	-23.7	-15.1	145	115	97	-21.2	-15.7	101	73	63	-27.4	-14.2
Alberta	229	142	126	-38.0	-11.0	123	82	77	-33.5	-5.5	106	60	49	-43.3	-18.6
British Columbia	152	90	87	-41.0	-3.0	68	37	38	-45.1	2.4	85	53	49	-37.7	-6.8
Yukon	5	3	4	-39.1	30.5	1	1	1	-18.5	-43.4	4	2	3	-45.2	63.1
Northwest Territories	41	22	17	-46.4	-23.6	13	10	8	-20.5	-19.2	28	12	9	-57.1	-27.8
Nunavut	10	5	8	-49.6	72.4	5	2	4	-57.1	100.0	5	3	4	-40.0	33.3

1. Includes estimates for 2002/2003 and for 2003/2004 for 12-to-15 year olds.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report.

**Table 6**

**Average count of young persons on probation by jurisdiction, 2002/2003 to 2004/2005**

Jurisdiction	Probation				
	Average count			Change in average count	
	2002/2003	2003/2004	2004/2005	2002/2003 to 2003/2004	2003/2004 to 2004/2005
	number			percentage	
<b>Total<sup>1</sup></b>	<b>16,784</b>	<b>13,478</b>	<b>11,339</b>	<b>-19.7</b>	<b>-15.9</b>
Newfoundland and Labrador	802	672	627	-16.2	-6.7
Prince Edward Island	151	134	107	-11.3	-19.7
Nova Scotia <sup>2</sup>	875	808	651	-7.6	-19.4
New Brunswick	875	654	545	-25.2	-16.8
Quebec	5,136	4,014	3,663	-21.8	-8.7
Ontario	7,806	14,411	9,711	...	-32.6
Manitoba	2,045	1,796	1,375	-12.2	-23.4
Saskatchewan	1,805	1,524	1,381	-15.5	-9.4
Alberta	2,619	2,108	1,727	-19.5	-18.1
British Columbia	2,444	1,740	1,247	-28.8	-28.3
Yukon	33	27	16	-18.1	-41.5
Northwest Territories	..	..	..	...	...
Nunavut	..	18	20	...	11.4

.. not available for a specific reference period

... not applicable

1. Total excludes Ontario, the Northwest Territories and Nunavut for all years.

2. The reduction in probation between 2003/2004 and 2004/2005 may be partially attributable to a change in data capture systems.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Corrections Key Indicator Report.

## 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.

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