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Juristat

Canadian Centre for Justice Statistics

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YOUTH COURT STATISTICS, 2000/01

by Paul deSouza

Highlights

- In 2000/01, 99,590 cases were processed in the youth courts of Canada. This represents a 2% decrease in the number of cases processed from the previous year and a decrease of 10% from 1996/97.
- The number of *Property crime* cases heard in youth courts decreased annually, dropping 23% between 1996/97 and 2000/01. The number of *Violent crime* cases has dropped by 6% since 1996/97. The number of *Drug-related* cases has increased by 30% since 1996/97.
- Five offences accounted for a large percentage (57%) of the total youth court caseload. These were theft \$5,000 and under (15%), failure to comply with a disposition (12%) under the *Young Offenders Act* (YOA), failure to appear (11%), minor assault (10%) and breaking and entering (9%).
- Older youths, aged 16 and 17, were involved in half of the cases before youth courts (51%). Youth aged 15 were involved in 22% of cases while younger adolescents aged 12 to 14 years accounted for 25% of cases.
- Sixty percent of cases heard in youth court resulted in a conviction, compared to 67% in 1999/00.
- Probation was the most significant sentence in 48% of all cases with convictions while custody (open and secure) was ordered approximately one-third of the time.
- More than 80% of all youth court cases were concluded within six months. Half were settled within two months.
- Repeat offenders (defined as youths with at least one prior conviction) were involved in 21% of cases with convictions.



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Introduction

Providing effective treatment and rehabilitation of young offenders, and ensuring community safety are primary objectives of the youth justice system. The *Young Offenders Act* (YOA), proclaimed in 1984, introduced rights for adolescents previously guaranteed to adults only. It recognized the special needs that youths have as a result of their varying levels of maturity, the necessity for youths to accept responsibility for unlawful action and the right of society to protection from illegal behaviour. In February 2001, the Minister of Justice tabled in Parliament Bill C-7, the *Youth Criminal Justice Act* (YCJA). The proposed legislation is intended to replace the *Young Offenders Act*. Key objectives of the YCJA include: (a) reducing the use of the court by dealing with less serious cases effectively outside the court process; (b) fairness in sentencing; (c) reducing the high rate of youth incarceration; and (d) clearly distinguishing between serious violent offences and less serious offences.

This *Juristat* presents case-based¹ data from the Youth Court Survey (YCS) which is conducted by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for youth courts. The YCS collects data from youth courts on persons aged 12 to 17, at the time of the offence, appearing on federal statute offences. In this report, federal statute offences include *Criminal Code* offences, *Drug* offences, offences against the *Young Offenders Act* (YOA), and all *Other federal statute* offences. All youth courts in Canada have reported to the YCS since 1991/92.

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

Five Year Trends

Decline in cases before youth courts

In the last five years, the number of cases heard in youth courts has generally followed a downward trend; the 99,590 cases processed in 2000/01 represent a drop of 10% from 1996/97 (Table 1).

Marked drop in the number of *Property crime* cases

A decrease of 23% in the number of *Property crime* cases from 1996/97 to 2000/01 is primarily responsible for the overall decline in the youth court cases during that period (Figure 1). The number of *Property crime* cases decreased markedly for several major offence groups: breaking and entering (-35%), possession of stolen property (-31%), and theft (-22%).

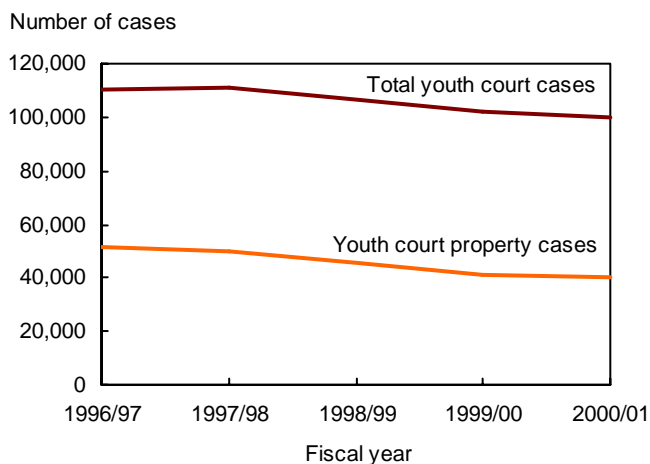
Overall, youth *Violent crime* cases have decreased by 6% from 1996/97 to 2000/01. However, large increases over the five years were noted for assaulting a peace officer (23%) and assault with a weapon (7%). Minor assault cases (which accounted for 46% of the *Violent crime* caseload) have decreased 11% since 1996/97. Notable decreases occurred with regard to sexual assault (-9%) and robbery (-8%).

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

² Refer to *Juristat* Vol. 21 no. 8 "Crime Statistics in Canada, 2000" for counts of youths charged by police.

Figure 1

 **The number of property cases continues to steadily decrease since 1996/97**



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

While most offences under the *Other Criminal Code* offence category experienced declines, increases occurred in some administrative offence cases. For example, the number of youth 'failure to appear' cases has increased by 7% since 1996/97, while cases heard under the *Young Offenders Act* increased by 10%. The number of *Drug-related offence* cases increased 30% since 1996/97. Narcotic possession and trafficking, which make up 72% and 28% respectively of total *Drug-related* offence cases, have increased 54% and 30% respectively since 1996/97.

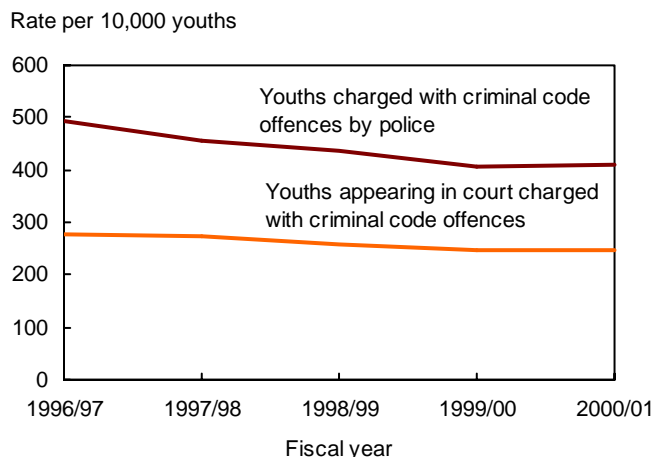
Rate of youths charged by police increases slightly

Youth court caseloads reflect police charging. That is, the composition and distribution of offences are largely determined by the incidents that come to the attention of the police and result in formal charges. However, due to post-charge alternative measures programs, some young offenders

are diverted away from the criminal justice system into informal ways of dealing with the offence. For example, in 2000 the rate of youths per 10,000 aged 12 to 17 charged with criminal offences increased slightly (1%)³, while the youth court case rate decreased by 3% (Figure 2).

Figure 2

 **The trends in police and court data reflect decreasing involvement of youths in the criminal justice system**



Source: Youth Court Survey and Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

Inter-jurisdictional comparisons

Differences across the country in the reporting of criminal incidents to police, in procedures and eligibility requirements for police diversion and alternative measures programs, and differences in provincial policy directing Crown discretion may influence the volume and characteristics of cases heard in

³ Refer to Juristat Vol. 21 no. 8 "Crime Statistics in Canada, 2000" for rates of youths charged by police.

Box 1

Youth and Youth Crime in Context

Population – 2000 ¹	<ul style="list-style-type: none"> total Canadian population was 31.1 million with 2.47 million youths aged 12 to 17 years (8% of total) over the next decade, using an assumption of medium growth, the youth population aged 14 to 17 is expected to increase slightly until 2006, and then decline
Persons charged by police in 2000 ²	<ul style="list-style-type: none"> 481,818 adults and youths were charged with federal offences, excluding traffic crimes 100,861 (21%) of these were youths
Cases processed in youth court, 2000/01	<ul style="list-style-type: none"> 99,590 cases were heard in youth courts in 2000/01 this represents a drop of 10% from 1996/97
Convictions in court, 2000/01	<ul style="list-style-type: none"> 60,041 cases resulted in a conviction in 2000/01 this represents a 7% drop from 1999/00

¹ Postcensal estimates as of July 1st, 2001, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

² Uniform Crime Reporting Survey, 2000, Canadian Centre for Justice Statistics, Statistics Canada.

youth courts. For example, Alternative Measures programs, intended to be alternatives to formal judicial proceedings for youths, differ among the jurisdictions with regard to eligibility criteria (e.g., they may be restricted to first-time offenders), timing (i.e., pre-charge or post-charge) and coverage (e.g., they commonly involve less serious crimes only). Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec, and British Columbia. Processes such as these serve to keep less serious cases out of the court process and therefore, reduce court workload. These are examples of factors to be considered when making inter-jurisdictional comparisons.

The national rate of youth court cases shows a gradual decline from 455 cases per 10,000 youths in 1996/97 to 403 in 2000/01 (Table 2). This same trend is found in Prince Edward Island, the Yukon, Ontario and Nova Scotia where the rate dropped by 55%, 30%, 21% and 13% respectively. In most other jurisdictions, however, the rate tended to fluctuate annually with no discernible pattern. With the exception of a 7% increase in Saskatchewan, all jurisdictions showed an overall decrease in youth court case rates between 1996/97 and 2000/01.

Case Characteristics

Composition of cases

In 2000/01 the types of cases processed in youth courts most often involved *Property crimes* (40%), *Violent crimes* (22%) and *Other Criminal Code offences* (18%), which include offences such as failure to appear in court and escaping custody. Less frequent were cases involving offences under the *Young Offenders Act* (12%), *Drug-related offences* (7%) and *Other federal statute offences* (<1%).

Box 2

Cases by Principal Offence Category, 2000/01

	Number of cases	% of total cases
Property crimes	40,023	40
Violent crimes	21,760	22
Other Criminal Code offences	18,264	18
YOA offences	12,447	12
Drug-related offences	6,967	7
Other federal statute offences	129	< 1
Total	99,590	100

Source: Youth Court Survey, 2000/01, CCJS.

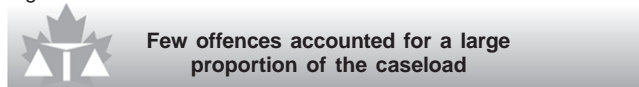
A few offences account for a large proportion of the total caseload

While cases involving *Property crimes* accounted for the largest proportion of the caseload, only two of the five most frequent offences belonged to that category: 'theft \$5,000 and under' accounted for 15% of the total caseload and 'breaking and entering' accounted for 9%. The other three most frequent types of cases before youth courts involved failure to comply

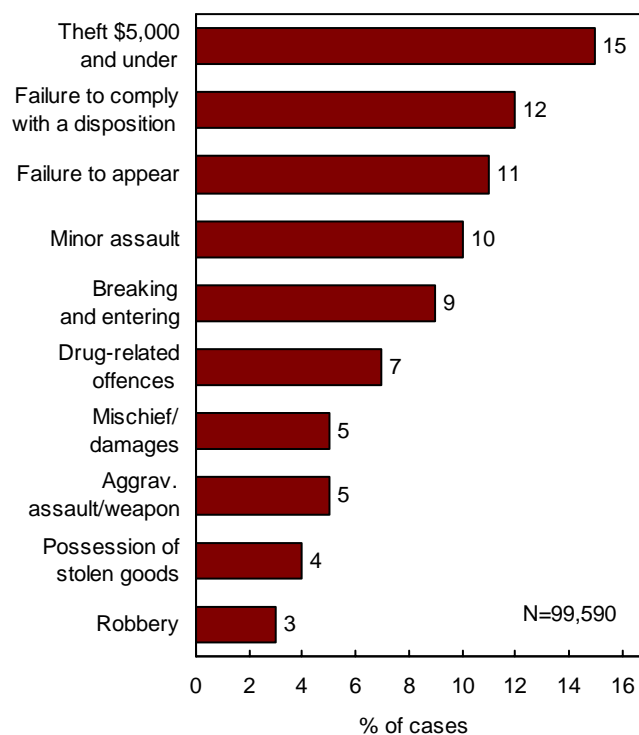
with a court disposition under YOA offences (12%), failure to appear in court under *Other Criminal Code* offences (11%), and minor assaults under violent offences which accounted for 10% of the total number of cases.

As can be seen in Figure 3, a very small number of offences accounted for a large proportion of the caseload. Together, the five types of offences mentioned above represented 57% of the caseload. In terms of frequency, these few offences far outranked all others.

Figure 3



Principal charge



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

Minor assaults accounted for almost one half of Violent offence cases

While minor assaults⁴ accounted for 10% of the total caseload, they made up 46% of all *Violent crimes*. Murder, manslaughter and attempted murder cases together accounted for less than one-half of one percent of *Violent crime* cases heard in youth courts. There were 29 cases of murder, 16 cases of manslaughter, and 39 cases of attempted murder in 2000/01.

⁴ Refers to the least serious form of assault that includes pushing, slapping, punching and face-to-face verbal threats.

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

Sixteen and 17-year olds appear more often in youth court than other age groups. In 2000/01, 16-year olds accounted for 25% of cases and 17-year olds made up 26%. Fifteen-year old young offenders represented the next most frequent age group, appearing in 22% of cases, while young offenders aged 12, 13 and 14 showed proportionately less involvement, accounting for 3%, 7% and 15% of cases, respectively (Table 3).

Males account for eight in ten youth court cases

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

Decisions in Youth Court

Sixty percent of youth court cases result in a conviction

Cases resulting in a conviction (a finding of guilt for at least one charge) accounted for 60% of cases disposed in youth court in 2000/01 (Table 4). Cases were stayed or withdrawn in 36% of cases, and another 4% resulted in findings of not guilty or dismissal. These proportions have remained virtually unchanged since 1996/97.

Revisions to the YOA in 1995 made transfers to adult court the standard response for serious violent crime cases involving 16 and 17-year olds, unless otherwise ruled by the court. This provision applies to murder (first or second degree), manslaughter, attempted murder and aggravated sexual assault. For these offences, the onus is on the accused to make an application to stay in youth court. For other crimes, the Crown or defence counsel must apply for transfer to adult court. The condition stipulated in the Act for these transfers specify a minimum age requirement of 14 years. Transfers to adult court accounted for less than one-tenth of one percent of the 2000/01 caseload.

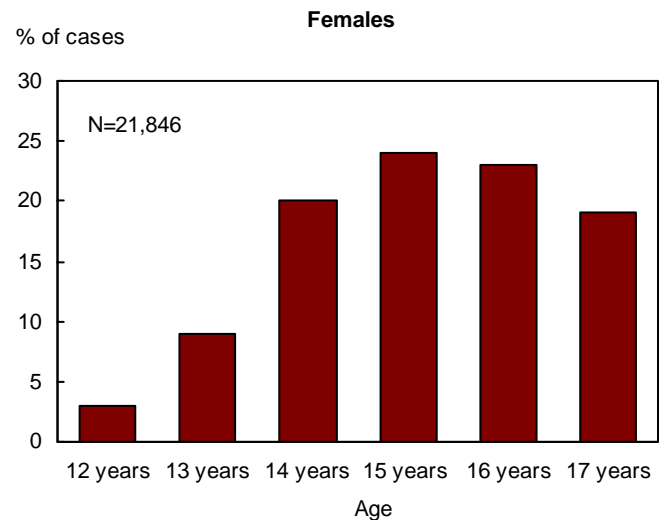
Of the 86 cases transferred to adult court in 2000/01, 48 involved *Violent crimes* and 17 were for *Property crimes*. The remaining 21 cases fell under *Other Criminal Code* offences, *Young Offenders Act*, and *Drug-related* offences. Of the 48 cases involving *Violent crimes*, 18 were for murder, manslaughter and attempted murder. While young offenders aged 17 were involved in 26% of total cases, they accounted for 57% of transfers to adult court.

Conviction rates vary considerably from one jurisdiction to another

The proportion of cases resulting in a conviction ranged from approximately 44% in the Yukon to 87% in New Brunswick (Table 4). The proportions of charges withdrawn or stayed tend to vary considerably across the country. These variations can be explained in part by differences in charging practices.

Figure 4

While male court activity continues to increase, for females, court activity peaks at age 15



Note: Excludes 1,946 cases (2.0%), where the offender was older than 17 or the age was unknown, or in rare cases where the young offender was <12 years old.
Source: Youth Court Survey, Canadian Centre for Justice Statistics.

High proportions of cases stayed or withdrawn are often indicative of charges set aside pending completion of alternative measures programs, or the systematic use of these decisions for administrative purposes.

The conviction rate varied somewhat among offence categories. Offences against the *Young Offenders Act* had the highest conviction rate (73%), while *Violent, Other Criminal Code* and *Drug-related* offences recorded the lowest proportion of guilty verdicts (58%). There was considerable variation within each offence category.

Conviction rates are lower for females

The conviction rate was substantially lower for females than for males in three offence categories; *Other federal statute offences* (35 percentage points lower), *Property crimes* (16 percentage points lower) and *Drug-related offences* (14 percentage points lower).

Box 3
Conviction Rates by Sex, 2000/01

Most significant charge	% Conviction Rate		
	Total	Male	Female
Total offences	60	62	54
Violent crimes	58	58	57
Property crimes	59	62	46
Other Criminal Code offences	58	59	55
Drug-related offences	58	60	46
Young Offenders Act	73	73	75
Other federal statute offences	70	77	42

Source: Youth Court Survey, 2000/01, CCJS.

For the *Young Offenders Act* category, the conviction rate for females was slightly higher than that for males. Within the *Property crimes* category, the difference in conviction rates for females was more pronounced for theft (19 percentage points lower), possession of stolen property (12 percentage points lower) and breaking and entering (10 percentage points lower).

Sentencing in Youth Court

Some factors considered by judges in sentencing include the type of offence committed, the circumstances in which the offence was committed and the criminal history of the offender. In the case of a custody sentence under section 24(1) of the YOA, “the protection of society” and “the needs and circumstances of the young person” are also considered.

Most youth court sentences are served in the community

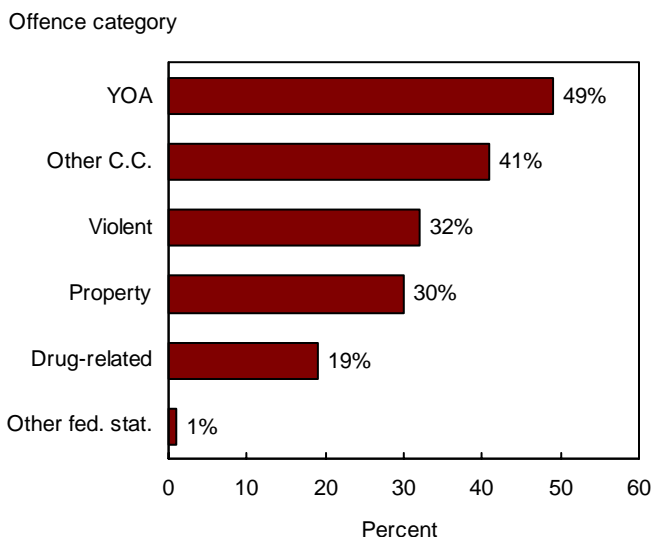
In 2000/01, probation was the most significant sentence in almost one-half, (48%) of cases with convictions (Table 5). Custody (34%) was the next most frequent sentence, comprising secure custody (17%), and open custody (17%). These sentences were followed by community service (7%), fines (6%), absolute discharge (2%) and other sentences (3%). The distribution of most significant sentence types has varied little since 1996/97.

Because sentencing information is generally presented by most serious or significant sentence, the use of some sentence types appears low relative to others when multiple sentences are imposed by the courts. In 2000/01, 52% of all cases with a conviction gave rise to one sentence, 35% resulted in two sentences, and 13% resulted in three or more sentences.

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

Figure 5 shows that within offence categories, cases involving offences against the *Young Offenders Act* (49%) and *Other Criminal Code offences* (41%) have the highest proportion of cases with custody as the most significant sentence. Within the *Young Offenders Act* offence category, the great majority of cases involved failure to comply with a disposition, and in the *Other Criminal Code offences* category, it is administrative offences which were responsible for the higher proportion of custody sentences. These included escape from custody/being unlawfully at large (89%) and failure to appear/comply with a disposition/breach of recognizance (42%).

Figure 5
Proportion of cases resulting in a custody sentence by type of offence



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

Although cases involving *Violent crimes* and *Property crimes* were less likely to result in a custody sentence, certain offences within these categories were more likely to receive such a sentence, particularly murder/manslaughter (94%) and attempted murder (62%).

Probation more likely for violent crimes

Probation was most often ordered in *Violent crime* cases (59%), specifically those involving sexual assault/other sexual offences (66%), minor assault (63%) and aggravated assault/assault with a weapon (59%). As well, *Drug offence* cases and *Property* cases more often resulted in probation (56% and 55% respectively). Within the *Property crimes* category, cases involving mischief/damage (61%) and fraud/forgery (57%) were the most likely to result in a probation sentence.

Impaired operation offences had the highest proportion of fines imposed (58%). Of all types of offences, theft \$5,000 and under and failure to comply with a disposition cases had the highest proportion with a community service order (10%).

Females more likely than males to receive probation

While one-half of convictions ended in a term of probation overall, females were more likely than males to receive probation as the most significant sentence in 2000/01 (54% versus 47%). The differences between male and female young offenders were also apparent in custody sentences. Thirty-six percent of cases involving males ended in a term of custody compared to 28% for females. Differences in other types of sentences were slight.

The use of custody varies widely across Canada

The use of secure custody ranged from 1% of cases with convictions in Nova Scotia to 30% in the Northwest Territories (Table 6). The proportion of cases with convictions resulting in open custody was highest in Prince Edward Island and Nova Scotia (both 35%) and lowest in Alberta (10%) and Quebec (12%). The combined use of open and secure custody ranged from just over one-quarter of cases in Alberta (26%) to well over one-half of convictions in the Northwest Territories (57%). Indeed, in the Northwest Territories, the proportion of total custody orders was higher than the percentage of probation orders imposed (32%). The same was true of the Yukon (52% of cases receiving custody, 36% receiving probation) and PEI (50% receiving custody and 39% receiving probation). The availability and capacity of custodial facilities may have an impact on the use of custody orders across the country.

Sentence lengths

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

Box 4

Sentence Review

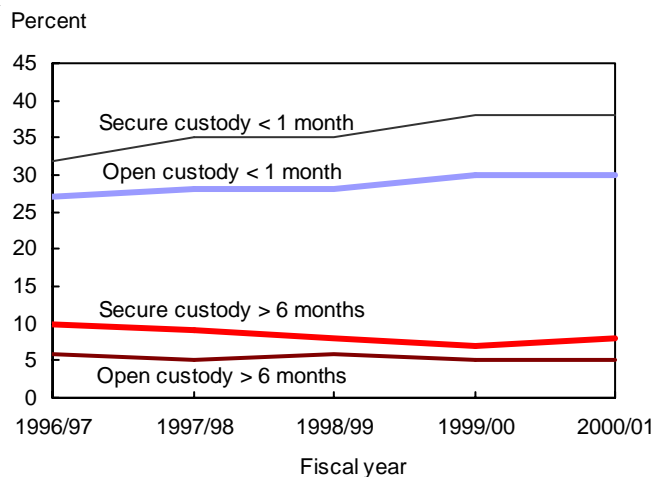
The length of sentence ordered by the court may be subject to revision under conditions stipulated in the *Young Offenders Act*. The court must review all custodial sentences after one year and may reduce the term or type of disposition at that time. Otherwise, the initial sentence ordered is to be served.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

The majority of custodial sentences are for three months or less

Of the 20,809 cases resulting in a custodial sentence (open and secure) in 2000/01, 34% were for terms of less than one month, 44% were from 1 to 3 months, 15% from 4 to 6 months, and 6% were for more than 6 months.⁵ The proportion of cases with short custodial sentences (three months or less) increased from 75% of cases with convictions in 1996/97 to 79% in 2000/01.

Of the cases resulting in open custody in 1996/97, 27% were for terms of less than one month, compared to 30% in 2000/01. For secure custody cases, the proportion with orders of less than one month increased from 32% to 38% during the same period (Figure 6).

Figure 6



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

In 2000/01, the median sentence length for cases resulting in secure custody was 30 days, while for open custody, it was slightly longer, at 34 days.

Most probation terms are 12 months or less

Under the YOA, youth courts may sentence a young offender to probation for a maximum of two years. In 2000/01, the median sentence length for a probation sentence was 1 year. Of the 29,053 cases resulting in a term of probation as the most significant sentence, 22% were for a period of 6 months or less, 56% ranged from 7 to 12 months, and 22% were for more than 12 months.

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

One-half of fines are \$100 or less

Under the YOA, a young offender may be ordered to pay a fine not exceeding \$1,000. In 2000/01, 3,502 cases or 6% of convictions ended in a fine as the most significant sentence. Fines in the \$100 to \$500 range were most often ordered (45%), followed by fines in the \$50 to \$100 range (39%), less than \$50 (10%) and over \$500 (6%). The median dollar amount of fines was \$125.

Case Processing

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

The successful rehabilitation of a young offender is often reliant on a prompt court process. In 2000/01, one-half of all cases were processed in two months or less (from the time of the youth's first court appearance to the date of decision or sentencing), with only 17% of cases taking longer than six months. In fact, 17% of cases were completed at the first court appearance. The median elapsed time for all cases was 60 days. Manitoba had the longest median elapsed time at 91 days, followed by Alberta (84 days), Saskatchewan (82 days) and Nova Scotia (78 days).

In 2000/01, 58% of cases involved only one charge, 23% had two charges, 9% three charges and 10% had more than three charges. The number of charges did not seem to have a significant impact on the median amount of time taken to process a case in court.

Repeat offenders

Repeat offenders are involved in one third of convictions

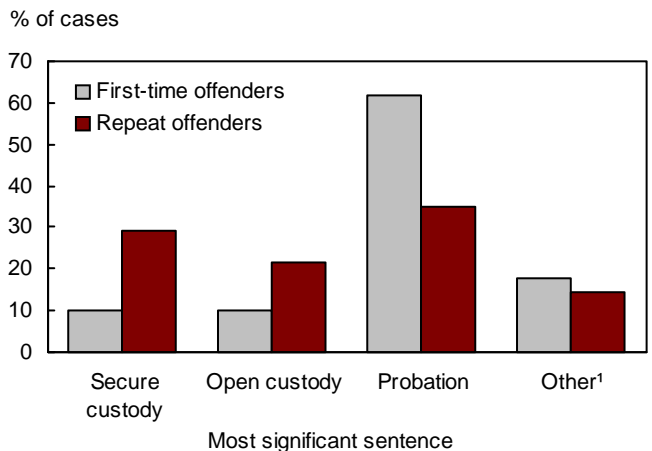
In 2000/01, approximately 21% of cases with convictions involved repeat offenders.⁶ In comparison to first-time offenders, repeat offenders tended to be brought to court more often for *Property crimes* and less often for *Violent crimes*. In 2000/01, of the cases in which repeat offenders were involved, 53% were *Property* offences cases and 24% were *Violent* offence cases. Comparable figures for first-time offenders were 47% and 29% respectively. The use of police diversion and alternative measures programs for first-time property crime offenders may have contributed to this difference.

Males tend to re-offend at a higher rate than females. In 22% of convicted cases involving males in 2000/01, the young offender had been previously convicted; the corresponding figure for female offenders was 17%.

Unlike repeat offenders, first-time offenders were more likely to be given a term of probation (Figure 7). In 2000/01, 62% of convictions for first-time young offenders ended in probation compared to 35% for repeat offenders. Repeat offenders were over two times more likely to be ordered to serve a term of custody (51%) than were first-time offenders (20%). This wide gap was apparent for both *Violent crime* cases (59% of convictions resulting in custody for repeat offenders versus 24% for first-time offenders) and *Property crime* cases (50% versus 18%).

Figure 7

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



¹ Other includes all other sentences.

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

Methodology

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 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions.

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

The determination of the most significant charge at the beginning of court proceedings is by the ordering of charges from most to least serious. *Violent* charges are given first priority in the ordering process, followed by *Drug and narcotic* offences, *Property* offences, other *Criminal Code* offences, offences under the *Young Offenders Act* (YOA), and *Other federal statute* offences. Offences are further ranked within these offence categories.

⁶ The information on repeat offenders, within jurisdictions, was obtained by selecting young offenders convicted in 2000/01 from the case file by date of sentencing and tracking any previous convictions for them from 1991/92 to 1999/00. The repeat offender analysis excludes Nova Scotia for all years, all offences under the YOA and post-disposition offences under the Criminal Code (e.g. failure to comply, unlawfully at large and escape). Because of this, the number of cases presented in this section does not correspond to the number of cases reported elsewhere in the Juristat.

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

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

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

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the number of youth appearing in court. The Crown Attorney, for

example, may decide not to proceed with a charge, or the initial charge may be changed. Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec and British Columbia. A youth may also be diverted from the court process into a program such as Alternative Measures (either before or after police lay charges) or a police diversion program.

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

References

Statistics Canada, Canadian Centre for Justice Statistics. Logan, Ron. “Crime Statistics in Canada, 2000” *Juristat*. Catalogue no. 85-002-XIE, Vol. 21, no. 8. Ottawa: July, 2001.

Youth Court Survey, 2000/01, Canadian Centre for Justice Statistics, Statistics Canada.

Table 1


Cases heard in Youth Courts by Principal Offence Category, Canada, 1996/97 to 2000/01

Offence category	1996/97	1997/98	1998/99	1999/00	2000/01	% change from 1996/97 to 2000/01
Total cases						
number	110,065	110,882	106,665	102,061	99,590	
% change in the number of cases*	...	1%	-4%	-4%	-2%	-10%
Violent crimes						
number	23,044	23,711	23,564	22,937	21,760	
% change in the number of cases*	...	3%	-1%	-3%	-5%	-6%
Property crimes						
number	51,767	49,602	45,566	41,122	40,023	
% change in the number of cases*	...	-4%	-8%	-10%	-3%	-23%
Other Criminal Code offences¹						
number	18,285	19,316	19,421	18,718	18,264	
% change in the number of cases*	...	6%	1%	-4%	-2%	0%
Drug-related offences						
number	5,353	4,549	4,716	5,394	6,967	
% change in the number of cases*	...	-15%	4%	14%	29%	30%
YOA offences						
number	11,335	13,442	13,289	13,763	12,447	
% change in the number of cases*	...	19%	-1%	4%	-10%	10%
Other federal statute offences						
number	281	262	109	127	129	
% change in the number of cases*	...	-7%	-58%	17%	2%	-54%

* refers to the previous year

... not applicable

¹ Includes cases involving traffic offences.

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

Table 2


Cases before Youth Courts, Rate per 10,000 Youths, 1996/97 to 2000/01

	Rate of cases per 10,000 youths					% change from 1999/00	% change from 1996/97
	1996/97	1997/98	1998/99	1999/00	2000/01		
Canada	455	454	435	417	403	-3	-11
Newfoundland and Labrador	534	425	432	364	379	4	-29
Prince Edward Island	377	311	268	271	170	-37	-55
Nova Scotia	470	459	419	412	407	-1	-13
New Brunswick	376	367	323	373	340	-9	-10
Quebec	196	189	201	196	182	-7	-7
Ontario	532	496	449	428	418	-2	-21
Manitoba	710	787	871	700	667	-5	-6
Saskatchewan	883	943	841	941	946	1	7
Alberta	643	654	671	614	632	3	-2
British Columbia	346	415	369	364	304	-17	-12
Yukon	1,774	1,681	1,456	1,381	1,241	-10	-30
Northwest Territories*	1,097	978	1,211	1,009	817	-19	...
Nunavut* ¹	429	710	66	...

* Due to the creation of Nunavut from the Northwest Territories, data collected prior to 1999/00 cannot be compared to data collected after that date for these jurisdictions

... figures not applicable or appropriate

¹ In data for fiscal year 1999/00, there is an unknown amount of undercoverage.

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

Table 3


Cases Heard in Youth Court by Offence Category and Age, Canada, 2000/01

Principal Offence Category	Total cases	< 12	12	13	14	15	16	17	> 17	Unknown
		%	%	%	%	%	%	%	%	%
Total Offences	99,590	0	3	7	15	22	25	26	1	1
Violent Offences	21,760	0	4	10	16	22	23	24	0	1
Property Offences	40,023	0	4	9	16	22	25	24	0	1
Other Criminal Code Offences	18,264	0	2	6	13	21	26	29	2	1
Narcotic Control Act	27	0	0	0	4	15	37	41	0	4
Food and Drugs Act	0	0	0	0	0	0	0	0	0	0
Controlled Drugs and Substances Act	6,940	0	1	3	10	18	29	39	0	0
Young Offenders Act	12,447	0	1	5	14	23	26	26	4	1
Other Federal Statutes	129	0	1	2	11	22	25	40	1	0

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

Table 4


Cases before Youth Courts by Most Significant Decision, 2000/01

Jurisdiction	Total cases	Transfer to adult court	Guilty	Not guilty	Stayed	Dismissed	Withdrawn	Transfer to other jurisdiction	Other ¹
		%	%	%	%	%	%	%	%
Canada	99,590	0	60	1	12	3	23	0	0
Newfoundland and Labrador	1,704	0	81	0	5	3	11	0	0
Prince Edward Island	209	0	81	0	15	0	4	0	0
Nova Scotia	3,096	0	70	2	0	9	18	0	0
New Brunswick	2,041	0	87	1	0	1	11	0	0
Quebec	9,836	0	81	6	3	2	8	0	0
Ontario	39,451	0	48	0	13	3	36	0	0
Manitoba	6,662	0	58	0	40	0	0	0	1
Saskatchewan	8,960	0	64	0	12	4	19	0	0
Alberta	16,965	0	63	1	2	3	31	1	0
British Columbia	9,727	0	70	2	27	0	0	0	0
Yukon	359	0	44	1	36	11	8	1	0
Northwest Territories	333	0	79	0	5	1	15	0	0
Nunavut	247	0	68	1	5	0	26	0	0

¹ "Other" includes unfit to stand trial and other decisions.

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

Table 5


Youth Court Cases with Convictions by the Most Significant Charge and Sentence¹, Canada, 2000/01

Most significant charge	Total cases	Secure custody	Open custody	Probation	Fine	Community service	Absolute discharge	Other ²
		%	%	%	%	%	%	%
Total offences	60,041	17	17	48	6	7	2	3
Violent crimes	11,718	16	15	59	1	4	1	3
Murder/manslaughter	17	59	35	6	0	0	0	0
Attempted murder	13	54	8	31	0	8	0	0
Robbery	1,408	28	25	42	0	2	0	2
Sexual assault/other sexual offences	783	14	13	66	0	2	1	3
Aggravated assault/assault with a weapon	2,171	18	16	59	0	3	1	3
Minor assault	5,798	12	13	63	2	5	2	3
Weapons/firearms/explosives	1,071	17	14	58	3	4	3	3
Other violence crimes	457	21	18	53	1	3	1	4
Property crimes	23,369	15	15	55	4	7	2	3
Breaking and entering	5,857	18	20	56	1	3	0	2
Taking a vehicle without consent	1,098	16	15	56	4	5	2	2
Theft over \$5,000	908	25	23	48	1	3	0	1
Theft \$5,000 and under	7,567	11	12	56	7	10	3	3
Possession of stolen property	3,061	19	18	49	4	7	1	2
Fraud/forgery	877	13	15	57	5	5	2	3
Mischief/damage	3,244	10	11	61	3	8	2	5
Other property offences	757	14	15	59	1	6	2	4
Other Criminal Code offences	11,266	23	18	39	9	6	2	4
Failure to appear/comply/breach of recognizance	6,417	21	21	39	7	7	2	3
Escape custody/unlawfully at large	1,205	63	26	7	1	2	1	0
Impaired operation/other motor vehicle offences	806	6	5	30	47	9	0	3
Other Criminal Code offences	2,838	14	11	54	6	6	2	7
Drug-related offences	3,794	9	10	56	12	5	5	3
Young Offenders Act	9,799	23	26	27	9	10	1	3
Failure to comply with disposition	9,642	23	26	27	10	10	1	3
Other YOA offences	157	30	32	24	1	4	1	8
Other federal statute offences	95	1	0	23	62	7	4	2

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

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

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

Table 6



Sentences in Youth Courts, 2000/01

	Most Significant Sentence							
	Total cases	Secure custody	Open custody	Secure and open custody	Probation	Fine	Community service order	Other ¹
		%	%	%	%	%	%	%
Canada	60,041	17	17	35	48	6	7	5
Newfoundland and Labrador	1,381	25	17	41	52	2	1	3
Prince Edward Island	170	15	35	50	39	5	0	6
Nova Scotia	2,176	1	35	37	53	4	5	1
New Brunswick	1,780	20	14	35	57	6	0	3
Quebec	7,952	16	12	28	56	3	9	5
Ontario	18,919	19	21	41	47	3	4	4
Manitoba	3,846	21	14	35	47	7	5	7
Saskatchewan	5,707	21	14	34	49	4	10	3
Alberta	10,721	16	10	26	39	16	13	6
British Columbia	6,799	13	22	35	54	3	2	5
Yukon	157	27	25	52	36	4	4	4
Northwest Territories	264	30	27	57	32	5	6	0
Nunavut	169	14	17	30	62	1	1	7

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

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

Canadian Centre for Justice Statistics

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