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# **The Impact of the *Youth Criminal Justice Act* on Police Charging Practices with Young Persons: A Preliminary Statistical Assessment**

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Report to the Department of Justice Canada

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*The opinions expressed in this report are those of the authors alone, and do not necessarily represent the views of the Department of Justice Canada.*

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## Executive Summary

The objective of this research was to provide a preliminary assessment, based on national statistical data, of the extent to which police practices in Canada relating to the use of charges or other measures are changing in response to the new legislative direction provided by the *Youth Criminal Justice Act*. Data for 1986 to 2003 from the Uniform Crime Reporting Survey were analyzed in order to identify changes which occurred in 2003 in statistical indicators of police charging practices with young persons.

The data indicate that the *YCJA* has been remarkably successful in bringing about changes in police charging practices with young persons which are consistent with its objectives, principles and provisions. In 2003, there was a substantial reduction at the national level and in most provinces and territories in the number of young persons charged or recommended by police to be charged, and a corresponding increase in the use of extrajudicial measures with apprehended young persons. There is no evidence of an increase at the national level in youth crime in 2003, or of net-widening by police in response to the coming into force of the *YCJA*. The substitution of extrajudicial measures for the laying of charges has been calibrated by police so that levels of charging were reduced in 2003 by more than one-third for minor offences such as theft under and drug-related offences, while levels of charging for serious property and violent offences (other than common assault) decreased only slightly.

In three provinces, while the levels of charging of young persons decreased in 2003, we could not confidently attribute the changes to the impact of the *YCJA*, because the use of charges with apprehended young persons had been decreasing for some years before 2003. In three other provinces or territories, there was no evidence of a reduction in charging of young persons in 2003.

We cannot be sure that the large reduction in 2003 in charging of young persons in incidents involving drug-related offences was entirely due to the *YCJA*, because the Act came into force only two months before the Cannabis Reform Bill was introduced in Parliament. Although this Bill was not passed, its introduction probably resulted in a reduction in the use of charges in incidents of possession of small amounts of cannabis. Our expectations based on the legislation were not fulfilled in the case of young persons accused of offences against the administration of justice – mainly violations of bail and probation conditions, and fail to appear for court. The data showed little change from previous years in the way in which police respond to youth accused of this type of offence.

With these minor exceptions, the initial impact of the *YCJA* on police charging practices with young persons appears to have been remarkably strong, immediate, and consistent with its objectives, principles, and provisions.

# **The Impact of the *Youth Criminal Justice Act* on Police Charging Practices with Young Persons: A Preliminary Statistical Assessment**

The *Youth Criminal Justice Act (YCJA)*, which came into force April 1, 2003, contains several provisions which encourage police to use alternatives to charging youth whom they have reasonable grounds to believe have committed criminal offences. This report provides a preliminary assessment, based on national statistical data, of the extent to which police practices in Canada relating to the use of charges or other measures are changing in response to the new legislative direction.

## **1.0 BACKGROUND**

In assessing the impact of the *YCJA* on police charging practices with apprehended young persons, the baseline for comparison is police practices under the previous legislation, the *Young Offenders Act*, which was in force from 1984 to March 31, 2003. This section begins with a brief review of the provisions of the *YOA*, and the findings of related empirical research, which are most relevant to police charging practices. The relevant sections of the *YCJA* are then reviewed, in order to elucidate the aspects of its objectives, principles, and specific provisions which could be expected to have an impact on police charging practices. Our intention here is not to interpret the legislation in order to draw conclusions about how police *should* react to the new Act; rather it is to identify provisions of the Act which are likely to have affected police charging practices, hence to develop expectations, or hypotheses, to be tested against the statistical data. The section concludes with the research hypotheses which were suggested by our review.

### **1.1 The Young Offenders Act (YOA)**

The Declaration of Principle (section 3(1)) of the *YOA* set out several principles which were to govern the youth justice system: crime prevention (s. 3(1)(a)), the accountability and responsibility of young persons (s. 3(1)(a.1)), the protection of society (s. 3(1)(b)), the limited maturity and special needs of young persons (s. 3(1)(c)), the rehabilitation of young offenders (s. 3(1)(c.1)), restraint in the application of the law, and “least possible interference with freedom” (ss. 3(1)(d) and (f)), special guarantees of the rights and freedoms of the young person (ss. 3(1)(e) and (g)), and the primary responsibility of parents for their children (s. 3(1)(h)). Many writers have pointed out that these principles are broad, diverse, and potentially conflicting, and that the *YOA* provided practically no guidance to decision-makers as to how to choose among them or to balance them (e.g. Bala, 1997; Doob and Beaulieu, 1992; Platt, 1991).

There are suggestions in sections 3(1)(a.1), (c), (d), (f), and (h) that, in some (unspecified) circumstances, a young person who has committed an offence should be treated more leniently, and/or less intrusively, than an adult in the same situation:

(a.1) While young persons should not in all instances be held accountable in the same manner or suffer the same consequences for their behaviour as adults, young persons who commit offences should nonetheless bear responsibility for their contraventions;

(c) young persons who commit offences require supervision, discipline and control, but, because of their state of dependency and level of development and maturity, they also have special needs and require guidance and assistance;

(d) where it is not inconsistent with the protection of society, taking no measures or taking measures other than judicial proceedings under this Act should be considered for dealing with young persons who have committed offences;

(f) in the application of this Act, the rights and freedoms of young persons include a right to the least possible interference with freedom that is consistent with the protection of society, having regard to the needs of young persons and the interests of their families;

(h) parents have responsibility for the care and supervision of their children, and, for that reason, young persons should be removed from parental supervision either partly or entirely only when measures that provide for continuing parental supervision are inappropriate.

These sections – particularly 3(1)(d) and 3(1)(f) – might have led a police officer dealing under the *YOA* with a young person believed to have committed an offence to take no further action, or use an informal sanction, rather than laying a charge. On the other hand, section 3(1)(b) states that “society must...be afforded the necessary protection from illegal behaviour” and section 3(1)(c) refers to the need of offending young persons for “supervision, discipline and control”: consideration of these sections might have led the officer to lay a charge.

The Declaration of Principle of the *YOA* was relevant to *any* decision taken under the Act, including decisions made by police officers, by virtue of section 3(2), which states:

This Act shall be liberally construed to the end that young persons will be dealt with in accordance with the principles set out in subsection (1).<sup>1</sup>

Section 4 of the *YOA* permits, when certain conditions are fulfilled, the diversion to an alternative measures program of a young person who has committed an offence. These programs were operated by social workers, probation officers or members of the community (under the

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<sup>1</sup> The substantive force of section 3 was recognized by the Supreme Court of Canada in 1993 in *R. v. M. (J.J.)* (Bala, 1997: 37)

direction of the provincial/territorial Attorney General) and were intended to be less intrusive than adjudication and sentencing in youth court. The nature of these programs varied across jurisdictions in their mode of referral (pre-charge, post-charge, or both), eligibility (types of offences, prior record, etc.), the degree of record-keeping, and availability (Carrington and Schulenberg, 2004a). Although the *YOA* provided for the establishment of diversion programs, this did not mean that the police could not continue to deal informally with accused youth. However, research has found that the presence and use of alternative measures programs may have resulted in net-widening, as police officers made referrals to alternative measures in situations where previously they would have used a less intrusive measure such as an informal warning. Also, in some jurisdictions which used a post-charge model for referral to alternative measures, police would sometimes lay a charge in order to qualify the youth for an alternative measures program (Carrington and Schulenberg, 2004a).

To summarize, the *YOA* provided police and other decision-makers with a set of principles which were, according to one authority, “not coherent and, in some instances,...positively inconsistent” (Platt, 1991)<sup>2</sup>; and practically no guidance on how to resolve its apparent inconsistencies in making decisions under its authority.

Research on the impact on police practices of the *YOA* has found that immediately after the Act came into force, there was a substantial decrease in the exercise of police discretion not to charge apprehended youth, and that this increase in charging persisted throughout most of the period when the *YOA* was in force (Carrington and Moyer, 1994; Carrington, 1998, 1999; Carrington and Schulenberg, 2004a; Federal-Provincial-Territorial Task Force on Youth Justice, 1996).<sup>3</sup> The size and immediacy of this change in police charging practices with young persons, and the fact that it was not mirrored by a similar change in charging practices with adults, leave little doubt that it was somehow related to the *YOA*. That the *YOA* should have provoked more formal treatment of young offenders by police is very puzzling, since the Declaration of Principle and Section 4 on alternative measures appear to encourage the use of alternatives to charging. Various explanations for this phenomenon have been offered, including the impact of the influx of older youth into the youth justice systems of several jurisdictions in which they had previously been treated as adults, the increased procedural formality of the *YOA*, the frustration of police in having to work under what they perceived as an ineffective law, “zero-tolerance” attitudes on the part of police and the public, public and police perceptions of increasing youth crime, a change in police attitudes towards the ability of community members to deal with crime, creating a lower reliance on informal measures that were previously used as sanctions for less serious crime, or simply, inaccurate data on youth crime (Carrington and Moyer, 1994; Carrington, 1998; Carrington and Schulenberg, 2004a; Gabor, 1999; John Howard Society of Ontario, 1994; Markwart and Corrado, 1995; Moyer, 1996; Schulenberg, 2004). However, none of these explanations has been supported with sufficiently convincing evidence to have been widely accepted.

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<sup>2</sup> Legal Counsel to the Ministry of the Attorney General of Ontario.

<sup>3</sup> The use of alternatives to charging began to increase in Canada in 2000: see Table A.2 in the Appendix.

## 1.2 The Youth Criminal Justice Act (*YCJA*)

From the point of view of police charging practices, the *YCJA* differs from the *YOA* in two significant ways. First, its overarching principles are coherent, because they are not inconsistent, and because guidance is provided as to the hierarchy of the stated principles. Second, the exercise of police discretion with alleged young offenders is specifically addressed, in several provisions which provide explicit guidance for police decision-making. According to the Department of Justice Canada (2003a), the *YCJA* provides legislative direction for the police to encourage an increase in the use of measures outside the formal court system for less serious offences.

As in the *YOA*, the “liberal construction” subsection ((s. 3(2)) of the Declaration of Principle establishes that all decision-making in the youth criminal justice system will be in accordance with the guiding principles set out in section 3(1). Subsection 3(1)(a) states the goals of the youth criminal justice system to be crime prevention, rehabilitation of young offenders, and the provision of meaningful consequences for offences:

the youth criminal justice system is intended to: (i) prevent crime by addressing the circumstances underlying a young person’s offending behaviour, (ii) rehabilitate young persons who commit offences and reintegrate them into society, and (iii) ensure that a young person is subject to meaningful consequences for his or her offence in order to promote the long-term protection of the public.

Subsection 3(1)(b) provides that the youth criminal justice system must emphasize rehabilitation and reintegration, fair and proportionate accountability, procedural protection for a young person’s rights, and timely intervention focusing on linking consequences with the offending behaviour.

Subsection 3(1)(c) is particularly relevant to police charging practices:

within the limits of fair and proportionate accountability, the measures taken against young persons who commit offences should (i) reinforce respect for societal values, (ii) encourage the repair of harm done to victims and the community, (iii) be meaningful for the individual young person given his or her needs and level of development and where appropriate, involve the parents, the extended family, the community and social or other agencies in the young person’s rehabilitation and reintegration.

Thus, it is not sufficient merely to hold young offenders accountable for their behaviour; in addition, police officers’ decision-making must emphasize fairness and proportionality through the use of measures that are meaningful in the context of the offending behaviour (Schulenberg, forthcoming). Stated differently, the key principles of the Act for police decision-making are restraint (in the decision on whether to invoke the formal court process), accountability (by using meaningful consequences), proportionality (responses to youth crime should be proportionate to

the degree of responsibility and the seriousness of the offence), promoting rehabilitation that is appropriate for the offence, structured discretion, and protection of the public (holding youths accountable in a fair and proportionate manner may contribute to the protection of the public in the long term) (Barnhorst, 2004: 233-235). The Act requires that “the seriousness of the offence sets the degree of intervention, and efforts to address the rehabilitative needs of youth must fit within the proportionate response” (Barnhorst, 2004: 235).

One of the most significant changes in the new Act in relation to police charging practices concerns the use of extrajudicial measures (formerly, informal action) and diversion to extrajudicial sanctions (formerly, alternative measures). The Act includes sections specifically addressed to the police, which encourage a lesser reliance on formal judicial measures in order to decrease the number of minor cases appearing in court (Department of Justice Canada, 2003a, 2003b)). Part 1 of the *YCJA* (sections 4-12) provides the statutory framework for dealing with youth who are believed to have committed an offence, outside the formal judicial system. Sections 4 and 5 state the principles and objectives for the use of extrajudicial measures. Sections 6 and 7 deal with taking no further action and the use of warnings, cautions, and referrals to other agencies. Finally, section 10 covers the use of extrajudicial sanctions.<sup>4</sup>

Although the use by police of informal action with alleged young offenders was permissible and encouraged under the *YOA*, the *YCJA* formalizes and structures the police use of discretion. Section 4 of the Act encourages the use of extrajudicial measures, and includes a presumption that they will be used in certain circumstances:

- (a) extrajudicial measures are often the most appropriate and effective way to address youth crime;
- (b) extrajudicial measures allow for effective and timely interventions focused on correcting offending behaviour;
- (c) extrajudicial measures are presumed to be adequate to hold a young person accountable for his or her offending behaviour if the young person has committed a non-violent offence and has not previously been found guilty of an offence; and
- (d) extrajudicial measures should be used if they are adequate to hold a young person accountable for his or her offending behaviour, and, if the use of extrajudicial measures is consistent with the principles set out in this section, nothing in this Act precludes their use in respect of a young person who (i) has previously been dealt with by the use of extrajudicial measures, or (ii) has previously been found guilty of an offence.

Extrajudicial measures consist of all forms of diversion from the formal judicial system including the decision not to lay a charge and programs known as alternative measures under the *YOA*. Thus, these measures include taking no further action, informal police warnings, police

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<sup>4</sup> Although the relevant legislation includes Sections 4 through 12, only those sections which apply to police charging practices will be discussed. Therefore, the following sections are excluded: section 8 introduces Crown cautions, section 9 indicates that the use of warnings, cautions or referrals is not admissible in court as evidence of a prior record, section 11 requires the notification of parents if a young person participates in an extrajudicial sanction, and section 12 allows for the victim to request the identity of a young person participating in extrajudicial sanctions.



cautions, police referrals to a program or agency in the community, pre-charge screening programs, youth justice committees, conferences, and extrajudicial sanctions (Department of Justice Canada, 2003b).

Of particular importance for police charging practices is subsection 4(c), which creates a presumption that the use of extrajudicial measures is an appropriate response for a youth who has committed a non-violent offence and has no prior convictions. Further, it is made clear in subsection 4(d), that extrajudicial measures are not precluded for a youth who has a prior conviction or a record of prior extrajudicial measures. According to Bala (2003), the general practice under the *YOA* was that a youth was eligible only once for alternative measures. Section 4(d) should counteract this assumption by placing the onus of eligibility on the offending behaviour and not the offender's history.

Section 5(e) reaffirms the principle of proportionality established in the Declaration of Principle by stipulating that the application of extrajudicial measures should be proportionate to the seriousness of the offence. Additionally, subsections (b), (c), and (d) highlight that extrajudicial measures should encourage the young person to repair the harm done, involve the family and community, and provide victims with an opportunity to participate. The repairing of the harm done must be within the limits of a fair and proportionate response.

Section 6(1) establishes the significant requirement that

A police officer *shall*, before starting judicial proceedings [i.e. before laying a charge] or taking any other measures under this Act against a young person alleged to have committed an offence, consider whether it would be sufficient, having regard to the principles set out in section 4, to take no further action, warn the young person, administer a caution, if a program has been established under section 7, or, with the consent of the young person, refer the young person to a program or agency in the community that may assist the young person not to commit offences. (emphasis added)

Section 6(2) makes clear that a charge laid by a police officer cannot be invalidated on the grounds that the officer has failed to consider the use of extrajudicial measures, as required by section 6(1).

Section 7 and 8 provide statutory authority for the provinces to establish police and Crown caution programs. There is no explicit distinction in the Act between informal and formal warnings (cautions); however "the caution is seen as a more formal or intrusive response" (Bala, 2003: 289; see also Tustin and Lutes, 2004: 23-24). Although section 7 authorizes the provinces to establish police cautioning programs, they have not been implemented consistently across Canada (Tustin and Lutes, 2004: 23). Furthermore, individual police agencies may, on their own

initiative, have developed cautioning programs, which, while technically not “cautions” under section 7 of the *YCJA*, are operationally indistinguishable from them.<sup>5</sup> Extrajudicial sanctions (section 10) are a form of extrajudicial measures. They are similar to alternative measures under the *YOA*. They can be implemented pre- or post-charge, and a charge can be laid in respect of the offence if the conditions of the sanction are not met. According to the *YCJA*, extrajudicial sanctions are appropriate if the young person cannot be adequately dealt with using a warning, caution, or referral due to the seriousness of the offence, the young person’s prior record, or aggravating circumstances (s. 10(1)). Under the *YOA* there was considerable interprovincial variation in the eligibility requirements for alternative measures (Carrington and Schulenberg, 2004a), and, according to Bala (2003), this variation is likely to continue under the *YCJA*. Research conducted when the *YOA* was in force also suggested that the availability of alternative measures programs varied within and across provinces and territories (Carrington and Schulenberg, 2004a). These variations may persist under the *YCJA*.

Section 10(2) provides the conditions for the use of extrajudicial sanctions. Police officers must take into consideration the needs of the young person and society (s. 10(2)(b)), such that the police decision to use sanctions is consistent with the provisions of sections 3, 4, and 6. The young person must accept responsibility for the offence and consent to extrajudicial sanctions (s. 10(2)(c)). Stated differently, the police cannot divert a youth to sanctions if the youth denies committing the offence, wants to have the charge dealt with by the youth court, or there is insufficient evidence to proceed by way of charge (ss. 10(2)(e) and (f), and ss. 10(3)(a) and (b)). Finally, unlike other extrajudicial measures (e.g., informal warnings), the police decision to use extrajudicial sanctions may be introduced as part of the young person’s prior record in any subsequent proceedings.<sup>6</sup>

The *YCJA* does not speak specifically to the appropriate police action when handling offences against the administration of justice, such as violations of conditions of bail or probation orders. Common practice under the *YOA* was to charge a young person who had violated a condition of a probation order with failure to comply with a disposition (Pulis, 2003), which is an offence created by the *YOA*. The same offence is created by section 137 of the *YCJA*.<sup>7</sup> The great majority of violations of probation orders<sup>8</sup> involve behaviour which is non-violent and which “would not be considered a criminal offence if the behaviour occurred outside the context of a probation order” (Department of Justice Canada, 2003b), and could therefore arguably be dealt with adequately by an extrajudicial measure. A person on probation is necessarily not a first offender; therefore, the presumption in section 4(c) does not apply. However, section 4(d) provides that extrajudicial measures should be used in all cases in which they would be adequate to hold the young person accountable and, as noted above, extrajudicial measures may be used if the young person has previously been found guilty of an offence. Given their low level of seriousness, these offences would be good candidates for extrajudicial measures.

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<sup>5</sup> For example, in 2002 (i.e. while the *YOA* was in force) one police force in New Brunswick and another in Ontario had formal cautioning programs (see Carrington and Schulenberg, 2004a), which appeared to be consistent with the principles of sections 4, 5, and 6.

<sup>6</sup> See sections 40(2)(d)(iv) and 119(2)(a).

<sup>7</sup> Section 55 provides a list of conditions which may be attached to a non-custodial order; e.g., s.1(a): keep the peace and be of good behaviour, s.2(e): attend school, s.2(f): reside with a parent or approved adult, etc.

<sup>8</sup> E.g. disobeying a curfew, disobeying “house rules”, violating an order not to associate with a certain person or to be in a certain place, etc.; see Pulis, 2003.

Section 59(1) provides an alternative, or complementary, approach to a breach of a probation order: it allows for an application to be made to youth court for a review of a non-custodial sentence, with a view to changing the conditions. Application to the youth justice court can be made for such a review if: the material circumstances have changed, the young person is experiencing “serious difficulty” or is unable to comply with the conditions, the terms of the probation order are interfering with the young person’s education, employment, access to services (s. 59(2)), or any other grounds that a youth court has previously ruled as admissible (s. 59(2)(e)). However, section 59 restricts the parties who may make such an application, and police officers are not among these, so it would be necessary for a police officer who discovered a probation violation, and who wanted to proceed under section 59 rather than laying a charge, to enlist the cooperation of someone who was authorized to make an application. On the other hand, breaches detected by probation officers, which under the *YOA* were normally referred to the police to lay a charge, might well be dealt with by the probation officer under section 59 without contacting the police.

According to the Department of Justice Canada (2003a, 2003b), the preferred approach to breach of probation cases is to apply to the youth court for a review of the non-custodial order. Police who discover such breaches “should consider referring such situations to a probation officer or a youth worker to determine what, if any, action, should be taken in the matter. One option would be to seek a review...” (Department of Justice Canada, 2003b). The reason given for this position is that:

For a large number of breaches, a review, rather than a charge, is the option that complies with the *YCJA*’s principle that measures taken against young persons must be fair and proportionate to the seriousness of the offending behaviour. In these cases, a review, rather than a charge, is also more consistent with the *YCJA*’s objective of reserving the system’s most serious interventions for the most serious offences (Department of Justice Canada, 2003b).

### **1.3 Research hypotheses**

On the basis of this review of the relevant provisions of the *YCJA*, in comparison with those of the *YOA*, we expect to observe the following changes in 2003 in police charging practices with apprehended young persons:

- A decrease in the number of young persons charged, and a corresponding increase in the number of young persons dealt with by extrajudicial measures.
- The decrease will be concentrated in the less serious and/or non-violent categories of offence, and there will be little or no change in the numbers of young persons charged with more serious and/or violent offences.
- In particular, a decrease:
  - in the number of young persons charged with violations of probation condition and other offences against the administration of justice, and

- in the number of young persons charged who have no prior convictions and who are charged with a non-violent offence.
- Continuing interprovincial/territorial variations in the levels of youth apprehended, charged, and not charged; and interprovincial/territorial variations in the impact of the *YCJA* on police charging practices.
- Some net-widening, taking two forms:
  - an increase in the number of young persons dealt with by extrajudicial measures which exceeds any decrease in the number of youth charged, resulting in a net increase in the number of young persons apprehended and dealt with by police, and
  - an increase in the level of intrusiveness of extrajudicial measures, evidenced by increased use of the more formal measures, such as cautions and referrals, and decreased use of the less intrusive measures, such as taking no further action and informal warnings.

The majority of these hypotheses are investigated in Section 3 of the report. Due to data limitations, we were unable to address two hypotheses – the hypothesis concerning a decrease specifically in the charging of non-violent first offenders, and the hypothesized increase in the intrusiveness of extrajudicial measures.

## 2.0 Data and Methods

The objective of this research was to use available statistical data to assess the initial impact of the *YCJA* on police charging practices with apprehended youth. The only source of national data on police practices is the Uniform Crime Reporting (UCR) Survey, operated by the Canadian Centre for Justice Statistics, a division of Statistics Canada. This Survey is a census of all criminal incidents and alleged offenders dealt with by all police services in Canada. UCR data are collected on a monthly basis, but released once a year, generally about eight or nine months after the end of each calendar year. At the time when we began the research, data for 2003 were the most recent available.

### 2.1 Data elements

Since 1988, police services in Canada have had a choice between two formats for reporting data to the UCR Survey. The older “aggregate” format – sometimes called the “aggregate UCR Survey” – was designed when many police services did not yet have electronic Records Management Systems, and requires only the reporting of aggregate monthly numbers of youth charged, youth not charged, etc. The “incident-based” reporting format – sometimes called the “incident-based UCR Survey”, or UCR2 Survey – requires much more detailed information, reported at the level of the individual incident, alleged offender, and victim. Although the objective of the UCR Survey is that all police services will eventually use the UCR2 reporting format, adoption by a police service of the UCR2 necessitates modification of its Records Management System, so the new format is being phased in gradually. In 2003, police services accounting for approximately 61% of reported crime in Canada were using the UCR2 reporting format (Canadian Centre for Justice Statistics, 2004: 73). In order to report aggregate crime data for the whole of Canada, the Canadian Centre for Justice Statistics converts data reported by police in the incident-based (UCR2) format to the aggregate format and combines it with the aggregate data supplied by the remaining police services (Canadian Centre for Justice Statistics, 2004: 78).

The UCR2 format was modified as of April 1, 2003 to require reporting of the type of extrajudicial measure used with each chargeable youth who was not charged (Canadian Centre for Justice Statistics, 2003). Therefore, our original research plan included analysis of this data element, for the police services which report to the UCR2 Survey. However, due to some reporting problems, the data reflecting the new requirements for reporting extrajudicial measures will not be available until the release of the 2004 UCR2 data (private communication, Canadian Centre for Justice Statistics, March 8, 2005).

The results reported below are based on analyses of data covering all of Canada, supplied for this research in the form of custom tabulations by the Canadian Centre for Justice Statistics. These tabulations are based on the aggregate UCR Survey (i.e. data reported by some police services in the aggregate UCR format, combined with data reported by other police services in the incident-based UCR2 format and converted to the aggregate format).

For the purposes of the present research, the two key data elements of the UCR are the per capita rate<sup>9</sup> of young persons who were charged or recommended by police to be charged,<sup>10</sup> and the rate of youth who were not charged. The sum of these two quantities is the total rate of chargeable youth, also known as the police-reported youth crime rate. A “chargeable” person<sup>11</sup> is defined by the UCR2 Survey as one who “has been identified by police as being involved in a criminal incident and against whom an information [i.e. charge] could be laid as a result of sufficient evidence/information” (Canadian Centre for Justice Statistics, 2004: 80). Thus, the rate of young persons who were chargeable but not charged is an indicator of the use of extrajudicial measures, since extrajudicial measures in the *YCJA* are measures other than judicial proceedings (i.e. other than laying a charge) used with a young person whom an officer has reasonable grounds to believe has committed an offence.

There has been some controversy in the criminological literature concerning the accuracy of the UCR data on youth not charged.<sup>12</sup> The problem is that the UCR Survey is a form of “administrative data” – that is, data which are extracted from records created and maintained by organizations (in this case, police services) primarily for operational purposes, rather than to serve the needs of criminological research. For police operations, it is crucial to maintain complete and accurate records of youth who are charged, but not so important to record every youth who could have been charged but was not. Indeed, the notion of “chargeable” is open to individual interpretation. Individual police officers could be expected to vary considerably in the completeness of their recording of chargeable youth, and research has found that police services vary widely in the numbers of youth which they report as “not charged”, relative to the numbers which they report as charged. Some police services report zero youth not charged, so that their calculated “proportion of chargeable youth who were charged” – an indicator of the level of the (non-)use of police discretion – is 100%. Because of the unreliability of the reporting by some police services of numbers of youth not charged, some criminologists have warned against using this data element in analyses (e.g. Hackler and Don, 1990; Hackler and Paranjape, 1983, 1984; Markwart and Corrado, 1995). Others, including the authors of this report, have argued that although this data element should probably not be used to compare the charging practices of individual police services, the biases in reporting are sufficiently stable over time that it can be used in time series analyses, especially when it is aggregated to the level of the province or territory (Carrington, 1995, 1999; Carrington and Schulenberg, 2004a; Scanlon, 1986).

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<sup>9</sup> All numbers of young persons were standardized to rates per 100,000 youth population by dividing by the relevant annual youth population estimate, supplied by the Canadian Centre for Justice Statistics.

<sup>10</sup> In New Brunswick, Quebec, and British Columbia, the decision whether to lay a charge against a young person is made by the Crown, on receipt from police of a recommendation to charge. UCR data on youth charged for New Brunswick and parts of Quebec report the numbers of youth who were actually charged, as a result of the Crown’s decision. UCR data for British Columbia and the remainder of Quebec reflect the numbers of youth who were recommended by police to be charged, not the numbers actually charged (Canadian Centre for Justice Statistics, 2004: 79).

<sup>11</sup> The term used by Canadian Centre for Justice Statistics is “charged/suspect-chargeable (accused)”, which we have shortened to “chargeable”. In this report, we use the term “apprehended youth” to refer to the concept of a young person who a police officer has reasonable grounds to believe has committed an offence. We use the term “chargeable youth” to refer to the UCR data element which is used in the analysis as an indicator, or operationalization, of the concept.

<sup>12</sup> See, e.g., Carrington, 1995, 1999; Federal-Provincial-Territorial Task Force on Youth Justice, 1996; Hackler and Don, 1990; Hackler and Paranjape, 1983, 1984; Markwart and Corrado, 1995.

The coming into force of the *YCJA* introduced a new consideration concerning this methodological issue. Unlike the *Young Offenders Act*, the *YCJA* explicitly addresses the exercise of discretion by police in the decision whether to lay a charge against an alleged young offender, or to deal with him or her by extrajudicial measures.<sup>13</sup> Police are required by the *YCJA* to consider using extrajudicial measures before laying a charge. One would expect that, in response to this requirement, individual police officers would begin to record more instances of their use of extrajudicial measures, in order to demonstrate compliance with the Act, and that police services would modify their Records Management Systems and their reporting expectations for their officers, in order to monitor compliance. The new requirement in the UCR2 Survey for more detailed reporting of extrajudicial measures (see above) has necessitated modifications to police Records Management Systems, from which the UCR2 data are extracted. This, in turn, can be expected to increase the reporting by police officers and police services of the use of extrajudicial measures.

These developments suggest the distinct possibility of an increase in 2003 in the number of young persons reported to the UCR Survey as receiving extrajudicial measures (formerly, “youth not charged”),<sup>14</sup> which in reality reflects nothing more than improved recording and reporting to the UCR Survey by police. The analysis reported in Section 3 takes this possibility into account.

## 2.2 Research design

This research uses the interrupted time series design: that is, a series of annual measurements (in this case, of youth charged and youth not charged) is “interrupted” by an intervention whose impact is to be assessed – in this case, the coming into force on April 1, 2003 of the *YCJA*. Changes in the level and/or trend of the time series following the intervention are interpreted in this design as evidence of the effect of the intervention.<sup>15</sup> Although many of the changes reported below are based on comparisons of levels in 2002 and 2003, the analyses always refer to the entire time series from 1986 to 2003 as the context for the comparisons, for two reasons: first, to protect against the possibility that 2002 was an anomalous year; and, second, to protect against the possibility of misinterpreting changes from 2002 to 2003 as evidence of the effect of the *YCJA*, when in fact they might have been merely the continuation of pre-existing upward or downward trends.

Since the UCR data for 2003 include three months (January to March) when the *YOA* was in force, we also analyzed quarterly data for 2001 to 2003. These data enabled us to distinguish between the levels of the statistical indicators during the first quarter of 2003, under the *YOA*, from levels during the last three quarters under the *YCJA*. The quarterly analyses also enabled us to identify changes which began to occur during the second quarter of 2003. One can have more confidence that such changes were the result of the *YCJA* than changes known only to have occurred at some time in 2003.<sup>16</sup>

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<sup>13</sup> See Section 1.2 above.

<sup>14</sup> And therefore, an increase in the total number of youth reported as chargeable (that is, in the police-reported youth crime rate).

<sup>15</sup> See, e.g., Campbell and Stanley, 1963: 37-42; Mohr, 1995: Chapter 9.

<sup>16</sup> The precise location in time of a change in the time series is a valuable form of protection against a threat, usually referred to as “history”, to the validity of conclusions from an interrupted time series evaluation design. The threat of “history” is that changes in the phenomenon of interest are mistakenly attributed to the intervention when in fact

### 2.3 Data limitations

Due to implementation of a new Records Management System, UCR data for the Toronto Police Service were not available for September to December, 2003, and were estimated by the Canadian Center for Justice Statistics, based on data for the same period in 2002 (Canadian Centre for Justice Statistics, 2004: 75). This posed a potential problem for the research, since Toronto accounts for approximately 12% of reported youth crime in Ontario. The period in question includes four of the nine months during which the *YCJA* was in force, and the substitution of data from 2002 could be expected partially to obscure any impact of the *YCJA* on police charging practices in Toronto, and therefore to bias downwards any assessment of its impact on police practices in Ontario. Therefore, we obtained two sets of data for Ontario and for Canada - one which included Toronto and one which excluded it – and have reported the results for analyses of both datasets. As it turned out, the inclusion or exclusion of data for Toronto did not materially affect the overall results.

It is possible, using UCR2 data, to construct variables capturing aspects of the prior contacts with police of a chargeable person.<sup>17</sup> This is done by searching the data for other records pertaining to the same person (which is not a straightforward process, since personal identifiers such as name, address, etc. are not captured by the UCR2 Survey). Such a procedure would have enabled us to address the hypothesis concerning the impact of the provision in Section 4(c) that extrajudicial measures are presumed to be sufficient to deal with a non-violent first offender. However, constructing a prior record variable using UCR2 data is a highly resource-intensive procedure which (like any record linkage project using Statistics Canada data) requires the approval of the Chief Statistician of Canada. We concluded that the time and resources which would have been required to carry out such an analysis were not warranted by its likely contribution to the results of this preliminary assessment.

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they are due to other events which took place at approximately the same time as the intervention. For example, if there had been a substantial change in 2003 in the underlying level of youth crime, unrelated to the coming into force of the *YCJA*, it would probably have caused changes in the levels of reported youth charged and youth not charged, which could be misinterpreted as an effect of the *YCJA*. The more precisely the research can identify the point in time when the change occurred, the more confident one can be in distinguishing between effects of the intervention and effects of other social changes.

<sup>17</sup> For examples of analyses of UCR2 data incorporating a prior contacts variable, see Carrington and Schulenberg (2004a; 2004c) and Schulenberg (2004).

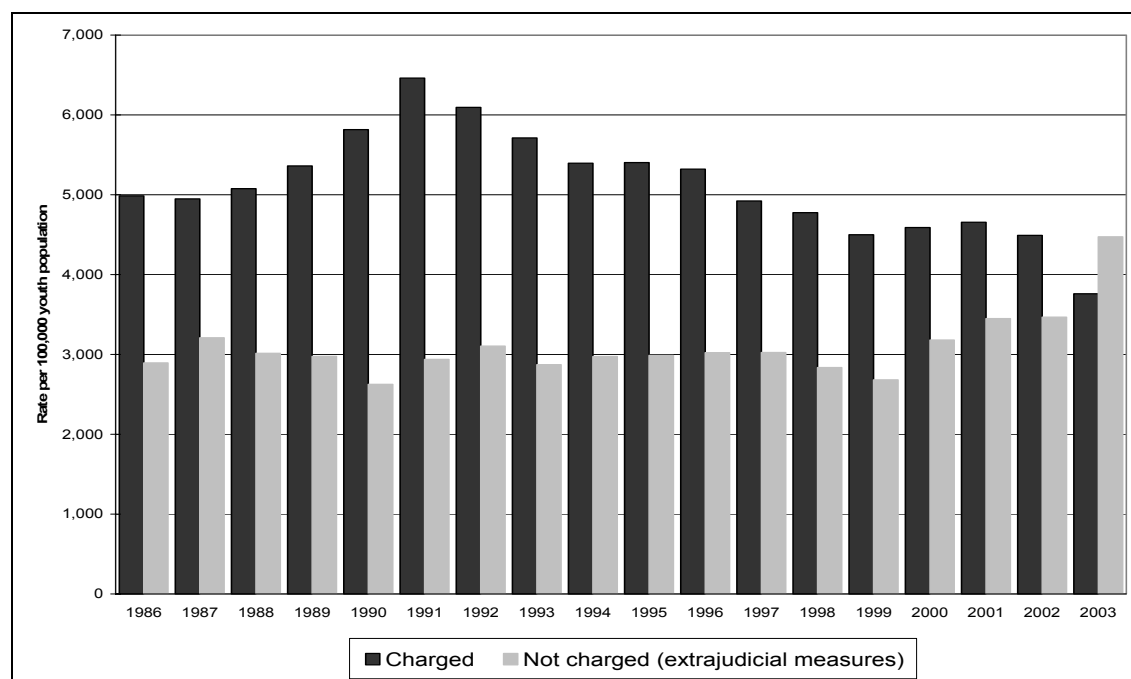


### 3.0 Findings

#### 3.1 A substantial reduction in charging at the national level, and a corresponding increase in the use of extrajudicial measures

Figure 1 shows the per capita rates of young persons who were charged with criminal offences,<sup>18</sup> and who were chargeable but not charged (i.e. who were dealt with by extrajudicial measures), for Canada, for 1986 to 2003. In 2003, the rate of young persons charged was 3,760 per 100,000 youth population.<sup>19</sup> This is a drop of 1,440, or 28%, from the average annual rate during 1986-2002, under the *Young Offenders Act*. It is a drop of 733 per 100,000, or 16%, from the rate in 2002.<sup>20</sup> To put it differently: in 2003, approximately one out of six young people apprehended in Canada was not charged, who would have been charged if police had continued to use the same charging practices as in 2002.

**Figure 1. Rates of young persons charged and not charged (extrajudicial measures), Canada, 1986-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.1.

The data shown above for 2003 understate the impact of the new Act, because they include three months (January to March) when the *YOA* was in force. In Figure 2, the youth charge rates for

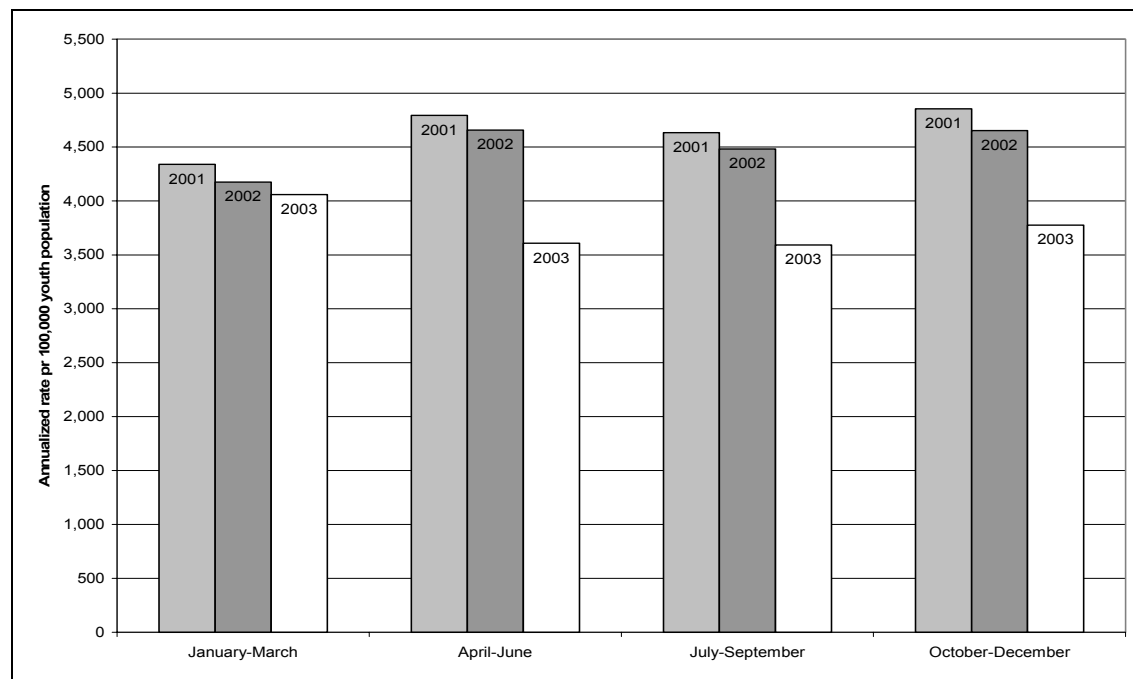
<sup>18</sup> Or recommended for charging in British Columbia and parts of Quebec (see footnote 10 above).

<sup>19</sup> All numbers cited in the text are taken from the Appendix Tables.

<sup>20</sup> The drop in charging in 2003 is 17% if Toronto is omitted from the data (see Section 2.3 above for the reason for omitting Toronto).

2001 to 2003 are compared by quarter.<sup>21</sup> As expected, there is very little difference between the rates in the first quarter of each year, but a large drop (20%) in the charge rate in the last three quarters of 2003, when the *YCJA* was in effect, compared with the same period in 2002.<sup>22</sup>

**Figure 2. Rates of young persons charged, by quarter, Canada, 2001-2003**



Note: The quarterly rates are annualized by multiplying by 4.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.4.

Before attributing this drop in the charging of young persons to a change in police practices due to the *Youth Criminal Justice Act*, alternative explanations should be considered. One possibility is that this drop was simply the continuation of a downward trend in charging which predated the *YCJA*. Figures 1 and 2 show that this is not the case. Although the rate of charging declined from 1991 to 1999, by an annual average of 250 per 100,000, this trend ended in 1999, when the rate of charging stabilized at 4,500 per 100,000, and remained at approximately that level through 2002 (Figure 1). Although there was a small decrease in 2002, the drop in 2003 was much larger and happened suddenly in the second quarter (Figure 2).

Another possible explanation would be that other events than the coming into force of the *YCJA* were responsible for the drop in police charging. Again, Figure 2 is strong evidence against this rival explanation. The drop clearly occurred in the second quarter of 2003, just when the *YCJA*

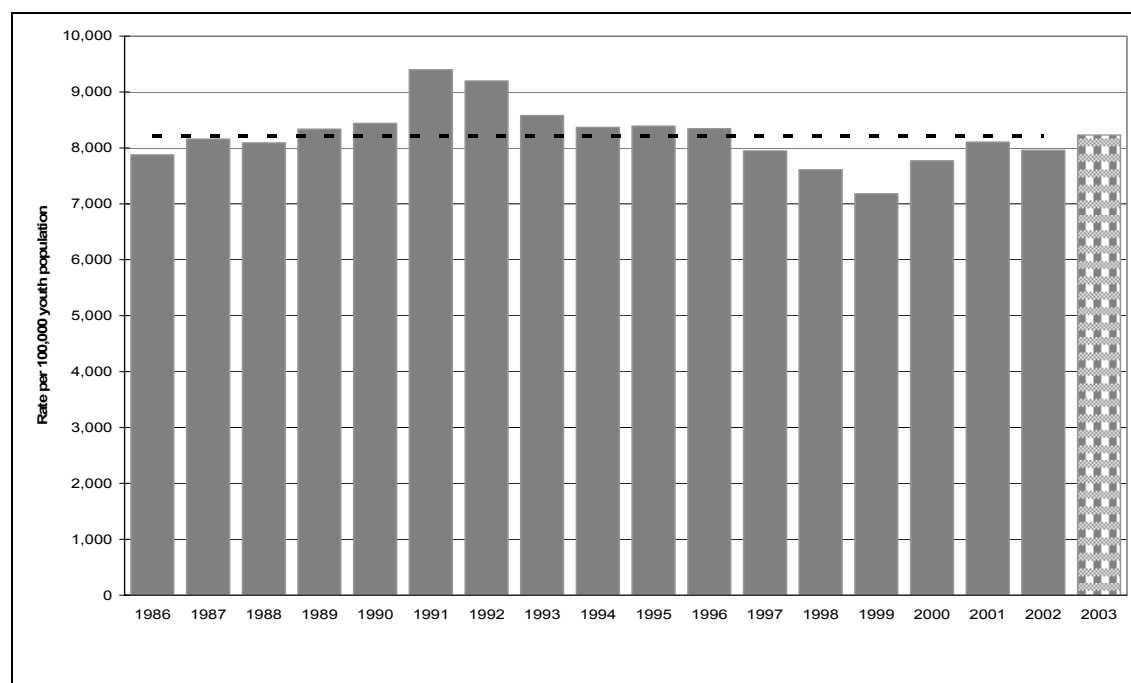
<sup>21</sup> Youth population estimates as of July 1 of each year were used to calculate annualized rates per 100,000 for each quarter of the year. Since the population changes slightly during the year, this procedure may have resulted in very slight under- or over-estimates of the rates for a given quarter, but these possible over- or under-estimates would be consistent over corresponding quarters for the three years and therefore would have no effect on the comparisons across the three years.

<sup>22</sup> The drop in charging in the last three quarters of 2003 is 21% if Toronto is omitted from the data (see Section 2.3 above).

came into force, and persisted through the third and last quarters of 2003. We are not aware of any other event occurring in the second quarter of 2003 which could explain such a marked change in police charging practices.

Another possible explanation for the drop in 2003 in the rate of young persons charged is that it simply reflects a drop in youth crime: that is, in the rate of young persons apprehended by police for alleged offences. Thus, the drop in the charge rate would reflect not a change in police charging practices, but a change in young persons' criminal behaviour.<sup>23</sup> This explanation is also not consistent with the evidence presented in Figure 1. The decrease in the rate of youth charged was mirrored by an increase in youth who were not charged, so that the total number of chargeable youth – that is, the police-reported youth crime rate – did not decrease. In fact, it increased slightly to 8,232 per 100,000, which is almost exactly the same as the average rate during 1986 to 2002 (Figure 3).

**Figure 3. Rate of chargeable young persons, Canada, 1986-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.1.

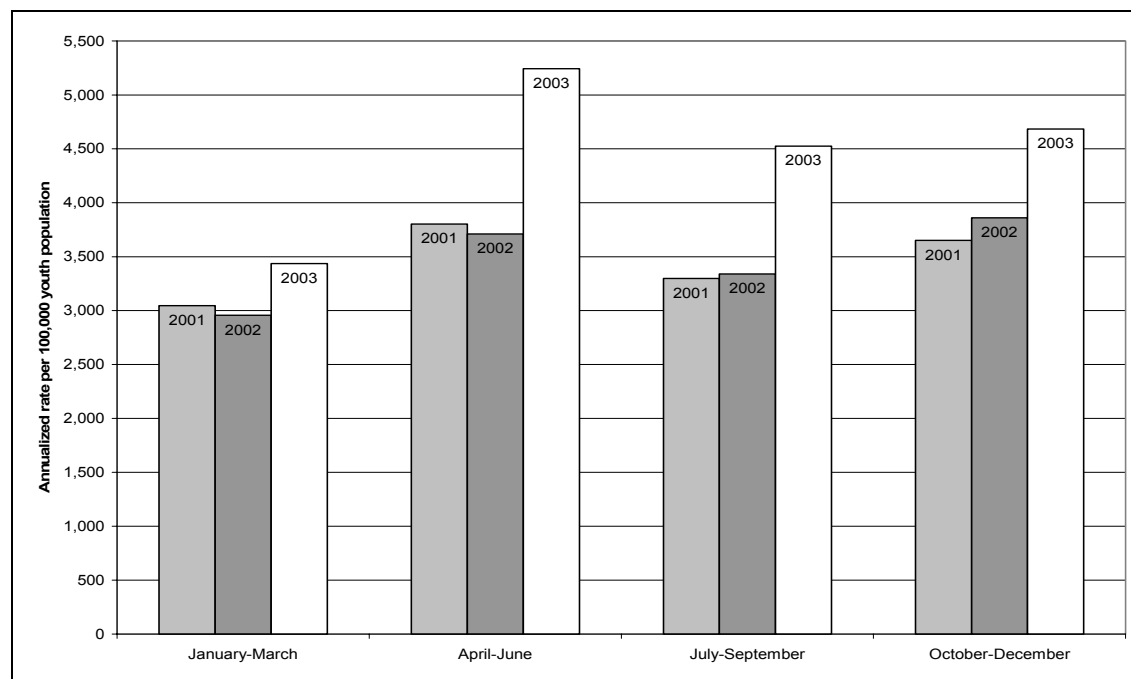
While the rate of youth charged decreased substantially from 2002 to 2003, the rate of youth who were chargeable but not charged (i.e. who were dealt with by extrajudicial measures) increased substantially, from 3,467 to 4,473 per 100,000 in 2003 (Figure 1). The number of chargeable youth who were dealt with by extrajudicial measures in 2003 exceeded the number charged, for the first time since these data have been reported by the UCR Survey (Figure 1).<sup>24</sup> In Figure 4, the rates of youth receiving extrajudicial measures for 2001 to 2003 are compared by quarter.

<sup>23</sup> Or the success of the police in detecting crime and identifying young offenders.

<sup>24</sup> Data on youth charged and not charged have been collected by the UCR Survey since 1977; for the years prior to 1986, see Carrington, 1999.

There is an increase of 16% in the first quarter of 2003, perhaps in anticipation of the new Act, but a much larger increase (32%) in the use of extrajudicial measures in the last three quarters of 2003, when the *YCJA* was in effect, compared with the same period in 2002.<sup>25</sup>

**Figure 4. Rates of young persons dealt with by extrajudicial measures, by quarter, Canada, 2001-2003**



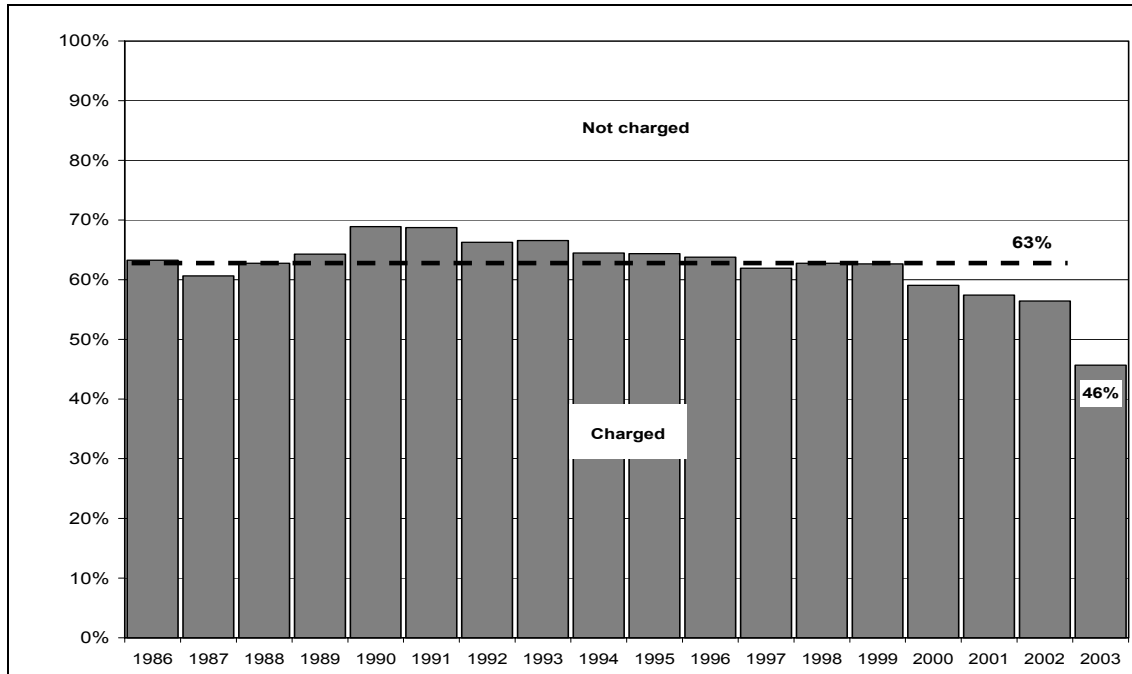
Note: The quarterly rates are annualized by multiplying by 4.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.4.

The change in 2003 in the relative use of charging and extrajudicial measures is shown in a different way in Figure 5 (below). The proportion of chargeable youth who were charged dropped to 46% in 2003, from an average of 63% during 1986 to 2002, and from 56% in 2002. Taking the lower figure of 56% for 2002 as the baseline, the figure of 46% for 2003 represents an absolute drop of 10%, and a relative drop of 19% in this indicator of police charging practices. The change from 2002 to 2003 is even more pronounced if it is broken down by quarter (Figure 6, below). Although there was a small decrease (4%) in the first quarter of 2003 compared with the first quarter of 2002, the decrease in the proportion charged was much greater in the last three quarters: 15%, 13%, and 10% respectively, for an overall decrease in the last three quarters of 13%. On a base proportion charged of 56% in the last three quarters of 2002, this absolute drop of 13% in the last three quarters of 2003 represents a relative decrease of 23%.

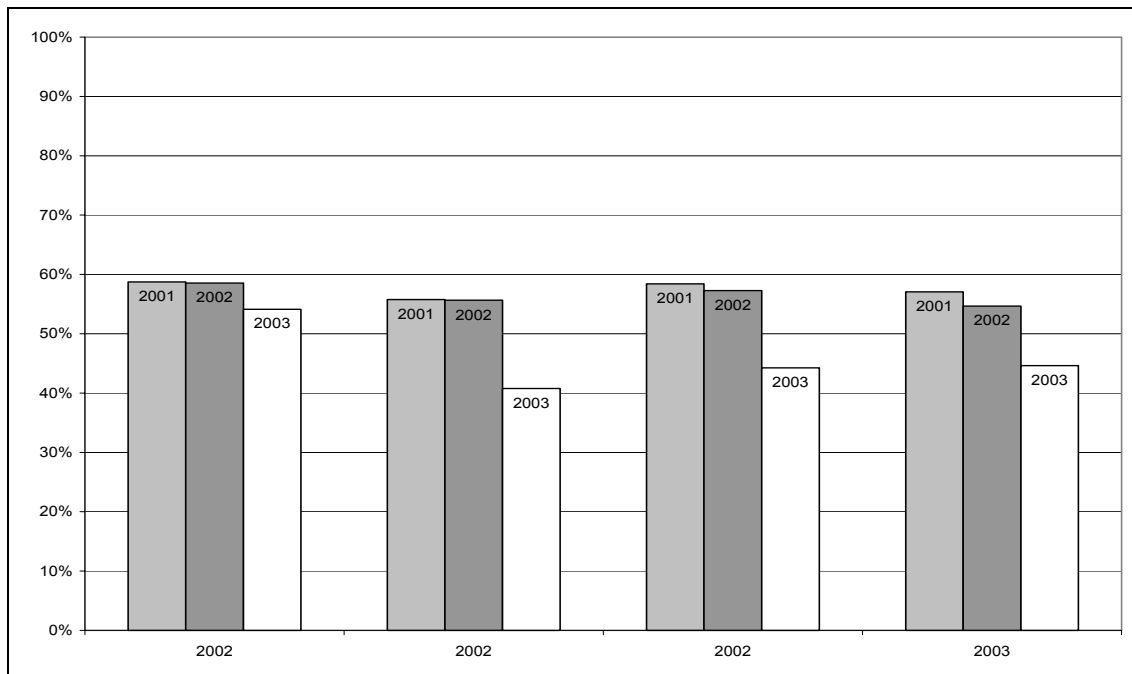
<sup>25</sup> The increase in the rate of youth receiving extrajudicial measures in the last three quarters of 2003 is also 32% if Toronto is omitted from the data (see Section 2.3 above).

**Figure 5. Proportion of chargeable young persons who were charged, Canada, 1986-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.2.

**Figure 6. Proportion of chargeable young persons who were charged, by quarter, Canada, 2001-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.5.

### 3.2 No evidence of increased youth crime or net-widening at the national level

The data presented in Figures 1 and 2 also bear on two possible unintended consequences of the *YCJA*: an increase in youth crime, and net-widening. For years after the *Young Offenders Act* came into force, many commentators argued that it had caused an increase in youth crime, because young persons considered the Act to lack meaningful consequences.<sup>26</sup> If the provisions of the *YCJA* are also an inducement to increased youth crime, this should be reflected in an increase in the rate of young persons apprehended by police and recorded as chargeable. However, this hypothesized effect might become evident rather gradually, as news about the supposed nature of the *YCJA* “got out on the street”, rather than being noticeable immediately in youth crime statistics for 2003.

Alternatively, an increase in the recorded number of chargeable young persons might be evidence of net-widening. That is the phenomenon in which the introduction of new informal criminal justice measures, which are intended to reduce the number of offenders subjected to formal treatment, has the unintended effect of increasing the number of offenders drawn into the system and subjected to informal measures. In relation to the provisions of the *YCJA* concerning charging, net-widening would have occurred if, as a result of the *YCJA*, any increase in the rate of young persons apprehended and dealt with by extrajudicial measures exceeded any decrease in the rate of young persons charged, resulting in an increase in the total rate of young persons apprehended by police. A weaker form of net-widening would have occurred if the *YCJA* resulted in police using more formal extrajudicial measures than they would have used under the *YOA*: e.g. an officer using a verbal warning where previously s/he would have taken no further action, or a formal caution in a case which s/he would previously handled with a verbal warning. An even weaker form of net-widening, which might nevertheless have consequences in the future, would have occurred if the provisions of the *YCJA* resulted in improved recording by police forces of their use of extrajudicial measures with chargeable youth. When police are deciding whether to charge or deal with a youth informally, they take into account his or her record on the police Records Management System (RMS) of previous apprehensions, whether or not they resulted in a charge or a conviction (Carrington and Schulenberg, 2004a, 2004c; Schulenberg, 2004). Thus, improved recording on the RMS of informally resolved apprehensions could result in increased levels of charging in future apprehensions.

If the *YCJA* resulted in an increased level of youth crime in 2003, this would be reflected, other things being equal, in a higher level of apprehensions of young persons, and therefore a higher recorded rate of chargeable young persons. An increased level of recorded chargeable youth could equally reflect net-widening, if police began to apprehend more young people although no more were committing crimes, or could reflect improved *recording* of apprehensions in which extrajudicial measures were used, although there was no increase in actual apprehensions. It is extremely difficult to distinguish to what extent each of these three phenomena is contributing to a change in the recorded rate of chargeable youth. The available data do not address the fourth dimension of possible net-widening - increases in the level of formality of informal action (e.g. a

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<sup>26</sup> These commentators were not deterred by the fact that there was practically no increase in recorded youth crime during the period when the *Young Offenders Act* was in force (Carrington and Moyer, 1994; Carrington, 1999).

move from verbal warnings to formal cautions) - since the data do not distinguish among the types of extrajudicial measures applied by police.<sup>27</sup>

It is difficult even to draw definite conclusions from UCR data about the rate of actual youth crime or the numbers of young persons to whom extrajudicial measures were applied by police (or, equivalently, who were “not charged”, prior to the *YCJA*). Changes in reported annual rates of chargeable young persons do not necessarily mirror changes in levels of actual youth crime, because only a small proportion of youth crimes are reflected in UCR statistics.<sup>28</sup> Therefore, even small annual fluctuations in this proportion could result in noticeable changes in youth crime statistics which were unrelated to changes in actual youth crime. For example, increased reporting of crime to the police by the public, perhaps because of a decreased public tolerance for minor youth crime, would produce an increase in the recorded youth crime rate (rate of chargeable young persons). So would improvements in the ability of police to clear, or “solve”, reported crime. Similarly, young persons to whom extrajudicial measures are applied by police are not always reported to the police service’s Record Management System (RMS), hence to the UCR Survey, so changes in the rate of “youth not charged” may reflect changes in reporting rather than changes in actual police charging practices. In many cases, the question of whether a young person who is not charged is “chargeable” according to law and/or the definition used by the UCR Survey, and therefore properly reportable to the Survey, is not entirely clear. In other cases, the reporting policy of the police service or the capabilities of the police service’s RMS may mitigate against reporting of youth who are chargeable but not charged. Thus, changes in reported rates of chargeable youth may reflect changes in reporting practices at the level of the police information system, rather than behavioural changes at the level of the individual officer. Improvements in the recording and reporting by police of youth receiving extrajudicial measures were especially likely in 2003, since the requirements for reporting extrajudicial measures to the UCR2 Survey were expanded and clarified, because of the *YCJA*.<sup>29</sup>

There is a *prima facie* suggestion in Figures 1 and 3 of a very small amount of net-widening and/or increased youth crime in 2003, since the increase in 2003 in the rate of youth receiving extrajudicial measures was larger by 273 per 100,000 than the decrease in youth charged. This accounts for the 3.4% increase in the rate of chargeable youth (Figure 3). However, in view of the considerations discussed in the preceding paragraphs, we believe that the data provide no evidence of an national increase in 2003 in youth crime or of police net-widening, other than possibly some improvement in police reporting of youth receiving extrajudicial measures. The rate of chargeable young persons in 2003 was 8,232 per 100,000, which is practically the same as the average rate of 8,200 during 1986 to 2002. The increase of 3.4% over the figure for 2002 is well within the range of annual fluctuations during 1986 to 2002: the average annual change in the chargeable rate (whether increase or decrease) during that period was 3.8%. Thus, the increase in 2003 of 3.4% may be simply a random annual fluctuation rather than a meaningful change. Furthermore, there has been a small upward trend in the rate of recorded chargeable

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<sup>27</sup> See Section 2.1 above.

<sup>28</sup> Although precise data are not available, victimization surveys suggest that fewer than 50% of crimes with victims are reported to the police; the proportion of victimless crimes reported is probably much lower. Of crimes reported to police, fewer than 50% are cleared, i.e. one or more perpetrators are identified and sufficient evidence is available that the offender(s) are chargeable. Thus, substantially fewer than 25% of young offenders are recorded in the UCR statistics (Frank and Carrington, 2003).

<sup>29</sup> See Section 2.1 above.

youth since 1999, with changes of +8.2%, +4.3%, and -1.8% in 2000, 2001, and 2002 respectively (see Figure 3). These increases in recorded youth crime are very unlikely to be due to the *YCJA*, since they predate its coming into effect by up to 3 years.

Even if the small increase in chargeable youth in 2003 is not a random annual fluctuation or the continuation of a pre-existing trend, there are more plausible explanations than an increase in actual youth crime, or net-widening. In our view, part of the explanation lies in a temporary drop in 2002 in recorded youth crime in Quebec. The other part, we believe, is the improvement hypothesized above in the recording of young persons receiving extrajudicial measures in some police services' Record Management Systems.

In 2003, the number of recorded chargeable youth in Canada increased by 8,013 persons,<sup>30</sup> over 2002. An increase of 2,469 chargeable young persons was reported by police services in Quebec, and represents a return to the level reported by police in Quebec during 1991 to 2001 (see Figure A.5f in the Appendix). In other words, the "increase" in 2003 in recorded numbers of chargeable youth in Quebec was due to a temporary drop in 2002. Although we have no definite evidence, we would speculate that this temporary drop in 2002 was due to the extensive reorganization of policing which took place in Quebec in 2002: many police services were merged or ceased to exist, and responsibility for policing many small jurisdictions passed to the Sûreté du Québec (see Ministère de la Sécurité publique du Québec, 2002a, 2002b).

An additional increase in 2003 of 8,912 chargeable youth was reported by a group of police services in Ontario which all use a particular RMS. Prior to 2003, users of this RMS reported very low rates of chargeable youth who were not charged – in the range of 13% to 17%, compared to about 30% for Ontario as a whole. Suddenly, in 2003, the number of youth not charged reported by these particular police services increased by a total of 8,912 persons, bringing their reported use of extrajudicial measures (47% of chargeable youth) into the same range as that of other police services in Ontario in 2003 (49% of chargeable youth). It is highly improbable that these increases in reported chargeable youth represent an increase in actual youth crime, or youths apprehended, or the actual use of extrajudicial measures, when they occurred only in certain Ontario police services whose only common factor was the type of RMS, and whose jurisdictions were interspersed geographically among those of other police services which did not report such changes. A much more plausible explanation is an improvement in data capture for youth receiving extrajudicial measures, due to modifications in the RMS - possibly resulting from the enhanced reporting requirements of the UCR2 Survey arising from the implementation of the *YCJA*.

Thus, the small increase in the national rate of chargeable youth in 2003 can be accounted for by technical reporting factors, rather than any substantive change in the level of youth crime or the charging practices of police.<sup>31</sup> This is not to say that police charging practices did not change in response to the *YCJA*. On the contrary, there was a dramatic change: an decrease of 16% in the

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<sup>30</sup> This is the actual number, not the per capita rate.

<sup>31</sup> While this statement is true at the national level, it appears that there may have been increases in 2003 in the level of youth crime and/or net-widening by police in certain provinces and territories (see Table 1, below). However, the populations of these provinces/territories are so small relative to that of Canada that they have little impact on the aggregate national picture.



per capita rate of youth charged, and a corresponding increase in the rate of youth receiving extrajudicial measures. But the analysis above strongly supports the view that - once technical factors are taken into account - the increase in 2003 in the number of youth receiving extrajudicial measures did not differ appreciably from the decrease in the number of youth charged.

### **3.3 Substantial interprovincial/territorial variations in charging in 2003**

As expected, there was considerable variation among the provinces and territories<sup>32</sup> in the annual levels of recorded youth crime and of young persons charged. There was also considerable interprovincial/territorial variation in the changes in these indicators which occurred in 2003. In Table 1 (below), the provinces and territories are classified into three groups: those in which it appears that the *YCJA* has had the expected effect on police charging; those in which the evidence is equivocal; and those in which the *YCJA* does not appear to have had the expected effect.

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<sup>32</sup> Although Nunavut came into existence as a separate territory in 1999, it is combined in this report with the Northwest Territories for analyses of the period 1986 to 2003, in order to maintain a consistent time series from 1986.

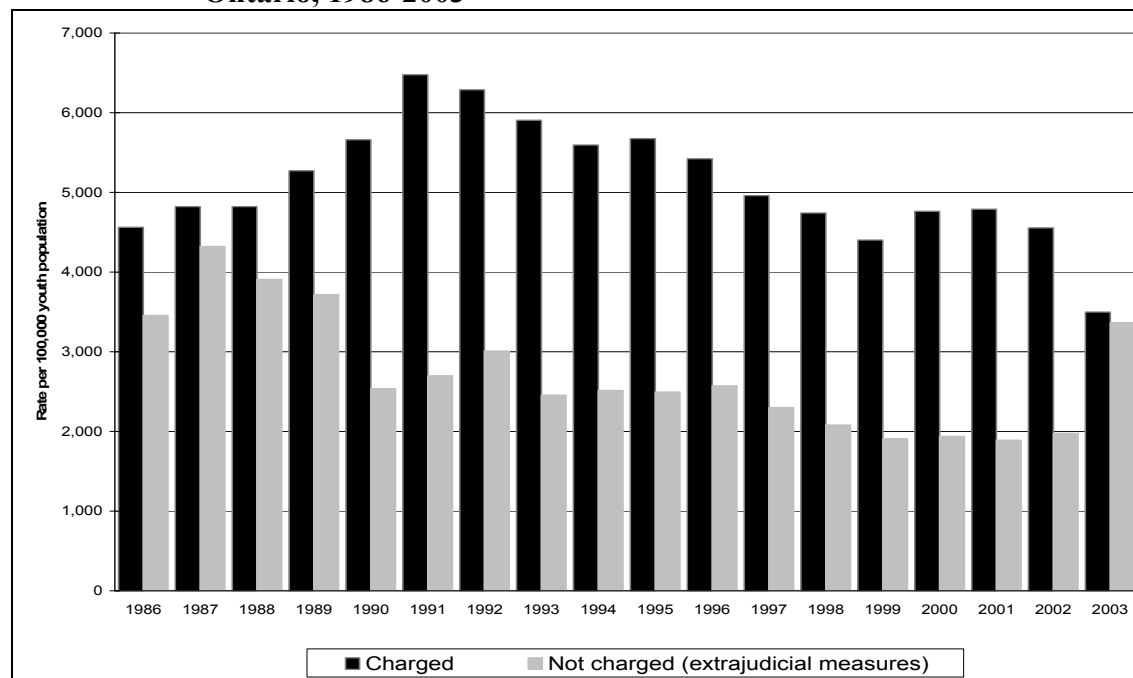
**Table 1. Changes from 2002 to 2003 in annual rates and proportions of young persons charged, Canada and provinces/territories**

	Change in rate charged	Change in % charged	Change in rate chargeable	Conclusion
Canada	- 16%	- 19%	+ 3%	Large reduction in charging
<b>Provinces/territories in which the expected changes occurred</b>				
Yukon	- 49%	- 41%	- 13%	Very large reduction in charging
Manitoba	- 24%	- 22%	- 3%	Large reduction in charging
Ontario	- 23%	- 27%	+ 5%	Large reduction in charging
New Brunswick	- 17%	- 14%	- 5%	Large reduction in charging
Alberta	- 12%	- 11%	- 1%	Reduction in charging
Nova Scotia	- 11%	- 21%	+ 12%	Reduction in charging
British Columbia	- 20%	- 17%	- 4%	Large reduction in charging; may be partly due to a pre-existing trend
<b>Provinces in which the evidence is equivocal</b>				
Prince Edward Island	- 30%	- 44%	+ 24%	Large reduction in charging; may be due to a pre-existing trend; evidence of increased youth crime or increased use or recording of extrajudicial measures.
Newfoundland and Labrador	- 8%	- 21%	+ 16%	Small reduction in charging; may be due to a pre-existing trend; evidence of increased youth crime or increased use or recording of extrajudicial measures.
Quebec	- 4%	- 11%	+ 8%	Very small reduction in charging; may be due to a pre-existing trend
<b>Provinces/territories in which there is no evidence of the expected changes</b>				
Saskatchewan	-	- 12%	+ 14%	No change in charging; evidence of increased use or recording of extrajudicial measures.
Northwest Territories (including Nunavut)	+ 5%	- 11%	+ 19%	Increase in charging; evidence of increased youth crime or increased recording of extrajudicial measures.

Source: Appendix, Tables A.1 and A.2

Ontario is a good example of a province in which the changes in 2003 in the indicators of police charging practices with young persons are consistent with expectations based on the legislation. The rate of young persons charged in Ontario decreased by 1,056 in 2003 to 3,500 per 100,000: a drop of 23% from the level in 2002 and of 33% from the average level during 1986 to 2002 (Figure 7).<sup>33</sup>

**Figure 7. Rates of young persons charged and not charged (extrajudicial measures), Ontario, 1986-2003**



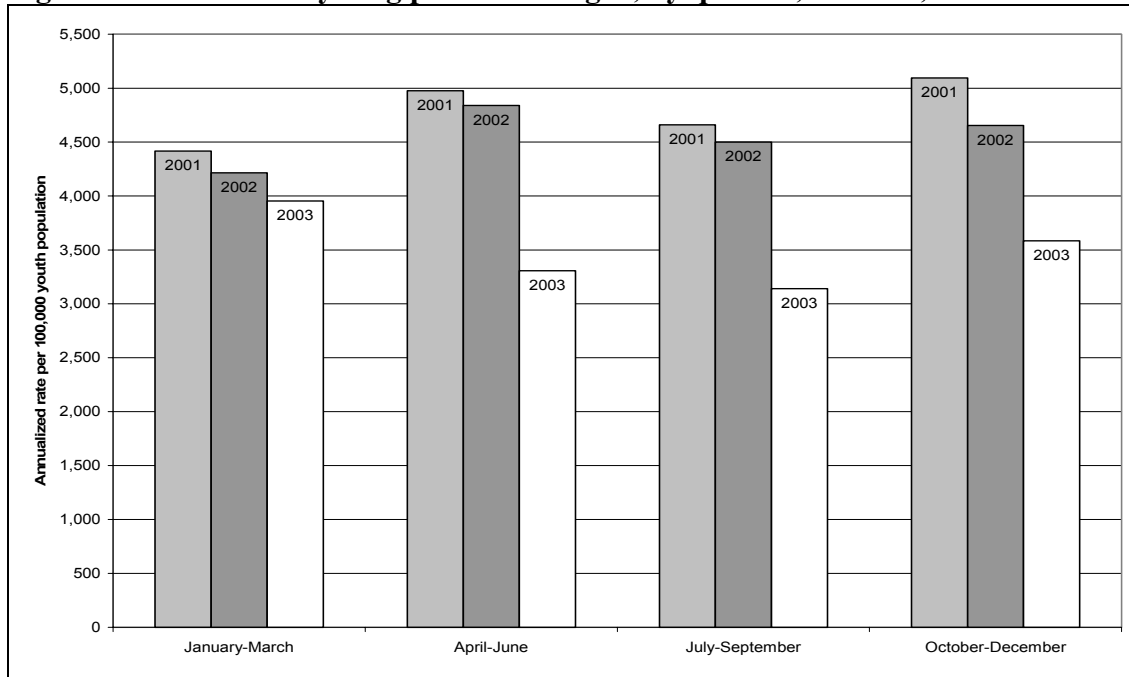
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.1.

The decrease in charging from 2002 to 2003 is even more pronounced if it is broken down by quarter (Figure 8, below). Although there was a small decrease (6%) in the first quarter of 2003 compared with the first quarter of 2002, the decrease from 2002 to 2003 was much greater in the last three quarters: 32%, 30%, and 23% respectively, for an overall decrease in the last three quarters of 28%.<sup>34</sup>

<sup>33</sup> When Toronto is omitted from the data, the decreases in 2003 in charging in Ontario are 26% from 2002 and 33% from the average level for 1986-2002 (see Section 2.3 above for the reason for omitting Toronto).

<sup>34</sup> When Toronto is omitted, the decreases in charging in Ontario in the last three quarters of 2003, compared with the corresponding quarters of 2002, are 34%, 33%, and 27% respectively, resulting in an overall decrease in the last three quarters of 2003 of 31%.

**Figure 8. Rates of young persons charged, by quarter, Ontario, 2001-2003**



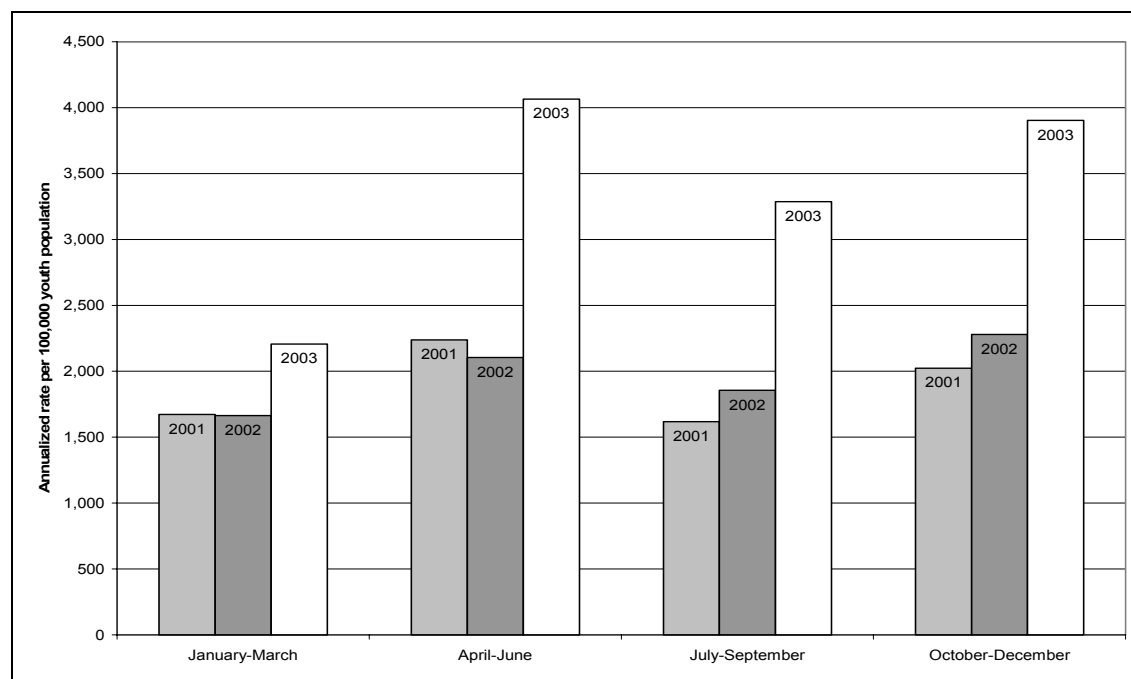
Note: The quarterly rates are annualized by multiplying by 4.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.4.

The rate of young persons in Ontario who were dealt with by extrajudicial measures increased in 2003 by 1,389 per 100,000, which was greater than the decrease of 1,056 in the rate of youth charged. As with the decrease in charging in 2003, the increase in the recorded use of extrajudicial measures becomes clearer if it is examined separately by quarter (Figure 9, below). Compared with the corresponding quarter of 2002, there was a small increase in the use of extrajudicial measures in the first quarter of 2003, then extremely large increases in the last three quarters: 93%, 77%, and 71% respectively, for an overall increase of 80% during the last three quarters.<sup>35</sup>

<sup>35</sup> If Toronto is excluded from the Ontario data, the quarterly increases are 89%, 75%, and 75%, with an overall increase in the last three quarters of 2003 of 80%.

**Figure 9. Rates of young persons dealt with by extrajudicial measures, by quarter, Ontario, 2001-2003**



Note: The quarterly rates are annualized by multiplying by 4.

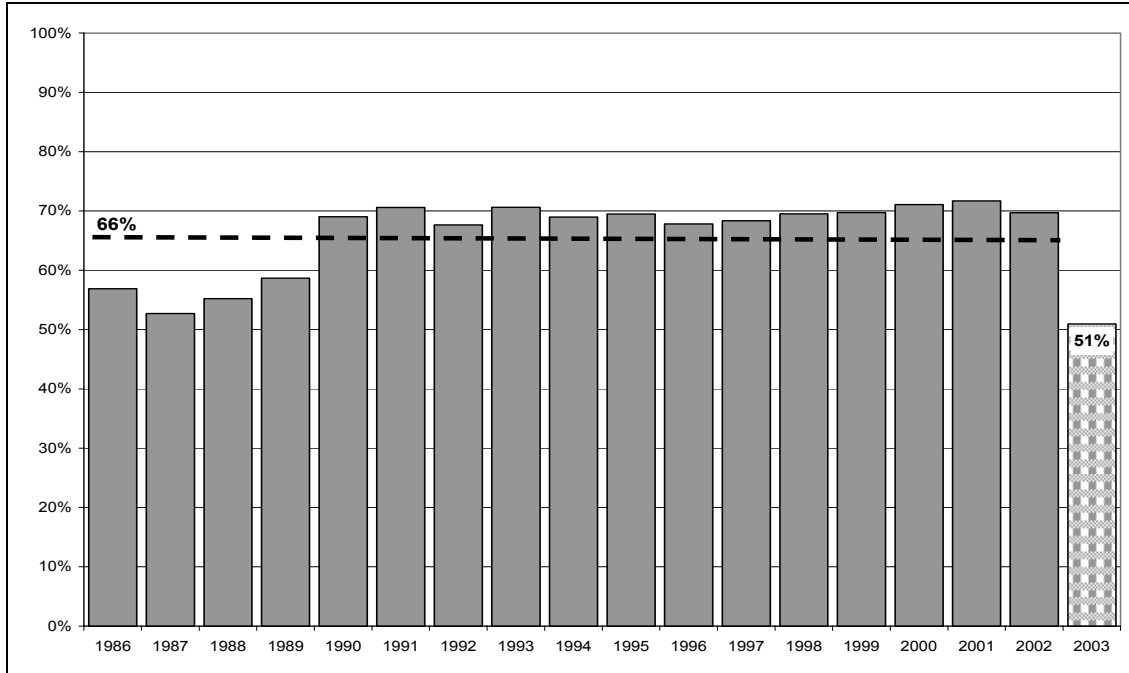
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.4.

The proportion of chargeable young persons who were charged in Ontario in 2003 was 51%, which represents an absolute drop of 19% and a relative drop of 27% from the level in 2002 (Figure 10, below).<sup>36</sup> Although there was a small decrease (8%) in the proportion charged in the first quarter of 2003, much larger decreases occurred in the final three quarters, when the *YCJA* was in force: 25%, 22%, and 19% respectively, for an overall decrease of 22% in the last three quarters of 2003, or 32% relative to the level in 2002 (Figure 11, below).<sup>37</sup>

<sup>36</sup> The absolute and relative decreases are 20% and 30% respectively, if Toronto is omitted from the Ontario data (see Section 2.3 above).

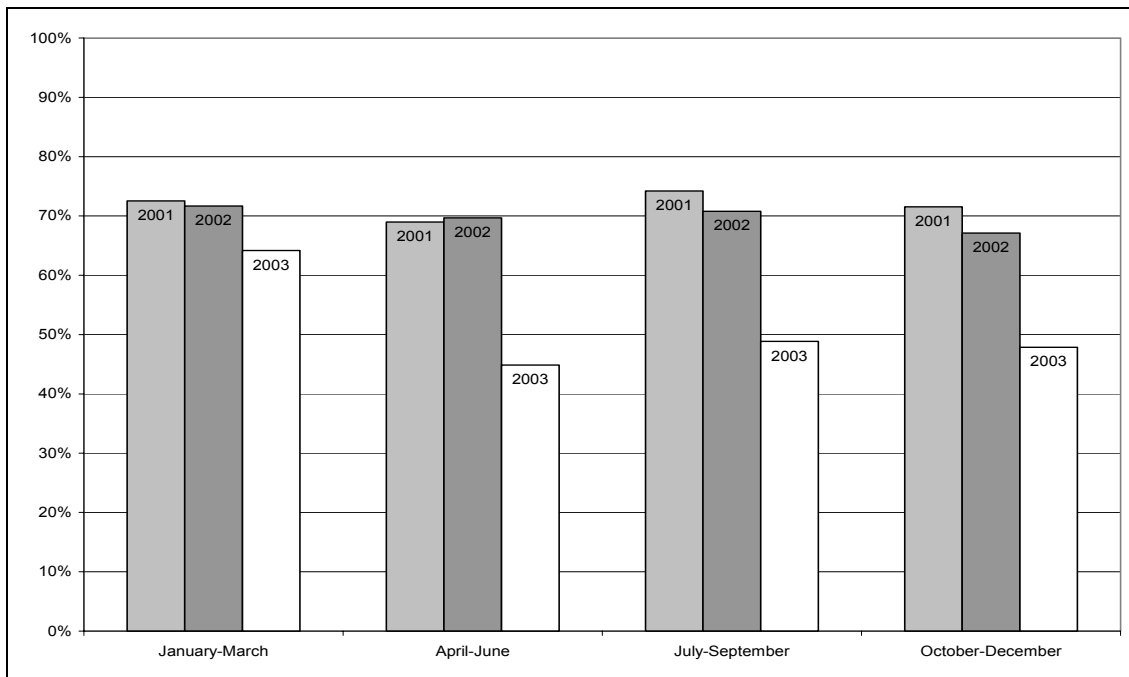
<sup>37</sup> The absolute and relative decreases in the last three quarters of 2003 are 23% and 35% if Toronto is omitted from the Ontario data.

**Figure 10. Proportion of chargeable young persons who were charged, Ontario, 1986-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.2.

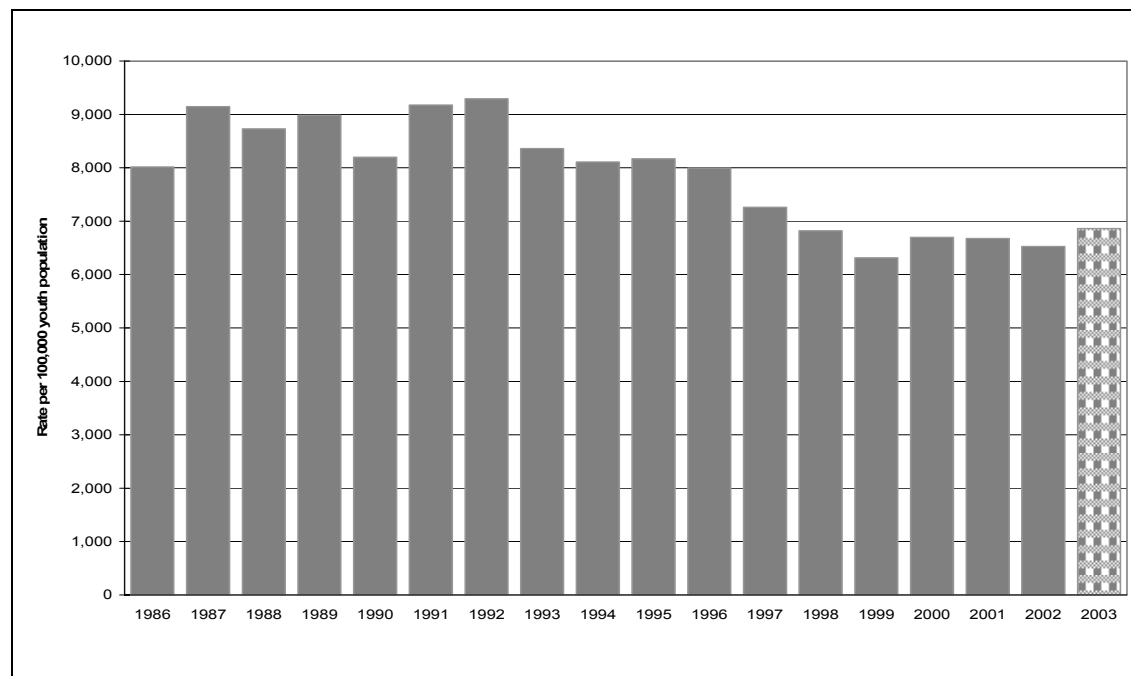
**Figure 11. Proportion of chargeable young persons who were charged, by quarter, Ontario, 2001-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.5.

The total rate of chargeable young persons in Ontario was 6,860 per 100,000 in 2003, which is well below the average rate of 7,910 for the period 1986 to 2002, but 5% higher than the average rate of 6,550 for the period of 1999 to 2002 (Figure 12).<sup>38</sup> The evidence suggests that this increase was mainly or entirely the result of improvements in police reporting of youth dealt with by extrajudicial measures, rather than representing an increase in youth crime or net-widening by the police (see Section 3.2 above).

**Figure 12. Rates of chargeable young persons, Ontario, 1986-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Table A.3.

In summary, it appears that the *YCJA* caused a large reduction – approximately 23% - in 2003 in the rate of young persons charged in Ontario, and a corresponding increase in the rate of youth dealt with by extrajudicial measures. The proportion of chargeable young persons who were charged dropped by 27% relative to the level in 2002. These numbers understate the impact of the *YCJA* because they include the first quarter of 2003, when the *YOA* was still in force.

Similar changes, of varying magnitudes, occurred in the Yukon, Manitoba, New Brunswick,<sup>39</sup> and Alberta.<sup>40</sup>

<sup>38</sup> The increase is 5% if Toronto is omitted from the data (see Section 2.3 above).

<sup>39</sup> New Brunswick (like Quebec and British Columbia) is a “Crown screening” province, in which the decision whether to lay charges against young persons is made by the Crown, after receiving a recommendation to charge from the police. In New Brunswick (and parts of Quebec; see below), if the Crown decides there is insufficient evidence to proceed with a charge, the police revise their records to take into account the recommendation of the Crown (Canadian Centre for Justice Statistics, 2004: 79). Therefore, data on rates of youth charged and not charged in New Brunswick reflect decision-making by both the police and the Crown.

<sup>40</sup> See Table 1 (above) and Figures A.10, A.6, A.4, and A.8 in the Appendix. Note that the scales differ in these charts, in order to accommodate differing levels of chargeable youth.

In Nova Scotia, the rate of charging of young persons was 11% lower in 2003 than in 2002 (Appendix, Figure A.3a). This suggests the expected impact of the *YCJA*, although the drop in charging was evident only in the last two quarters of 2003 (Figure A.3b). The recorded rate of use of extrajudicial measures was 32% higher in 2003 than in 2002 (Figure A.3a), and this increase occurred only in the last three quarters (Figure A.3c). The proportion of chargeable youth who were charged dropped by 21% in 2003, and this drop was concentrated in the last three quarters (Figures A.3d and A.3e). The recorded rate of chargeable young persons was 12% higher in 2003 than in 2002 (Figure A.3f). This increase in the rate of chargeable youth appears to be a continuation of a trend which began in 2000, and is therefore unlikely to be related to the *YCJA*. This four-year rising trend could be due to any or all of the following: increased levels of youth crime, increased success of the police in detecting youth crime and apprehending young offenders, increased use by the police of alternatives to charging, and/or increased *reporting* of the use of alternatives. We were not able to distinguish among these possibilities with the available data.

In British Columbia, the rate of youth charged was 20% lower in 2003 than in 2002, but the rate of charging young persons has been decreasing in that province since 1991 (Appendix, Figure A.9a).<sup>41</sup> The average annual decrease in the charge rate from 1991 to 2002 was 364 per 100,000, whereas the decrease from 2002 to 2003 was twice as large: 721 per 100,000. Therefore, it appears that approximately half of the decrease in 2003 can be attributed to the impact of the *YCJA* on police practices with respect to recommendations to charge and the use of extrajudicial measures. The impact of the *YCJA*, versus the secular downward trend in charging, can be seen clearly when the annual rates of charging are disaggregated by quarter (Figures A.9b and A.9e). The decreases in charging are much greater in the last three quarters than in the first quarter. In 2002, British Columbia had the lowest proportion of chargeable youth who were charged (37%)<sup>42</sup> of any province or territory in Canada; nevertheless, this decreased by a further 17% to the very low figure of 31% in 2003 (Figure A.9d). The drop was concentrated in the last three quarters of 2003, strongly suggesting the impact of the *YCJA* (Figure A.9e).

In Prince Edward Island and Newfoundland and Labrador, the rate of young persons charged in 2003 was lower than in 2002, but in both provinces, the rate of charging had been decreasing since 2001; therefore it is unclear to what extent the decreases in 2003 were due to the provisions of the *YCJA*, rather than being continuations of pre-existing trends.<sup>43</sup> The proportions of chargeable young persons who were charged decreased much more in both provinces in 2003 than in previous years (Figures A.1d and A.2d), but these decreases reflect very large increases in 2003 in the recorded numbers of youth receiving extrajudicial measures,<sup>44</sup> rather than substantial decreases in charging. As a result, the number of youth recorded as chargeable in these two provinces increased substantially (by 16% in Newfoundland, and 24% in P.E.I.; see

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<sup>41</sup> Although British Columbia is a Crown screening province, police do not revise the data which they submit to the UCR Survey to reflect charging decisions by the Crown; thus, the UCR “charged” data for British Columbia reflect police recommendations to charge rather than young persons actually charged (Canadian Centre for Justice Statistics, 2004: 79).

<sup>42</sup> The proportion of chargeable youth who were charged (actually, recommended for charging) in British Columbia was also the lowest, on average, of any province or territory from 1986 to 2001. See Table A.2 in the Appendix.

<sup>43</sup> See Figures A.1 and A.2 in the Appendix.

<sup>44</sup> Compared to 2002, the rates of youth dealt with by extrajudicial measures increased by 54% in Newfoundland and by 72% in P.E.I.; see Figures A.1a and A.2a in the Appendix.



Figures A.1f and A.2f and Table A.1). These findings suggest any or all of the following: increased levels of youth crime, increased success of the police in detecting youth crime and apprehending young persons, increased use by the police of alternatives to charging, and/or increased *reporting* of the use of alternatives. We were not able to distinguish among these possibilities with the available data. Looking at the breakdowns by quarter does not clarify the situation in these two provinces. In Prince Edward Island, the decreases in the rate of youth charged were much greater in the last three quarters of 2003 than in the first, but this does not necessarily indicate the impact of the *YCJA*, since it was also true in 2002 (Figure A.2b). The decreases in the proportion of chargeable youth who were charged were much larger in the last three quarters of 2003 (Figure A.2e), but this was due primarily to the increases in the numbers of youth receiving extrajudicial measures (Figure A.2c), rather than decreases in charging. In Newfoundland and Labrador, there were substantial decreases in charging in the second and fourth (but not the third) quarters of 2003, but this was also true in 2002 (Figure A.1b). As in P.E.I., the substantial drops in the last three quarters of 2003 in Newfoundland and Labrador in the proportion of chargeable youth who were charged (Figure A.1e) were due more to increased recorded use of extrajudicial measures (Figure A.1c) than to decreases in charging.

In Quebec, the rate of youth charged or recommended by police to be charged<sup>45</sup> has been declining since 1991; thus, the small decrease (4%) in 2003 is not necessarily a result of the coming into force of the *YCJA* (Figure A.5a). The 11% decrease in 2003 in the proportion of chargeable youth who were charged (Figure A.5e) reflects the 18% increase in the recorded use of extrajudicial measures (Figure A.5a), and a corresponding increase (of 8%) in the total rate of chargeable youth (Figure A.5f), more than a decrease in charging. The breakdowns by quarter show a substantial drop in the rate and proportion of youth charged (Figures A.5b and A.5e), and a corresponding increase in the recorded use of extrajudicial measures (Figure A.5c) *only* in the second quarter of 2003. The overall conclusion is that the *YCJA* has had little or no impact on police (and Crown) charging practices in Quebec: there was a small (4%) decrease in 2003 in the rate of youth charged or recommended to be charged in Quebec, but it is possible that it was simply the continuation of a pre-existing downward trend.

In Saskatchewan, the rate of young persons charged in 2003 was unchanged from 2002, and higher than in all but one year since 1986 (Appendix, Figure A.7a). The recorded rate of young persons receiving extrajudicial measures increased in 2003 by 38% over 2002 (Figure A.7a) and the overall rate of chargeable youth increased by 14%, to an all-time high of 21,040 per 100,000 (Figure A.7f). The result of these changes in rates is that the proportion of chargeable young persons who were charged dropped from 64% in 2002 to 56% in 2003 (Figure A.7d). Since the increase in the recorded use of extrajudicial measures was concentrated in the last three quarters of 2003 (Figure A.7c), it is very likely to be the result of the coming into force of the *YCJA* and not the continuation of a pre-existing trend. Given the suddenness of the change, it is unlikely to reflect an increase in the level of actual youth crime – we cannot believe that potential young

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<sup>45</sup> Like New Brunswick and British Columbia, Quebec is a “Crown screening” province, in which a charge is not laid against a young person unless the police recommendation to charge has been approved by a Crown. Police services in Quebec vary in the way they report recommendations to charge which are not accepted by the Crown: the Sûreté du Québec (like police in New Brunswick) does not include rejected recommendations to charge in the numbers of youth charged reported to the UCR, but the other police services in Quebec do include these (like police services in British Columbia). Thus, UCR data on youth charged in Quebec reflect decision-making by both police and Crown (Canadian Centre for Justice Statistics, 2004: 79).

offenders would have reacted so quickly to this change in legislation. However, we cannot tell from these data to what extent this increase in the recorded use of extrajudicial measures in Saskatchewan reflects an increase in the actual use by police extrajudicial measures (i.e. net-widening), or in the recording of the use of extrajudicial measures.

In the Northwest Territories (including Nunavut), unlike every other jurisdiction in Canada, the rate of young persons charged *increased* in 2003, as did the rates of youth receiving extrajudicial measures and the overall rate of chargeable youth (Figures A.11a and A.11f). Both of these increases appear to be the continuation of trends beginning in 2001. Since the rate of chargeable young persons has been increasing faster than the rate of young persons charged, the proportion of chargeable young persons who were charged has been decreasing since 2001 (Figure A.11d). Although there was a decrease in the second quarter of 2003 in rate and proportion of young persons charged, there was none in the third and fourth quarters (Figures A.11b and A.11e). In general, any changes occurring in 2003 appear to be simply continuations of pre-existing trends which predate the coming into force of *YCJA*, and there is no evidence from these data that the *YCJA* has had an impact on police charging practices in the Northwest Territories.

### **3.3 Substantial reductions in charging in incidents involving less serious offences; small reductions in incidents involving more serious offences**

Table 2 summarizes the changes in 2003 in the per capita rates of young persons charged and chargeable in incidents involving different types of offences. In general, the results are as one would expect from the provisions of the *YCJA*: substantial reductions in charging in incidents involving less serious offences, and small reductions in charging in incidents involving more serious offences. Contrary to expectations, there was only a very small reduction in charging in incidents involving offences against the administration of justice; that is, bail violations (including failure to appear for court), and violations of probation conditions.

In this section, we examine trends in charging for each major category of offence separately. In the UCR Survey, youth who are apprehended or charged are classified under the most serious alleged offence in the incident. For example, a youth who was apprehended or charged in connection with an incident allegedly involving a break and enter and a violation of a probation condition would be counted in the UCR Survey only under the more serious offence of break and enter. Thus, the data understate the rates of youth involved in less serious offences. However, this does not affect the present analysis of changes in charging in 2003, since the understatement of rates of less serious offences is consistent over the period of years which are being analyzed.

**Table 2. Changes from 2002 to 2003 in annual rates of young persons charged and chargeable, by major offence category, Canada**

	Change in rate of youth charged	Change in rate of chargeable youth	Conclusion
<b>Offence categories for which there is evidence of a reduction in charging due to the <i>YCJA</i></b>			
Drugs	- 35%	- 8%	Very large reduction in charging; may be partly due to the Cannabis Reform Bill
Theft under	- 34%	+ 6%	Very large reduction in charging; also possibly a small increase in the use, or recording, by police of extrajudicial measures
Mischief under	- 22%	+ 16%	Large reduction in charging; also evidence of increased use, or recording, by police, of extrajudicial measures
Assault level 1	- 19%	+ 4%	Large reduction in charging
Possess stolen property	- 13%	+ 2%	Reduction in charging
Other Criminal Code (victimless)	- 12%	+ 7%	Reduction in charging; also possibly a small increase in the use, or recording, by police of extrajudicial measures
<b>Offence categories for which the evidence is equivocal</b>			
Indictable property	- 5%	+ 2%	Small reduction in charging; may be a continuation of a pre-existing trend
Against the person (except Assault level 1)	- 3%	+ 2%	Very small reduction in charging; may be a continuation of a pre-existing trend
Bail violations and fail to appear	- 2%	+ 1%	Very small reduction in charging; may be a continuation of a pre-existing trend
Fraud	- 19%	- 2%	Large reduction in charging; may be a continuation of a pre-existing trend
Probation violations	- 13%	- 1%	Reduction from 2002, but no change in charging from 1999-2001

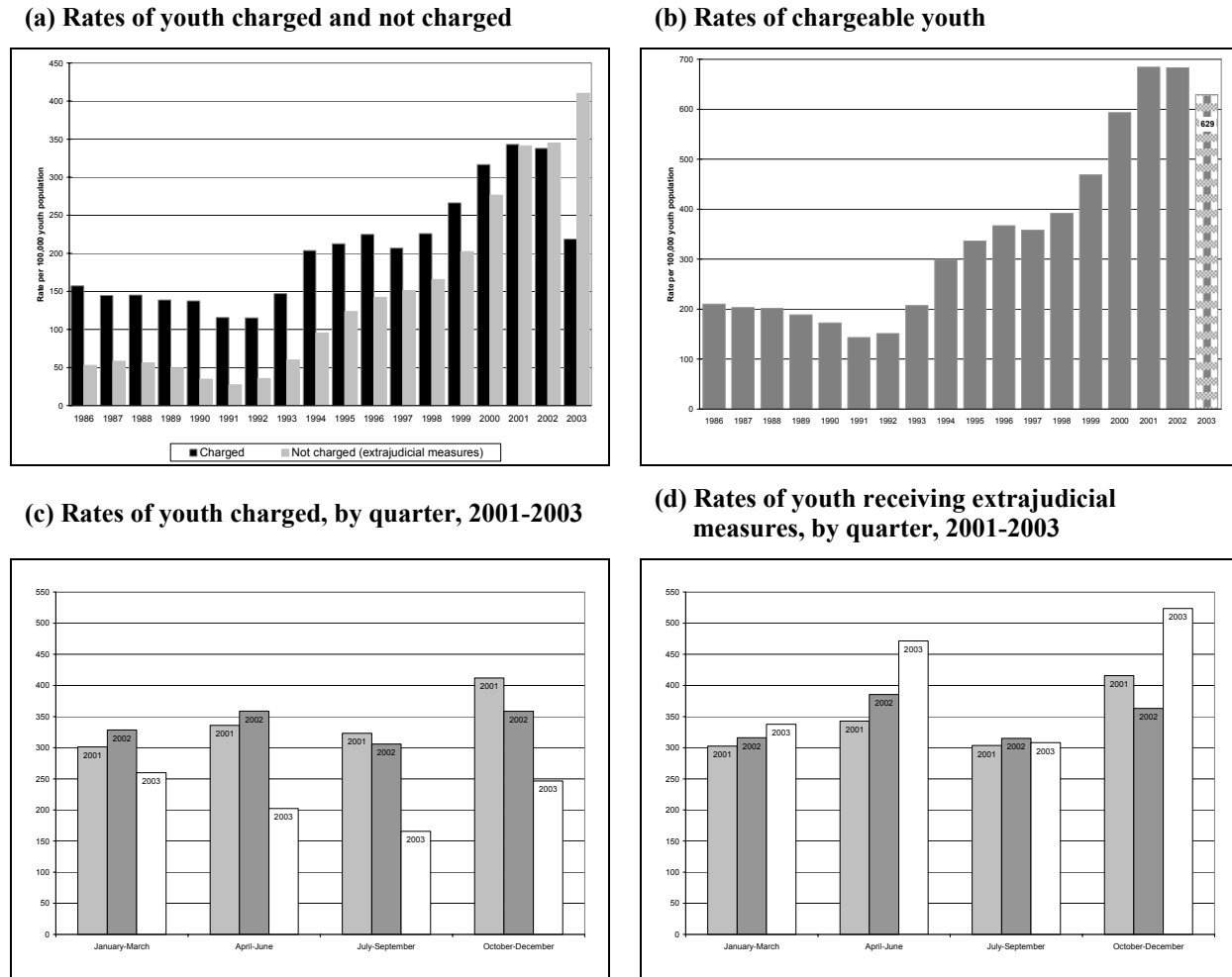
Source: Appendix Tables A.3 and A.6.

Figure 13 (below) shows the rates of young persons who were charged, chargeable, and dealt with by extrajudicial measures, in incidents in which the most serious alleged offence was drug-related.<sup>46</sup> There was a very large reduction in charging (35%), from 338 per 100,000 in 2002 to 219 per 100,000 in 2003. There was a slightly smaller increase in the recorded rate of youth dealt with by extrajudicial measures (Figure 13a), so that the total recorded rate of youth chargeable for drug-related offences decreased by 8% (Figure 13b). The reduction in charging was substantial in all four quarters of 2003, but larger in the last three quarters (Figure 13c). The

<sup>46</sup> Drug-related offences include offences under the Narcotics Control Act, the Food and Drugs Act, and the Controlled Drugs and Substances Act.

increase in the recorded use of extrajudicial measures occurred only in the second and last quarters (Figure 13d).<sup>47</sup>

**Figure 13. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, drug-related offences, Canada, 1986-2003**



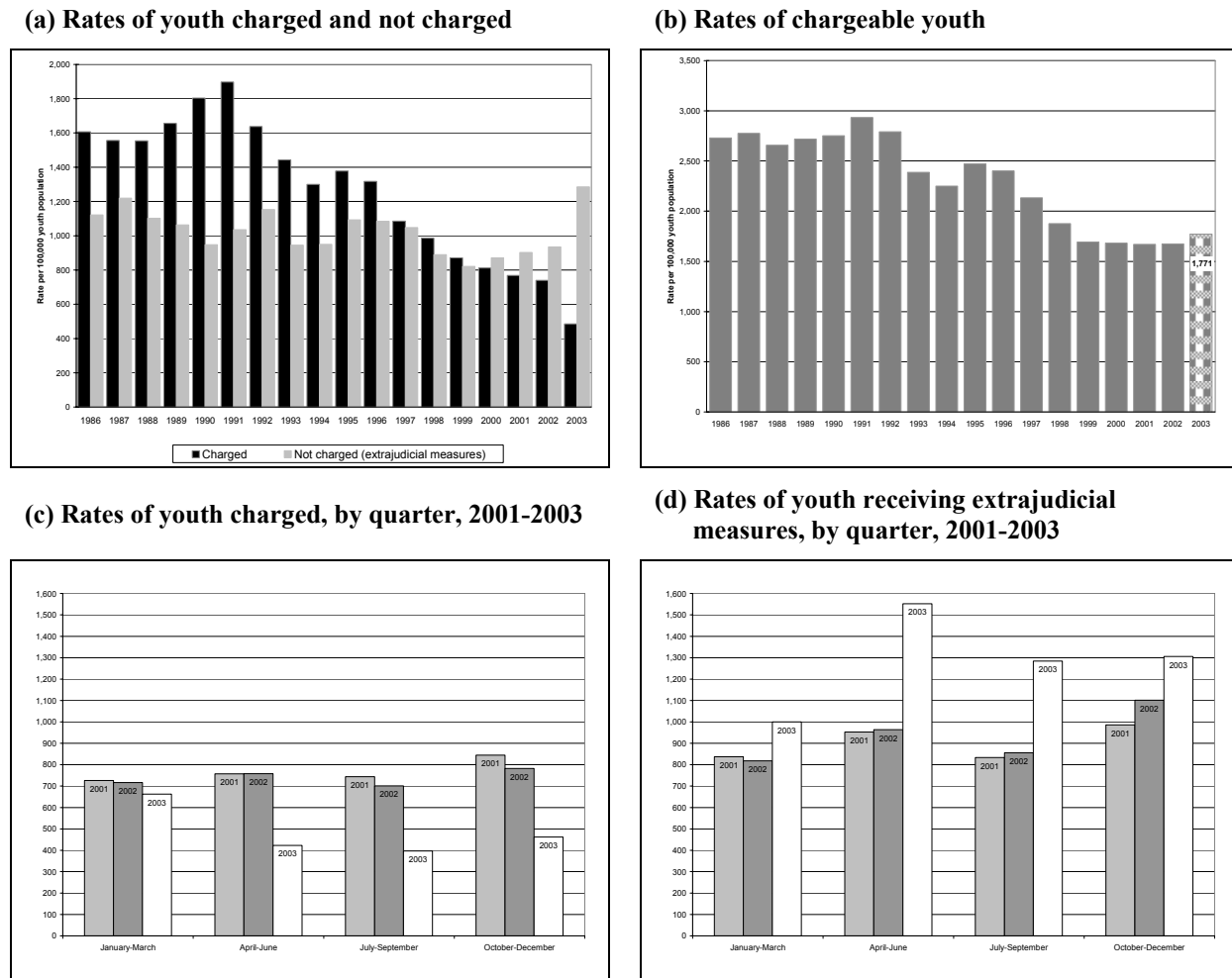
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

The Cannabis Reform Bill (see Health Canada, 2003) was introduced in Parliament in May, 2003, but was not passed. According to the Canadian Centre for Justice Statistics (2004: 77), because of “uncertainty about the eventual outcome of proposed amendments, many police services have continued to count incidents of, but stopped laying charges for possession of small amounts of cannabis.” Since the introduction of the Bill occurred in the same quarter as the coming into force of the *YCJA*, we were unable to distinguish between the impact on police charging practices of the *YCJA* and that of the Bill.

<sup>47</sup> The lower rates of youth dealt with by extrajudicial measures in the third quarter (of all three years) may be due to the summer school vacation, during which young persons are not at risk of being caught with drugs by school staff.

Figure 14 shows the rates of young persons who were charged, chargeable, and dealt with by extrajudicial measures in incidents in which the most serious alleged offence was theft under.<sup>48</sup> There was a very large reduction in charging (34%), from 739 per 100,000 in 2002 to 486 per 100,000 in 2003 (Figure 14a), which was concentrated in the last three quarters (Figure 14c). There was a slightly larger increase in the recorded rate of youth dealt with by extrajudicial measures, which was also concentrated in the last three quarters of 2003 (Figure 14d). The total recorded rate of youth chargeable for theft under increased by 6% (Figure 14b). The sudden increase in the second quarter of 2003 in the recorded rate of youth apprehended for theft under, and dealt with by extrajudicial measures (Figure 14d) is highly unlikely to be due to a sudden increase in this type of youth crime; rather, it suggests a small increase in the use, or the reporting, of extrajudicial measures.

**Figure 14. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, theft under, Canada, 1986-2003**

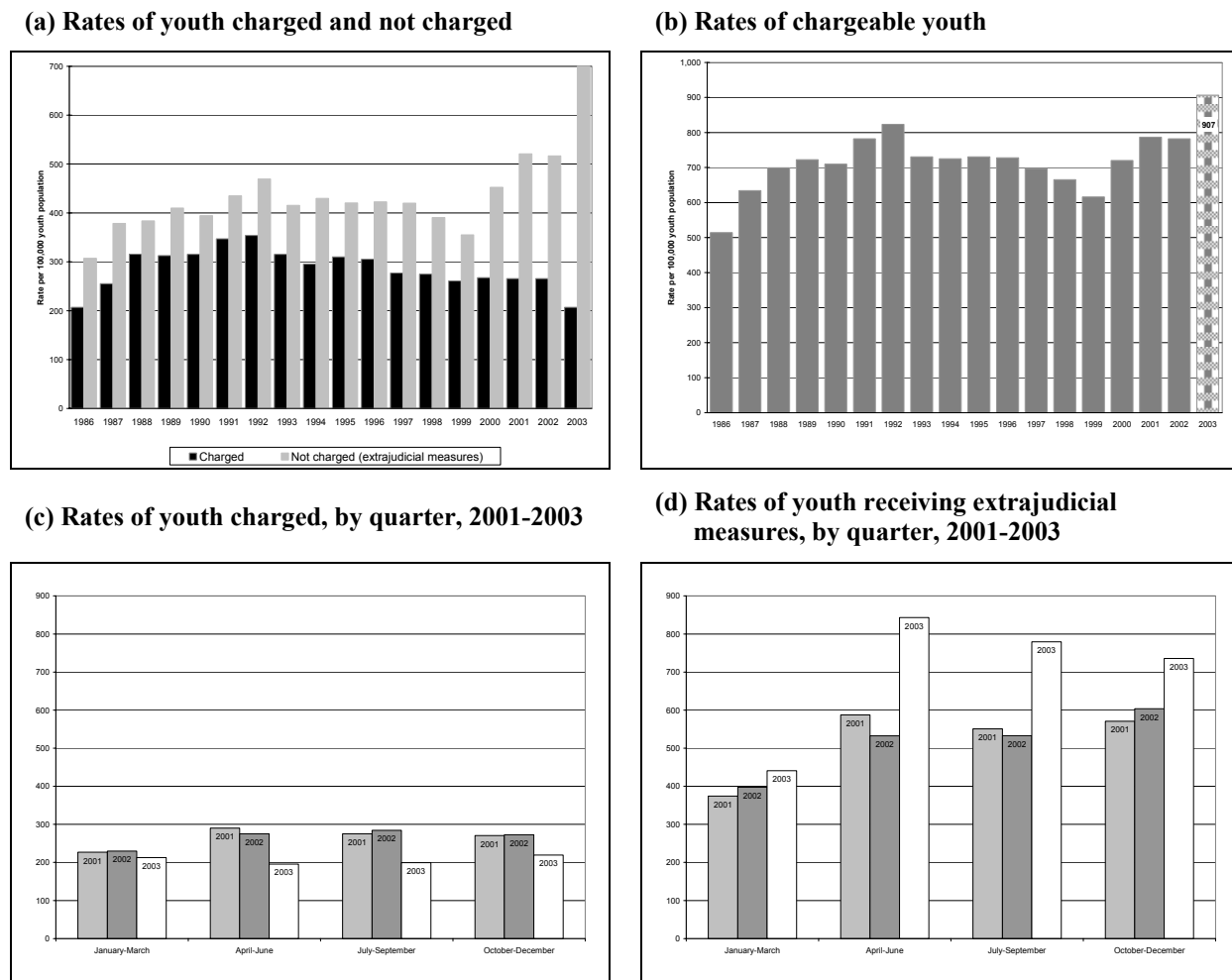


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>48</sup> The threshold value which determines whether a theft is theft under or theft over was \$1,000 from 1986 to 1994, and \$5,000 thereafter.

Figure 15 shows the rates of young persons who were charged, chargeable, and dealt with by extrajudicial measures in incidents in which the most serious alleged offence was mischief under.<sup>49</sup> There was a large reduction in charging (22%), from 266 per 100,000 in 2002 to 207 per 100,000 in 2003, which was concentrated in the last three quarters (Figures 15a and 15c). There was a considerably larger increase in the recorded rate of youth dealt with by extrajudicial measures (Figure 15a), also concentrated in the last three quarters (Figure 15d), so that the total recorded rate of youth chargeable for mischief under increased by 16% (Figure 15b). The sudden increase in the second quarter of 2003 in the recorded rate of youth apprehended for mischief under and dealt with by extrajudicial measures (and the sudden decrease in charging) are highly unlikely to be due to a sudden increase in this type of youth crime; rather, they suggest an increase in the use, or the reporting, of extrajudicial measures.

**Figure 15. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, mischief under, Canada, 1986-2003**

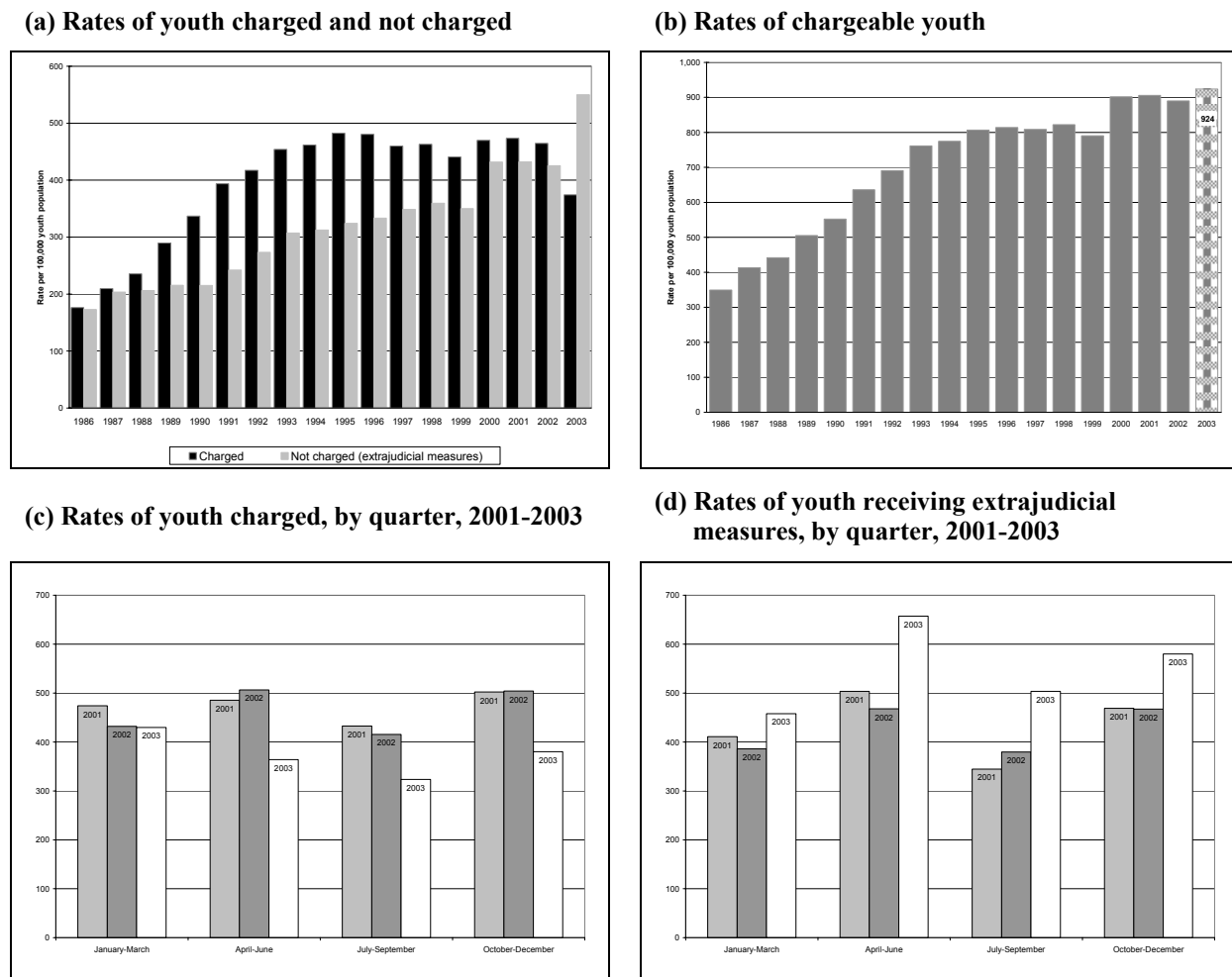


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>49</sup> The threshold value which determines whether mischief is mischief under or mischief over was \$1,000 from 1986 to 1994, and \$5,000 thereafter.

Figures 16 to 18 show the same information for incidents in which the most serious alleged offence was assault level 1 (common assault), possession of stolen property, and other *Criminal Code* (victimless) offences.<sup>50</sup> In each case, there were large reductions in charging and corresponding increases in the recorded use of extrajudicial measures, concentrated in the last three quarters of 2003; and little or no increase in the recorded rates of chargeable young persons. Although the rate of youth charged for other *Criminal Code* offences declined in 2002, the large increase in 2003 in the recorded use of extrajudicial measures, and the concentration of the changes in the last three quarters, suggest that the changes were in response to the *YCJA*, and not the continuation of a pre-existing trend. It is noteworthy that although assault level 1 is usually classified as a “violent” crime, police appear to have responded to the provisions of the *YCJA* by dealing with this offence in a similar manner to drug-related, minor property, and victimless offences.

**Figure 16. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, assault level 1, Canada, 1986-2003**

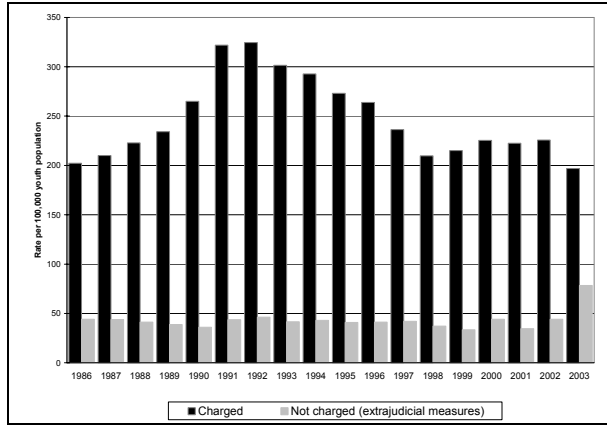


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

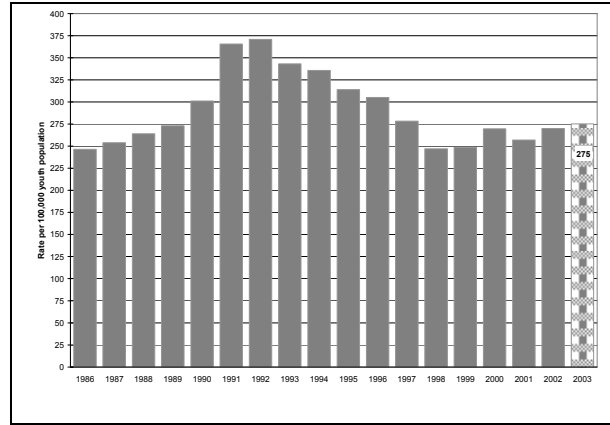
<sup>50</sup> For a list of the main offences grouped here as “other *Criminal Code* (victimless)”, see the Notes to Table A.3 in the Appendix.

**Figure 17. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, possess stolen property, Canada, 1986-2003**

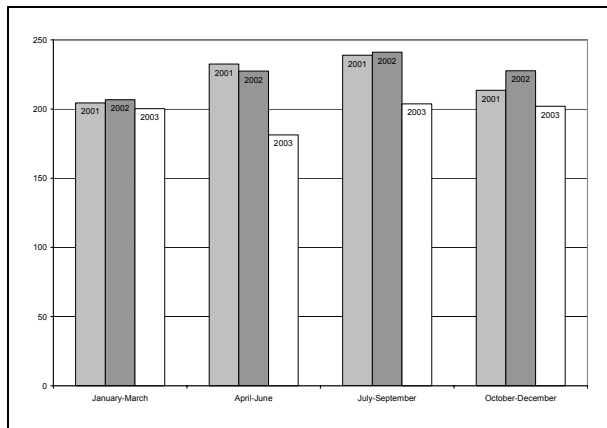
**(a) Rates of youth charged and not charged**



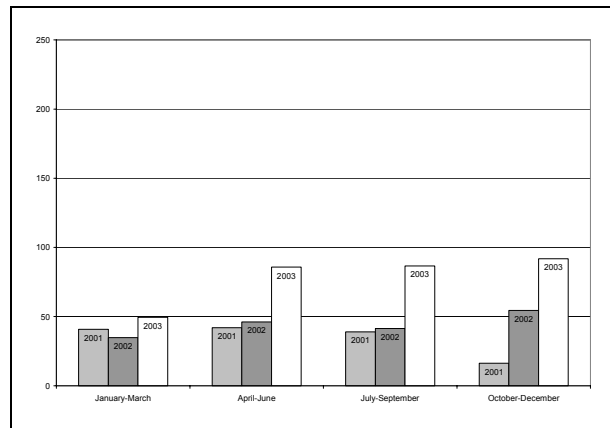
**(b) Rates of chargeable youth**



**(c) Rates of youth charged, by quarter, 2001-2003**



**(d) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

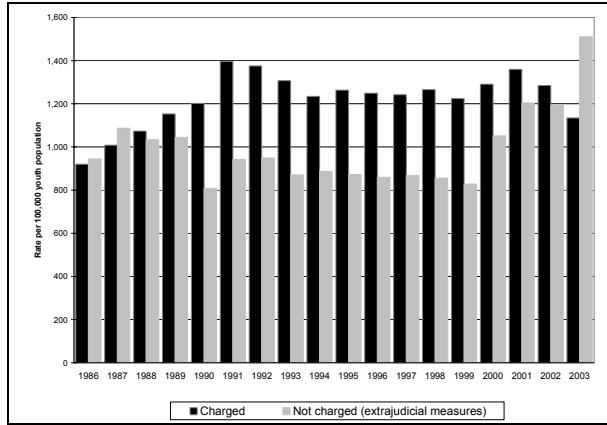


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

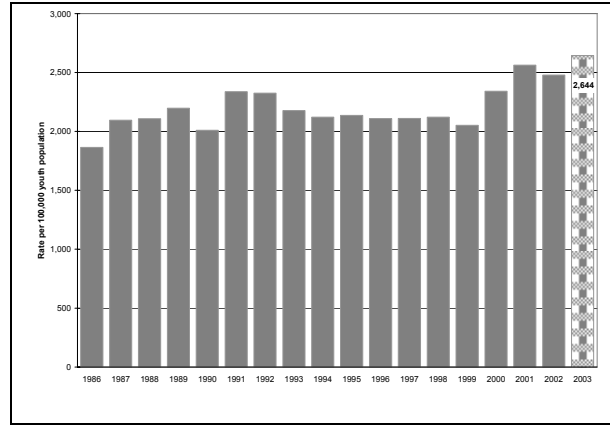


**Figure 18. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, other *Criminal Code* offences, Canada, 1986-2003**

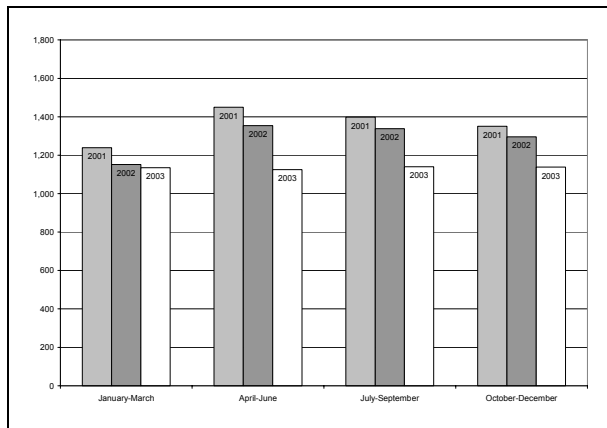
**(a) Rates of youth charged and not charged**



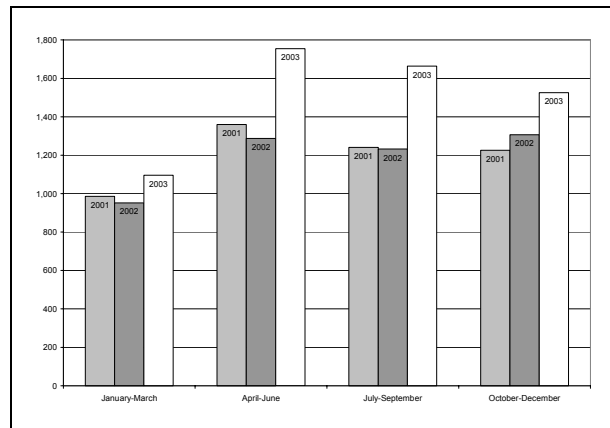
**(b) Rates of chargeable youth**



**(c) Rates of youth charged, by quarter, 2001-2003**



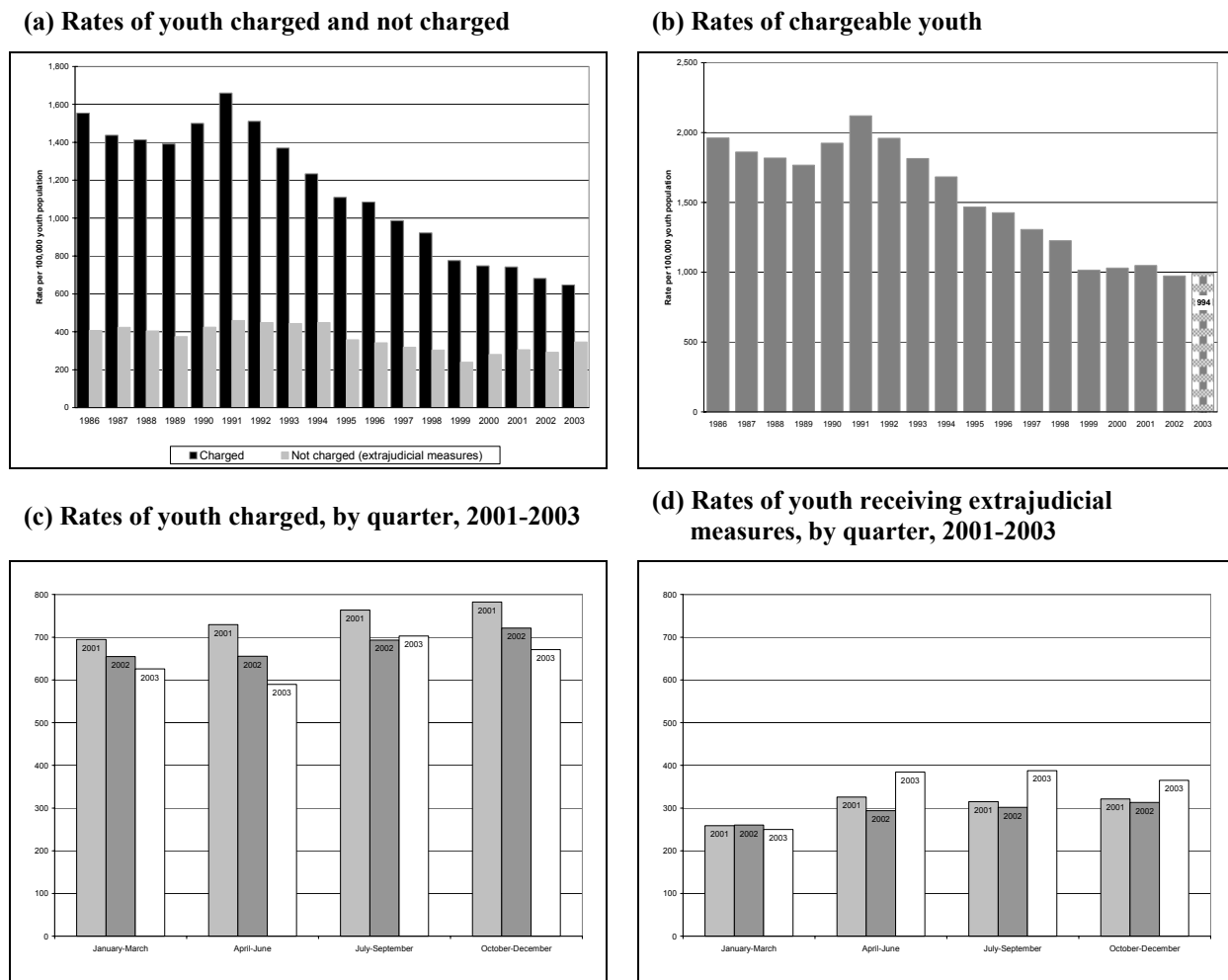
**(d) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

Figure 19 shows that there was a small reduction (5%) in 2003 in charging in incidents involving an indictable property offence.<sup>51</sup> However, the rate of young persons charged for indictable property offences has been declining since 1991, and the recorded rate of young persons not charged (i.e. dealt with by extrajudicial measures) has been increasing since 1999, so the changes in 2003 could be seen as continuations of pre-existing trends (Figure 19a). On the other hand, the increase in the recorded use of extrajudicial measures in 2003 was larger than in 2000 to 2002, and was concentrated in the last three quarters, suggesting that at least part of the change in 2003 in police charging practices with indictable property offences was in response to the coming into force of the *YCJA*.

**Figure 19. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, indictable property offences, Canada, 1986-2003**

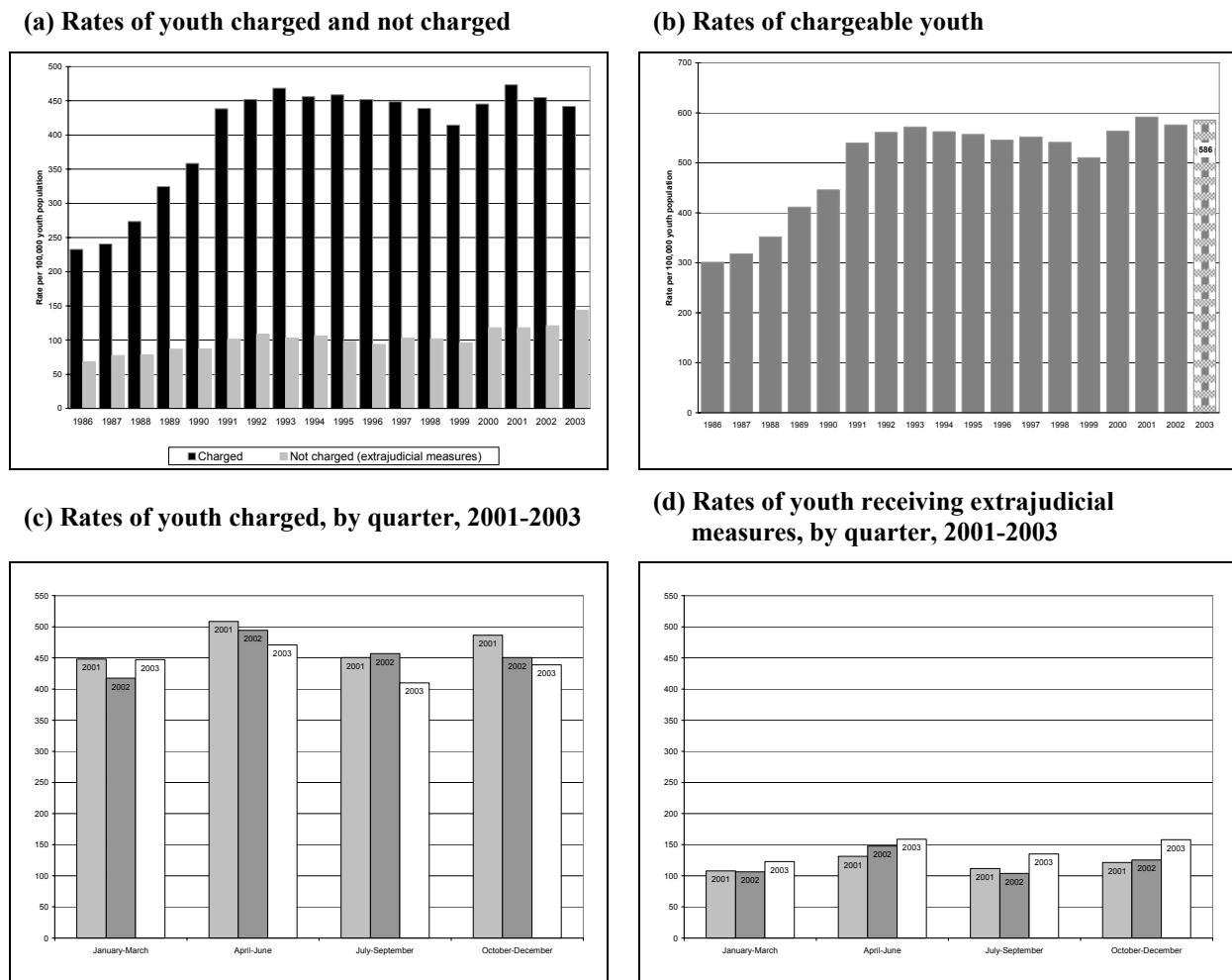


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>51</sup> In the case of young persons, the majority of indictable property offences are break and enter, but the category also includes theft over and motor vehicle theft. Fraud is discussed separately below.

There was also a small reduction (3%) in 2003 in charging for “violent” offences, or offences against the person (Figure 20)<sup>52</sup>. However, the rate of charging for this category of offences also declined in 2002, and the recorded use of alternatives to charging has been increasing since 1999. As with indictable property offences (above), there was an increase in the recorded use of extrajudicial measures in 2003, and the changes were concentrated in the last three quarters. The evidence suggests that, as expected, the *YCJA* has had at most a very small impact on charging practices with this category of offence.

**Figure 20. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, all offences against the person except assault level 1, Canada, 1986-2003**

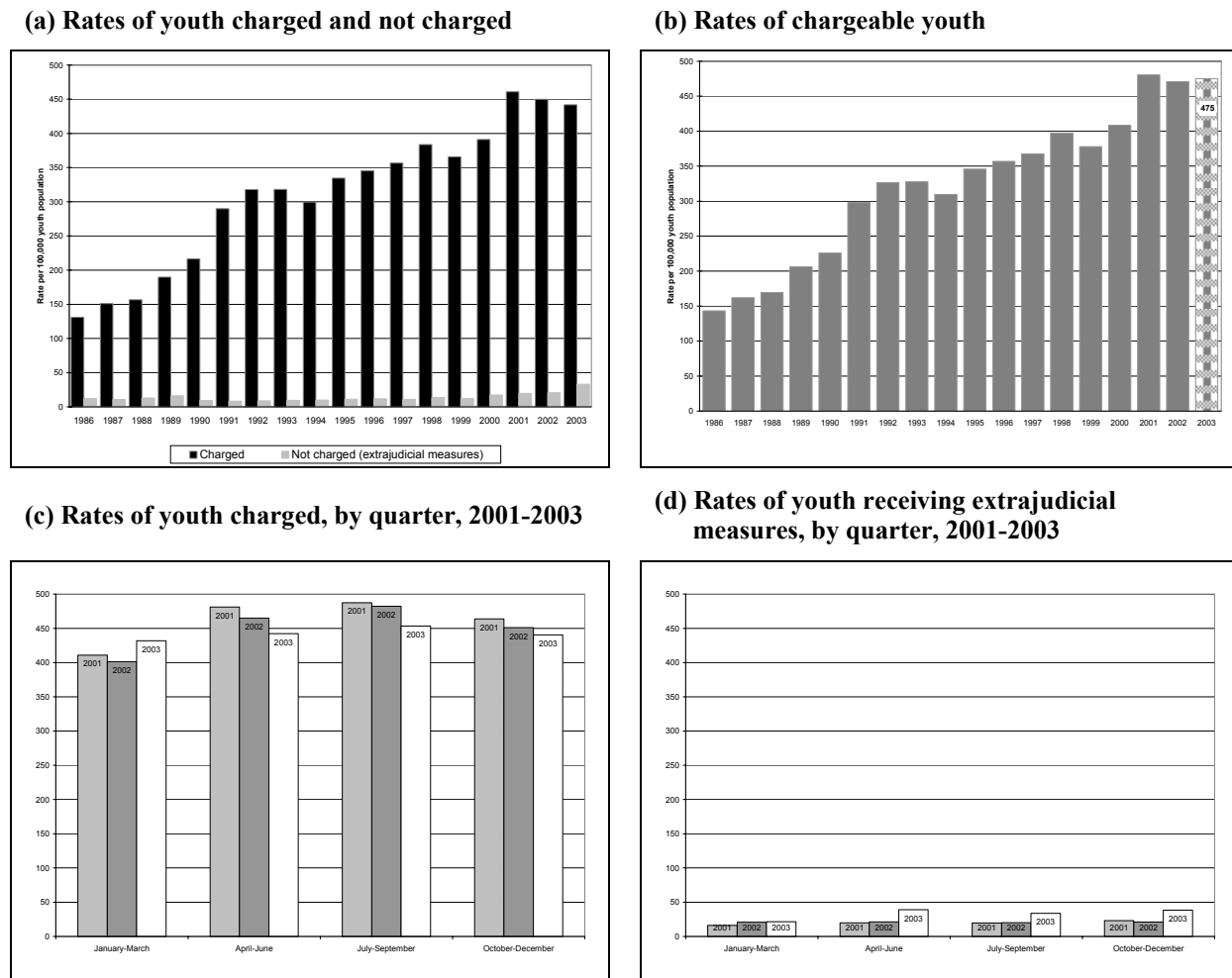


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>52</sup> These include robbery, homicide, attempt murder, assault levels 2 and 3, all levels of sexual assault, abduction, and all other offences against the person except assault level 1, which was discussed separately above.

Figure 21a shows that very little discretion not to charge is exercised by police in recorded incidents of bail violations and failure to appear for court. The reasons for this are complex, and the data probably understate the number of cases in which charges were not laid, due to under-reporting of such cases by police.<sup>53</sup> In 2003, there was a very small reduction (2%) in the rate of young persons charged with violations of bail conditions and fail to appear for court, and a slightly larger increase in the recorded use of extrajudicial measures. The overall rate of chargeable young persons increased very slightly (1%; see Figure 21b). Although the rate of charging for these offences has been decreasing since 2001, the increase in 2003 in the use of extrajudicial measures, and the concentration of the changes in the last three quarters, suggests that the changes in 2003 were at least partly the result of the *YCJA*, and not simply a continuation of a pre-existing trend. However, the changes were very small, contrary to our expectations.

**Figure 21. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, bail violations and fail to appear, Canada, 1986-2003**

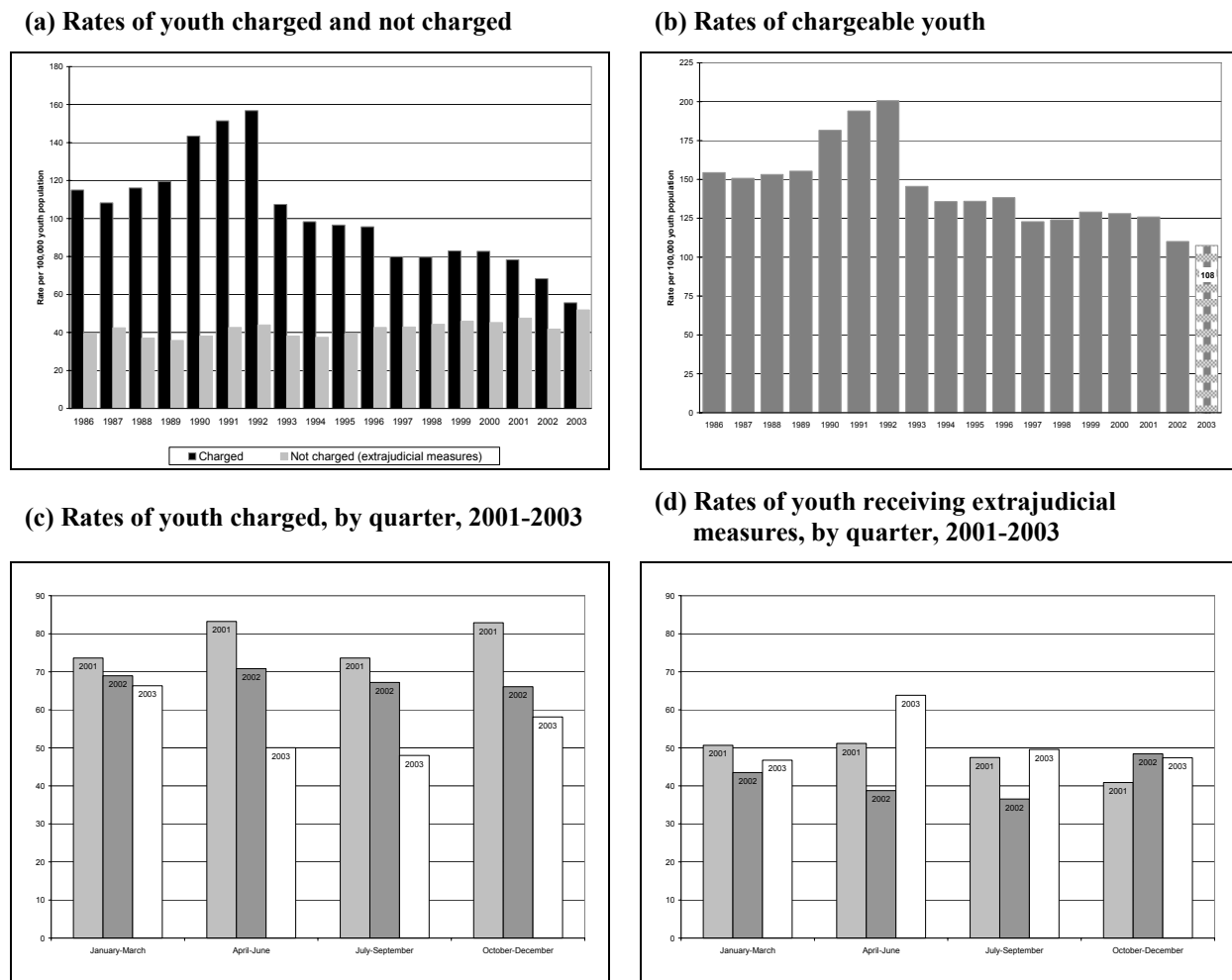


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>53</sup> For discussion of this issue, see Carrington and Schulenberg 2004a; Schulenberg 2004; Schulenberg, forthcoming.

In 2003, the rate of young persons charged with fraud<sup>54</sup> decreased, and the rate of youth dealt with by extrajudicial measures increased by a corresponding amount (Figure 22a). However, youth charge rates for fraud have been decreasing since 2000. Furthermore, the analysis by quarter shows decreases greater than the annual trend only in the second and third quarters of 2003, and above-average increases in extrajudicial measures only in the second quarter. Therefore, it is not clear to what extent the changes in 2003 in police practices in relation to fraud offences by youth are a response to the *YCJA*, or simply the continuation of a pre-existing trend.

**Figure 22. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, fraud, Canada, 1986-2003**



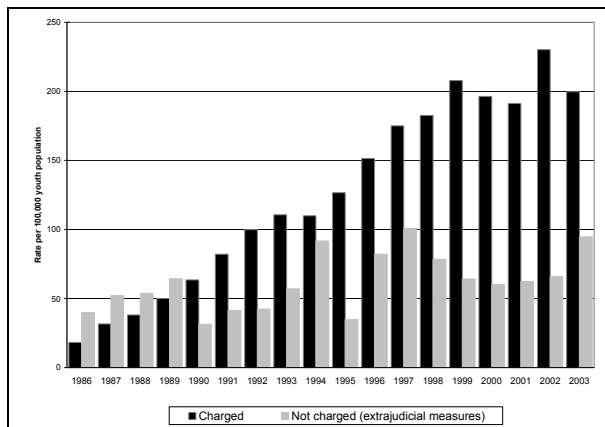
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>54</sup> The aggregate UCR Survey does not provide data which distinguish between fraud under and fraud over, but the great majority of incidents in which young persons are implicated involve fraud under.

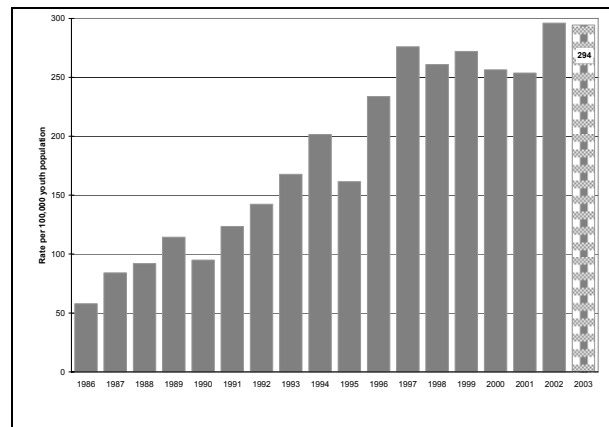
Figure 23 shows the rates of young persons charged, chargeable, and dealt with by extrajudicial measures in incidents in which the most serious alleged offence was a breach of a probation condition. Although the UCR Survey does not have a separate category for violations of probation conditions, the numbers provided for “other federal statutes” are used here as a proxy for this offence.<sup>55</sup> This can be done because alleged breaches of probation orders by young persons are normally classified as “failure to comply with a disposition” under the *YOA* and *YCJA*, rather than as violations of probation conditions under the *Criminal Code*, and are therefore reported under “other federal statutes” by the UCR. The number of young persons implicated in offences under the remaining federal statutes included in this UCR category is negligible.<sup>56</sup>

**Figure 23. Rates of young persons charged, not charged (extrajudicial measures), and chargeable, violations of probation conditions, Canada, 1986-2003**

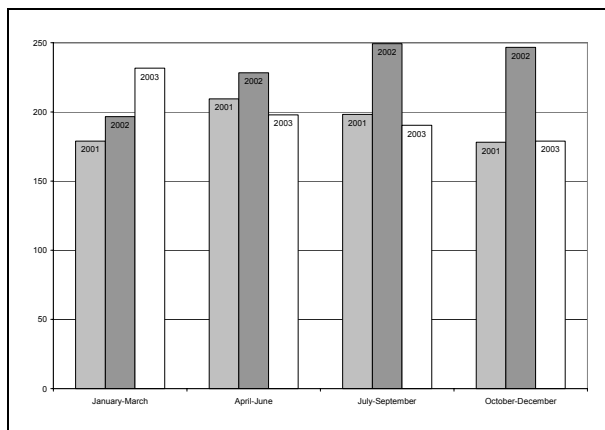
**(a) Rates of youth charged and not charged**



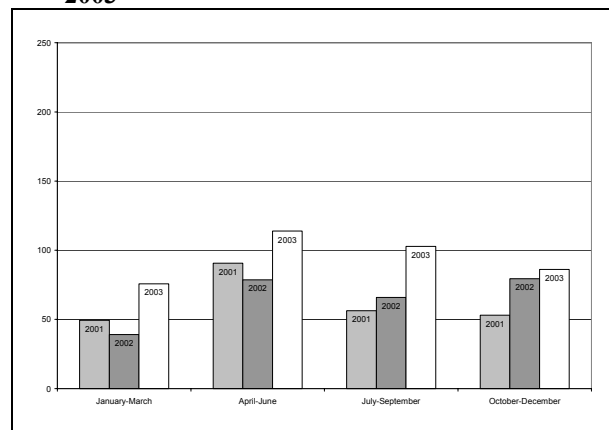
**(b) Rates of chargeable youth**



**(c) Rates of youth charged, by quarter, 2001-2003**



**(d) Rates of youth not charged, by quarter, 2001-2003**



Note: The chart includes all youth classified under “other federal statutes”, almost all of whom were apprehended for probation violations..  
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.3 and A.6.

<sup>55</sup> See Carrington and Schulenberg, 2004a: note 15, p. 47.

<sup>56</sup> The UCR category “Other federal statutes” includes the *YOA*, *YCJA*, *Income Tax Act*, *Competition Act*, *National Defence Act*, and miscellaneous other federal statutes (Canadian Centre for Justice Statistics, 2002: Section 6).

The evidence presented in Figure 23 is difficult to interpret. There was a reduction from 2002 to 2003 of 13% in the rate of young persons charged, but the charge rate in 2002 was unusually high; the rate in 2003 was not substantially different from the rates in 1999 to 2001 (Figures 23a and 23c). The recorded rate of youth dealt with by extrajudicial measures in 2003 was substantially higher than in 1999 to 2002 (Figure 23a), but this increase was evident in all four quarters of 2003 (Figure 23d). The overall recorded rate of chargeable youth was higher in 2003 than in 1999 to 2001, though not higher than in 2002 (Figure 23b). Thus, there is no clear evidence that the coming into force of the *YCJA* has resulted in a decrease in charging with this type of offence.

## 4.0 Conclusions

On the evidence of data from the Uniform Crime Reporting Survey, the *YCJA* has been remarkably successful in bringing about changes in police charging practices with young persons which are consistent with its objectives, principles and provisions. Consistent with the principle of restraint and the objective of reducing the use of formal court proceedings with accused young persons, there was, in 2003, a substantial reduction at the national level and in most provinces and territories in the number of young persons charged or recommended by police to be charged, and a corresponding increase in the use of extrajudicial measures with apprehended young persons. There is no evidence of an increase at the national level in youth crime in 2003, or of net-widening by police in response to the coming into force of the *YCJA*. Consistent with the principles of accountability and proportionality, the substitution of extrajudicial measures for the laying of charges has been calibrated by police so that levels of charging were reduced in 2003 by more than one-third for minor offences such as theft under and drug-related offences, while levels of charging for serious property and violent offences (other than common assault) decreased only slightly.

In three provinces – Newfoundland and Labrador, Prince Edward Island, and Quebec – while the levels of charging of young persons decreased in 2003, we could not confidently attribute the changes to the impact of the *YCJA*, because the use of charges with apprehended young persons had been decreasing for some years before 2003. In three other jurisdictions – Saskatchewan, the Northwest Territories and Nunavut Territory – there was no evidence of a reduction in charging of young persons in 2003.

We cannot be sure that the large reduction in charging of young persons in incidents involving drug-related offences was entirely due to the *YCJA*, because the Act came into force only two months before the Cannabis Reform Bill was introduced in Parliament. Although this Bill was not passed, its introduction probably resulted in a reduction in the use of charges in incidents of possession of small amounts of cannabis.

Our expectations based on the legislation were not fulfilled in the case of young persons accused of offences against the administration of justice – mainly violations of bail and probation conditions, and fail to appear for court. We had expected a substantial decrease in 2003 in the use of charges, and an increase in the use of extrajudicial measures with these non-violent,

victimless offences. However, the data showed little change from previous years in the way in which police respond to youth accused of this type of offence.

With these minor exceptions, the initial impact of the *YCJA* on police charging practices with young persons appears to have been remarkably strong, immediate, and consistent with its objectives, principles, and provisions.

Our review of the statute and related literature suggested certain research questions which we were unable to address with the available data. Some unanswered questions concern the types of extrajudicial measures which are being used by police under the *YCJA*: Do the choices of extrajudicial measures reflect the principles of restraint, accountability and proportionality? Do these choices represent a type of net-widening by police? Another unanswered question concerns the impact of Section 4(c), which states that extrajudicial measures are presumed to be sufficient to respond to a youth with no prior record who is accused of a non-violent offence. We were also unable to assess to what extent violations of probation conditions are being dealt with by police by way of an application for a review of the order, rather than laying a charge of fail to comply. Probably the most important question which necessarily remains unanswered by this preliminary assessment is whether the remarkable success of the *YCJA* in relation to police charging practices will prove to be temporary, and followed by a return to former police practices, or whether this new approach to the exercise of police discretion will be entrenched, and possibly even enhanced, in the future. A related question is whether the improved recording by some police services of the use of extrajudicial measures with young persons, which appears to have resulted from the coming into force of the *YCJA*, will result in increases in the future in the charging of young persons in these jurisdictions, as a result of the availability of more complete information on their previous encounters with police.



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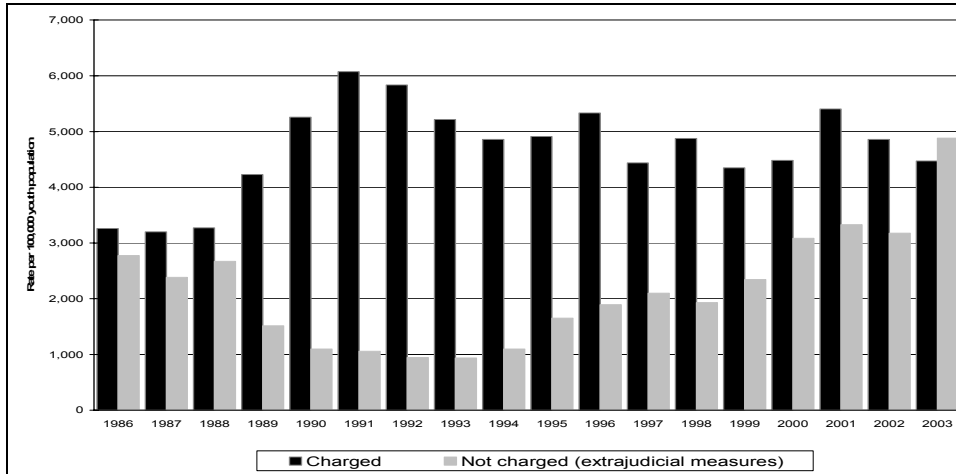
## **Appendix**

### **Supplementary Figures and Tables**

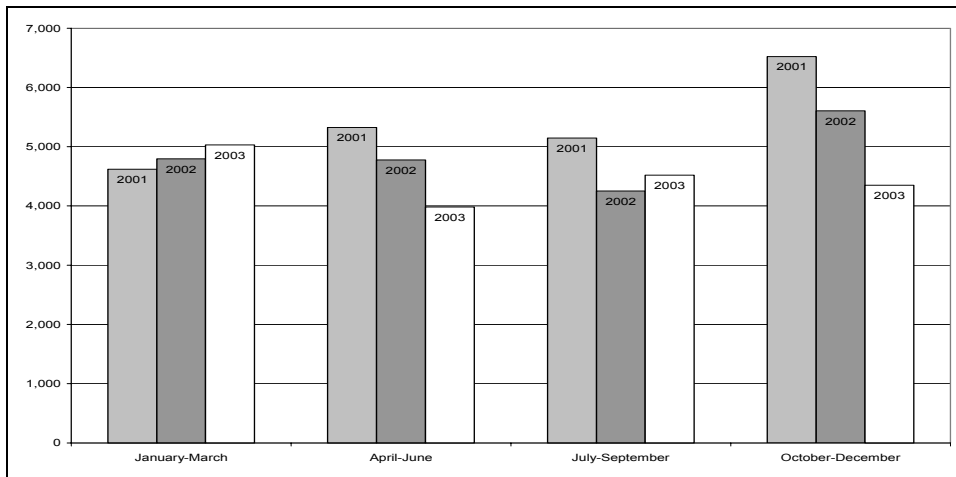
**Figure A.1**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Newfoundland and Labrador**

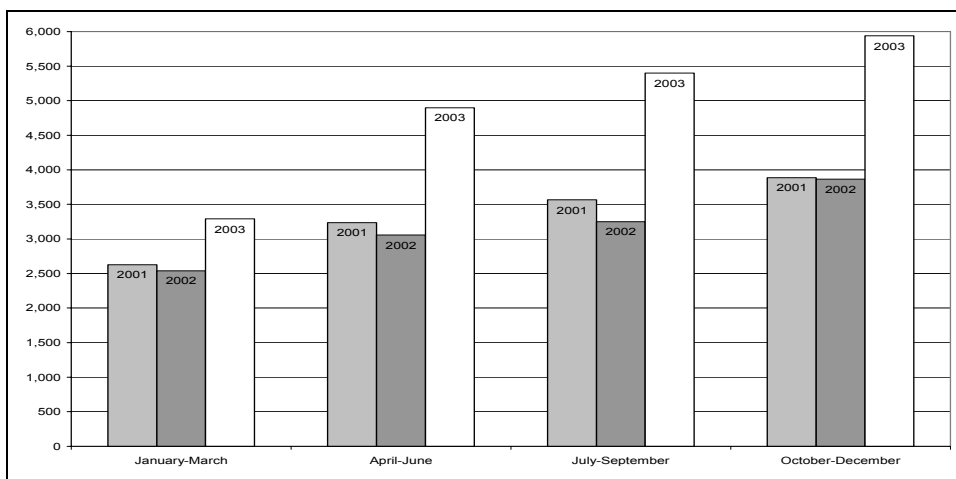
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

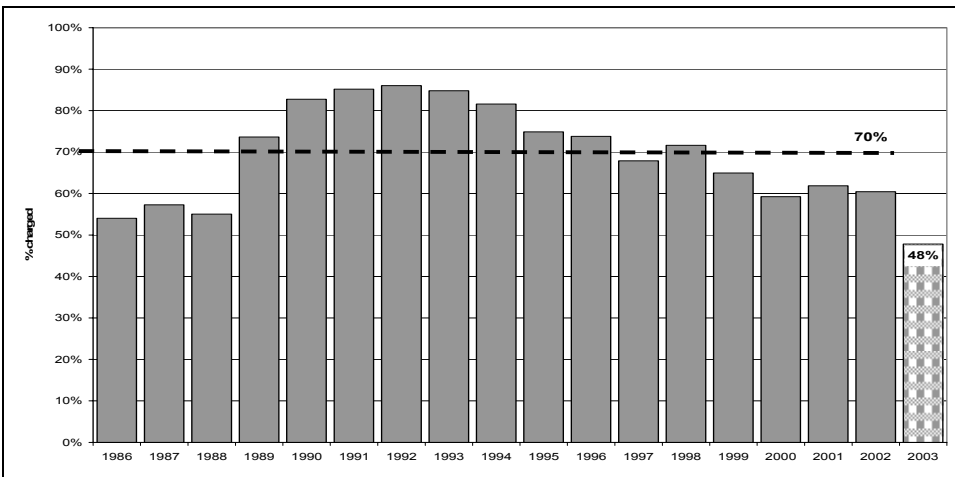


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

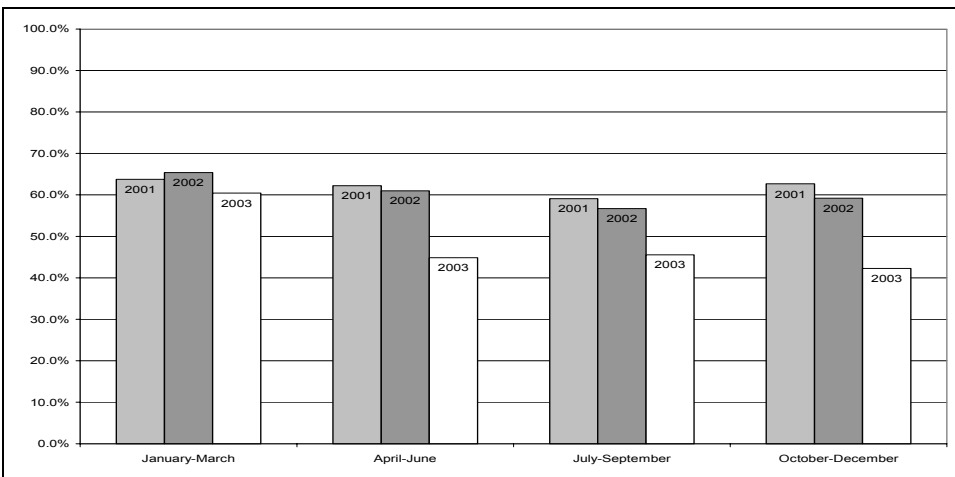


**Figure A.1 (Newfoundland and Labrador, cont'd)**

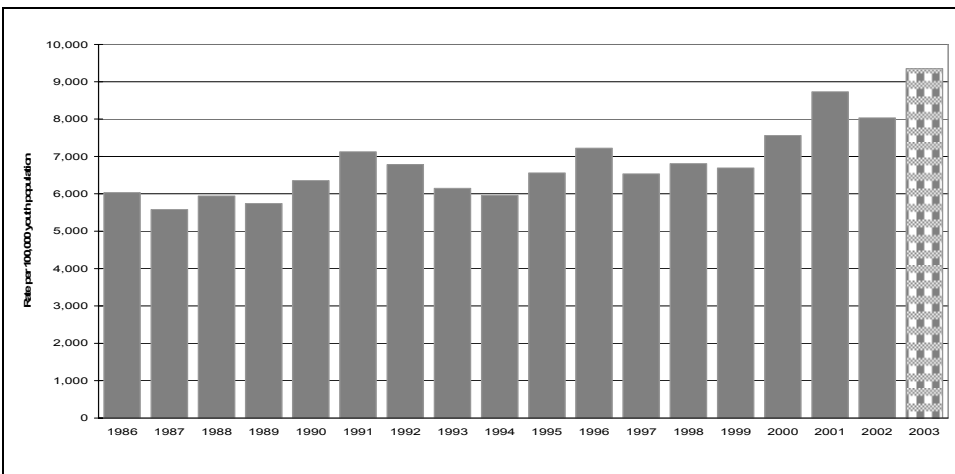
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

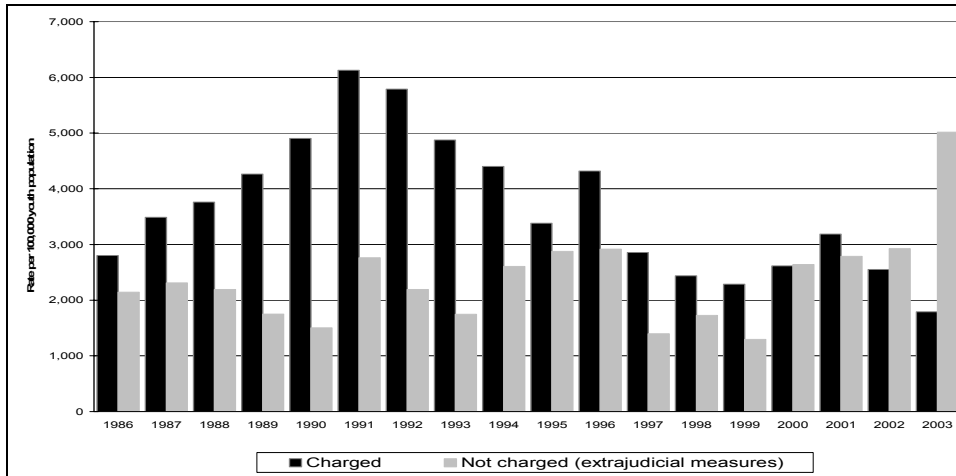


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

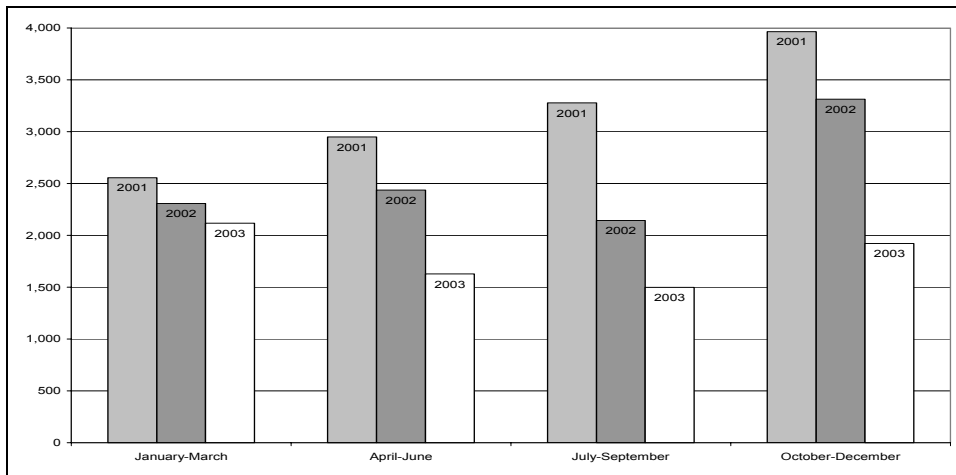
**Figure A.2**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Prince Edward Island**

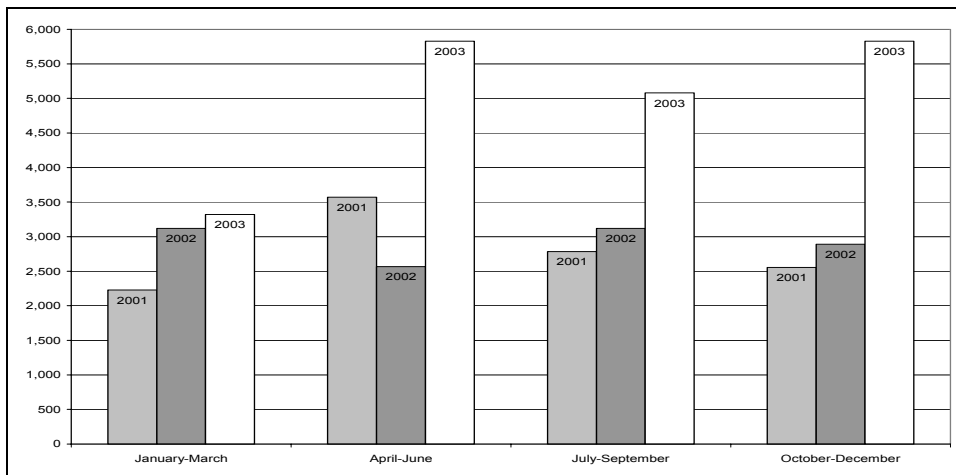
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

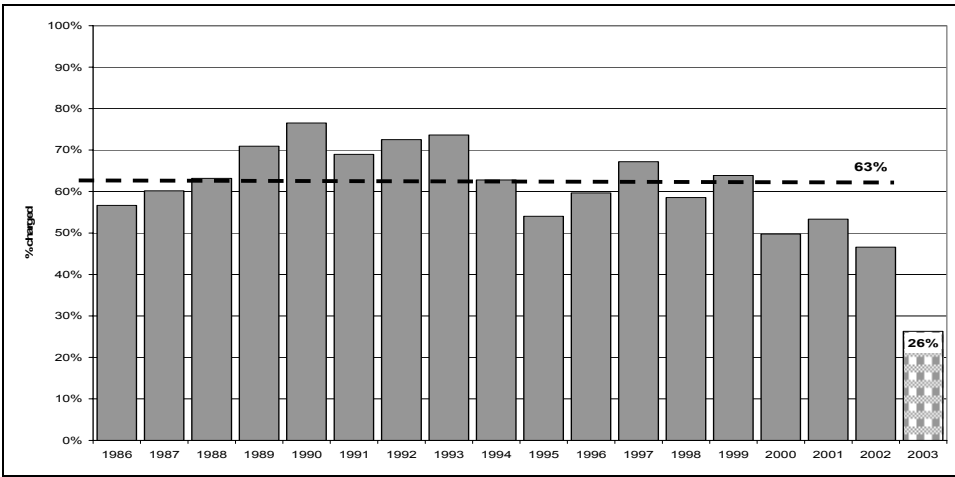


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

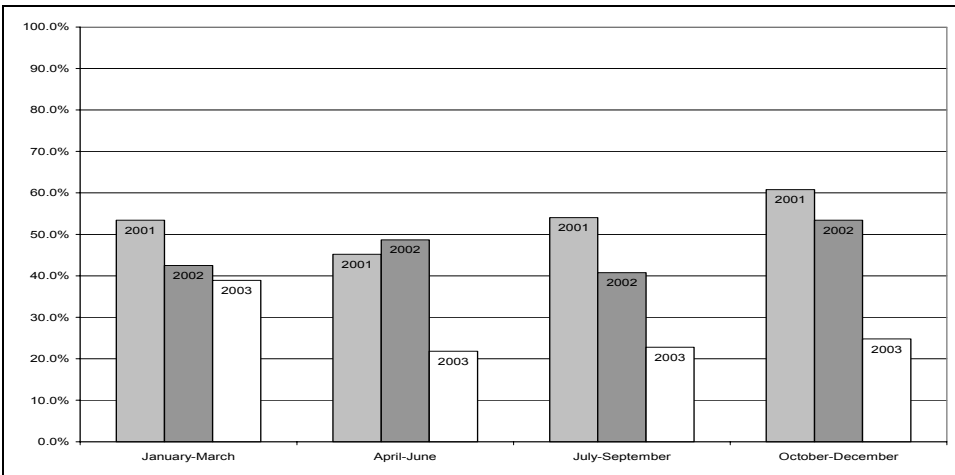


**Figure A.2 (Prince Edward Island, cont'd)**

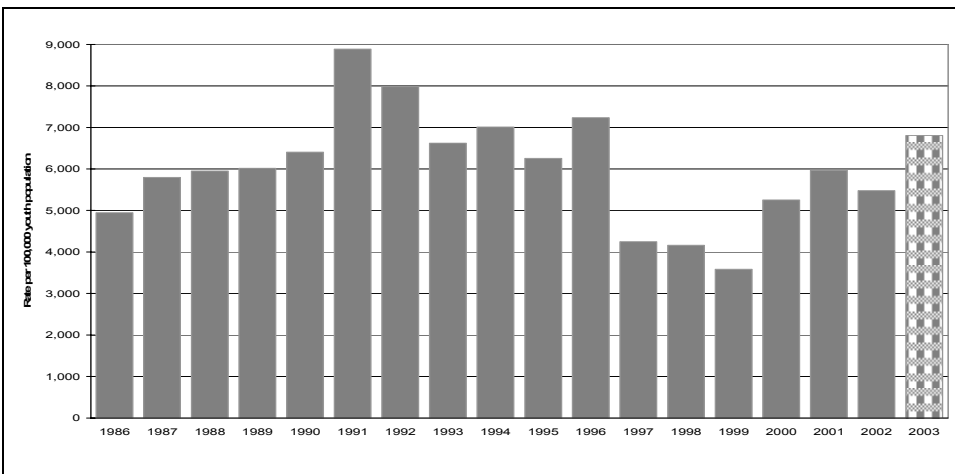
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**



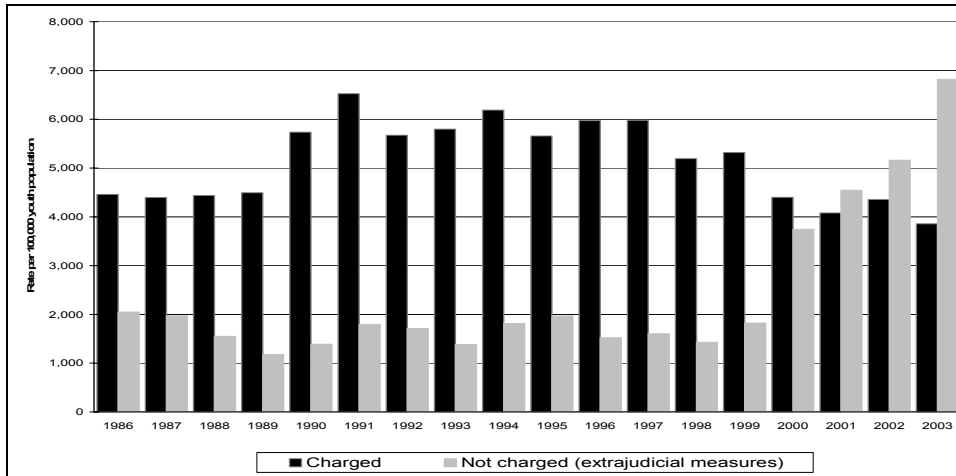
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.



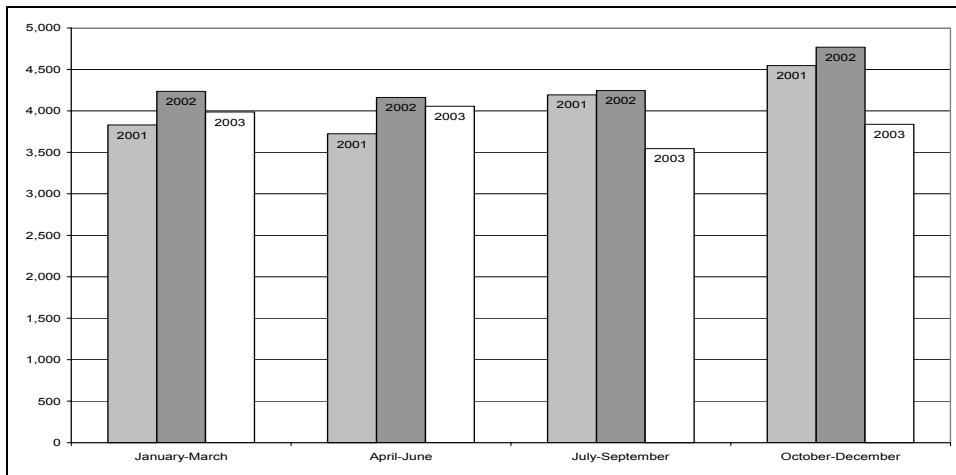
**Figure A.3**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Nova Scotia**

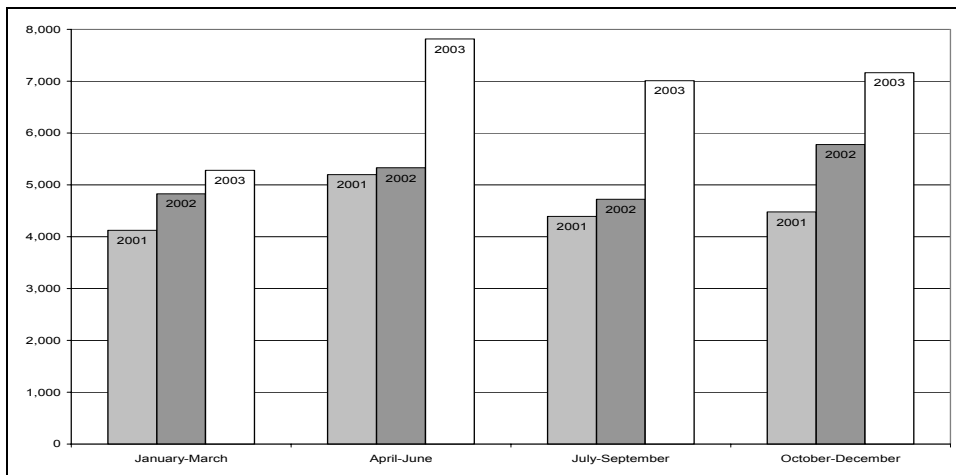
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

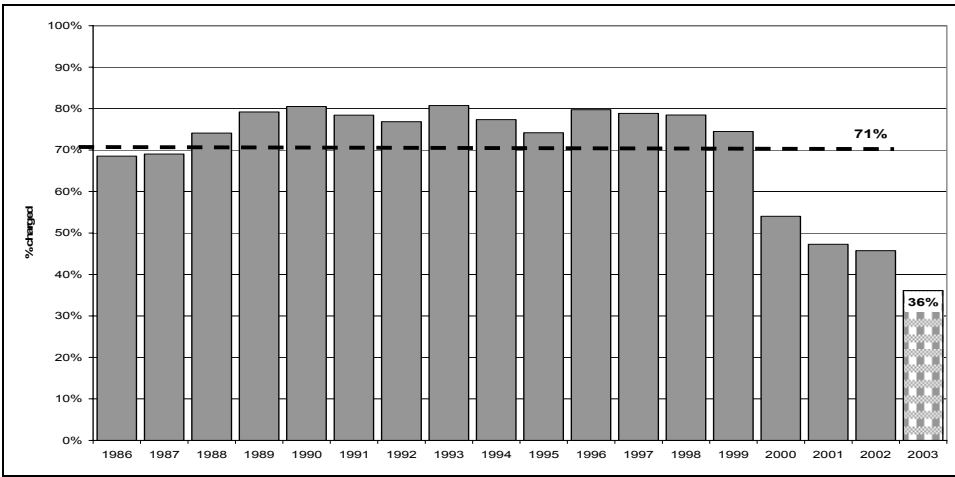


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

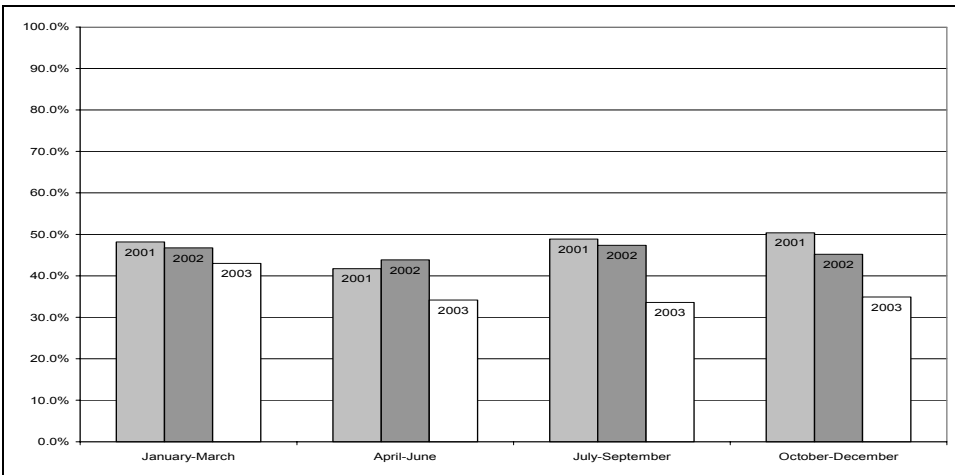


**Figure A.3 (Nova Scotia, cont'd)**

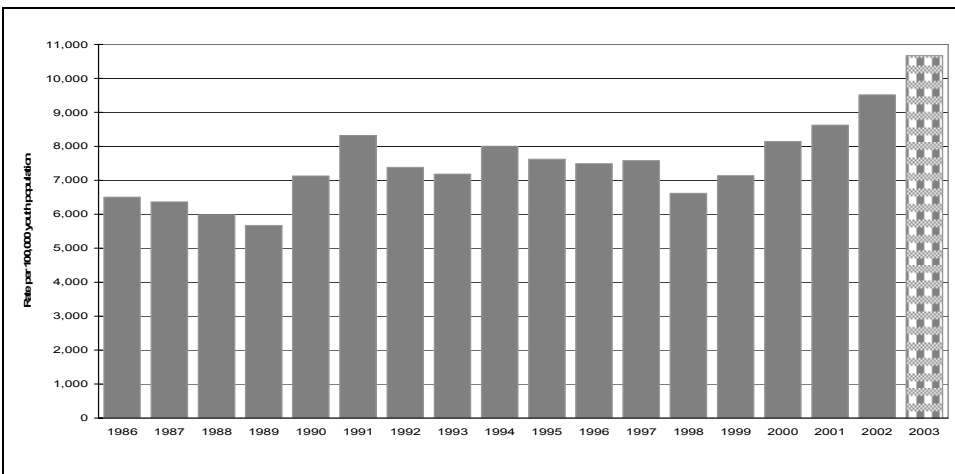
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

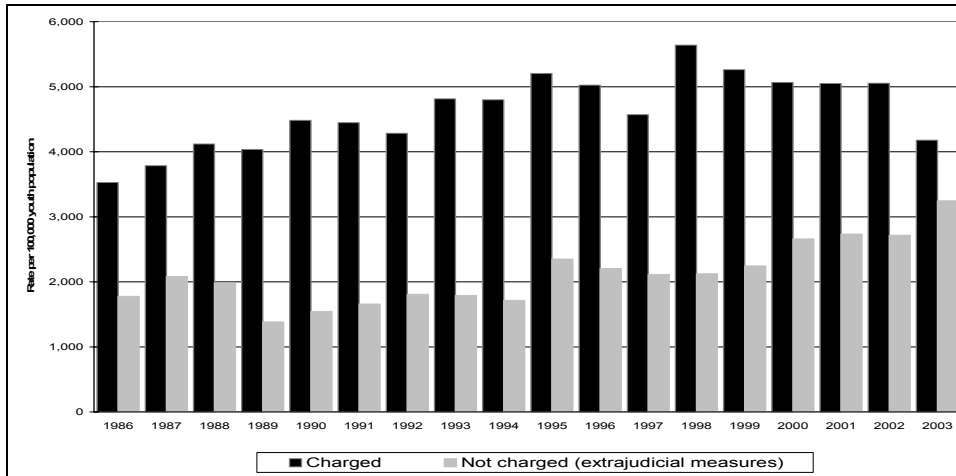


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

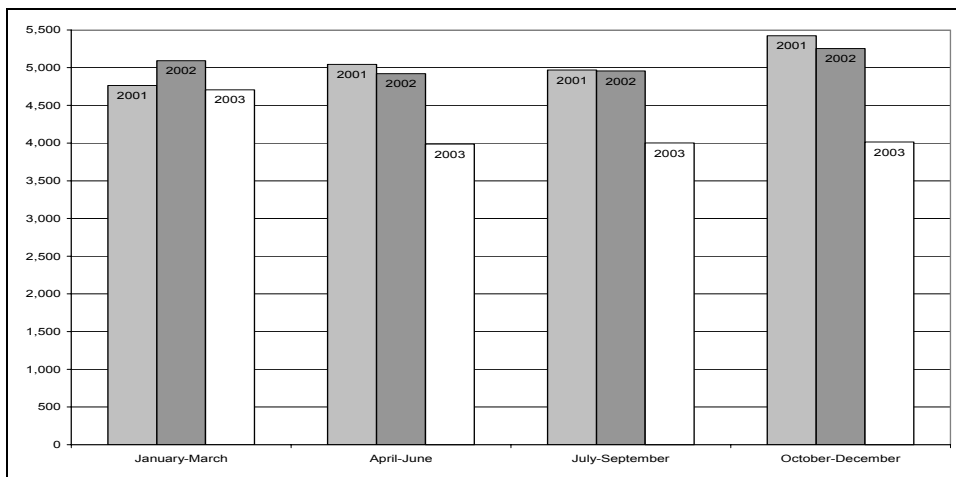
**Figure A.4**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, New Brunswick**

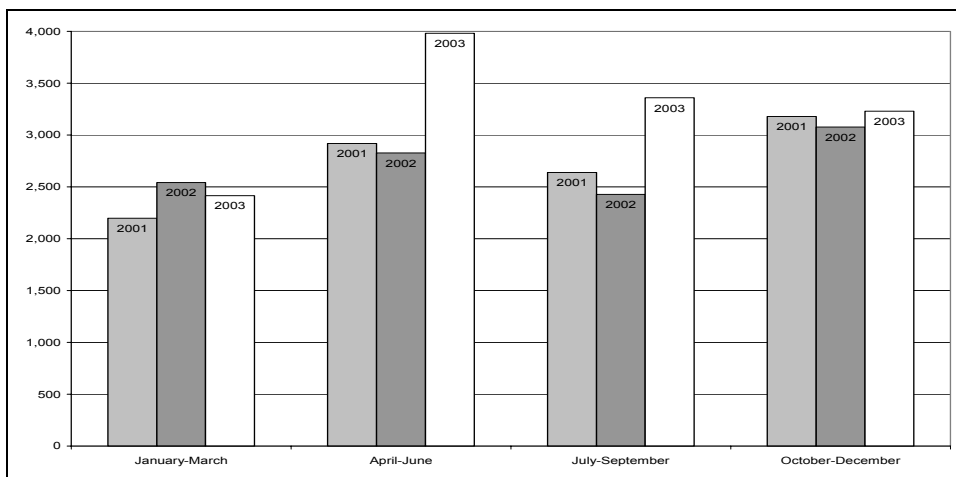
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

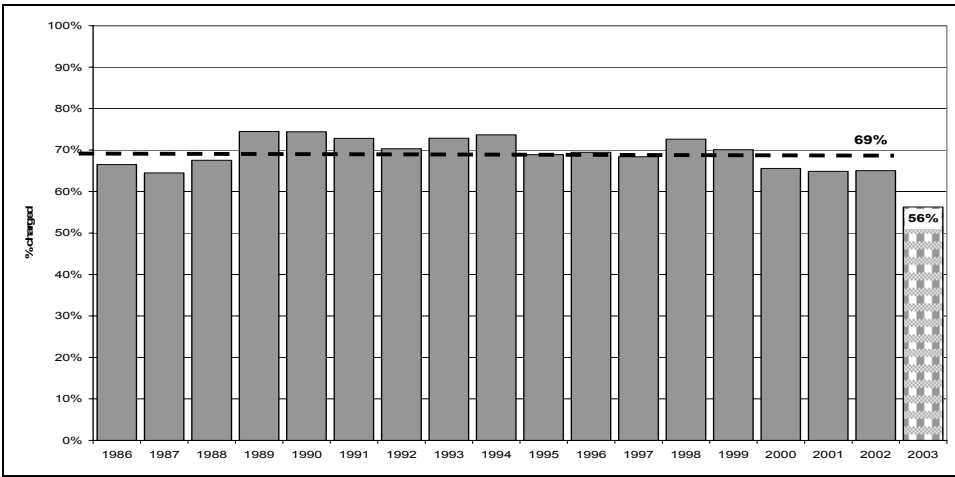


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

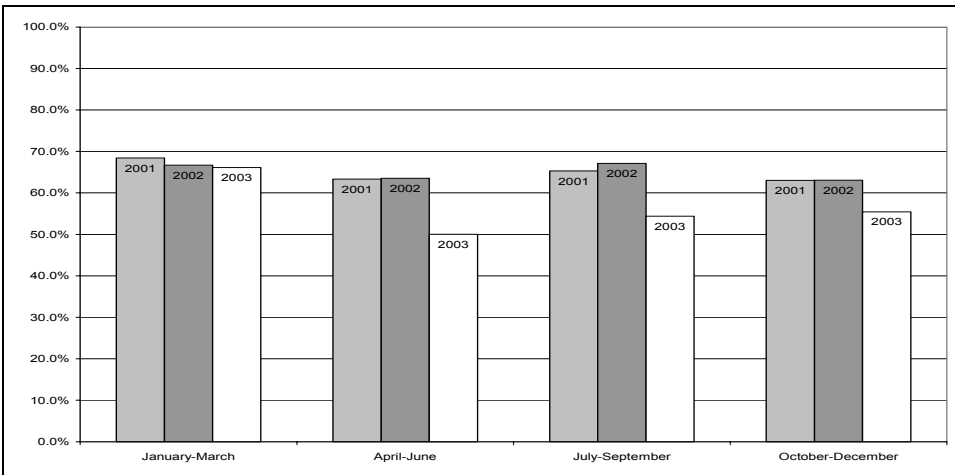


**Figure A.4 (New Brunswick, cont'd)**

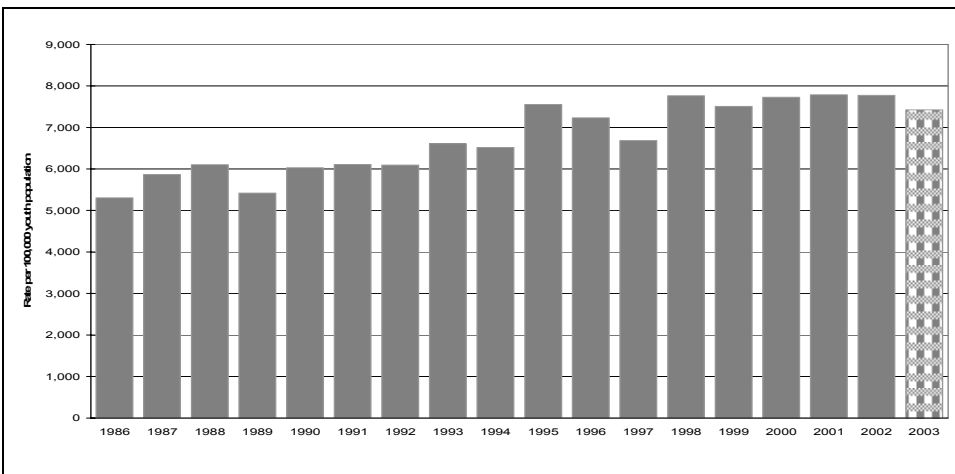
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

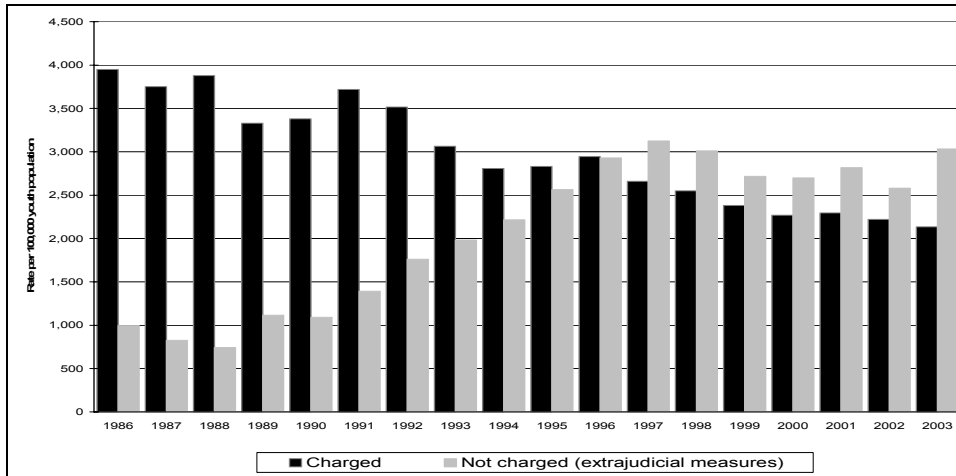


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

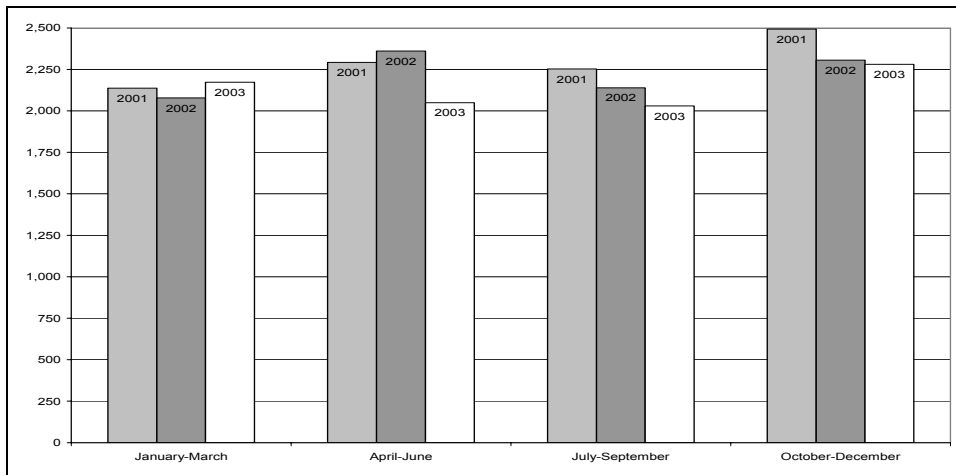
**Figure A.5**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Quebec**

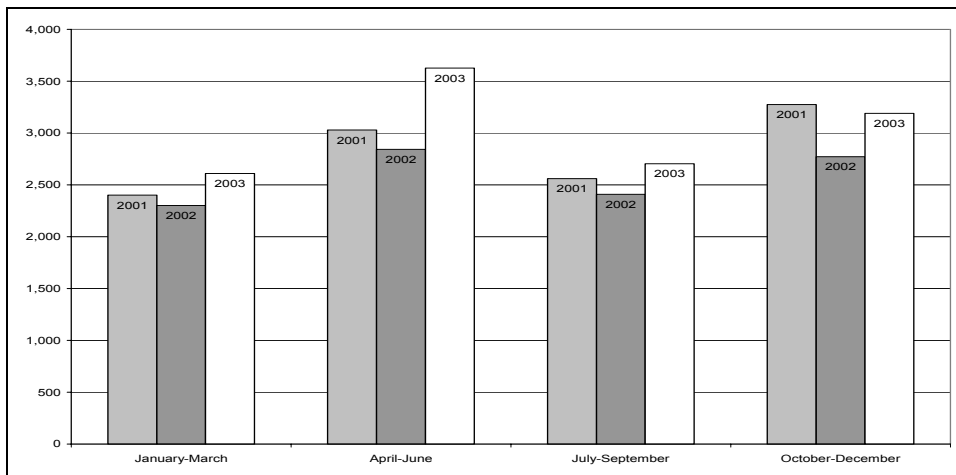
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

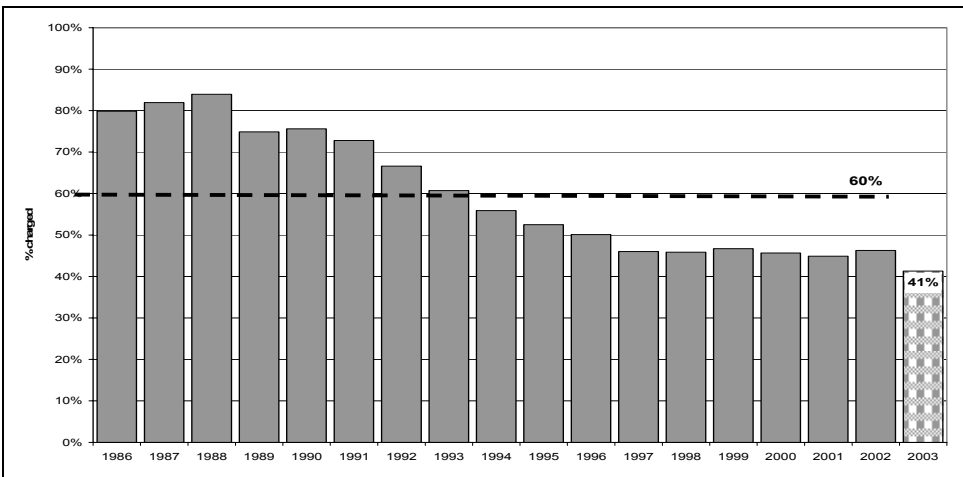


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

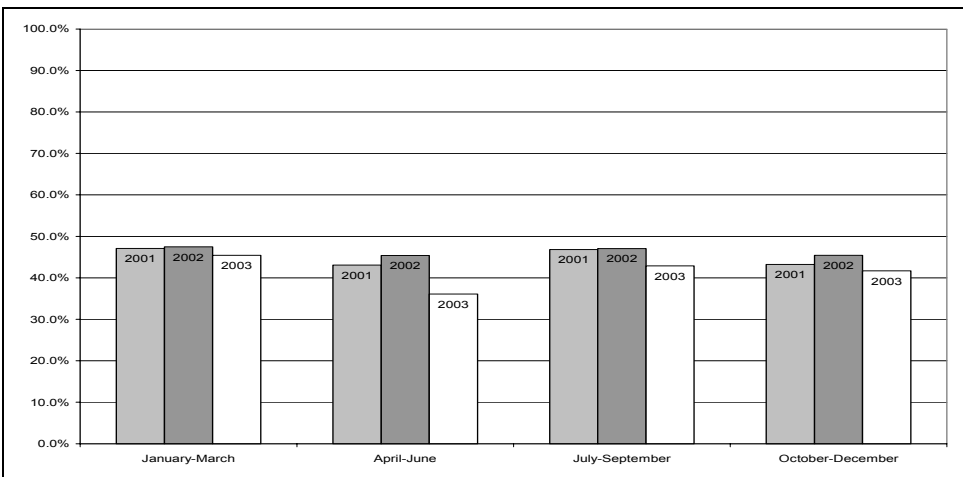


**Figure A.5 (Quebec, cont'd)**

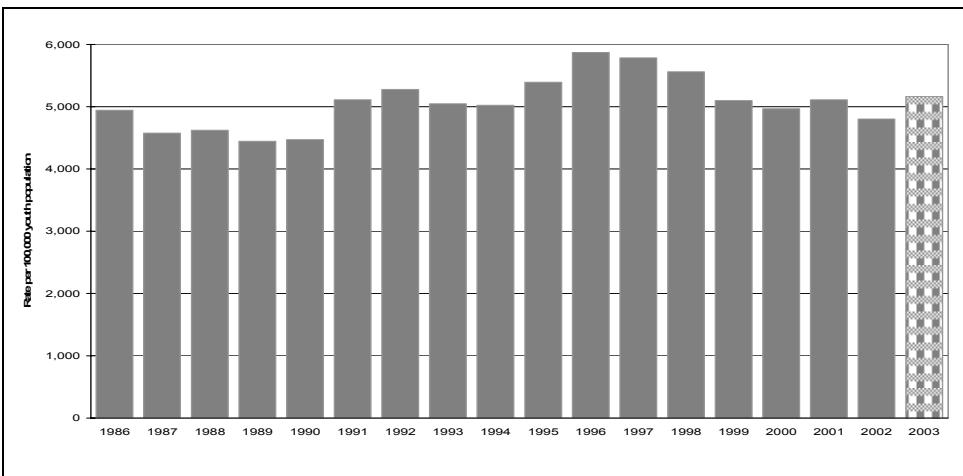
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

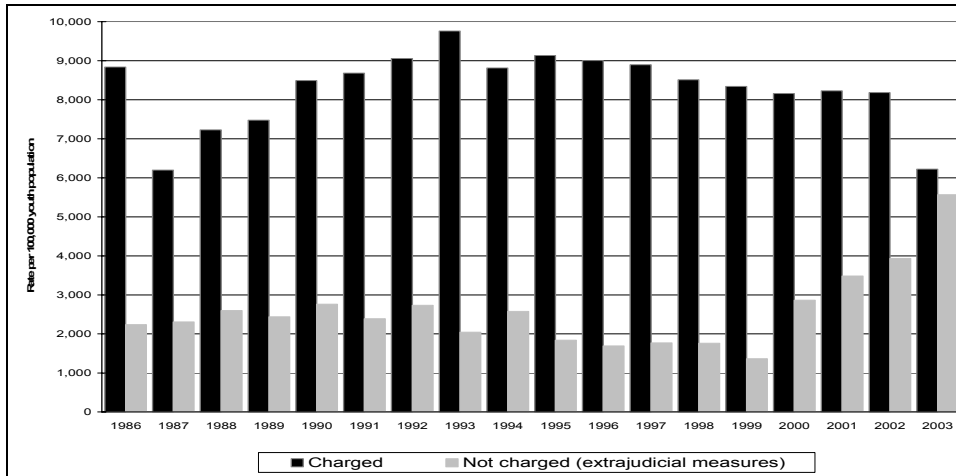


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

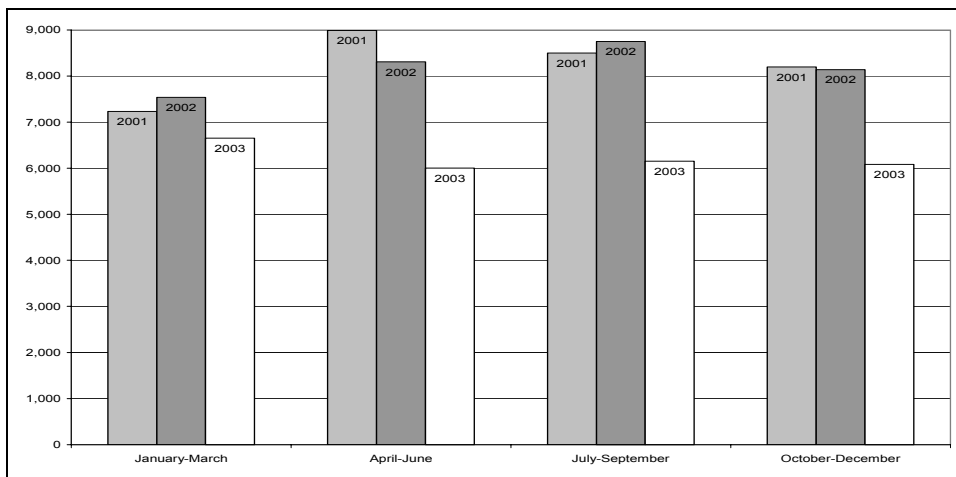
**Figure A.6**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Manitoba**

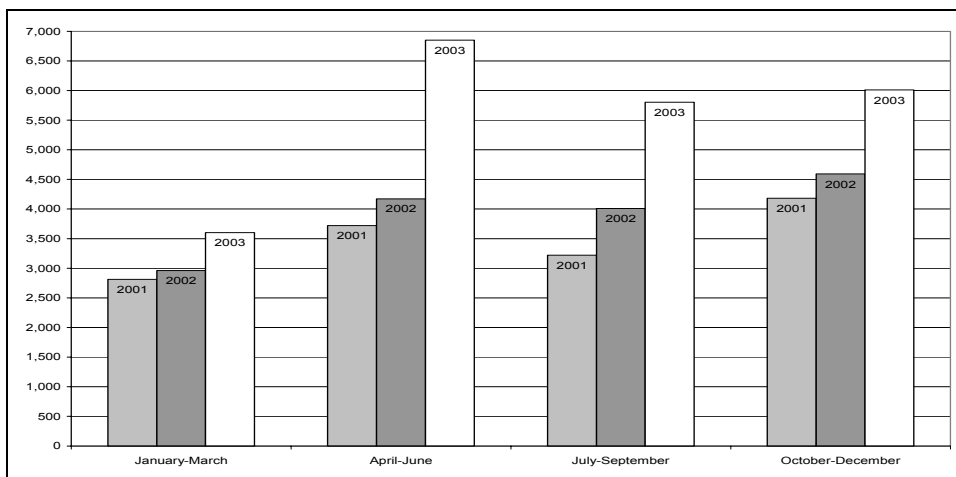
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

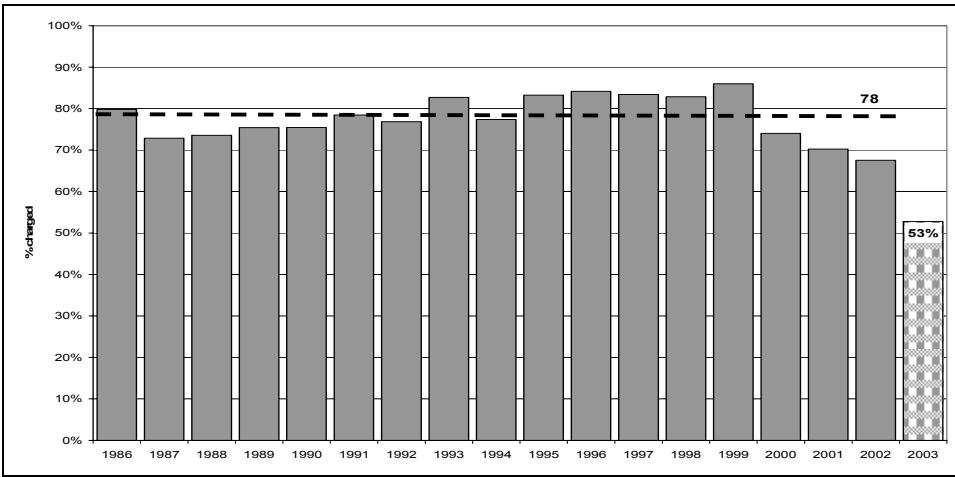


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

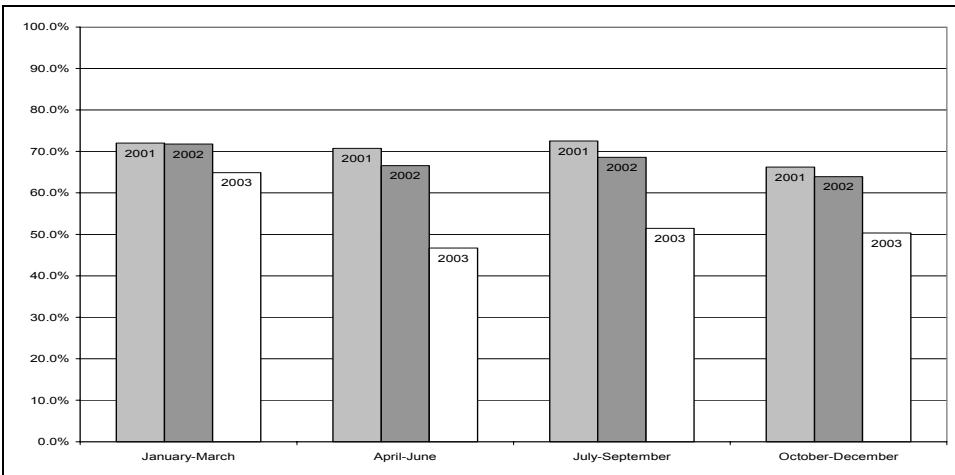


**Figure A.6 (Manitoba, cont'd)**

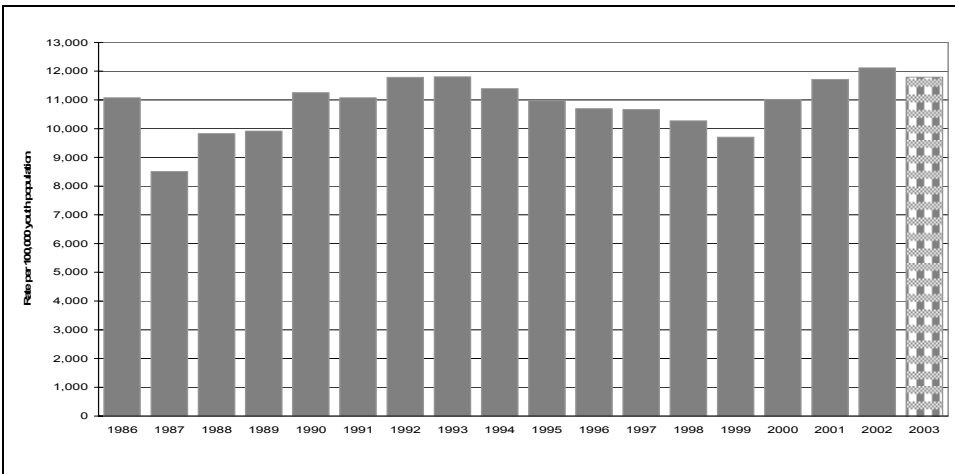
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**



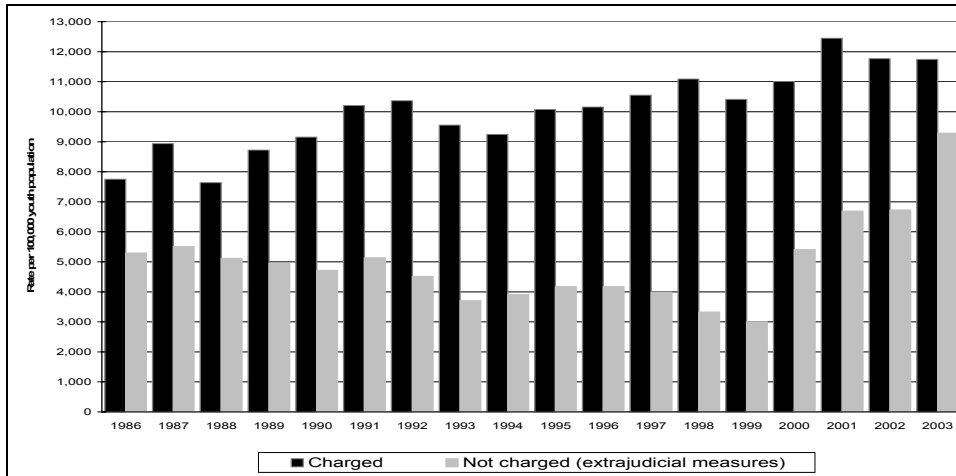
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.



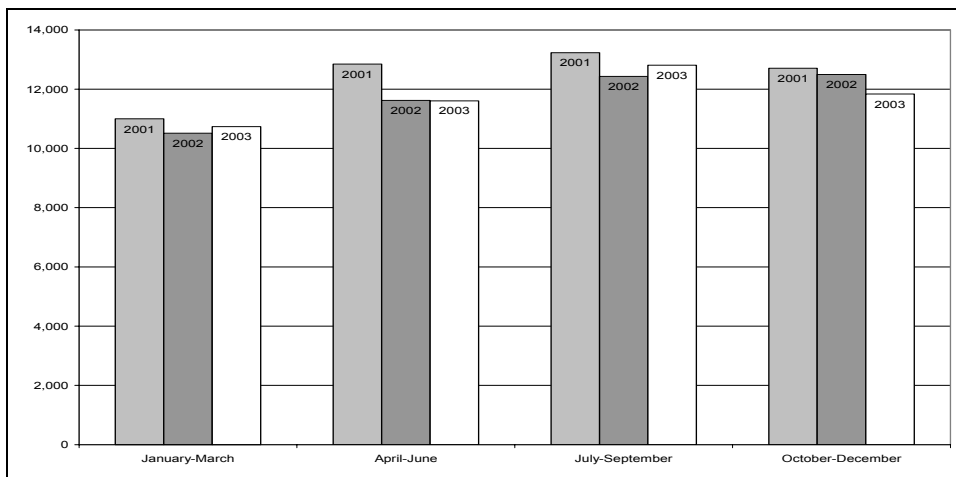
**Figure A.7**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Saskatchewan**

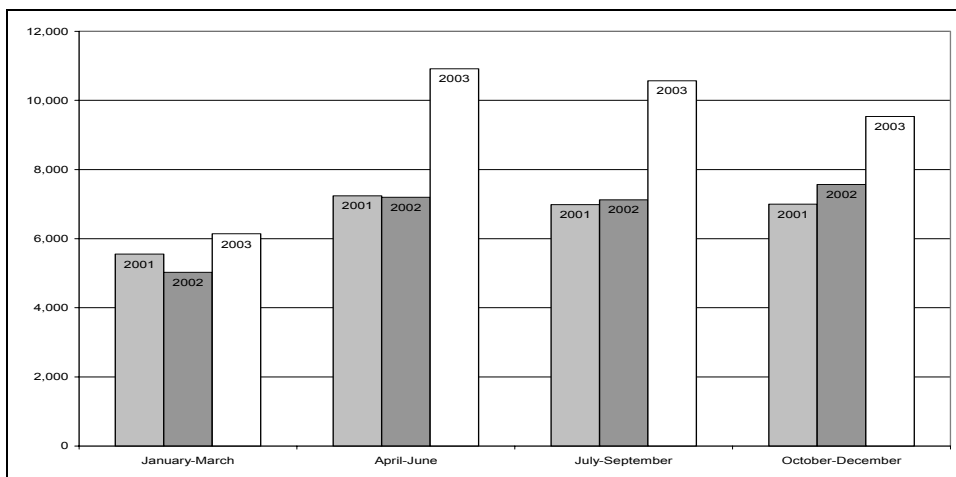
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

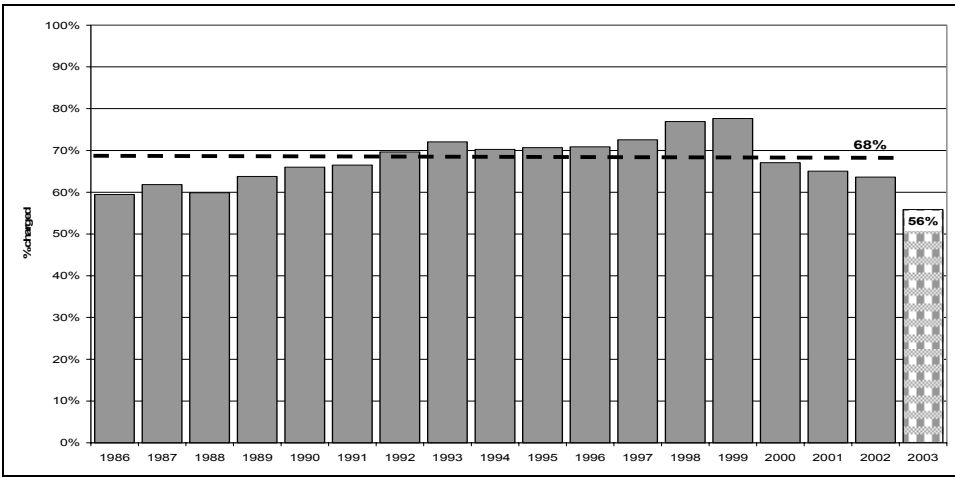


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

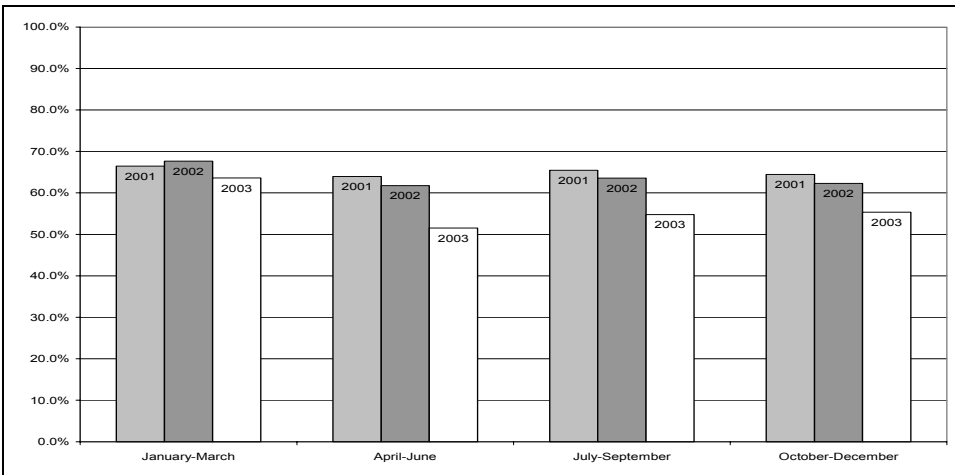


**Figure A.7 (Saskatchewan, cont'd)**

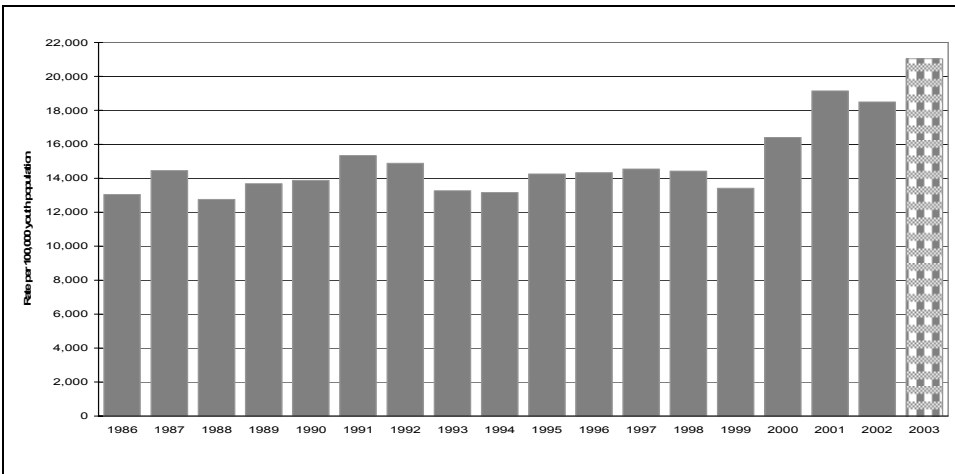
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

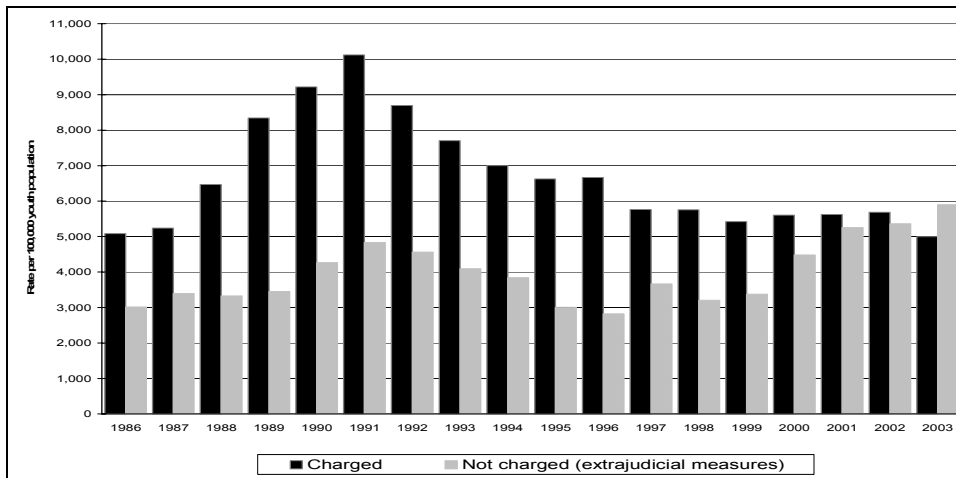


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

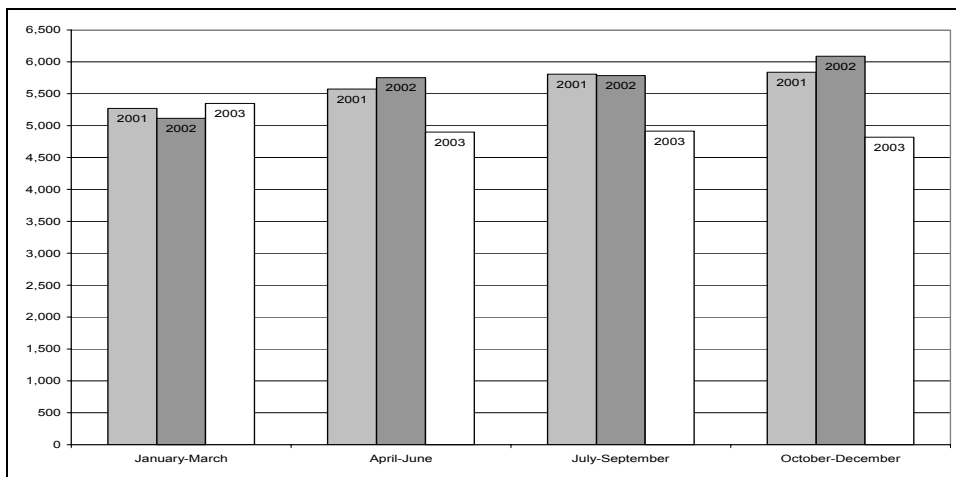
**Figure A.8**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Alberta**

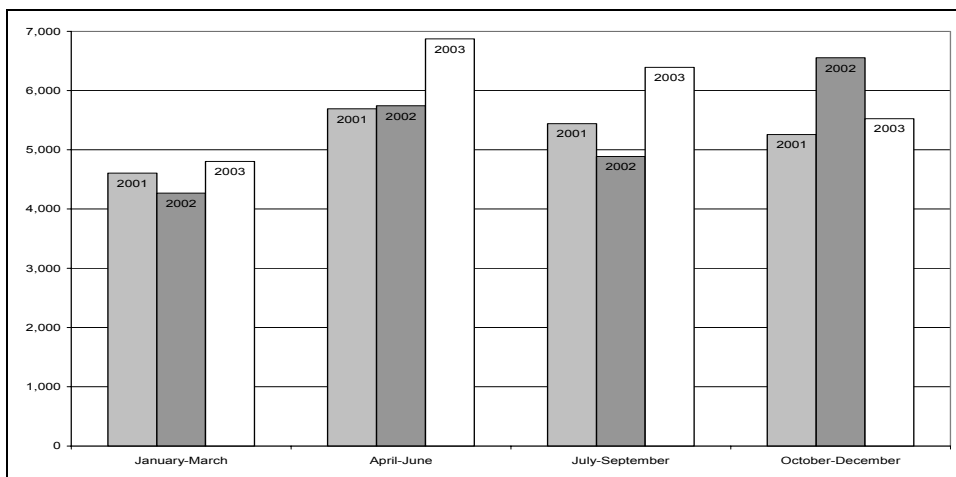
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

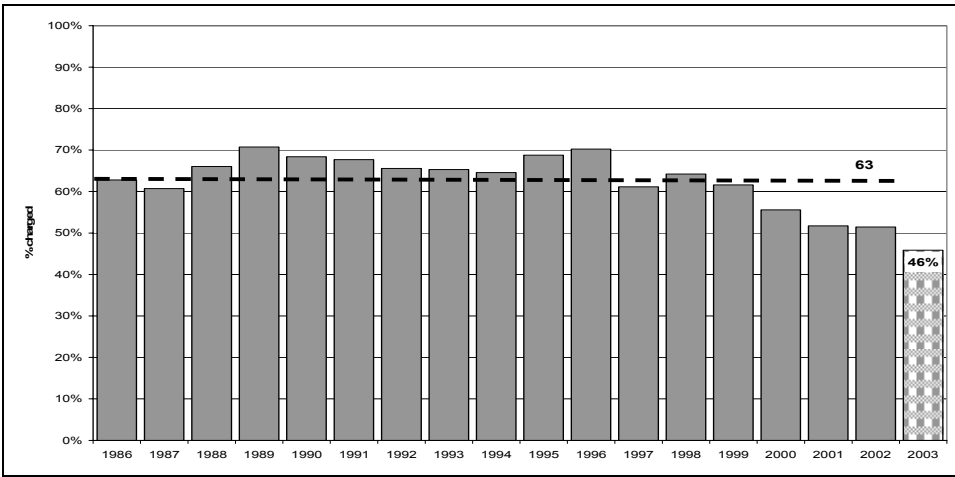


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

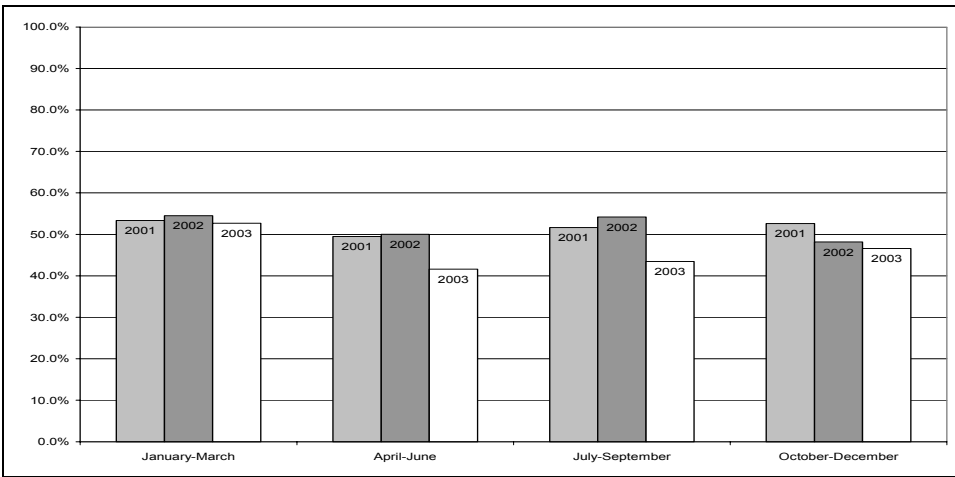


**Figure A.8 (Alberta, cont'd)**

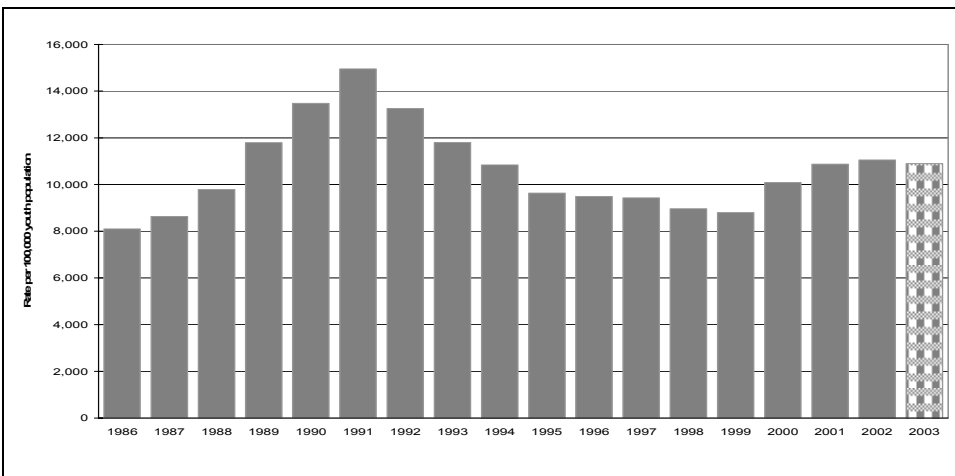
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

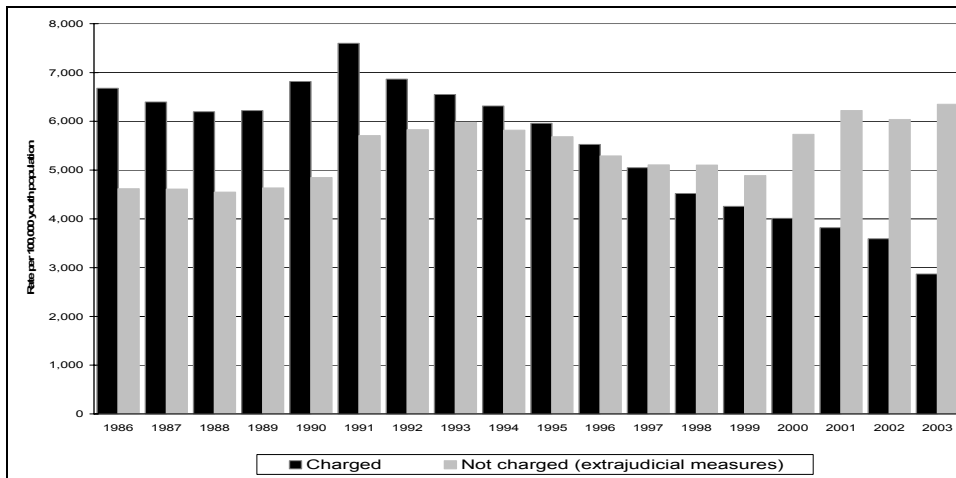


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

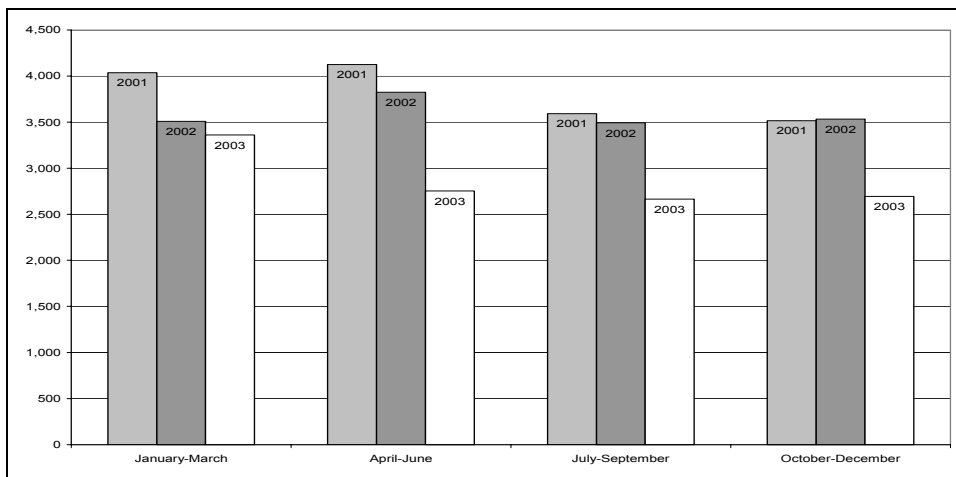
**Figure A.9**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, British Columbia**

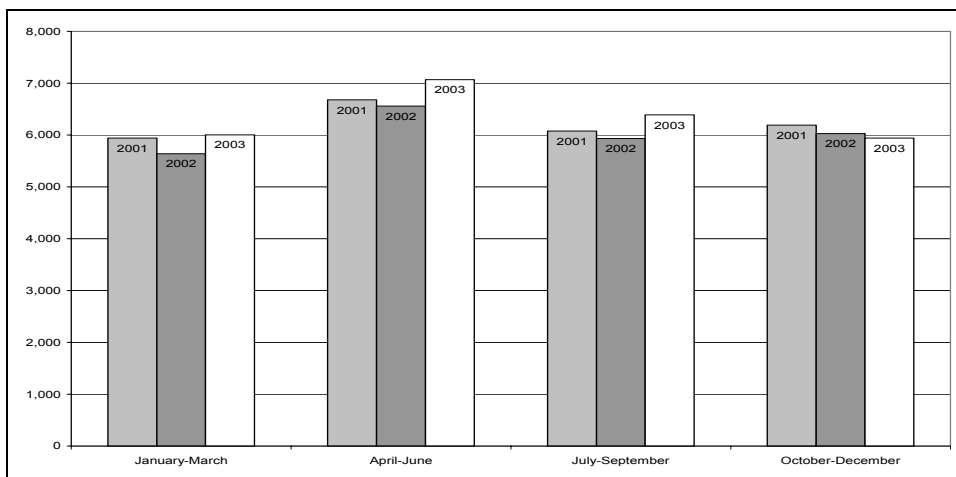
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

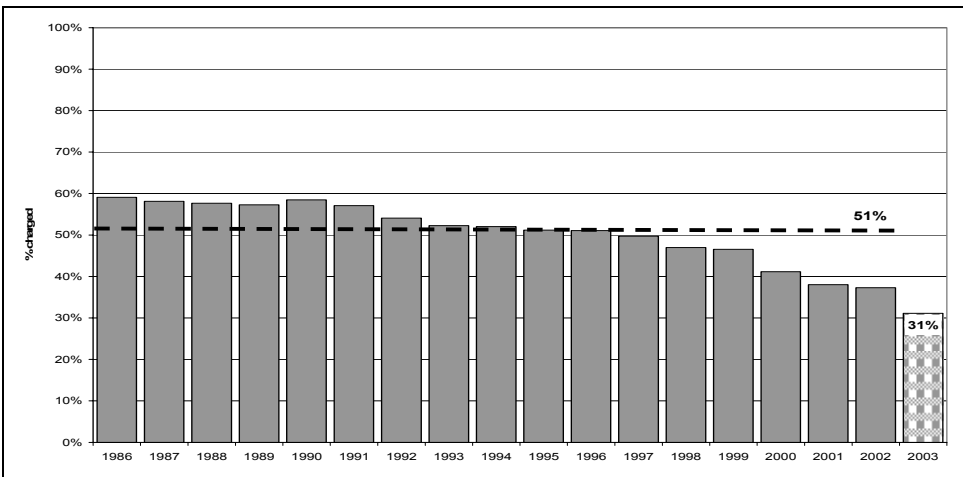


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

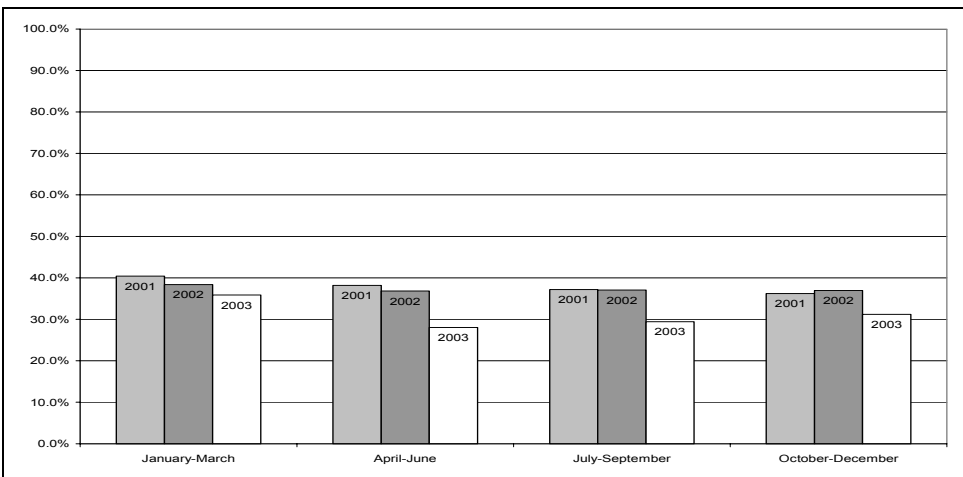


**Figure A.9 (British Columbia, cont'd)**

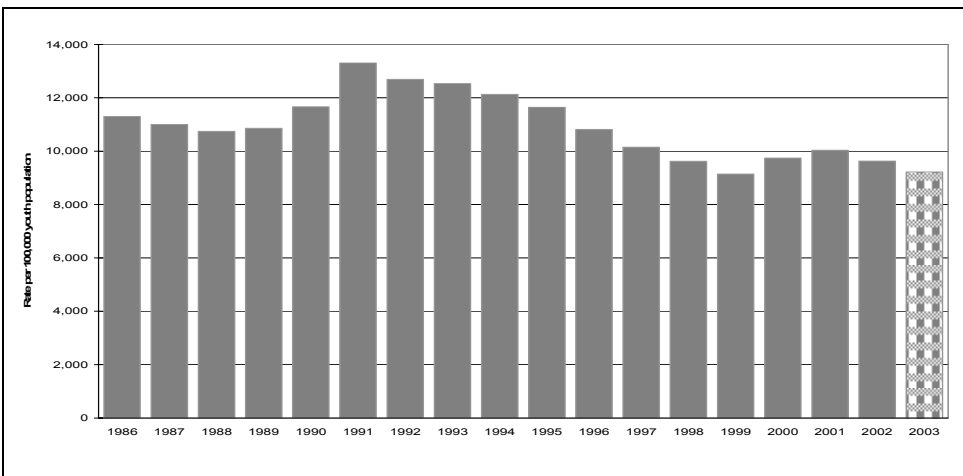
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**

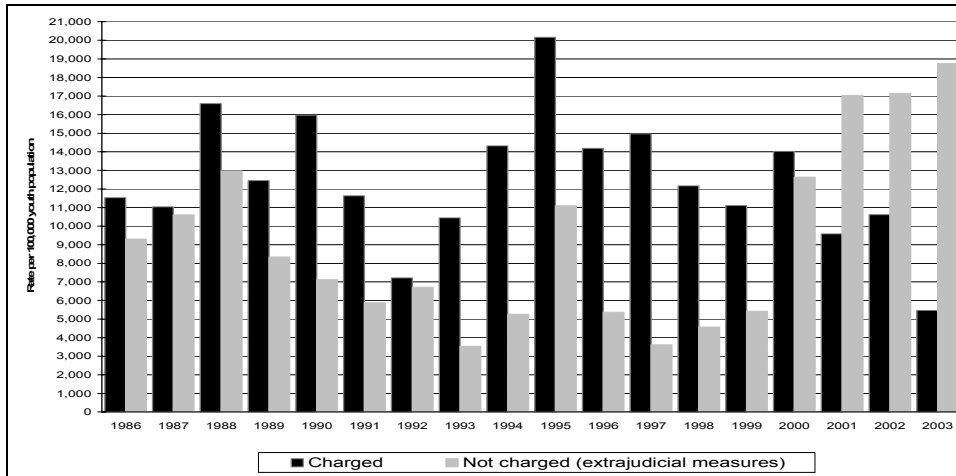


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

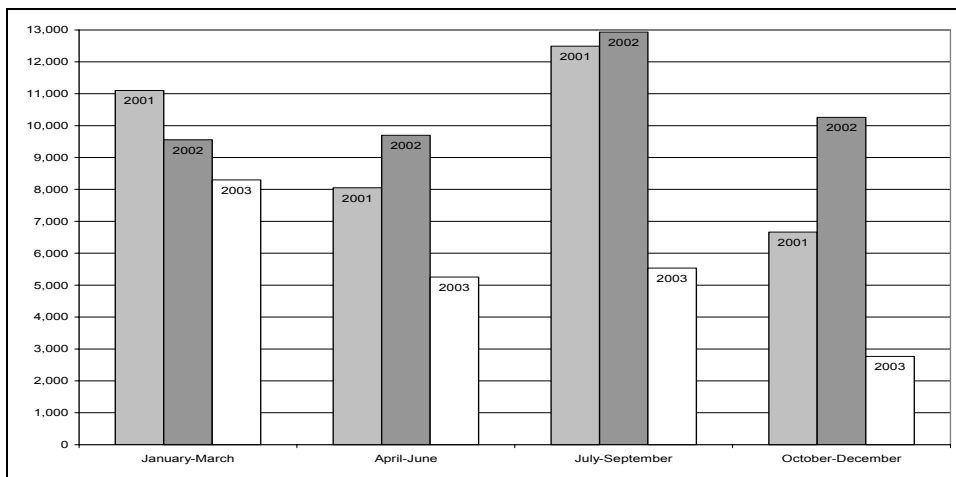
**Figure A.10**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Yukon Territory**

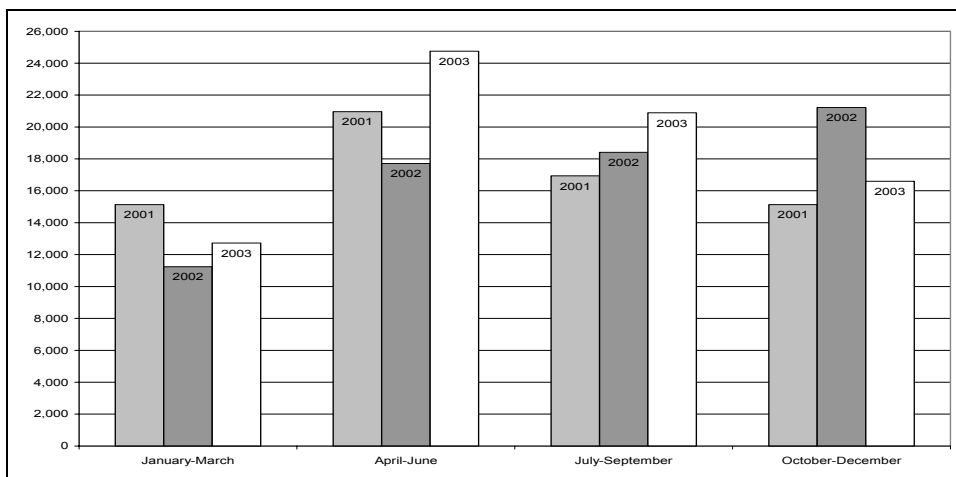
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

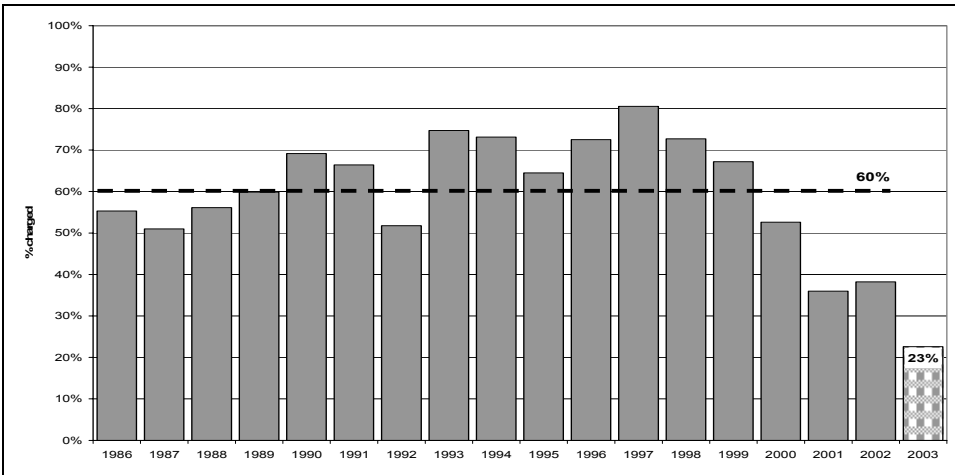


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

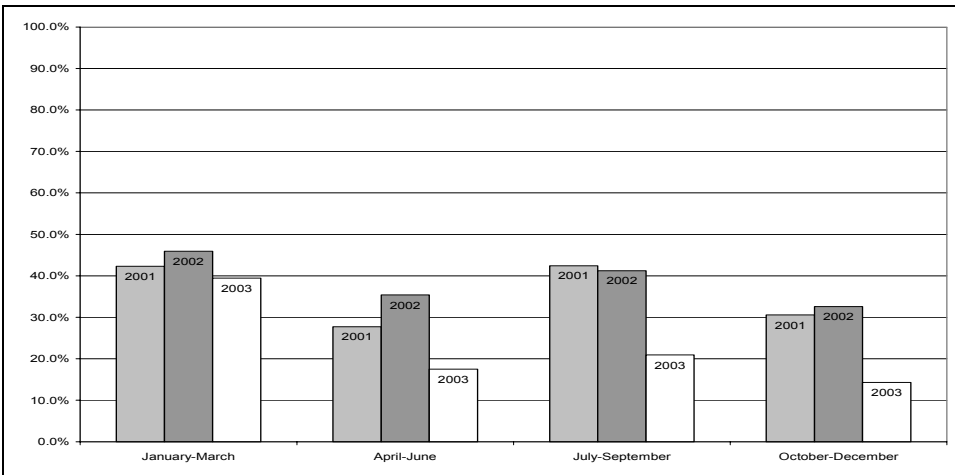


**Figure A.10 (Yukon Territory, cont'd)**

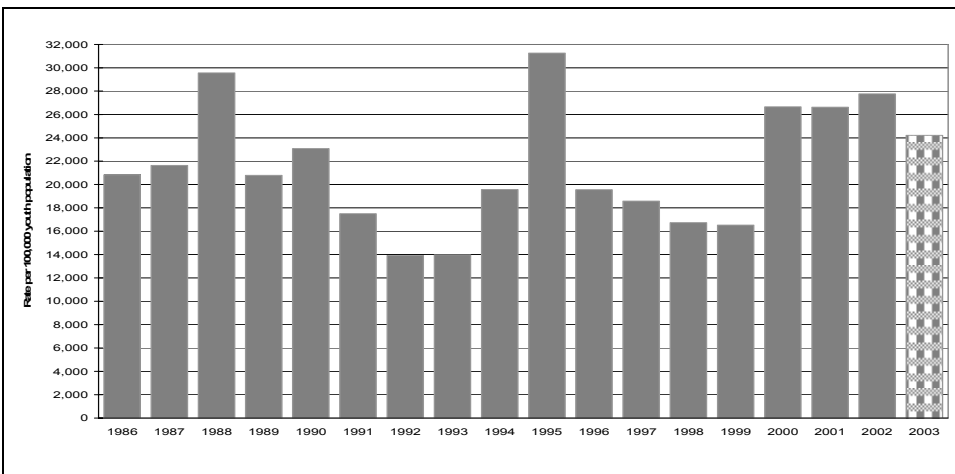
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**



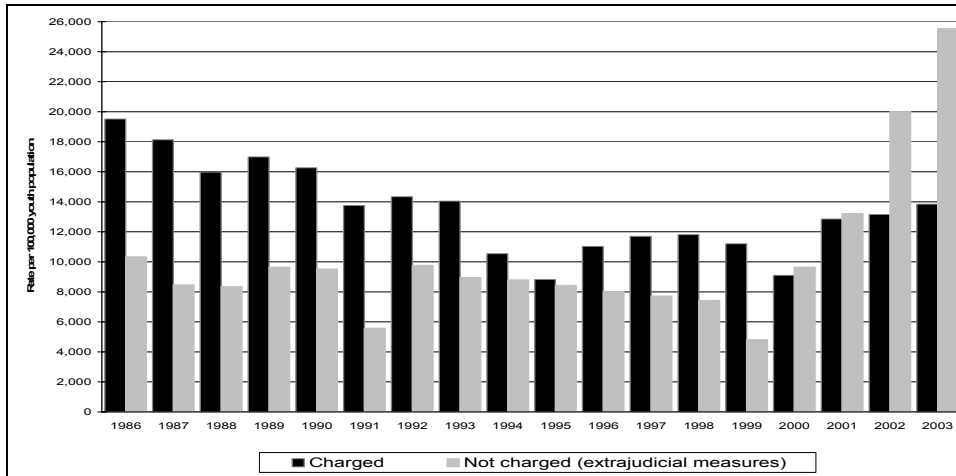
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.



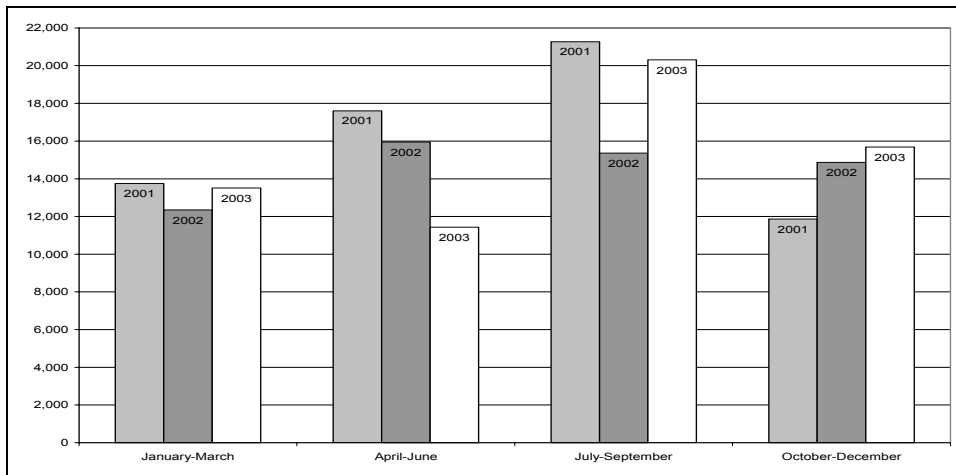
**Figure A.11**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Northwest Territories**

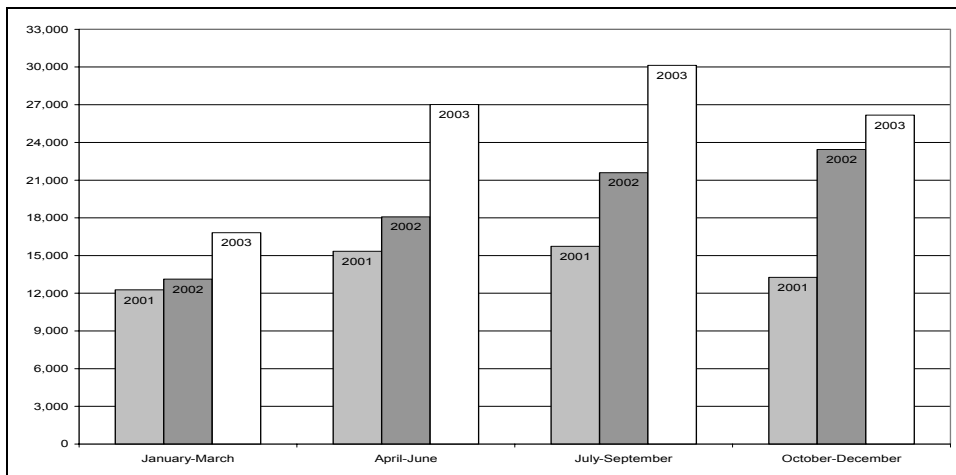
**(a) Rates of youth charged and not charged (extrajudicial measures), 1986-2003**



**(b) Rates of youth charged, by quarter, 2001-2003**

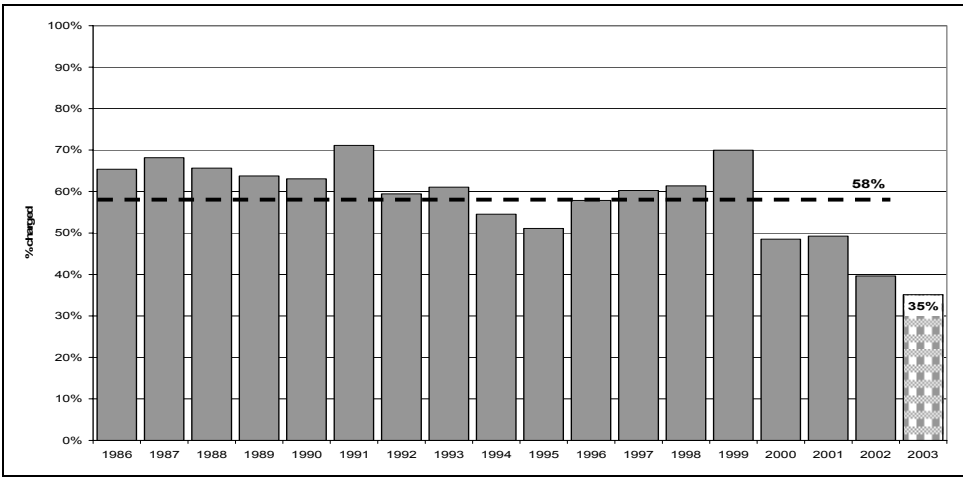


**(c) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**

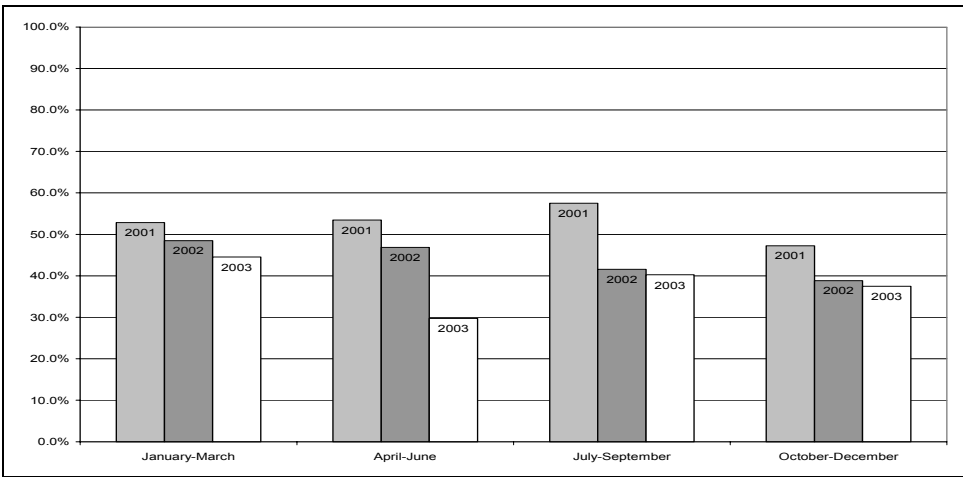


**Figure A.11 (Northwest Territories, cont'd)**

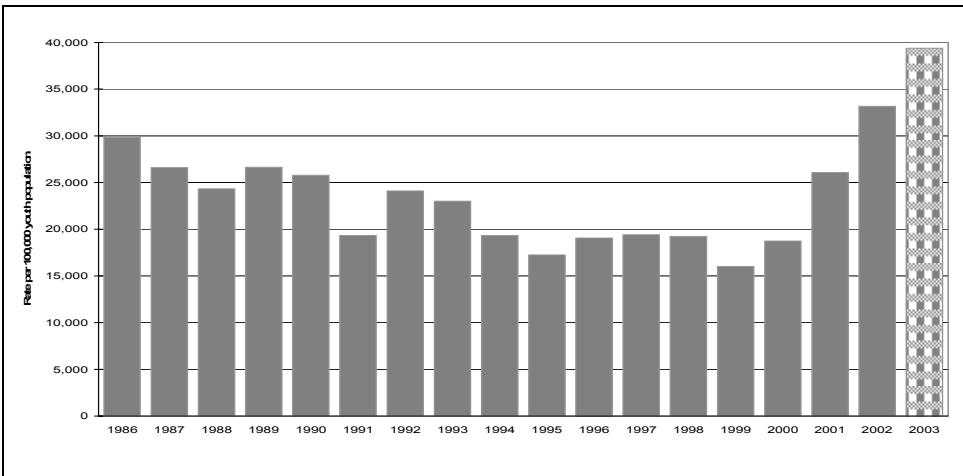
**(d) Proportion of chargeable youth who were charged, 1986-2003**



**(e) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



**(f) Rates of chargeable youth, 1986-2003**



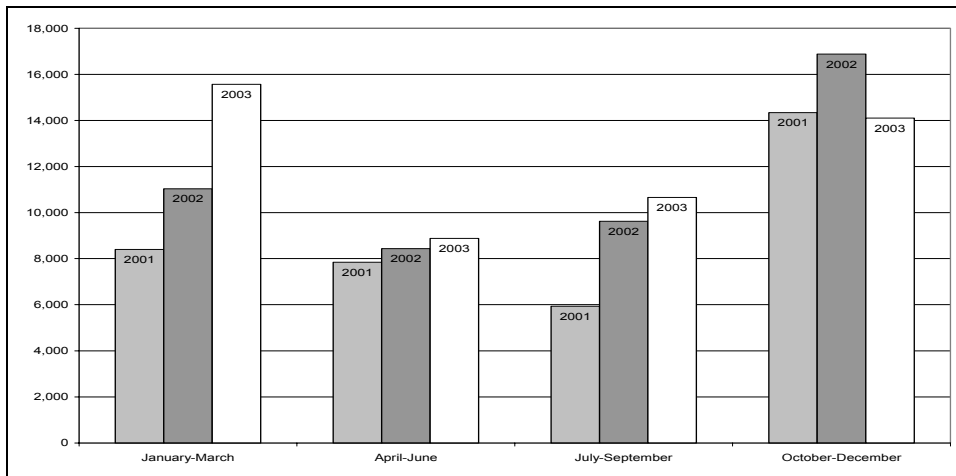
Note: Panels a, d, and f (covering 1986-2003) include Nunavut.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.1-A.5.

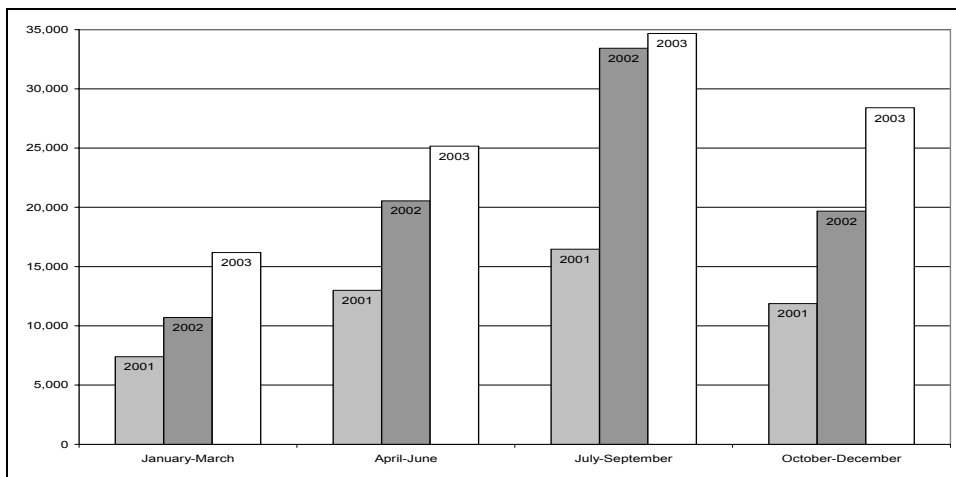
**Figure A.12**

**Rates and proportions of young persons charged, not charged (extrajudicial measures), and chargeable, Nunavut**

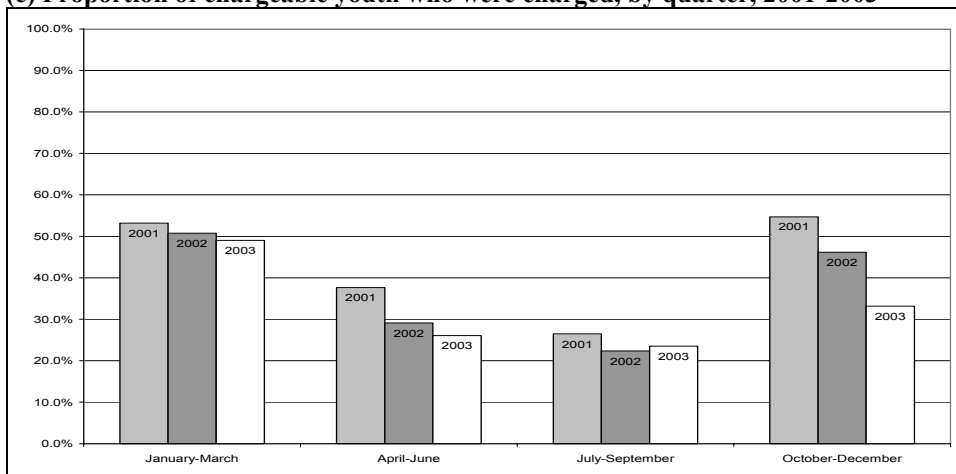
**(a) Rates of youth charged, by quarter, 2001-2003**



**(b) Rates of youth receiving extrajudicial measures, by quarter, 2001-2003**



**(c) Proportion of chargeable youth who were charged, by quarter, 2001-2003**



Note: Nunavut is combined with the Northwest Territories in the analyses for 1986-2003. See Table A.11.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. See Appendix Tables A.4-A.5.

**Table A.1. Rates of young persons chargeable, charged, and not charged, Canada, provinces, and territories, 1986 to 2003**

(a) Chargeable - Rate per 100,000 youth population

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta	B.C.	Yukon	NWT (incl. Nvt.)	Canada	Canada (except Toronto)
1986	6,031	4,944	6,506	5,303	4,944	8,017	7,726	11,072	13,045	8,095	11,297	20,826	29,851	7,877	7,776
1987	5,581	5,796	6,366	5,866	4,576	9,143	8,059	8,505	14,455	8,631	11,002	21,633	26,594	8,158	7,743
1988	5,940	5,951	5,984	6,100	4,620	8,729	7,728	9,823	12,752	9,788	10,743	29,558	24,323	8,090	7,727
1989	5,742	6,014	5,670	5,418	4,445	8,985	8,272	9,912	13,672	11,790	10,852	20,784	26,635	8,336	8,064
1990	6,352	6,405	7,124	6,028	4,471	8,197	8,637	11,250	13,876	13,479	11,657	23,077	25,783	8,440	8,595
1991	7,126	8,887	8,318	6,106	5,111	9,175	9,630	11,070	15,337	14,948	13,302	17,503	19,335	9,398	9,555
1992	6,781	7,982	7,381	6,094	5,277	9,293	10,127	11,784	14,884	13,254	12,691	13,919	24,104	9,198	9,452
1993	6,148	6,622	7,180	6,605	5,045	8,360	8,931	11,801	13,263	11,793	12,528	13,978	23,002	8,582	8,775
1994	5,955	7,009	8,000	6,513	5,023	8,108	8,659	11,388	13,159	10,838	12,128	19,563	19,333	8,367	8,556
1995	6,558	6,257	7,622	7,553	5,394	8,167	8,749	10,970	14,254	9,631	11,641	31,252	17,250	8,391	8,589
1996	7,222	7,234	7,489	7,230	5,871	7,995	8,576	10,692	14,330	9,488	10,816	19,551	19,066	8,343	8,552
1997	6,534	4,248	7,580	6,682	5,783	7,260	7,820	10,663	14,538	9,426	10,151	18,574	19,411	7,948	8,176
1998	6,807	4,160	6,617	7,761	5,559	6,822	7,266	10,270	14,419	8,958	9,620	16,728	19,238	7,611	7,813
1999	6,690	3,582	7,138	7,506	5,098	6,312	6,766	9,703	13,415	8,795	9,142	16,527	16,008	7,181	7,394
2000	7,562	5,255	8,144	7,727	4,966	6,698	7,140	11,019	16,405	10,080	9,739	26,660	18,747	7,769	7,995
2001	8,730	5,971	8,626	7,782	5,109	6,676	7,161	11,712	19,138	10,871	10,038	26,613	26,070	8,106	8,376
2002	8,034	5,473	9,515	7,773	4,801	6,529	7,000	12,116	18,495	11,047	9,628	27,758	33,163	7,959	8,227
1986- 2002	6,694	5,988	7,368	6,709	5,064	7,910	8,132	10,809	14,673	10,642	10,999	21,442	22,819	8,221	8,316
2003	9,352	6,805	10,672	7,423	5,165	6,863	7,355	11,788	21,036	10,893	9,217	24,205	39,380	8,232	8,502
2002- 2003 change	1,318	1,332	1,156	-350	363	334	355	-328	2,541	-154	-410	-3,554	6,217	273	276
	16.4%	24.3%	12.2%	-4.5%	7.6%	5.1%	5.1%	-2.7%	13.7%	-1.4%	-4.3%	-12.8%	18.7%	3.4%	3.4%

**Table A.1 (continued)**

(b) Charged (or recommended for charging) - Rate per 100,000 youth population

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta	B.C.	Yukon	NWT (incl. Nvt.)	Canada	Canada (except Toronto)
1986	3,259	2,801	4,459	3,526	3,948	4,561	4,428	8,837	7,753	5,081	6,678	11,522	19,516	4,984	4,977
1987	3,196	3,488	4,396	3,784	3,749	4,820	4,723	6,198	8,938	5,238	6,394	11,034	18,129	4,949	4,929
1988	3,269	3,760	4,434	4,119	3,877	4,820	4,671	7,225	7,636	6,463	6,195	16,593	15,972	5,075	5,048
1989	4,227	4,264	4,490	4,035	3,329	5,270	5,209	7,476	8,722	8,341	6,218	12,444	16,983	5,361	5,348
1990	5,256	4,903	5,734	4,484	3,380	5,660	5,638	8,488	9,157	9,215	6,814	15,963	16,257	5,814	5,818
1991	6,071	6,128	6,522	4,447	3,719	6,476	6,428	8,683	10,202	10,117	7,596	11,626	13,752	6,460	6,444
1992	5,833	5,789	5,672	4,285	3,516	6,285	6,454	9,054	10,366	8,693	6,866	7,204	14,331	6,094	6,133
1993	5,211	4,876	5,798	4,813	3,063	5,905	5,935	9,758	9,555	7,700	6,550	10,443	14,042	5,712	5,708
1994	4,857	4,403	6,188	4,798	2,807	5,595	5,587	8,811	9,245	6,998	6,312	14,309	10,538	5,394	5,378
1995	4,908	3,382	5,655	5,204	2,831	5,674	5,700	9,132	10,077	6,624	5,960	20,158	8,815	5,402	5,391
1996	5,329	4,317	5,971	5,024	2,943	5,421	5,426	9,000	10,155	6,665	5,526	14,180	11,030	5,321	5,315
1997	4,436	2,854	5,978	4,569	2,660	4,962	5,012	8,894	10,550	5,763	5,046	14,960	11,695	4,923	4,936
1998	4,876	2,435	5,190	5,638	2,549	4,742	4,728	8,510	11,091	5,755	4,517	12,160	11,806	4,775	4,773
1999	4,347	2,288	5,316	5,261	2,381	4,402	4,485	8,342	10,414	5,420	4,257	11,107	11,199	4,500	4,535
2000	4,480	2,615	4,400	5,066	2,268	4,761	4,829	8,156	11,000	5,602	4,007	14,024	9,097	4,589	4,599
2001	5,403	3,186	4,079	5,049	2,293	4,788	4,929	8,228	12,445	5,621	3,817	9,577	12,845	4,656	4,694
2002	4,857	2,550	4,353	5,055	2,221	4,552	4,709	8,183	11,767	5,684	3,589	10,611	13,145	4,492	4,541
1986- 2002	4,695	3,767	5,214	4,656	3,031	5,217	5,229	8,410	9,945	6,764	5,667	12,818	13,480	5,206	5,210
2003	4,470	1,791	3,856	4,177	2,133	3,497	3,487	6,221	11,746	4,995	2,868	5,463	13,838	3,759	3,775
2002- 2003 change	-387	-759	-497	-878	-88	-1,056	-1,222	-1,961	-20	-689	-721	-5,148	693	-733	-766
	-8.0%	-29.8%	-11.4%	-17.4%	-4.0%	-23.2%	-26.0%	-24.0%	-0.2%	-12.1%	-20.1%	-48.5%	5.3%	-16.3%	-16.9%

**Table A.1 (continued)**

(c) Not charged (extrajudicial measures) - Rate per 100,000 youth population

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T (incl. Nvt.)	Canada	Canada (except Toronto)
1986	2,772	2,143	2,047	1,777	996	3,456	3,298	2,236	5,292	3,014	4,618	9,304	10,336	2,893	2,800
1987	2,385	2,309	1,970	2,082	827	4,322	3,336	2,307	5,517	3,392	4,608	10,599	8,466	3,209	2,815
1988	2,670	2,191	1,550	1,981	743	3,909	3,056	2,598	5,116	3,325	4,548	12,965	8,351	3,014	2,678
1989	1,514	1,750	1,180	1,383	1,116	3,715	3,064	2,436	4,951	3,450	4,635	8,341	9,652	2,975	2,716
1990	1,096	1,502	1,390	1,544	1,091	2,537	2,999	2,762	4,719	4,264	4,843	7,114	9,525	2,626	2,777
1991	1,055	2,759	1,796	1,659	1,391	2,699	3,202	2,388	5,135	4,831	5,706	5,877	5,583	2,937	3,111
1992	947	2,193	1,709	1,809	1,761	3,008	3,673	2,730	4,517	4,561	5,826	6,716	9,774	3,104	3,318
1993	937	1,746	1,382	1,792	1,982	2,456	2,996	2,043	3,708	4,093	5,978	3,535	8,961	2,870	3,066
1994	1,098	2,607	1,813	1,715	2,216	2,514	3,071	2,576	3,914	3,840	5,816	5,255	8,794	2,973	3,179
1995	1,649	2,875	1,967	2,349	2,563	2,493	3,050	1,839	4,177	3,007	5,681	11,094	8,435	2,988	3,197
1996	1,894	2,917	1,519	2,205	2,928	2,573	3,150	1,692	4,175	2,823	5,290	5,370	8,036	3,023	3,236
1997	2,098	1,394	1,602	2,114	3,123	2,298	2,808	1,770	3,988	3,663	5,105	3,614	7,716	3,025	3,240
1998	1,931	1,724	1,426	2,123	3,010	2,079	2,538	1,760	3,329	3,203	5,102	4,568	7,432	2,836	3,040
1999	2,344	1,295	1,822	2,245	2,717	1,910	2,281	1,362	3,001	3,375	4,884	5,420	4,809	2,681	2,859
2000	3,082	2,640	3,744	2,661	2,697	1,937	2,311	2,863	5,405	4,477	5,732	12,636	9,650	3,180	3,396
2001	3,328	2,785	4,546	2,733	2,816	1,888	2,232	3,484	6,693	5,250	6,221	17,037	13,226	3,450	3,683
2002	3,177	2,924	5,163	2,718	2,580	1,976	2,291	3,933	6,728	5,363	6,038	17,147	20,018	3,467	3,686
1986- 2002	1,999	2,221	2,154	2,052	2,033	2,692	2,903	2,399	4,727	3,878	5,331	8,623	9,339	3,015	3,106
2003	4,882	5,014	6,816	3,245	3,032	3,366	3,868	5,566	9,289	5,898	6,349	18,741	25,542	4,473	4,727
2002- 2003 change	1,704 53.6%	2,091 71.5%	1,654 32.0%	528 19.4%	451 17.5%	1,389 70.3%	1,577 68.8%	1,633 41.5%	2,561 38.1%	535 10.0%	311 5.1%	1,594 9.3%	5,525 27.6%	1,006 29.0%	1,042 28.3%

Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey

**Table A.2. Proportions of chargeable young persons who were charged or recommended for charging, Canada, provinces, and territories, 1986 to 2003**

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T (incl. Nvt.)	Canada	Canada (except Toronto)
1986	54.0	56.7	68.5	66.5	79.9	56.9	57.3	79.8	59.4	62.8	59.1	55.3	65.4	63.3	64.0
1987	57.3	60.2	69.1	64.5	81.9	52.7	58.6	72.9	61.8	60.7	58.1	51.0	68.2	60.7	63.7
1988	55.0	63.2	74.1	67.5	83.9	55.2	60.5	73.6	59.9	66.0	57.7	56.1	65.7	62.7	65.3
1989	73.6	70.9	79.2	74.5	74.9	58.7	63.0	75.4	63.8	70.7	57.3	59.9	63.8	64.3	66.3
1990	82.7	76.6	80.5	74.4	75.6	69.1	65.3	75.4	66.0	68.4	58.5	69.2	63.1	68.9	67.7
1991	85.2	68.9	78.4	72.8	72.8	70.6	66.8	78.4	66.5	67.7	57.1	66.4	71.1	68.7	67.4
1992	86.0	72.5	76.8	70.3	66.6	67.6	63.7	76.8	69.6	65.6	54.1	51.8	59.5	66.3	64.9
1993	84.8	73.6	80.7	72.9	60.7	70.6	66.5	82.7	72.0	65.3	52.3	74.7	61.0	66.6	65.1
1994	81.6	62.8	77.3	73.7	55.9	69.0	64.5	77.4	70.3	64.6	52.0	73.1	54.5	64.5	62.9
1995	74.8	54.1	74.2	68.9	52.5	69.5	65.1	83.2	70.7	68.8	51.2	64.5	51.1	64.4	62.8
1996	73.8	59.7	79.7	69.5	50.1	67.8	63.3	84.2	70.9	70.3	51.1	72.5	57.9	63.8	62.2
1997	67.9	67.2	78.9	68.4	46.0	68.3	64.1	83.4	72.6	61.1	49.7	80.5	60.2	61.9	60.4
1998	71.6	58.5	78.4	72.6	45.9	69.5	65.1	82.9	76.9	64.2	47.0	72.7	61.4	62.7	61.1
1999	65.0	63.9	74.5	70.1	46.7	69.7	66.3	86.0	77.6	61.6	46.6	67.2	70.0	62.7	61.3
2000	59.2	49.8	54.0	65.6	45.7	71.1	67.6	74.0	67.1	55.6	41.1	52.6	48.5	59.1	57.5
2001	61.9	53.4	47.3	64.9	44.9	71.7	68.8	70.3	65.0	51.7	38.0	36.0	49.3	57.4	56.0
2002	60.5	46.6	45.7	65.0	46.3	69.7	67.3	67.5	63.6	51.5	37.3	38.2	39.6	56.4	55.2
1986-2002	70.4	62.8	70.8	69.5	59.8	66.2	64.4	77.8	67.8	63.2	50.9	59.7	58.4	63.3	62.5
2003	47.8	26.3	36.1	56.3	41.3	51.0	47.4	52.8	55.8	45.9	31.1	22.6	35.1	45.7	44.4
2002-2003 change	-12.7%	-20.3%	-9.6%	-8.8%	-5.0%	-18.8%	-19.9%	-14.8%	-7.8%	-5.6%	-6.2%	-15.7%	-4.5%	-10.8%	-10.8%
	-20.9%	-43.5%	-21.0%	-13.5%	-10.7%	-26.9%	-29.5%	-21.9%	-12.2%	-10.9%	-16.5%	-41.0%	-11.3%	-19.1%	-19.6%

Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey

**Table A.3. Rates of young persons chargeable, charged, and not charged, by type of offence, Canada, 1986 to 2003**

(a) Chargeable - Rate per 100,000 youth population

	Drugs	Theft under	Mischief under	Assault level 1	Possess stolen property	Other Criminal Code	Indictable property	Violent (except Assault 1)	Bail violations and FTA	Fraud	Probation violations
1986	210	2,729	514	349	247	1,865	1,961	301	143	154	58
1987	203	2,775	634	413	254	2,095	1,861	318	162	151	84
1988	201	2,657	699	442	264	2,107	1,817	352	169	153	92
1989	189	2,720	723	505	273	2,197	1,766	411	206	155	114
1990	172	2,752	710	552	301	2,010	1,924	446	226	182	95
1991	143	2,933	782	636	366	2,338	2,119	540	298	194	123
1992	151	2,790	823	691	371	2,324	1,959	561	327	200	142
1993	207	2,388	731	761	343	2,178	1,814	572	328	146	168
1994	299	2,250	725	774	336	2,121	1,682	562	310	136	202
1995	336	2,470	731	807	314	2,136	1,467	557	346	136	161
1996	367	2,402	728	814	305	2,109	1,426	545	357	138	234
1997	358	2,134	697	808	278	2,110	1,306	552	368	123	276
1998	392	1,876	665	822	247	2,121	1,226	541	397	124	261
1999	469	1,693	616	791	249	2,053	1,015	510	378	129	272
2000	593	1,683	720	902	270	2,342	1,029	563	408	128	256
2001	684	1,670	787	906	257	2,562	1,048	591	480	126	254
2002	683	1,674	782	890	270	2,479	973	576	471	110	296
1986-2002	339	2,312	710	704	290	2,188	1,538	502	350	145	185
2003	629	1,771	907	924	275	2,644	994	586	475	108	294
2002-2003 change	-54 -7.9%	98 5.8%	124 15.9%	34 3.9%	5 2.0%	165 6.7%	20 2.1%	10 1.7%	4 0.9%	-3 -2.3%	-2 -0.6%

See notes at foot of table.



**Table A.3 (continued)**

(b) Charged (or recommended for charging) - Rate per 100,000 youth population

	Drugs	Theft under	Mischief under	Assault level 1	Possess stolen property	Other Criminal Code	Indictable property	Violent (except Assault 1)	Bail violations and FTA	Fraud	Probation violations
1986	157	1,607	207	176	202	920	1,553	233	131	115	18
1987	145	1,556	255	210	210	1,008	1,437	241	151	108	32
1988	145	1,554	316	236	223	1,074	1,413	273	156	116	38
1989	139	1,656	313	290	234	1,153	1,392	324	190	119	50
1990	138	1,804	315	337	265	1,202	1,500	359	216	143	64
1991	116	1,898	347	394	322	1,396	1,660	438	290	151	82
1992	115	1,638	354	417	325	1,375	1,511	452	318	157	100
1993	147	1,442	315	454	302	1,307	1,369	469	318	107	111
1994	204	1,300	295	462	293	1,234	1,233	456	299	98	110
1995	213	1,378	310	482	273	1,263	1,109	459	335	97	127
1996	225	1,317	305	480	264	1,250	1,084	452	345	96	151
1997	207	1,086	277	460	236	1,242	987	448	357	80	175
1998	226	986	275	463	210	1,266	922	439	384	80	183
1999	266	871	261	441	215	1,224	776	414	366	83	208
2000	317	812	268	470	225	1,291	749	445	391	83	196
2001	343	768	266	474	222	1,359	743	473	461	78	191
2002	338	739	266	465	226	1,285	681	455	450	68	230
1986-2002	205	1,304	290	398	249	1,229	1,171	404	307	104	124
2003	219	486	207	374	197	1,135	647	442	442	56	200
2002-2003 change	-119 -35.3%	-253 -34.3%	-59 -22.1%	-90 -19.4%	-29 -12.8%	-150 -11.7%	-34 -5.0%	-13 -2.9%	-8 -1.8%	-13 -18.5%	-31 -13.3%

See notes at foot of table.

**Table A.3 (continued)**

(c) Not charged - Rate per 100,000 youth population

	Drugs	Theft under	Mischief under	Assault level 1	Possess stolen property	Other Criminal Code	Indictable property	Violent (except Assault 1)	Bail violations and FTA	Fraud	Probation violations
1986	53	1,122	307	173	44	945	408	68	12	39	40
1987	58	1,219	379	204	44	1,087	424	77	11	42	52
1988	56	1,102	384	206	41	1,034	404	78	13	37	54
1989	50	1,064	410	215	39	1,044	374	87	16	36	64
1990	35	948	394	215	36	808	425	87	9	38	31
1991	27	1,036	435	242	44	942	460	101	8	43	41
1992	36	1,153	469	273	46	949	449	109	9	44	42
1993	60	945	415	307	42	871	444	103	9	38	57
1994	95	950	430	312	43	887	449	106	10	37	92
1995	124	1,093	421	324	41	873	358	98	11	39	35
1996	142	1,085	423	333	41	859	342	94	12	43	82
1997	151	1,048	420	349	42	868	319	103	11	43	101
1998	166	890	391	360	37	856	303	102	14	44	78
1999	202	821	355	350	33	828	239	96	12	46	64
2000	276	871	452	432	44	1,051	281	118	17	45	60
2001	341	902	521	432	35	1,203	305	118	20	48	62
2002	345	935	517	425	44	1,194	292	121	21	42	66
1986-2002	134	1,008	420	306	41	960	367	98	13	42	61
2003	410	1,285	700	550	78	1,510	347	144	33	52	95
2002-2003 change	65	351	183	125	34	316	54	23	12	10	29
	18.9%	37.5%	35.4%	29.3%	77.4%	26.4%	18.6%	18.9%	59.9%	24.1%	43.9%

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics

### Table A.3 (continued)

#### Notes:

The threshold value which determines whether a theft is classified as Theft under or Theft over was \$1,000 from 1986 to 1994, and \$5,000 thereafter. The same thresholds apply to Mischief and Fraud. However, the UCR Survey does not differentiate Fraud under and Fraud over.

“Other Criminal Code” includes Criminal Code offences which are not against the person (“violent”) or against property; i.e. prostitution-related offences, gaming and betting, offensive weapons, arson, counterfeiting, disturb the peace, kidnapping, public morals, obstruct peace officer, trespass at night, offences against the administration of justice (except bail violations, fail to appear and violations of probation conditions, which are listed separately in this table), and miscellaneous Criminal Code offences. Criminal Code traffic offences are omitted because data for young persons apprehended for these offences are not available from the UCR Survey.

Statistics on Bail violations and Fail to appear are combined in the UCR Survey.

The great majority of violations of probation conditions are classified by police as “Failure to comply with a disposition”, which is an offence under the YOA or the YCJA, not the *Criminal Code*. Statistics on this offence are not provided separately by the UCR Survey. Therefore, rates of the UCR offence category “Other federal statutes” (i.e. violations of the YOA, YCJA, *Income Tax Act*, *Competition Act*, *National Defence Act*, and miscellaneous other federal statutes) are used as an estimate of “Probation violations”, since the number of young persons apprehended for offences under the other Acts is negligible.

**Table A.4. Rates of young persons chargeable, charged, and not charged, Canada, provinces, and territories, by quarter, 2001 to 2003**

(a) Chargeable - Rate per 100,000 youth population

		Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta	B.C.	Yukon	NWT	Nvt.	Canada	Canada (except Toronto)
January- March	2001	7,245	4,783	7,954	6,959	4,538	6,090	6,411	10,042	16,551	9,877	9,978	26,232	26,014	15,798	7,387	7,593
	2002	7,335	5,425	9,063	7,632	4,379	5,879	6,259	10,497	15,541	9,384	9,146	20,801	25,468	21,741	7,131	7,354
	2003	8,321	5,438	9,268	7,120	4,782	6,161	6,449	10,251	16,878	10,151	9,364	21,024	30,319	31,749	7,497	7,695
	2002- 2003 change	986	13	205	-512	403	281	190	-246	1,337	767	219	222	4,851	10,008	366	340
		13.4%	0.2%	2.3%	-6.7%	9.2%	4.8%	3.0%	-2.3%	8.6%	8.2%	2.4%	1.1%	19.0%	46.0%	5.1%	4.6%
April- June	2001	8,558	6,519	8,919	7,960	5,322	7,215	7,814	12,708	20,087	11,264	10,801	29,008	32,938	20,840	8,596	8,902
	2002	7,832	5,002	9,489	7,747	5,202	6,946	7,386	12,477	18,821	11,493	10,381	27,407	34,022	28,989	8,368	8,624
	2003	8,879	7,456	11,868	7,968	5,674	7,372	7,879	12,852	22,518	11,772	9,820	30,014	38,442	34,047	8,852	9,135
	2002- 2003 change	1,047	2,454	2,380	221	473	426	493	375	3,698	279	-561	2,607	4,420	5,058	484	511
		13.4%	49.1%	25.1%	2.8%	9.1%	6.1%	6.7%	3.0%	19.6%	2.4%	-5.4%	9.5%	13.0%	17.4%	5.8%	5.9%
July- Sept.	2001	8,710	6,061	8,583	7,607	4,811	6,279	6,764	11,719	20,209	11,248	9,666	29,424	36,993	22,409	7,932	8,219
	2002	7,500	5,262	8,967	7,382	4,547	6,356	6,891	12,756	19,555	10,671	9,422	31,342	36,938	43,050	7,823	8,116
	2003	9,919	6,577	10,552	7,359	4,733	6,429	6,971	11,955	23,378	11,305	9,052	26,418	50,437	45,326	8,118	8,429
	2002- 2003 change	2,419	1,315	1,585	-23	186	73	80	-801	3,823	634	-371	-4,925	13,499	2,276	294	313
		32.2%	25.0%	17.7%	-0.3%	4.1%	1.1%	1.2%	-6.3%	19.6%	5.9%	-3.9%	-15.7%	36.5%	5.3%	3.8%	3.9%
October- December	2001	10,408	6,519	9,020	8,602	5,766	7,121	7,656	12,378	19,707	11,094	9,707	21,790	25,124	26,218	8,506	8,790
	2002	9,470	6,204	10,544	8,329	5,077	6,934	7,463	12,732	20,063	12,639	9,561	31,483	38,299	36,560	8,514	8,812
	2003	10,288	7,749	11,000	7,243	5,469	7,489	8,121	12,093	21,369	10,344	8,633	19,364	41,842	42,507	8,462	8,751
	2002- 2003 change	818	1,545	456	-1,086	392	555	658	-639	1,305	-2,294	-929	-12,119	3,543	5,946	-52	-61
		8.6%	24.9%	4.3%	-13.0%	7.7%	8.0%	8.8%	-5.0%	6.5%	-18.2%	-9.7%	-38.5%	9.3%	16.3%	-0.6%	-0.7%
April- December	2002- 2003 change	1,428	1,771	1,474	-296	350	351	410	-355	2,942	-461	-620	-4,812	7,154	4,427	242	254
			17.3%	32.3%	15.2%	-3.8%	7.1%	5.2%	5.7%	-2.8%	15.1%	-4.0%	-6.3%	-16.0%	19.6%	12.2%	2.9%

**Table A.4. (cont'd)**

(b) Charged (or recommended for charging) - Rate per 100,000 youth population

		Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta	B.C.	Yukon	NWT	Nvt.	Canada	Canada (except Toronto)
January- March	2001	4,619	2,555	3,830	4,762	2,137	4,417	4,448	7,231	10,999	5,270	4,035	11,103	13,749	8,403	4,340	4,345
	2002	4,795	2,306	4,236	5,091	2,078	4,215	4,316	7,537	10,514	5,115	3,508	9,557	12,345	11,033	4,175	4,206
	2003	5,030	2,116	3,986	4,706	2,173	3,955	3,978	6,649	10,736	5,348	3,361	8,299	13,506	15,561	4,060	4,075
	2002- 2003 change	236	-190	-249	-385	95	-260	-338	-888	222	234	-147	-1,259	1,161	4,528	-115	-131
		4.9%	-8.2%	-5.9%	-7.6%	4.6%	-6.2%	-7.8%	-11.8%	2.1%	4.6%	-4.2%	-13.2%	9.4%	41.0%	-2.8%	-3.1%
April- June	2001	5,324	2,948	3,723	5,042	2,292	4,977	5,145	8,988	12,847	5,573	4,125	8,050	17,606	7,843	4,794	4,837
	2002	4,776	2,436	4,161	4,921	2,361	4,841	4,952	8,306	11,625	5,750	3,824	9,698	15,942	8,437	4,657	4,682
	2003	3,981	1,628	4,056	3,987	2,049	3,307	3,273	6,001	11,605	4,900	2,753	5,256	11,429	8,877	3,609	3,619
	2002- 2003 change	-795	-808	-105	-934	-311	-1,534	-1,679	-2,305	-20	-850	-1,071	-4,442	-4,513	440	-1,048	-1,062
		-16.7%	-33.2%	-2.5%	-19.0%	-13.2%	-31.7%	-33.9%	-27.8%	-0.2%	-14.8%	-28.0%	-45.8%	-28.3%	5.2%	-22.5%	-22.7%
July- Sept.	2001	5,146	3,276	4,193	4,969	2,253	4,661	4,865	8,497	13,227	5,807	3,592	12,491	21,266	5,938	4,634	4,701
	2002	4,252	2,144	4,246	4,955	2,139	4,500	4,714	8,748	12,432	5,784	3,492	12,930	15,358	9,627	4,483	4,555
	2003	4,520	1,498	3,544	4,001	2,030	3,141	3,152	6,151	12,811	4,913	2,665	5,533	20,307	10,653	3,592	3,629
	2002- 2003 change	268	-646	-702	-954	-110	-1,359	-1,562	-2,597	379	-871	-827	-7,398	4,949	1,026	-891	-926
		6.3%	-30.1%	-16.5%	-19.3%	-5.1%	-30.2%	-33.1%	-29.7%	3.0%	-15.1%	-23.7%	-57.2%	32.2%	10.7%	-19.9%	-20.3%
October- December	2001	6,521	3,964	4,545	5,423	2,492	5,096	5,259	8,196	12,708	5,836	3,515	6,662	11,869	14,342	4,854	4,891
	2002	5,605	3,313	4,768	5,253	2,306	4,654	4,854	8,139	12,496	6,087	3,532	10,260	14,872	16,874	4,654	4,722
	2003	4,350	1,921	3,837	4,015	2,280	3,585	3,544	6,084	11,834	4,820	2,694	2,766	15,679	14,099	3,777	3,777
	2002- 2003 change	-1,255	-1,392	-931	-1,238	-25	-1,069	-1,309	-2,055	-662	-1,267	-839	-7,494	806	-2,775	-877	-944
		-22.4%	-42.0%	-19.5%	-23.6%	-1.1%	-23.0%	-27.0%	-25.2%	-5.3%	-20.8%	-23.7%	-73.0%	5.4%	-16.4%	-18.8%	-20.0%
April- December	2002- 2003 change	-594	-949	-580	-1,042	-149	-1,321	-1,517	-2,319	-101	-996	-912	-6,445	414	-436	-939	-977
			-12.2%	-36.1%	-13.2%	-20.7%	-6.6%	-28.3%	-31.3%	-27.6%	-0.8%	-17.0%	-25.2%	-58.8%	2.7%	-3.7%	-20.4%

**Table A.4. (cont'd)**

(c) Not Charged – Rate per 100,000 youth population

		Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta	B.C.	Yukon	NWT	Nvt.	Canada	Canada (except Toronto)
January- March	2001	2,626	2,228	4,123	2,197	2,402	1,672	1,963	2,811	5,552	4,608	5,943	15,128	12,265	7,395	3,047	3,248
	2002	2,540	3,118	4,827	2,542	2,301	1,665	1,943	2,960	5,027	4,269	5,638	11,244	13,123	10,708	2,956	3,148
	2003	3,291	3,321	5,281	2,414	2,609	2,206	2,471	3,601	6,142	4,803	6,003	12,725	16,812	16,188	3,437	3,619
	2002- 2003 change	751 29.6%	203 6.5%	454 9.4%	-128 -5.0%	309 13.4%	541 32.5%	528 27.2%	642 21.7%	1,115 22.2%	533 12.5%	366 6.5%	1,481 13.2%	3,690 28.1%	5,479 51.2%	481 16.3%	471 15.0%
April- June	2001	3,234	3,571	5,196	2,918	3,030	2,238	2,669	3,720	7,240	5,691	6,676	20,958	15,331	12,997	3,802	4,064
	2002	3,055	2,566	5,328	2,826	2,841	2,106	2,434	4,171	7,196	5,743	6,557	17,709	18,080	20,552	3,711	3,943
	2003	4,898	5,828	7,813	3,981	3,625	4,066	4,606	6,851	10,913	6,872	7,067	24,758	27,013	25,170	5,243	5,516
	2002- 2003 change	1,843 60.3%	3,262 127.1%	2,485 46.6%	1,155 40.9%	784 27.6%	1,960 93.1%	2,172 89.2%	2,680 64.3%	3,717 51.7%	1,129 19.7%	510 7.8%	7,049 39.8%	8,933 49.4%	4,618 22.5%	1,532 41.3%	1,573 39.9%
July- Sept.	2001	3,564	2,785	4,390	2,638	2,559	1,619	1,899	3,221	6,982	5,441	6,074	16,933	15,727	16,471	3,298	3,518
	2002	3,249	3,118	4,720	2,427	2,408	1,856	2,177	4,008	7,123	4,887	5,931	18,412	21,580	33,423	3,340	3,561
	2003	5,399	5,079	7,008	3,358	2,703	3,288	3,819	5,803	10,568	6,392	6,386	20,885	30,130	34,674	4,526	4,800
	2002- 2003 change	2,151 66.2%	1,961 62.9%	2,288 48.5%	931 38.4%	295 12.3%	1,432 77.1%	1,642 75.4%	1,796 44.8%	3,444 48.4%	1,504 30.8%	456 7.7%	2,473 13.4%	8,550 39.6%	1,250 3.7%	1,185 35.5%	1,239 34.8%
October- December	2001	3,886	2,555	4,476	3,179	3,274	2,025	2,397	4,182	6,999	5,258	6,192	15,128	13,254	11,877	3,652	3,899
	2002	3,865	2,891	5,775	3,076	2,772	2,280	2,609	4,593	7,568	6,552	6,029	21,223	23,426	19,686	3,860	4,091
	2003	5,938	5,828	7,163	3,228	3,189	3,904	4,577	6,009	9,535	5,524	5,939	16,598	26,163	28,407	4,685	4,974
	2002- 2003 change	2,073 53.6%	2,937 101.6%	1,387 24.0%	152 5.0%	417 15.0%	1,625 71.3%	1,968 75.4%	1,416 30.8%	1,967 26.0%	-1,028 -15.7%	-90 -1.5%	-4,625 -21.8%	2,736 11.7%	8,721 44.3%	825 21.4%	883 21.6%
April- December	2002- 2003 change	2,022 59.7%	2,720 95.2%	2,053 38.9%	746 26.9%	499 18.7%	1,672 80.4%	1,927 80.1%	1,964 46.1%	3,043 41.7%	535 9.3%	292 4.7%	1,632 8.5%	6,740 32.1%	4,863 19.8%	1,181 32.5%	1,232 31.9%

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

**Table A.5. Proportions of chargeable young persons who were charged or recommended for charging, Canada, provinces, and territories, by quarter, 2001 to 2003**

		Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Ont. (except Toronto)	Man.	Sask.	Alta	B.C.	Yukon	NWT	Nvt.	Canada	Canada (except Toronto)
January- March	2001	63.7%	53.4%	48.2%	68.4%	47.1%	72.5%	69.4%	72.0%	66.5%	53.4%	40.4%	42.3%	52.9%	53.2%	58.7%	57.2%
	2002	65.4%	42.5%	46.7%	66.7%	47.5%	71.7%	69.0%	71.8%	67.7%	54.5%	38.4%	45.9%	48.5%	50.7%	58.5%	57.2%
	2003	60.5%	38.9%	43.0%	66.1%	45.4%	64.2%	61.7%	64.9%	63.6%	52.7%	35.9%	39.5%	44.5%	49.0%	54.2%	53.0%
	2002- 2003 change	-4.9%	-3.6%	-3.7%	-0.6%	-2.0%	-7.5%	-7.3%	-6.9%	-4.0%	-1.8%	-2.5%	-6.5%	-3.9%	-1.7%	-4.4%	-4.2%
April- June	2001	62.2%	45.2%	41.7%	63.3%	43.1%	69.0%	65.8%	70.7%	64.0%	49.5%	38.2%	27.8%	53.5%	37.6%	55.8%	54.3%
	2002	61.0%	48.7%	43.9%	63.5%	45.4%	69.7%	67.0%	66.6%	61.8%	50.0%	36.8%	35.4%	46.9%	29.1%	55.7%	54.3%
	2003	44.8%	21.8%	34.2%	50.0%	36.1%	44.9%	41.5%	46.7%	51.5%	41.6%	28.0%	17.5%	29.7%	26.1%	40.8%	39.6%
	2002- 2003 change	-16.2%	-26.9%	-9.7%	-13.5%	-9.3%	-24.8%	-25.5%	-19.9%	-10.2%	-8.4%	-8.8%	-17.9%	-17.1%	-3.0%	-14.9%	-14.7%
July- Sept.	2001	59.1%	54.1%	48.9%	65.3%	46.8%	74.2%	71.9%	72.5%	65.4%	51.6%	37.2%	42.5%	57.5%	26.5%	58.4%	57.2%
	2002	56.7%	40.7%	47.4%	67.1%	47.0%	70.8%	68.4%	68.6%	63.6%	54.2%	37.1%	41.3%	41.6%	22.4%	57.3%	56.1%
	2003	45.6%	22.8%	33.6%	54.4%	42.9%	48.9%	45.2%	51.5%	54.8%	43.5%	29.4%	20.9%	40.3%	23.5%	44.2%	43.1%
	2002- 2003 change	-11.1%	-18.0%	-13.8%	-12.8%	-4.2%	-21.9%	-23.2%	-17.1%	-8.8%	-10.7%	-7.6%	-20.3%	-1.3%	1.1%	-13.1%	-13.1%
October- December	2001	62.7%	60.8%	50.4%	63.0%	43.2%	71.6%	68.7%	66.2%	64.5%	52.6%	36.2%	30.6%	47.2%	54.7%	57.1%	55.6%
	2002	59.2%	53.4%	45.2%	63.1%	45.4%	67.1%	65.0%	63.9%	62.3%	48.2%	36.9%	32.6%	38.8%	46.2%	54.7%	53.6%
	2003	42.3%	24.8%	34.9%	55.4%	41.7%	47.9%	43.6%	50.3%	55.4%	46.6%	31.2%	14.3%	37.5%	33.2%	44.6%	43.2%
	2002- 2003 change	-16.9%	-28.6%	-10.3%	-7.6%	-3.7%	-19.3%	-21.4%	-13.6%	-6.9%	-1.6%	-5.7%	-18.3%	-1.4%	-13.0%	-10.0%	-10.4%
April- December	2002- 2003 change	-14.8%	-24.8%	-11.2%	-11.3%	-5.8%	-22.0%	-23.4%	-16.9%	-8.7%	-6.8%	-7.5%	-18.6%	-6.0%	-4.6%	-12.7%	-12.7%
		-25.1%	-52.0%	-24.7%	-17.5%	-12.7%	-31.8%	-35.0%	-25.5%	-13.8%	-13.5%	-20.2%	-51.0%	-14.1%	-14.1%	-22.7%	-23.3%

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

**Table A.6. Rates of young persons chargeable, charged, and not charged, by type of offence, Canada, by quarter, 2001 to 2003**

(a) Chargeable - Rate per 100,000 youth population

		Drugs	Theft under	Mischief under	Assault level 1	Possess stolen property	Other Criminal Code (victimless)	Indictable property	Violent (except Assault level 1)	Bail violations and Fail to appear	Fraud	Probation violations
January-March	2001	604	1,564	601	885	245	2,224	954	556	427	124	228
	2002	645	1,534	627	818	242	2,103	915	524	422	112	236
	2003	597	1,663	654	888	250	2,231	876	570	454	113	307
	2002-2003 change	-47 -7.3%	129 8.4%	27 4.2%	69 8.5%	8 3.4%	128 6.1%	-40 -4.3%	46 8.9%	31 7.4%	1 0.6%	72 30.4%
April-June	2001	679	1,710	878	989	275	2,810	1,055	640	501	134	300
	2002	744	1,722	808	975	274	2,640	949	642	486	110	307
	2003	674	1,975	1,039	1,021	267	2,879	973	630	481	114	312
	2002-2003 change	-71 -9.5%	253 14.7%	231 28.6%	47 4.8%	-6 -2.3%	238 9.0%	24 2.5%	-13 -1.9%	-5 -1.0%	4 3.9%	5 1.6%
July-September	2001	627	1,577	826	777	278	2,639	1,078	562	507	121	255
	2002	621	1,556	817	795	283	2,570	995	561	503	104	315
	2003	474	1,681	979	827	290	2,803	1,090	545	487	98	293
	2002-2003 change	-147 -23.7%	124 8.0%	161 19.7%	32 4.0%	8 2.8%	233 9.1%	96 9.6%	-16 -2.9%	-15 -3.1%	-6 -5.9%	-22 -7.0%
October-December	2001	828	1,831	842	971	230	2,577	1,104	608	487	124	231
	2002	721	1,884	876	971	282	2,601	1,035	576	472	115	326
	2003	770	1,768	955	960	294	2,664	1,036	597	479	106	265
	2002-2003 change	49 6.7%	-116 -6.2%	79 9.0%	-11 -1.1%	12 4.1%	62 2.4%	2 0.2%	21 3.7%	7 1.4%	-9 -7.9%	-61 -18.7%
April-December	2002-2003 change	-56 -8.1%	87 5.1%	157 18.8%	23 2.5%	4 1.5%	178 6.8%	40 4.1%	-2 -0.4%	-4 -0.9%	-4 -3.3%	-26 -8.2%



**Table A.6. (cont'd)**

(b) Charged (or recommended for charging) - Rate per 100,000 youth population

		Drugs	Theft under	Mischief under	Assault level 1	Possess stolen property	Other Criminal Code (victimless)	Indictable property	Violent (except Assault level 1)	Bail violations and Fail to appear	Fraud	Probation violations
January-March	2001	301	726	227	474	204	1,238	695	448	411	74	179
	2002	329	716	230	432	207	1,152	655	417	401	69	197
	2003	260	663	213	430	200	1,135	626	447	432	66	232
	2002-2003 change	-69 -21.0%	-54 -7.5%	-17 -7.3%	-3 -0.6%	-6 -3.1%	-17 -1.5%	-29 -4.4%	30 7.2%	31 7.6%	-3 -3.8%	35 17.8%
April-June	2001	336	757	290	486	233	1,450	730	509	481	83	209
	2002	359	758	275	507	227	1,354	656	494	465	71	228
	2003	202	423	196	364	181	1,125	589	471	442	50	198
	2002-2003 change	-157 -43.6%	-335 -44.2%	-79 -28.8%	-143 -28.2%	-46 -20.3%	-229 -16.9%	-66 -10.1%	-24 -4.8%	-23 -4.9%	-21 -29.3%	-30 -13.3%
July-September	2001	323	744	275	433	239	1,398	763	451	487	74	198
	2002	306	701	284	415	241	1,338	693	457	482	67	249
	2003	166	397	199	324	204	1,140	703	410	453	48	190
	2002-2003 change	-140 -45.8%	-304 -43.4%	-85 -29.9%	-92 -22.1%	-37 -15.5%	-198 -14.8%	10 1.4%	-47 -10.3%	-29 -6.0%	-19 -28.5%	-59 -23.7%
October-December	2001	412	845	271	502	214	1,351	782	487	464	83	178
	2002	358	782	273	504	228	1,295	721	450	451	66	247
	2003	246	462	219	380	202	1,138	671	439	440	58	179
	2002-2003 change	-112 -31.2%	-320 -41.0%	-53 -19.6%	-124 -24.6%	-26 -11.3%	-157 -12.1%	-50 -7.0%	-11 -2.5%	-11 -2.4%	-8 -12.0%	-68 -27.4%
April-December	2002-2003 change	-136 -40.0%	-320 -42.8%	-73 -26.2%	-119 -25.1%	-36 -15.7%	-195 -14.6%	-36 -5.1%	-27 -5.9%	-21 -4.5%	-16 -23.5%	-52 -21.7%

**Table A.6. (cont'd)**

(c) Not charged - Rate per 100,000 youth population

		Drugs	Theft under	Mischief under	Assault level 1	Possess stolen property	Other Criminal Code (victimless)	Indictable property	Violent (except Assault level 1)	Bail violations and Fail to appear	Fraud	Probation violations
January-March	2001	303	838	374	411	41	986	259	108	16	51	49
	2002	316	818	397	386	35	951	260	106	21	44	39
	2003	338	1,000	441	458	49	1,096	250	123	22	47	76
	2002-2003 change	22 6.9%	182 22.3%	43 10.9%	72 18.6%	15 42.1%	145 15.2%	-11 -4.1%	16 15.5%	1 4.0%	3 7.4%	37 93.7%
April-June	2001	343	953	587	504	42	1,360	326	131	20	51	91
	2002	386	964	532	468	46	1,287	294	148	21	39	79
	2003	472	1,552	843	658	86	1,754	384	159	39	64	114
	2002-2003 change	86 22.3%	588 61.0%	311 58.3%	189 40.5%	40 86.2%	467 36.3%	90 30.7%	11 7.5%	18 84.7%	25 64.7%	35 44.9%
July-September	2001	304	833	551	345	39	1,241	315	112	20	47	56
	2002	315	856	533	380	41	1,232	302	104	20	37	66
	2003	308	1,284	779	504	87	1,664	388	135	34	50	103
	2002-2003 change	-7 -2.2%	428 50.1%	246 46.2%	124 32.7%	45 108.8%	431 35.0%	86 28.5%	31 30.0%	14 67.6%	13 35.8%	37 56.0%
October-December	2001	416	986	571	469	16	1,226	321	121	23	41	53
	2002	363	1,101	604	467	54	1,306	313	125	21	48	79
	2003	524	1,306	736	580	92	1,525	365	158	38	47	86
	2002-2003 change	161 44.2%	204 18.6%	132 21.8%	113 24.2%	37 68.5%	219 16.8%	52 16.6%	33 26.1%	17 83.1%	-1 -2.2%	7 8.4%
April-December	2002-2003 change	80 22.5%	407 41.8%	230 41.3%	142 32.4%	41 86.0%	373 29.2%	76 25.1%	25 19.9%	16 78.6%	12 30.0%	26 35.2%

Notes: see Notes to Table A.3.

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