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Canada

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Canadian Centre for Justice Statistics
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Youth custody and community services in Canada, 2003/04

by Donna Calverley

Highlights

- In 2003/04, admissions to youth correctional services declined by one-quarter overall compared to 2002/03, including admissions to open (-46%) and secure custody (-43%), admissions to remand (-13%), and admissions to probation (-40%).
- There were about 33,800 young persons (aged 12 to 17 years) admitted to correctional services. Of those, 17,500 admissions were to custody (52%) and 16,200 admissions were to supervised probation (48%).
- Admissions to remand comprised almost 3/4 (73%) of admissions to custody in 2003/04, compared to 2/3 (63%) in 2002/03.
- In 2003/04, Aboriginal offenders represented a larger proportion of young persons admitted to sentenced custody compared to 2002/03. Among males admitted to sentenced custody, Aboriginal males accounted for 22% in 2002/03, but increased to 28% in 2003/04. Among female young persons, admissions of Aboriginal females to sentenced custody increased from 28% in 2002/03 to 35% in 2003/04.
- Although the number of admissions to remand of non-Aboriginal young persons decreased by 17%, from about 9,500 in 2002/03 to 7,900 in 2003/04, the number of admissions to remand of Aboriginal young persons increased slightly (+3%) from approximately 2,900 in 2002/03 to 3,000 in 2003/04.
- On any given day in 2003/04, there were approximately 23,400 young persons either in custody or under supervised probation in Canada among reporting jurisdictions. Most young persons in correctional services were on probation (91%), while 6% were in sentenced custody, and 3% were in pre-trial detention (remand).
- The total rate of incarceration (sentenced custody and remand) in 2003/04 was 9 per 10,000 youth population, a 30% decrease from the previous year and a 55% decrease from 1994/95.
- The probation rate was 88 per 10,000 youth population in 2003/04, a decline of 20% from the prior year.

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Introduction

On April 1, 2003 the *Youth Criminal Justice Act* (YCJA) came into force, replacing the *Young Offenders Act* (YOA) which had been in effect since 1984. The YCJA is the legislative foundation for a broader structure of reform to the youth justice system in Canada. The YCJA concentrates on developing new community programs in an effort to promote the rehabilitation and reintegration of young persons into the community.

The YCJA represents an important change in the way the criminal justice system in Canada treats young persons. For example, the YCJA sets out clear principles as to the purpose of the youth criminal justice system, providing direction with respect to the application of the Act. In an effort to reduce reliance on the incarceration of young persons, the YCJA places emphasis on diversion from the justice system, reserving custody sentences for only the most serious offenders. The range of sentencing options has also been expanded, with increased emphasis on rehabilitation. These and other changes have had a dramatic effect on the delivery of youth correctional services. This Juristat describes the impact of the YCJA during its first year of implementation and shows the notable decreases in the number of incarcerated youth in Canada.

Text box 1
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. Admissions and releases data for New Brunswick are taken from the Integrated Correctional Services Survey (ICSS), a new person-based survey that is being implemented by the Canadian Centre for Justice Statistics, 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. These microdata are collected through three distinct records organized by offender (e.g., socio-demographic characteristics such as age, sex, Aboriginal identity etc.), their legal statuses (e.g., pre-trial custody, sentence type, community release, aggregate time served, admitting and releasing facilities, etc.) and different events that occur while under supervision (e.g., escapes, temporary absences, etc.). The records are longitudinal, permitting analysis of correctional service histories.

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

Counts describe the number of persons in custody or serving a sentence in the community at a given point in time. They 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 determining the utilization of services, such as bed space in institutions. Typically, correctional officials perform daily counts in their facilities and monthly counts of young persons under community supervision. Average counts are more representative of longer term inmates as well as those serving longer term community supervision orders and therefore, an indication of the ongoing caseload handled by both institutions and community supervision programs.

Admissions data are collected when an offender enters an institution or community supervision program, and describe and measure the caseflow 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 definitions in some situations. Although similar sentences are specified in the legislation pre and post YCJA, the implementation of the legislation and the introduction of new sentences has had an impact on the manner in which some caseloads are administered. For these reasons, comparisons between 2003/04 and previous years and between jurisdictions should be made with caution. For more information on definitions and limitations, please see the Methodology section.

Text box 2
Jurisdictional comparisons

The administration of the youth justice system is the responsibility of the provinces and territories. Correctional services provided to youth include remand (pre-trial detention), 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 between 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. A significant factor that contributes to differing trends is the use of informal (e.g. police discretion) and formal diversions measures (e.g. extrajudicial sanctions) by police and Crown. Such diversion methods have an impact on both the court case-flow as well as admissions to correctional facilities and programs.

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. Consequently, the reader is advised to consider table notes and use caution in making comparisons between jurisdictions. For more information on definitions and limitations, please see the Methodology section.

Young persons admitted to custody

In 2003/04, there were approximately 33,800 admissions to supervised youth correctional services. About 52% of admissions were to custody and 48% to probation. Of those admitted to custody, 15% were admitted to secure custody, 13% were admitted to open custody, and 73% were admitted to remand (see Text table 1).

Far fewer young persons were admitted to custody in the first year of the YCJA

One of the key concerns of the YOA was the overuse of custody. In an attempt to decrease custody rates, the YCJA does not allow a young person to be sentenced to custody unless he or she has committed a serious violent offence, has not complied with non-custodial sentences, has committed an indictable offence for which an adult would be liable to imprisonment for more than two years and has a history indicating a pattern of findings of guilt, or in exceptional circumstances where the youth has committed an indictable offence and a non-custodial sentence would be inconsistent with the purposes and principles of sentencing of the Act (*s. 39, YCJA).* Admissions to custody[1] gradually declined from about 25,000 admissions[2] in 1999/00 to 23,000 in 2002/03, and in 2003/04 admissions to custody dropped dramatically to 17,100 (see Figure1).

1. *Includes open and secure custody, as well as remand.*
2. *Excludes New Brunswick, Ontario 12 to 15 year olds, Saskatchewan, and Nunavut.*

Text table 1

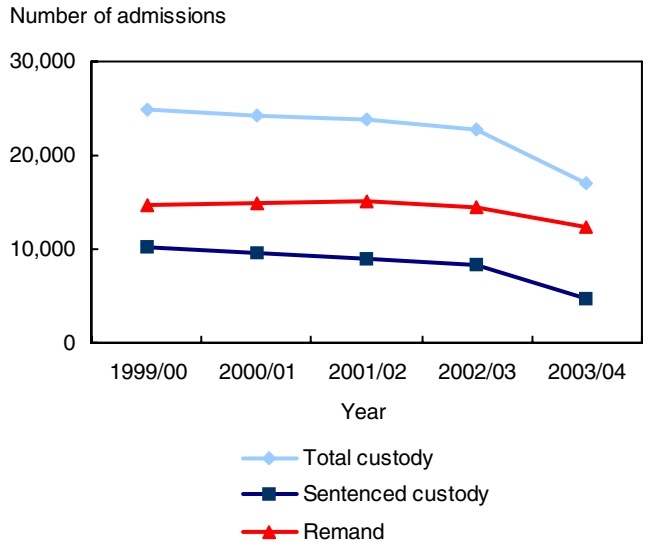
Admissions of young persons to the correctional system, by jurisdiction, 2003/04

	Secure custody	Open custody	Total sentenced custody	Remand	Total custody	Probation	**Total correctional services**
Total	**2,579**	**2,282**	**4,861**	**12,685**	**17,546**	**16,210**	**33,756**
Newfoundland and Labrador	108	76	184	202	386	235	**621**
Prince Edward Island	11	8	19	17	36	133	**169**
Nova Scotia	20	140	160	188	348	771	**1,119**
New Brunswick[1]	125	119	244	295	539	439	**978**
Quebec	651	415	1,066	1,487	2,553	4,014	**6,567**
Ontario 12 to 15 year olds	406	525	931	..	...	5,044	...
Ontario 16 and 17 year olds	812	709	1,521	5,640	7,161	6,047	**13,208**
Manitoba	113	261	374	1,539	1,913	788	**2,701**
Saskatchewan	239	256	495	..	...	1,339	...
Alberta[2]	497	239	736	2,016	2,752	2,119	**4,871**
British Columbia	242	315	557	1,301	1,858	1,664	**3,522**
Yukon	x	8	...	23	...	20	...
Northwest Territories	18	20	38	24	62	..	...
Nunavut	13	11	24	25	49	..	...

Note: *Total excludes Ontario 12 to 15 year olds, Saskatchewan, the Yukon, the Northwest Territories, and Nunavut.*
.. *not available for any specific reference period*
... *not applicable*
x *suppressed to meet the confidentiality requirements of the* Statistics Act.
1. *Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata.*
2. *Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.*
Source*: Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Figure 1

Admissions of young persons to custody, 1999/00 to 2003/04



Note: *Excludes New Brunswick, Ontario 12 to 15 year olds, Saskatchewan and Nunavut.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

The decrease in the number of custody admissions was driven by a decline in sentenced custody. In 2003/04, admissions to sentenced custody dropped 44% from the previous year.[3] There were 4,651 sentenced custody admissions in 2003/04, compared to 8,356 in 2002/03. Admissions to open custody declined by 46%, from 4,021 in 2002/03 to 2,168 admissions in 2003/04. Secure custody admissions declined 43% to 2,483 in 2003/04 (see Text table 2).

Text box 3
The *YCJA*: Changing how youth are treated

Youth criminal justice policy has changed significantly over the past century. This can be seen in the present and past legislation that provided the philosophy and process for dealing with children and youth in contact with the law.

The first of these, the *Juvenile Delinquents Act* (JDA) (enacted 1908), largely promoted the child welfare of young offenders. This perspective required judges to treat children not as criminals, but as misdirected and misguided youth (*s. 38, JDA*). The aim of the JDA was to permit social intervention in order to 'save' misdirected children. The Act saw no distinction between delinquent and neglected children. However, because of the Act's welfare philosophy, little consideration was given to children's rights. Children were often denied basic elements of due process, which were given to adults, including a right to counsel, to appeal and to a definite sentence. By the 1960's there was growing belief that a child's welfare should not be the only principle guiding youth criminal legislation (Bala, 2003).

In response to the shortcomings of the JDA, the Young Offenders Act (YOA) came into effect in 1984. The YOA gave more recognition to the legal rights of the child (Bala, 2003). It brought regulations into force for every stage of the judicial process. Moreover, the YOA placed greater emphasis on the protection of society and accountability, resulting in an increase in the punitive nature of sentences. According to Justice Canada,[4] under the YOA, the youth justice system lacked a coherent justice philosophy. The system did not make a clear distinction between serious violent offences and less serious offences, and the courts were overused for minor cases that could have been better dealt with through diversion. Thus, on April 1, 2003 the Youth Criminal Justice Act (YCJA) came into effect. The YCJA provides a framework through principles, presumptions, as well as new sentencing and diversion options to distinguish between serious violent offences and less serious offences.

Prior to the YCJA, young persons could be subject to a transfer hearing, held before trial, to decide if the case should be moved to adult court, (Bala, 2003) thus losing age-appropriate due process and privacy protections. The YCJA provides that all proceedings against a young person must take place in a youth court and a hearing on the appropriateness of an adult sentence would only occur after a finding of guilt. It also provides that youth (under 18 years of age) serve an adult sentence in a youth facility.

As well, the YOA did not address the issue of community reintegration of a young person after release from custody.[5] The YCJA, however, requires that a portion of most custody sentences be served under community supervision.

3. *Excludes New Brunswick, Ontario 12 to 15 year olds, and Saskatchewan.*
4. ***Source:*** *Department of Justice Canada. (2001). "The Youth Criminal Justice Act: Summary and Background", Ottawa.*
5. ***Source:*** *Department of Justice Canada. (2001). "The Youth Criminal Justice Act: Summary and Background", Ottawa.*

Text table 2

Number of young persons admitted to custodial services, 2002/03 to 2003/04

	2002/03		2003/04		
	Total admissions	% of total custodial admissions	Total admissions	% of total custodial admissions	% change from 2002/03 to 2003/04
Total custodial admissions	**22,743**	**100**	**17,113**	**100**	**-25**
Remand	14,387	63	12,462	73	-13
Sentenced custody	8,356	37	4,651	27	-44
Secure custody	4,335	19	2,483	15	-43
Open custody	4,021	18	2,168	13	-46

Note: *Excludes New Brunswick, Ontario 12 to 15 year olds, and Saskatchewan.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Jurisdictions vary in decline of custody

Prior to the implementation of the *YCJA,* in 2003, admissions to both secure and open custody had been declining, in part due to a declining crime rate, but also likely due to an increasing emphasis on diversion that preceded the YCJA. From 1999/00 to 2002/03, admissions to secure custody declined 15% and open custody declined 22%. With the exception of Nunavut, all jurisdictions reported a decrease in admissions to secure custody from 2002/03 to 2003/04, ranging from 26% in Quebec to 70% in Prince Edward Island. Admissions to open custody decreased in all jurisdictions, ranging from 28% in Manitoba to 80% in Prince Edward Island (see Table 1).

Text box 4
Trends in youth crime

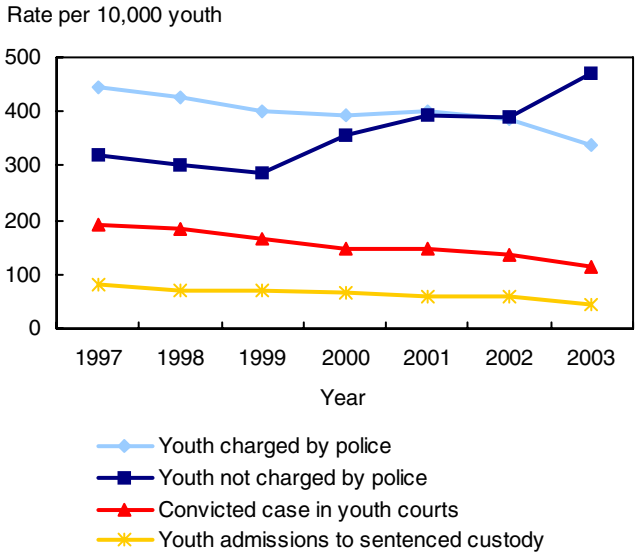
Young persons charged by the police have been gradually declining for the past decade. The YCJA allows police greater discretion to divert young persons from the judicial process. From 1997 to 2002, the rate of young persons charged decreased 13%. From 2002 to 2003, the rate of young persons charged decreased 12%, while the rate of young persons not charged increased 22%.

The rate of convicted youth cases has been declining as well. From 1997/98 to 2002/03 the rate of convicted youth court cases decreased from 190 per 10,000 youth to 135 per 10,000 youth, a decrease of 29%. In 2003/04, the rate of convicted cases fell to 113, a decrease of 16%, the largest single year decrease of that time period.

Given what has happened at the police and court levels, the rate of youth admitted to sentenced custody has been steadily declining in the correctional system as well, dropping from 82 sentenced custody admissions per 10,000 youth in 1997/98 to 43 in 2003/04[6] (see Figure 2).

Figure 2

Trends in youth crime, 1997-2003



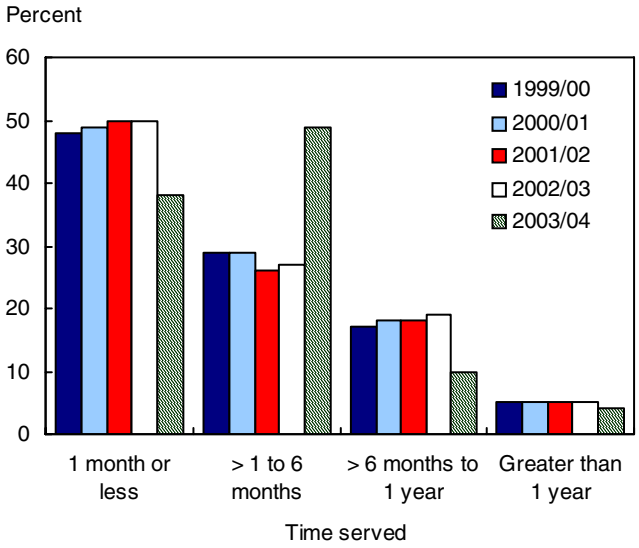
Note: *Excludes New Brunswick, Ontario 12 to 15 year olds, Saskatchewan, Northwest Territories, and Nunavut.*
Sources: *Uniform Crime Reporting Survey, Youth Court Survey and the Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics and Population Estimates: Demography Division, Statistics Canada.*

Nearly nine in ten youth sentenced to custody serve 6 months or less

As can be seen in Figure 3, the proportion of young persons[7] serving between 1 and 6 months has increased from 27% to 49% in 2003/04. In contrast, those serving both shorter and longer periods in custody have declined. It is likely that the YCJA's emphasis on reducing the use of incarceration for less serious offences means that only the more serious offenders are receiving custody sentences and that their sentences tend to be longer. At the same time, the mandatory one-third community portion of a custody and supervisions order[8] is reducing overall time served resulting in a mixed effect (see Figure 3).

Figure 3

Young persons released from sentenced custody, by time served, 1999/00 to 2003/04



Note: *Excludes New Brunswick, Prince Edward Island, Quebec, Ontario 12 to 15 year olds, Saskatchewan, and Nunavut.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Text box 5
Sentence Length

When examining sentence lengths, it is important to distinguish between the sentence length ordered by the youth court judge and the way in which sentence length is determined by correctional services (time served). Correctional services consider sentence length in terms of aggregate sentences. The offender may be serving multiple sentences which may be the product of multiple court decisions. Appeals, reviews and the effects of new sentences served concurrently or consecutively (aggregate) may further influence the overall aggregate sentence.

In this *Juristat* actual time served is used to better reflect the length of time a young person is serving under sentence in custody.

6. *In order to compare years New Brunswick, Ontario 12 to 15 year olds, Saskatchewan, Northwest Territories, and Nunavut have been excluded.*
7. *Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan, and Nunavut.*
8. *The YOA required that youth serve their full sentence in custody, whereas under the YCJA young persons are required to serve the final one-third of most sentences in the community.*

Property offences account for the largest proportion of admissions to sentenced custody

From 1998/99 to 2003/04, the distribution of admissions to sentenced custody by the most serious offence has remained stable. In 2003/04, property offences[9] accounted for 37% of sentenced custody admissions, followed by violent offences[10] and other criminal code offences[11] (25%), and other offences[12] (12%) (see Table 2).

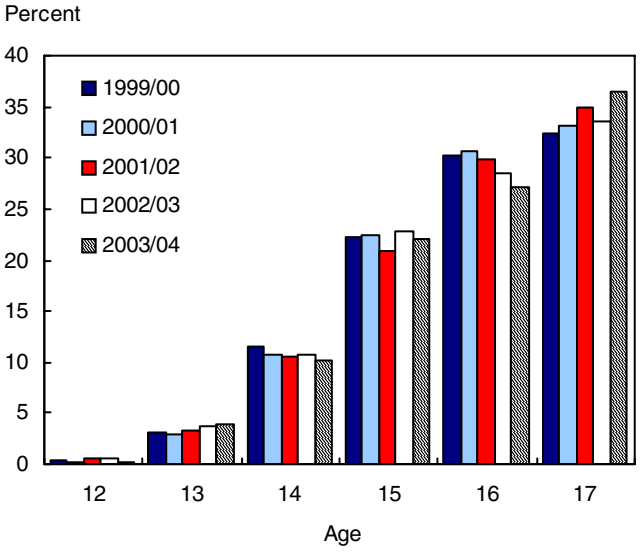
New Brunswick, Manitoba and the Northwest Territories reported a higher proportion of admissions for violent offences than property offences. In Manitoba violent offences accounted for two-thirds of sentenced custody admissions and in the Northwest Territories violent offences accounted for half of all sentenced custody admissions.

Increase in proportion of admissions of seventeen year olds to sentenced custody

Since 1999/00, young persons aged 16 and 17 years old have accounted for the majority of admissions to sentenced custody[13] (see Figure 4). Although the overall percent of 16 and 17 year olds have remained stable in the last 5 years, there has been a gradual decrease in the proportion of admissions of 16 year olds and an increase in the proportion of admissions of 17 year olds. It is not surprising to see older youths in custody. Older youths have longer time at risk, thus continuing in the system may decrease the chances for diversion procedures.

Figure 4

Young persons admitted to sentenced custody, by age, 1999/00 to 2003/04



Note: *Excludes Prince Edward Island, New Brunswick, Quebec, Ontario, Saskatchewan, and Nunavut.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Proportion of female admissions to custody decline

Prior to the implementation of the YCJA, the proportion of admissions to sentenced custody that were female was gradually increasing, compared to admissions of males. However, in 2003/04, the proportion of admissions to sentenced custody involving females dropped from 20% to 13%, thus reversing this trend (see Text table 3). Females may have decreased proportionally in admissions to custody because of the types of offences committed by females. Generally, females commit less serious offences, allowing the court to follow YCJA sentencing practices, either diverting females or sentencing them to community supervision.

Text table 3

Admissions of young persons to sentenced custody, by sex, 1999/00 to 2003/04

	Admissions		
Year	**Total[1]**	Male	Female
	N	%	
1999/00	**7,926**	84	16
2000/01	**7,403**	82	18
2001/02	**6,852**	82	18
2002/03	**6,695**	80	20
2003/04	**3,541**	87	13

1. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan and Nunavut.
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Sentencing Aboriginal youth under the *Youth Criminal Justice Act*

In stating its purpose and principles of sentencing, the *Youth Criminal Justice Act* draws attention to the needs of Aboriginal young persons, in that "all available sanctions other than custody that are reasonable in the circumstances should be considered for all young persons, with particular attention to the circumstances of Aboriginal young persons" (*s.38 (2)(d), YCJA*).[14]

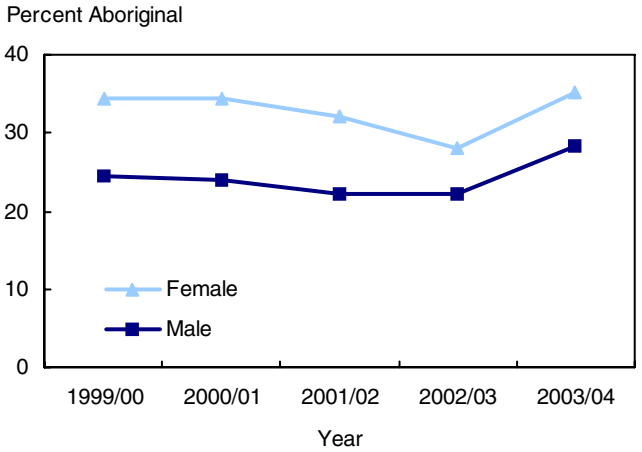
In 2003/04, there were 1,475 Aboriginal young persons admitted to sentenced custody. Of those admitted to sentenced custody, 775 Aboriginal young persons were admitted to open and 700 were admitted to secure representing 30% and 27% of all young persons admitted (see Table 3).

9. Property offences include break and enter, theft over $5000, theft under $5000, possession of stolen goods, mischief and 'other property offences'.
10. Violent offences include common assault, assault level 2, sexual assault, robbery and 'other violent offences'.
11. Other criminal code offences include, among other offences, failure to appear and disorderly conduct.
12. Other offences includes drug-related offences, YOA/YCJA and other federal statutes, and provincial/territorial/municipal offences.
13. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario, Saskatchewan, and Nunavut.
14. This same principle of sentencing can also be found under Section 718.2 (e) of the Criminal Code.

Until 2003/04, the proportion of young persons admitted to sentenced custody[15] that were Aboriginal had decreased. As indicated in Figure 5, there was a marked increase in the proportion of Aboriginal admissions to sentenced custody. This increase was more dramatic in the proportion of Aboriginal females, which have a higher level of representation compared to males. In comparison, Aboriginal young persons comprised 5% of the youth population.[16]

Figure 5

Percent of Aboriginal young persons admitted to sentenced custody, 1999/00 to 2003/04



Note: *Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan and Nunavut.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Fewer youth being remanded into custody

In the first full year of the YCJA, remand admissions[17] declined by 13%, from 14,387 in 2002/03 to 12,462 in 2003/04 (see Text table 2). This drop, however, is much smaller than the drop in sentenced custody admissions; consequently, remand has increased in proportion to all custodial admissions. In 1999/00, the proportion of remand to all custody admissions was 63%. By 2003/04, remands comprised approximately three quarters of custodial admissions. The high level of remand admissions creates operational challenges for the correctional system that are different from those in handling sentenced offenders.[18] For example, the need for higher levels of security, regular transportation to and from court, and difficulties delivering programming.[19]

A possible reason for the smaller decrease in remand admissions compared to sentenced admissions may be that the provisions for remanding high risk offenders are unchanged from the YOA which derive their direction from Judicial Interim Release provisions of the Criminal Code (s.515 (10)). These provisions state that remand can only be used to ensure court attendance, for the protection of society, or any other just cause being shown and where detention is necessary in order to maintain confidence in the administration of justice. As well, two noteworthy guidelines have been added to the YCJA. A young person shall not be detained in custody prior to sentencing as a social measure (e.g., child protection, mental health (*s.29 (1)*), and a youth justice shall not presume that detention is necessary if, after considering detention for the purpose of public safety/protection (*s.515 (10)(b), CCC),* the young person could not be committed to custody if found guilty.

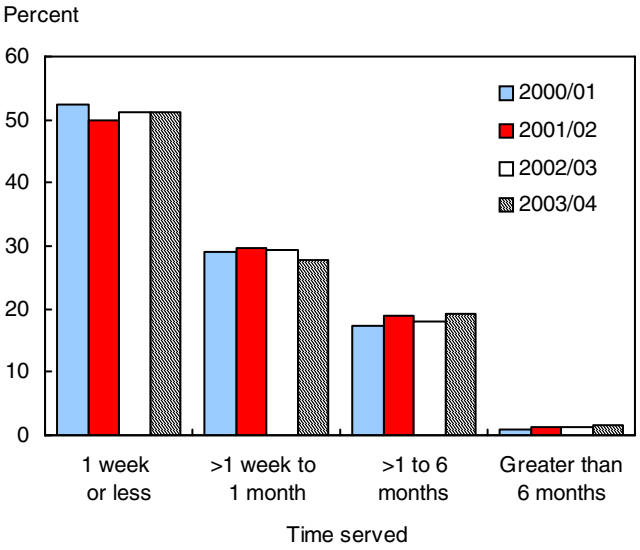
The decline in admissions to remand from 2002/03 to 2003/04 occurred in all jurisdictions except Nunavut. The decrease ranged from 8% in Nova Scotia to 60% in Prince Edward Island (see Table 1).

Time spent on remand continues to be short

As in prior years, time spent in remand is relatively short. In 2003/04, about half of all releases from remand occurred within one week of admission; approximately 25% spent between one week and one month in remand, and another 18% were released between one to six months[20] (see Figure 6).

Figure 6

Young persons released from remand, by time served, 2000/01 to 2003/04



Note: *Excludes Newfoundland and Labrador, Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, and Saskatchewan.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

15. *Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan, and Nunavut.*
16. *Statistics Canada 2001 Census: Aboriginal population.*
17. *Excludes New Brunswick, Ontario 12 to 15 year olds, and Saskatchewan.*
18. *See Johnson, S. 2002. "Custodial remand in Canada, 1986/87 to 2000/01" Juristat. Catalogue no. 85-002, Vol.23, No.7. Ottawa, Statistics Canada, Canadian Centre for Justice Statistics.*
19. *Offender programs may include treatment for substance abuse and/or anger management.*
20. *Excludes Newfoundland and Labrador, Prince Edward Island, New Brunswick, Quebec, and Ontario 12 to 15 year olds, and Saskatchewan.*

The distribution of young persons released from remand by time served between the jurisdictions is quite variable. Sixty-five percent of young persons admitted to Prince Edward Island and Nova Scotia were released within one week. However, 68% of young persons in Nunavut spent between one and 6 months in remand (see Table 4).

A large proportion of young persons admitted to remand are for violent offences

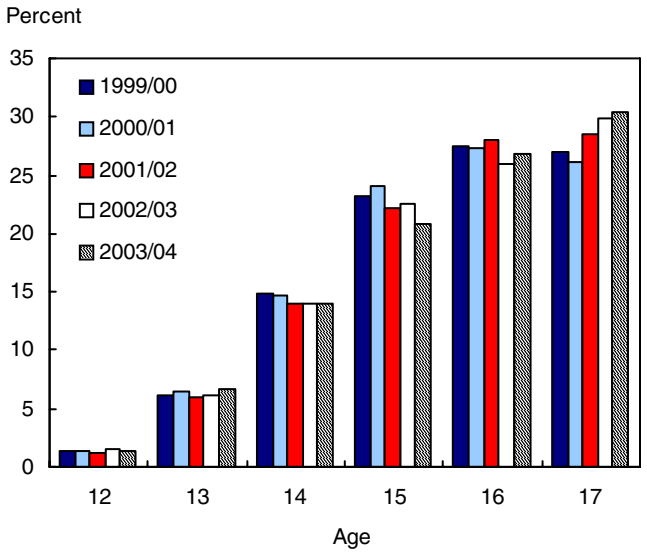
In 2003/04, 30% of all young persons were admitted to remand for violent offences,[21] as well, property crimes[22] accounted for 31%, other criminal code[23] accounted for 16%, and other offences[24] accounted for 23%. The largest proportion of remand admissions for violent offences were reported in Manitoba (61%), Nunavut (44%) and Prince Edward Island (41%), whereas Alberta reported the least percentage of remand admissions for violent offences (7%) (see Table 2).

Increase in the proportion of admissions to remand of 17 year olds

As with sentenced custody, seventeen year olds are gradually increasing in proportion among admissions to remand.[25] In 1999/00, 17 year olds represented 27% of all admissions to remand, increasing to over 30% in 2003/04, with a proportional decrease shown in admissions of 15 year olds (see Figure 7).

Figure 7

Young persons admitted to remand, by age, 1999/00 to 2003/04



Note: *Excludes Prince Edward Island, New Brunswick, Quebec, Ontario, Saskatchewan and Nunavut.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Females represent about one in five admissions to remand

From 1999/00 to 2003/04, although there have been fluctuations in the proportion of admissions to remand,[26] the proportion of female admissions to remand has generally been declining. In 2003/04, the proportion of females admitted to remand was 18% (see Text table 4). Again, females may be less likely to be committed to remand because they commit less serious offences and are less likely to be in the system repeatedly.

Text table 4

Admissions of young persons to remand, by sex, 1999/00 to 2003/04

Year	Admissions		
	Total[1]	Male	Female
	N	%	
1999/00	**12,289**	79	21
2000/01	**12,735**	81	19
2001/02	**12,803**	81	19
2002/03	**12,647**	80	20
2003/04	**10,933**	82	18

1. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan and Nunavut.
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Almost one third of remand admissions were Aboriginal young persons

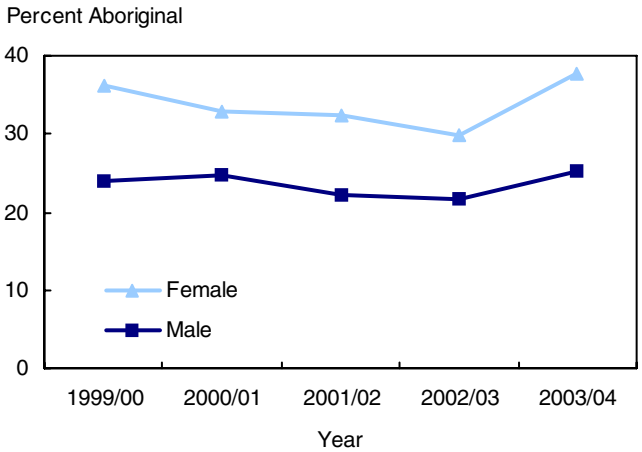
In 2003/04, 3,029 Aboriginal young persons were admitted to remand representing 27% of all young persons admitted (see Table 3).

Similar to sentenced custody admissions, Aboriginal youths admitted to remand[27] had been decreasing as a proportion of all remand admissions prior to the implementation of the YCJA, but increased noticeably in 2003/04. As indicated in Figure 8, prior to 2003/04, the representation of Aboriginal young persons among remand admissions had been gradually declining. In 2003/04, there was a marked increase in the proportion of Aboriginal admissions. In comparison, Aboriginal young persons comprised 5% of the youth population in reporting jurisdictions.[28] Aboriginal females consistently have a higher level of representation among remand admissions compared to males.

21. See Footnote 10.
22. See Footnote 9.
23. See Footnote 11.
24. See Footnote 12.
25. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario, Saskatchewan, and Nunavut.
26. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan, and Nunavut.
27. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan, and Nunavut.
28. Statistics Canada 2001 Census.

Figure 8

Percent of Aboriginal young persons admitted to remand, 1999/00 to 2003/04



Note: *Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Saskatchewan and Nunavut.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Young persons admitted to community supervision

Admissions to probation also decline

Between 1999/00 and 2002/03, probation admissions had been declining or remained relatively unchanged in all jurisdictions with the exception of Ontario 16 and 17 year olds and Saskatchewan. Probation admissions increased 27% for Ontario's 16 and 17 year olds and 5% in Saskatchewan over this period. In 2003/04, probation admissions[29] decreased 34% from 22,734 in 2002/03 to 15,003 in 2003/04. All jurisdictions reported a decrease in probation, although the decrease was not uniform – ranging from 4% in Prince Edward Island to 50% in Quebec and 52% in Newfoundland and Labrador (see Text table 5).

Offenders who have concluded their probation were most likely to have spent between 6 months to 1 year under supervision

In 2003/04, 45% of all probation terminations occurred between 6 months to one year. One-third of probationers were supervised between 1 and 2 years, and another 11% of young persons concluded their supervision after 2 years (see Table 5).

29. Excludes Nova Scotia, New Brunswick, Ontario 12 to 15 year olds, Manitoba, Saskatchewan, British Columbia, Northwest Territories, and Nunavut.

Text table 5

Admissions of young persons to probation, 1999/00, 2002/03 and 2003/04

	Probation				
	Admissions			% change of admissions	
Jurisdiction	1999/00	2002/03	2003/04	1999/00 to 2002/03	2002/03 to 2003/04
Total[1]	**23,193**	**22,734**	**15,003**	**-2**	**-34**
Newfoundland & Labrador	631	490	235	-22	-52
Prince Edward Island	167	138	133	-17	-4
Nova Scotia	1,545	1,101	771	-29	-30
New Brunswick[2]	862	686	439	-20	...
Quebec	8,036	8,092	4,014	1	-50
Ontario 12 to 15 year olds	9,992	..	5,044	...	...
Ontario 16 and 17 year olds	6,275	7,936	6,047	27	-24
Manitoba	..	1,087	788	...	-28
Saskatchewan[3]	1,634	1,715	1,339	5	...
Alberta[4]	3,115	2,632	2,119	-16	-19
British Columbia[5]	3,329	2,281	1,664	...	-8
Yukon	95	37	20	-61	-46
Northwest Territories	..	..	..	...	...
Nunavut	..	..	..	...	...

.. not available for a specific reference period
... not applicable
1. Total excludes New Brunswick, Ontario 12 to 15 year olds, Manitoba, Saskatchewan, the Northwest Territories and Nunavut.
2. Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata. Comparisons should not be made to data prior to 2002/03.
3. Due to a system change in 2003/04, comparisons to data from prior years should not be made.
4. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
5. Due to a system change in 1999/00, comparisons to data from prior years should not be made.
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

There was a great deal of variability in time supervised on probation among the jurisdictions. More than half of all terminations in Newfoundland and Labrador occurred within 6 months, whereas only 6% in Ontario and 5% in Manitoba occurred within this time period. On the other hand, while nationally 11% of probationers concluded supervision after 2 years, which was the case for New Brunswick and Ontario, 36% of all terminations in Manitoba concluded after two years.

The largest proportion of admissions to probation were for property crimes

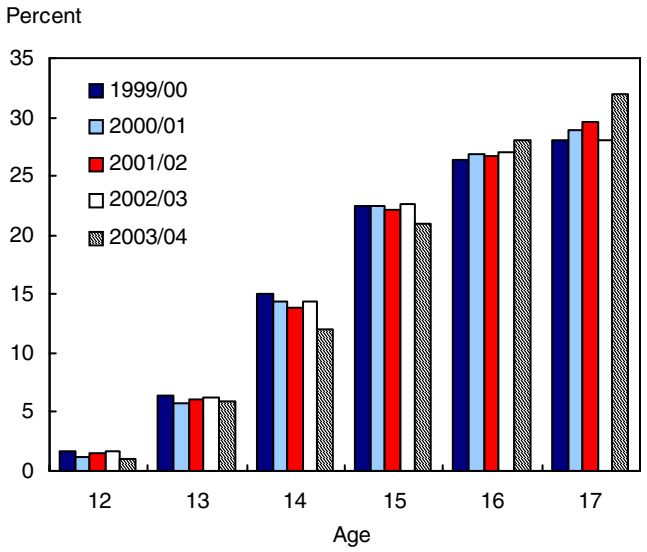
In 2003/04, the largest proportion of admissions of young persons to probation was for property offences[30] (42%). Another 35% of admissions to probation were for violent offences,[31] 10% for other criminal code offences,[32] and 13% of admissions were for other offences.[33] With the exception of Manitoba and British Columbia, most jurisdictions reported property offences as the largest proportion of admissions by most serious offence. Manitoba and British Columbia each reported a higher proportion of admissions for violent offences, 50% and 34%, respectively (see Table 2).

Slight increase in the proportion of admissions of older young persons to probation

As is the case in admissions to custody, there has been a general increase in the proportion of admissions involving 17 year old young persons to probation.[34] The proportion of seventeen year olds have increased 4 percentage points, from 28% in 1999/00 to 32% in 2003/04. At the same time, there was a 2 percentage point increase in admissions involving young persons aged 16 years. Proportionally, admissions of 14 year olds have decreased from 15% in 1999/00 to 12% in 2003/04. All other age categories have remained stable (see Figure 9).

Figure 9

Percent of young persons admitted to probation, by age, 1999/00 to 2003/04



Note: *Includes Newfoundland and Labrador, Alberta, British Columbia, and the Yukon.*
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Proportion of female admissions to probation remain stable

Unlike sentenced custody, the proportion of admissions to probation[35] that were female has remained relatively stable. The proportion of female admissions to probation increased from 16% in 1999/00 to 20% in 2002/03, and decreased slightly to 19% in 2003/04 (see Text table 6).

Text table 6

Admissions of young persons to probation, by sex, 1999/00 to 2003/04

Year	Admissions		
	Total[1]	Male	Female
	N	%	
1999/00	**13,445**	84	16
2000/01	**13,846**	82	18
2001/02	**14,635**	82	18
2002/03	**13,403**	80	20
2003/04	**10,856**	81	19

1. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Manitoba, Saskatchewan, Northwest Territories, and Nunavut.
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

New YCJA sentences

The scope of community corrections has been broadened under the YCJA, with the addition of new community supervised sentences, including deferred custody and supervision and the intensive support and supervision program (ISSP).[36] As well, the YCJA introduced a mandatory final one-third period of community supervision as part of most custody and supervision orders (s.42 (2)(n), YCJA).

Deferred custody allows a young person to serve a custody sentence in the community under a number of strict conditions. The availability of this new sentence may have contributed to the decline in sentenced custody admissions. Similar to conditional sentences for adults, any breach of conditions may result in the young person being sent to custody. In 2003/04, there were 1,077 admissions to deferred custody.

The ISSP provides closer monitoring and support than probation. This is an optional program, meaning that it may not be implemented in some jurisdictions. Jurisdictions which

30. See Footnote 9.
31. See Footnote 10.
32. See Footnote 11.
33. See Footnote 12.
34. Excludes Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Quebec, Manitoba, Saskatchewan, Northwest Territories, and Nunavut.
35. Excludes Prince Edward Island, New Brunswick, Quebec, Ontario 12 to 15 year olds, Manitoba, Saskatchewan, Northwest Territories, and Nunavut.
36. For more information see the Department of Justice Canada website (http://canada.justice.gc.ca) "YCJA Explained", accessed on November 21, 2005.

have not implemented this program may instead rely on a higher level of supervision of probation to meet some of the objectives of ISSP.[37] This optional program was implemented in Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Alberta, British Columbia, Yukon, and the Northwest Territories. Four jurisdictions (Quebec, Alberta, Yukon and the Northwest Territories) were able to report ISSP data in 2003/04. Combined there were a total of 106 admissions in those four jurisdictions.

As already stated, the community portion of a custody and supervision order is meant to allow a smoother transition from custody to a full re-integration in the community. It requires that a youth serve the last one-third of a custody and supervision order under community supervision. The community portion of a custody and supervision order had the largest number of admissions of all new community supervision programs in 2003/04 (2,716) (see Text table 7).

Text table 7

Admissions of young persons to the YCJA new community sentences, 2003/04

Jurisdiction	Admissions		
	Community portion of a custody sentence	Deferred custody and supervision	Intensive support and supervision
Total	**2,716**	**1,077**	**106**
Newfoundland & Labrador	67	x	..
Prince Edward Island	24	..	...
Nova Scotia	44	73	..
New Brunswick[1]	128	111	..
Quebec	..	69	49
Ontario	1,864	449	...
Manitoba	193	112	...
Saskatchewan	..	..	...
Alberta[2]	366	263	52
British Columbia	..	..	..
Yukon	..	..	5
Northwest Territories	20	x	x
Nunavut	10	..	...

.. not available for a specific reference period
... not applicable
x suppressed to meet the requirements of the Statistics Act
1. Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata.
2. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
***Source:** Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Average counts

In 2003/04, an average of 1,340 young persons were in sentenced custody on any given day in Canada. This included 720 young persons in secure custody and 620 in open custody. On average, there were also 740 young persons held on remand and about 21,330 young persons on probation.

Largest incarceration rate decrease in the last decade

Although the incarceration rate[38] has declined every year since 1994/95, it fell to 8.8 per 10,000 in 2003/04, a 29% decline from the previous year – the largest decline in the last 10 years and a 55% decrease since 1994/95 (see Text table 8).

All jurisdictions reported a decrease in the incarceration rate. Prince Edward Island reported a 49% decrease in the incarceration rate to 6.1 young persons in custody per 10,000 youth population, whereas Saskatchewan reported a 17% decrease. In 2003/04, British Columbia had the lowest incarceration rate of all reporting jurisdictions, 4.7 young persons in custody per 10,000 youth population. Saskatchewan reported the highest incarceration rate (28.2) among provinces.

Sentenced custody count decreases

From 1999/00 to 2002/03, the average daily count of youth in sentenced custody generally declined. In 1999/00 there were, on average, 3,200 youths in sentenced custody. By 2002/03, the average count of youths in sentenced custody declined to 2,700. In 2003/04, an average of 1,340 young persons were in sentenced custody on any given day in Canada, a decline of 50% from 2002/03 (see Figure 10).

The rate of young persons in sentenced custody decreased from 14.1 per 10,000 youth population in 1994/95 to 10.6 in 2002/03, it then declined by half in 2003/04 – to 5.4 (see Table 6).

From 2002/03 to 2003/04, the average daily count of young persons in sentenced custody decreased in all jurisdictions, although this decrease was quite variable. This decrease ranged from 24% in Saskatchewan to 68% in Ontario.

Slight decline in the number of youth on remand

The average number of young people aged 12 to 17 held on remand also declined in the implementation year of the YCJA, but to a lesser extent than sentenced custody. In 2003/04, there was an average of 420 young persons[39] held on remand on any given day in Canada, compared to 460 in 2002/03.

The rate of young persons on remand in 2003/04 was 2.0 per 10,000 youth population – a decrease of 20% from 2002/03. The rate of youth on remand ranged from 1.1 per 10,000 youth population in Prince Edward Island and Quebec to 9.0 in Manitoba and 14.8 in Nunavut (see Table 6).

Probation counts also decline

On any given day in 2003/04, there were about 21,330 young persons on probation. Compared to 2002/03, probation counts were down almost 20%.

With the exception of increases in 1995/96 and 1997/98, probation rates had been declining gradually during the previous decade (see Text table 9), as the rates of youths being charged by police and convicted by the courts were dropping.

37. See Calverley, D. & K. Beattie, 2005. 'Community Corrections in Canada, 2004.' Catalogue no. 85-567-XIE. Ottawa, Statistics Canada, Canadian Centre for Justice Statistics.
38. The incarceration rate is the average daily number of young persons in custody per 10,000 youths aged 12 to 17 in the population.
39. Excludes Ontario.

Text table 8

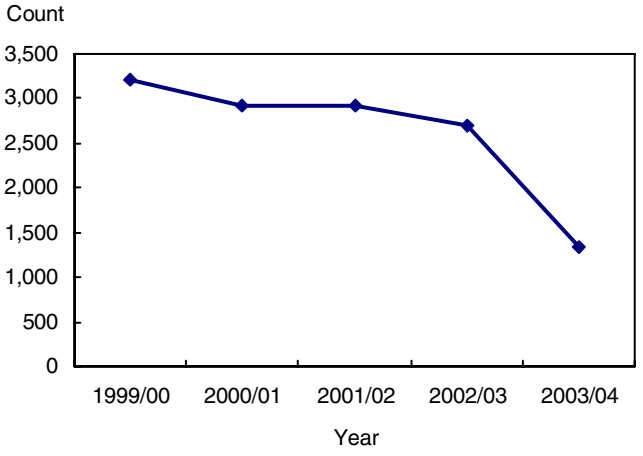
Incarceration rates of young persons per 10,000 youth population, 1994/95 to 2003/04

Jurisdiction	Incarceration rate[1]									
	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Total[2]	**19.6**	**18.7**	**18.0**	**17.2**	**16.6**	**15.4**	**14.3**	**13.4**	**12.4**	**8.8**
Newfoundland & Labrador	26.9	26.0	28.1	24.0	22.9	21.4	20.6	22.1	24.2	12.8
Prince Edward Island	30.1	29.1	33.0	23.1	18.8	17.9	14.8	13.9	12.2	6.1
Nova Scotia	22.5	22.9	23.0	19.5	19.5	18.0	18.4	15.9	17.0	10.0
New Brunswick	31.3	31.4	31.1	25.6	23.2	23.5	24.1	21.5	18.1	12.7
Quebec	11.2	10.5	8.8	9.6	9.1	8.7	8.1	7.7	7.2	5.0
Ontario	..	..	..	..	..	..	..	..	..	..
Manitoba	31.6	30.1	32.8	32.5	31.0	30.1	27.9	26.4	25.5	19.7
Saskatchewan	36.9	36.9	37.3	39.6	41.0	36.2	35.6	35.3	34.1	28.2
Alberta	27.0	24.4	22.3	18.9	17.8	16.4	14.4	13.5	11.8	8.3
British Columbia	14.2	13.5	13.0	12.2	11.2	10.2	9.1	7.9	6.7	4.7
Yukon	48.5	56.4	56.2	63.6	50.4	46.8	30.5	24.3	21.1	13.8
Northwest Territories[3]	185.7	142.9	157.3	174.4	110.7	157.0	134.1	136.0	109.4	60.0
Nunavut[4]	...	...	...	...	...	..	35.4	16.8	37.9	27.4

.. 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. Northwest Territories data prior to 1999/00 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.
4. Nunavut data for 1999/00 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:** Corrections Key Indicator Report, Canadian Centre for Justice Statistics; and Population Estimates, Demography Division, Statistics Canada.*

Figure 10

Average daily count of young persons in sentenced custody, 1999/00 to 2003/04



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

In 2003/04, the probation rate was 87.7 young persons per 10,000 young persons in the population,[40] 20% lower than in the previous year.

With the exception of Quebec, which remained stable, the rate of young persons on probation declined in all reporting jurisdictions. Among the jurisdictions which reported a decline, there were variations in the percent of declines reported, ranging from 7.6% in Nova Scotia to 28.3% in British Columbia.

Expanded community supervision under the YCJA

As noted earlier, the YCJA introduced a number of new community sentences, including deferred custody and supervision, intensive support and supervision program (ISSP) and the community portion of all custody sentences. Although the new sentences began to be used soon after the implementation of the YCJA, the last three months (January to March 2004) of the 2003/04 fiscal year are more reflective of the frequency of their actual use in the correctional system.

During the last three months of the fiscal year 2003/04, there were on average, about 400 young people in the community on deferred custody and supervision.

40. Excludes Ontario, the Northwest Territories, and Nunavut.

Text table 9

Probation rate per 10,000 youth population, 1994/95 to 2003/04

Jurisdiction	Probation rate[1]									
	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Total[2]	**122.7**	**128.8**	**126.6**	**132.0**	**130.4**	**122.8**	**107.7**	**114.5**	**109.1**	**87.7**
Newfoundland & Labrador	222.3	230.9	240.3	226.1	217.5	201.1	184.4	182.7	184.5	158.9
Prince Edward Island	396.8	311.6	266.1	249.1	222.3	166.9	144.3	128.6	122.6	108.7
Nova Scotia	192.7	212.5	198.0	188.6	178.1	167.8	147.3	128.2	116.5	107.7
New Brunswick	182.7	197.6	188.5	187.0	167.0	155.1	...	131.7	141.3	111.9
Quebec	56.2	61.6	59.7	85.0	87.3	89.6	88.8	100.4	93.8	93.8
Ontario[3]	320.9	235.0	307.6	308.5	306.6	191.7	175.5	201.7	99.3	79.3
Manitoba	186.6	207.6	212.1	197.5	206.8	196.6	202.1	205.3	203.7	177.5
Saskatchewan	169.9	174.2	182.8	194.5	208.6	203.9	188.8	190.3	192.7	164.7
Alberta	128.8	134.8	134.4	127.2	122.6	110.3	106.7	101.9	95.4	76.7
British Columbia[4]	153.9	152.2	144.0	134.9	128.0	110.7	84.9[r]	81.9	75.2	53.9
Yukon	323.4	436.3	473.9	445.1	379.6	321.2	227.0	159.6	116.0	93.6
Northwest Territories[5]	1282.4	785.9	784.2	...	...	...	...	...	...	...
Nunavut[6]	...	...	...	...	...	..	..	44.8	..	47.9

.. not available for a specific reference period
... not applicable
r 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, probation excludes Ontario, the Northwest Territories and Nunavut for all reference years, and New Brunswick for 2000/01.
3. Data not available for 12 to 15 year olds in 2002/03. Caution is advised when making provincial/territorial comparisons.
4. Due to system changes in 1999/00, British Columbia does not have historically comparable data before April 2000. The 1999/00 data cannot be compared to 2000/01 data.
5. Data from 1994/95 to 1996/97 includes Nunavut data.
6. Nunavut data for 1999/00 and 2000/01 are unavailable. Prior to the creation of Nunavut in 1999, data for this territory are included as part of the Northwest Territories.
***Sources:** Corrections Key Indicator Report, Canadian Centre for Justice Statistics; Population Estimates, Demography Division, Statistics Canada.*

For 2003/04, Quebec, Alberta, British Columbia and the Yukon were able to report on ISSP. During the last three months of the fiscal year 2003/04, there were 190 young people in these jurisdictions on ISSPs on any given day.

During the last three months of 2003/04, there were 300 young people in the community on any given day, serving the community portion of their custody and supervision orders.

The implementation of the YCJA has resulted in a large decline in the number of youth supervised in the formal system of correctional services, particularly in custody but also in the community.

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 Youth 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 ICSS are presented in this *Juristat* for New Brunswick. 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 and characteristics information on young persons in participating jurisdictions. Data from the Youth 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, 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.

Inconsistencies in the Extrajudicial Sanctions (EJS) Survey data have caused these data to be unavailable for the 2003/04 reference year.

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 held in remand until he or she was 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 a new admission. As well, new admission counts 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 a new admission.

Glossary of Terms

Aboriginal Identity: Indicates whether the youth is Aboriginal. 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.

Actual-in counts: Includes all young persons on remand and temporary detention, sentenced offenders and other young offenders who are legally required to be at a facility and are present at the time the count is taken.

Admission: Refers to the young persons commencement of an uninterrupted period of supervision by the Provincial/Territorial Director within a specific status (i.e., remand, secure and open custody and probation, ISSP, deferred custody and CPCS). 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 Supervision Order: Under the *YCJA* all 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, to serve his/her custody 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 "most serious offence" (MSO) according to the offence classification scheme currently being used by the Youth Court Survey. Offence types are categorized from most to least serious, as follows: violent, drug related, property, other *Criminal Code*, *YOA/YCJA*, and provincial/municipal or other federal offences. 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, escape custody, failure to appear, disorderly conduct, soliciting, and 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: Open custody as "custody in (a) a community residential centre, group home, childcare institution, or forest or wilderness camp or (b) any like place or facility". A facility is considered "open" when there is minimal use of security devices or perimeter security. The extent to which facilities are "open" varies across jurisdictions.

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 status.

Remand (Pre-trial detention): 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 *Young Offenders Act* a facility is considered secure when youths are detained by security devices, including those which operate with full perimeter security features and/or where youths are under constant observation. The extent to which facilities are "secure" varies across jurisdictions.

Sentenced Custody: Refers to secure and open custody combined.

Sentence Length: This refers to the aggregate sentence or total amount of days a young person is ordered to serve under the *Young Offenders Act*. The specific amount 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 dispositions are concurrent then the sentence length is the longest sentence; if the dispositions are consecutive then the sentence length is the sum of all custodial sentences; and if dispositions 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 amount of days a young person spent upon completion of an uninterrupted period of time within a specific status 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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Table 1

Admissions of young persons to custody, 1999/00, 2002/03 and 2003/04

	Remand					Secure custody					Open custody				
	Admissions			% change of admissions		Admissions			% change of admissions		Admissions			% change of admissions	
Jurisdiction	1999/00	2002/03	2003/04	1999/00 to 2002/03	2002/03 to 2003/04	1999/00	2002/03	2003/04	1999/00 to 2002/03	2002/03 to 2003/04	1999/00	2002/03	2003/04	1999/00 to 2002/03	2002/03 to 2003/04
Total	**14,520**	**14,317**	**12,414**	**-1**	**-13**	**5,071**	**4,312**	**2,472**	**-15**	**-43**	**5,117**	**3,985**	**2,183**	**-22**	**-45**
Newfoundland & Labrador	177	285	202	61	-29	160	201	108	26	-46	198	148	76	-25	-49
Prince Edward Island	37	43	17	16	-60	30	37	11	23	-70	20	41	8	105	-80
Nova Scotia	316	205	188	-35	-8	45	33	20	-27	-39	364	282	140	-23	-50
New Brunswick[1]	263	261 r	295	-32	...	269	170 r	125	-37	...	183	159	119	-13	...
Quebec	2,271	1,676	1,487	-26	-11	1,285	876	651	-32	-26	1,058	696	415	-34	-40
Ontario															
Ontario 12 to 15 year olds	..	..	..	...	...	1,749	..	406	...	...	2,618	..	525	...	...
Ontario 16 and 17 year olds	4,927	6,368	5,640	29	-11	1,601	1,601	812	0	-49	1,570	1,507	709	-4	-53
Manitoba	1,858	1,966	1,539	6	-22	202	223	113	10	-49	377	364	261	-3	-28
Saskatchewan	..	..	..	...	...	301	309	239	3	...	344	347	256	1	...
Alberta[2]	2,484	2,225	2,016	-10	-9	1,005	845	497	-16	-41	638	389	239	-39	-39
British Columbia	2,377	1,522	1,301	-36	-15	649	448	242	-31	-46	703	485	315	-31	-35
Yukon	77	50	23	-35	-54	36	11	x	-69	...	41	18	8	-56	-56
Northwest Territories	73	27	24	-63	-11	94	48	18	-49	-63	189	73	20	-61	-73
Nunavut	..	20	25	...	25	..	12	13	...	8	..	18	11	...	-39

Note: *Total excludes New Brunswick, Ontario 12 to 15 year olds, Saskatchewan, the Yukon and Nunavut.*
.. not available for a specific reference period
... not applicable
r revised
x suppressed to meet the confidentiality requirements of the Statistics Act
0 true zero or a value rounded to zero
1. Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata.
2. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
Source*: Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Table 2

Distribution of young persons admitted to remand, sentenced custody and probation, by most serious offence, 2003/04

Jurisdiction	Remand				Sentenced custody (secure and open)				Probation			
	Violent[2]	Property[3]	Other 'Criminal Code'[4]	Other offences[5]	Violent[2]	Property[3]	Other 'Criminal Code'[4]	Other offences[5]	Violent[2]	Property[3]	Other 'Criminal Code'[4]	Other offences[5]
	%											
Total[1]	**30**	**31**	**16**	**23**	**25**	**37**	**12**	**25**	**35**	**42**	**10**	**13**
Newfoundland and Labrador	..	..	..	..	..	..	..	..	..	..	..	..
Prince Edward Island	41	12	47	0	32	32	37	0	..	..	..	..
Nova Scotia	28	27	29	17	22	33	17	20	32	39	18	12
New Brunswick[6]	29	29	29	13	33	29	22	16	37	45	7	12
Quebec	..	..	..	..	..	..	..	..	..	..	..	..
Ontario[7]	29	35	8	28	29	40	5	29	33	44	6	17
Manitoba	61	33	5	1	67	33	1	0	50	39	8	3
Saskatchewan	..	..	..	..	..	..	..	..	..	..	..	..
Alberta[8]	7	23	34	36	11	24	20	45	36	47	10	7
British Columbia	33	26	37	3	29	34	35	3	34	28	35	4
Yukon	26	57	13	4	9	64	9	18	15	35	15	35
Northwest Territories	38	50	13	0	50	42	6	3	..	..	..	..
Nunavut	44	52	4	0	38	63	0	0	..	..	..	..

Note: *Due to rounding, percentages may not add to 100%.*
.. not available for a specific reference period
0 true zero or a value rounded to zero
1. Totals exclude Newfoundland and Labrador, Quebec, and Saskatchewan, the Northwest Territories and Nunavut.
2. Violent offences includes offences such as murder, attempted murder, sexual assault, aggravated assault, common assault, robbery, kidnapping, and extortion.
3. Property offences include offences such as break and enter, theft, arson, motor theft, fraud, possession of stolen property, and mischief.
4. Other 'Criminal Code' offences include offences such as failure to appear and disorderly conduct.
5. Other offences include drug-related offences, YOA/YCJA and other federal offences, and provincial/municipal offences.
6. Data for New Brunswick were populated using the Integrated Correctional Services Survey (ICSS).
7. Due to the unavailability of data, remand excludes Ontario 12 to 15 year olds.
8. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
Source*: Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Table 3

Aboriginal young persons admitted to correctional services, 2003/04

Jurisdiction	Remand		Sentenced custody: Open custody		Sentenced custody: Secure custody		Probation		Aboriginal youth
	Total Aboriginal	% Aboriginal	Total Aboriginal	% Aboriginal	Total Aboriginal	% Aboriginal	Total Aboriginal	% Aboriginal	% of youth population
					%				
Total	**3,029**	**27**	**775**	**30**	**700**	**27**	**3,132**	**17**	**5**
Newfoundland & Labrador	6	3	6	9	8	8	10	4	5
Prince Edward Island	..	...	..	...	..	...	..	...	1
Nova Scotia	11	6	8	8	0	0	47	6	3
New Brunswick[1]	15	5	5	4	9	7	33	8	3
Quebec	..	...	..	...	..	...	..	...	2
Ontario									
Ontario 12 to 15 year olds	..	...	32	6	6	1	175	3	2
Ontario 16 and 17 year olds	609	11	70	10	129	16	508	8	2
Manitoba	1,092	71	194	82	76	77	440	56	19
Saskatchewan	..	...	208	84	178	75	841	65	19
Alberta[2]	779	39	104	44	184	37	622	29	8
British Columbia	450	36	111	35	75	32	441	29	7
Yukon	21	91	8	100	x	...	15	83	26
Northwest Territories	21	88	20	100	15	83	..	...	63
Nunavut	25	100	11	100	13	100	..	...	95

.. not available for a specific reference period
... not applicable
0 true zero or a value rounded to zero
x suppressed to meet the confidentiality requirements of the Statistics Act
1. Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata.
2. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
Sources: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics; Population Estimates, Demography Division, Statistics Canada.*

Table 4

Releases from remand, secure, and open custody, by time served, 2003/04

	Duration by time served												
	Remand					Secure custody				Open custody			
Jurisdiction	Total	1 week or less	> 1 week to 1 month	>1 month to 6 months	>6 months to 1 year and greater	Total	>1 month or less	>1 to 6 months	>6 months to 1 year and greater	Total	1 month or less	>1 to 6 months	>6 months to 1 year and greater
	N	%				N	%			N	%		
Total	**11,075**	**52**	**26**	**18**	**2**	**2,468**	**38**	**47**	**15**	**2,667**	**35**	**51**	**14**
Newfoundland and Labrador	..	...	...	...	...	124	10	71	19	78	18	77	5
Prince Edward Island	17	65	35	0	0	11	27	73	0	8	88	0	13
Nova Scotia	170	65	22	12	0[s]	17	24	71	6	102	33	58	9
New Brunswick[1]	289	40	43	16	0[s]	131	35	47	18	149	19	56	24
Quebec	..	...	...	...	...	..	...	...	...	..	...	...	...
Ontario[2]	5,723	50	29	19	3	1,330	35	50	16	1,419	38	48	14
Manitoba	1,431	56	20	22	1	129	18	58	24	256	19	64	18
Saskatchewan	..	...	...	...	...	..	...	...	...	..	...	...	...
Alberta[3]	2,003	58	26	14	1	506	53	37	10	276	21	62	17
British Columbia	1,372	51	33	15	1	207	55	34	11	363	58	36	7
Yukon	24	46	25	29	0	x	...	...	...	6	33	67	0
Northwest Territories	24	8	63	29	0	..	...	...	...	..	...	...	...
Nunavut	22	5	23	68	0[s]	13	31	69	0	10	20	70	10

Note: *Due to rounding, percentages may not add to 100%.*
.. *not available for any specific reference period*
... *not applicable*
0 *true zero or a value rounded to zero*
0[s] *value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded*
x *suppressed to meet the confidentiality requirements of the* Statistics Act
1. Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata.
2. Ontario remand data excludes 12 to 15 year olds.
3. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from micro-data supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Table 5

Releases from probation, by time served, 2003/04

Jurisdiction	Duration by time served					
	Probation					
	Total	1 month or less	>1 to 6 months	>6 months to 1 year	>1 to 2 years	More than 2 years
	N	%				
Total[1]	**21,264**	**1**	**10**	**45**	**33**	**11**
Newfoundland and Labrador	55	0	55	36	5	4
Prince Edward Island	197	…	…	…	…	…
Nova Scotia	..	…	…	…	…	…
New Brunswick[2]	703	0[s]	16	43	31	10
Quebec	..	…	…	…	…	…
Ontario	15,048	1	5	49	34	11
Manitoba	1,179	1	4	12	47	36
Saskatchewan	..	…	…	…	…	…
Alberta[3]	1,745	0[s]	23	50	25	2
British Columbia	2,534	5	28	32	29	6
Yukon	..	…	…	…	…	…
Northwest Territories	..	…	…	…	…	…
Nunavut	..	…	…	…	…	…

Note: *Due to rounding, percentages may not add to 100%.*
.. not available for any specific reference period
… not applicable
0 true zero or a value rounded to zero
0[s] value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded
1. Total excludes Prince Edward Island.
2. Data have been tabulated from the Integrated Correctional Services Survey (ICSS) microdata.
3. Prior to 2003/04, Youth Custody and Community Services (YCCS) units of counts for Alberta were generated by the Canadian Centre for Justice Statistics from microdata supplied by the jurisdiction. In 2003/04, these counts were generated locally. Accordingly, caution should be used when comparing 2003/04 data to prior years.
Source: *Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.*

Table 6

Young persons incarcerated in remand, secure, and open custody per 10,000 youth population, 1994/95, 2002/03 and 2003/04

Jurisdiction	Remand			Total sentenced custody			Secure custody			Open custody		
	1994/95	2002/03	2003/04	1994/95	2002/03	2003/04	1994/95	2002/03	2003/04	1994/95	2002/03	2003/04
Total	**3.6**	**2.5**	**2.0**	**14.1**	**10.6**	**5.4**	**6.9**	**5.0**	**3.0**	**7.3**	**5.7**	**2.4**
Newfoundland & Labrador	1.4	3.0	2.1	25.5	21.4	10.7	11.1	9.4	6.7	14.3	11.7	4.0
Prince Edward Island	3.3	1.6	1.1	26.7	11.4	5.0	13.4	5.7	2.7	13.4	4.9	2.4
Nova Scotia	2.3	2.9	2.5	20.3	14.0	7.5	6.0	2.8	1.6	14.3	11.3	6.0
New Brunswick	2.3	1.7	2.1	28.8	16.4	10.5	10.1	7.5	5.1	18.7	8.8	5.3
Quebec	2.0	1.2	1.1	9.2	5.7	3.8	4.8	3.5	2.6	4.4	2.2	1.3
Ontario[1]	..	..	..	11.4	12.9	4.2	6.1	5.6	2.2	5.3	7.4	2.0
Manitoba	8.8	10.4	9.0	22.8	15.1	10.3	10.4	6.1	4.2	12.4	9.1	6.1
Saskatchewan	6.0	7.8	7.9	30.9	26.3	20.3	16.1	15.3	12.4	14.8	10.8	7.9
Alberta	6.7	3.5	3.1	20.3	8.3	5.2	10.7	4.5	3.0	9.6	3.9	2.2
British Columbia	3.1	2.1	1.9	11.1	4.7	2.8	4.3	2.1	1.1	6.8	2.6	1.6
Yukon	16.2	3.5	3.6	32.3	17.6	10.0	32.3	3.5	3.1	4.0	14.1	6.9
Northwest Territories[2]	…	9.7	8.3	…	99.6	51.8	…	32.1	24.0	…	68.0	27.7
Nunavut	…	13.5	14.8	…	27.0	12.6	…	14.0	5.9	…	13.5	6.7

Note: *Due to rounding, figures may not add to totals.*
.. not available for a specific reference period
… not applicable
1. Ontario secure and open custody data for 2002/03 include estimates for 12 to 15 year olds. Ontario is excluded from the remand incarceration rates.
2. Northwest Territories data prior to 1999/00 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.
Sources: *Corrections Key Indicator Report, Canadian Centre for Justice Statistics; Population Estimates, Demography Division, Statistics Canada.*

Canadian Centre for Justice Statistics

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