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Juristat

Canadian Centre for Justice Statistics

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IMPAIRED DRIVING AND OTHER TRAFFIC OFFENCES - 2002

by Derek Janhevich, Maire Gannon, and Nicolas Morisset

Highlights

- In 2002, the rate of police-reported impaired driving incidents decreased by 4% after a slight increase in 2001. This drop is consistent with the general decrease over the last twenty years. The 2002 rate is 65% lower than the peak in 1981.
- The downward trend since 1981 may be attributable to a number of factors, including changing attitudes with respect to impaired driving, aging of the general population, as well as other enforcement procedures used by the police such as roadside suspensions.
- Among provinces, the rate of persons charged with impaired driving ranged from 183 per 100,000 persons aged 16 and older in Newfoundland and Labrador to 618 in Saskatchewan.
- With the exception of Quebec which reported no change in the rate of persons charged with impaired driving, all provinces and territories reported decreases in 2002. Among provinces, Newfoundland and Labrador had the largest decrease (-19%) followed by New Brunswick (-12%) and Saskatchewan (-11%).
- The rate of persons accused of impaired driving offences was highest among young adults between the ages of 19 and 24 and lowest for those 65 and over.
- The rate of overall *Criminal Code* traffic incidents that involved fatalities or bodily harm has generally declined over the past 15 years.
- Almost three-quarters (73%) of court cases involving impaired driving resulted in a conviction and of these 14% were sentenced to custody.



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Introduction

The time spent in automobiles has increased substantially in recent years. According to Statistics Canada's 1998 General Social Survey on Time Use, on an average weekday, Canadians spent 6 more minutes travelling by car than they did in 1986 (Clark, 2000). In Canada, the average number of kilometres traveled during the week to go to work and return home rose from 85 km in 1986 to 100 km in 1998. Since cities are expanding, a larger proportion of people are living in suburbs and further from their workplace. People are spending much of their time in their personal vehicle, whether to go to work, to access leisure activities, or for personal needs. Additionally, according to the most recent data from the Canadian Vehicle Survey,¹ there were approximately 18.3 million road vehicles in 2002, compared with 17.6 in 1999.

This *Juristat* will analyze trends in impaired driving and other traffic offences under the *Criminal Code*. Points that may be useful in analyzing trends include new legislation on impaired driving; identification of variables that may be contributing to the general decline; and a brief examination of dangerous driving.

Police-reported statistics on impaired driving

A number of organizations and institutes have been collecting information on impaired driving over time; however the methodologies employed are somewhat different and therefore results differ as well (see text box "Different Methods of Data Collection").

Different Methods of Data Collection

A number of data sources exist on impaired driving and other traffic offences, and they all have strengths and limitations. For a more detailed description of these sources of data, refer to the Methodology and Data Sources section of this *Juristat*.

Canadian Centre for Justice Statistics (CCJS) – The CCJS collects information provided by the police as well as provincial adult courts. Police data on impaired driving and other *Criminal Code* traffic violations reflect those incidents and charges that come to the attention of the police. These data are subject to police operational and discretionary practices. The CCJS does not collect information on police-reported vehicle accidents, unless they are reported by the police as *Criminal Code* traffic violations. Court statistics reflect the number of cases involving a *Criminal Code* traffic violation that are processed through adult provincial criminal courts. It will not necessarily include all those cases that were processed by the police because of time lags, changes in the type of charge, and/or dropping of charges. As a result, the number of police incidents or charges and the number of cases appearing in court will not match.

Traffic Injury Research Foundation (TIRF) – The Foundation maintains a database on fatal accidents in Canada involving drivers, passengers and pedestrians since 1987. The data come from two information sources: police reports on accidents, and reports of coroners and medical examiners from all provinces. With respect to police data on accidents, most jurisdictions collect data on traffic crash frequencies from police reports. For an accident to be included in these counts, at least three things must happen: the accident must be reported to the police; the police must attend the accident; and a report must be written. Coroner data only include the sub-set of crashes that involve fatalities. Coroner data can suffer from the time lag between the actual death and the time the cause of death is determined and entered into a central data set, resulting in a lag in fatality count.

Transport Canada – The data, collected in co-operation with the Canadian Council of Motor Transport Administrators, include persons who died in connection with the death of an impaired driver. Often TIRF works in partnership with Transport Canada.

Mothers Against Drunk Drivers (MADD) Canada – This organization's data reflect not only drivers but also passengers who are under the influence of alcohol. Even if the driver has not consumed alcohol, intoxicated passengers are included in the statistics produced by MADD. If an intoxicated driver kills third party road users but he/she does not die, the victims will be included in the overall death statistics.

This *Juristat* will focus on police-reported impaired driving statistics, which refer to (1) incidents known to and substantiated by police and (2) persons charged with impaired driving. National-level analysis is based on these data.

¹ The available information dates only from 1999, since the data collection method has changed. It is not possible to compare the data with those for previous years.

It should be noted that revisions have been made to the number of actual impaired driving incidents for the RCMP in 2000 and 2001. These revisions resulted in a 6% reduction in actual incidents at the Canada level for 2000 and 9% for 2001, but did not affect the national impaired driving trend. The number of persons charged with impaired driving offences did not require revision.

Actual incidents are affected by variations in the way police forces determine if an impaired driving offence has occurred. Some police forces score suspected cases of impaired driving as actual incidents, when there is sufficient evidence. One example of such an incident involves family members of suspected impaired drivers contacting police with specific and substantial information about the quantity of alcohol consumed and that the vehicle was being driven by the suspect person. Scoring suspected incidents results in both a higher number of actual incidents and a smaller proportion of incidents that are cleared by police, relative to other forces. Persons charged data are not affected. Given that this variation in police practice may be unevenly distributed throughout Canada (Table 1), patterns of impaired driving at the provincial/territorial and CMA levels are analyzed using persons charged data.

This *Juristat* also provides analysis on cases of impaired driving processed in provincial adult criminal courts. Both recent year and trend analyses are presented.

Decrease is consistent with general downward trend

In 2002, the rate of impaired driving incidents (per 100,000 persons aged 16 and over) resumed its two decade downward trend (-4%), following a small increase in 2001. The rate of 321 was slightly lower than the rate reported in 2000 (323), the year before the increase. Nearly 81,000 incidents of impaired driving lead to approximately 67,000 persons charged in 2002. The rate of persons charged also decreased from 278 to 265 (Table 2). In addition, about 6,000 incidents were cleared otherwise through such means as roadside suspension diplomatic immunity, or death of the accused.

Interpreting impaired driving statistics

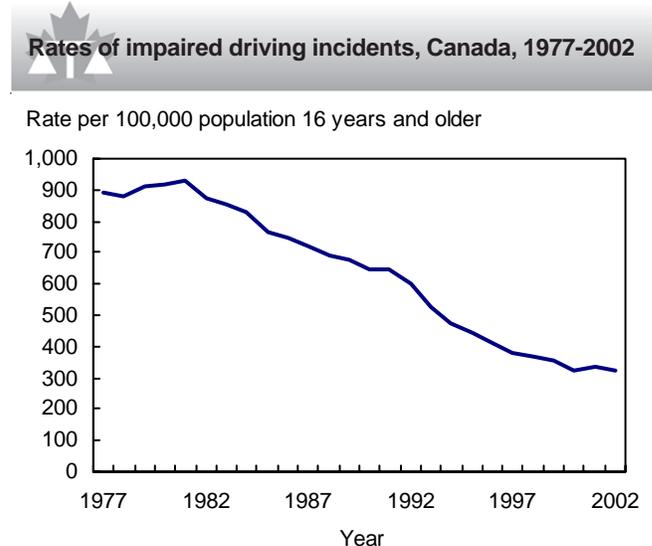
There has been considerable debate concerning the factors influencing the trends in police-reported impaired driving offences. These include legislative changes, enforcement practices by the police, as well as important demographic shifts in the population and changing attitudes on drinking and driving.

Legislative Changes/Program Implementation

Some would argue that more restrictive laws have had an impact on the rate of impaired driving incidents (Safety Research Office, 1998; McCartt, Shabanova & Berning, 2002; Quaye & Boase, 2002; Solomon & Chamberlain, 2002). Trend data however, indicate that the rates started to decrease before the introduction of these stiffer laws (Figure 1; text box History and Amendments to the *Criminal Code*). The rate of impaired driving started to decrease during the early 1980s and continued into the 1990s. As a result of intense interest in this issue, both within the public and in government, actions were

taken on a number of fronts including the introduction of provincial/territorial legislation related to impaired driving, with such provisions as ignition interlock programs and vehicle forfeiture. Changes were made to the *Criminal Code*, and Health Canada launched its Dialogue on Drinking program in the early 1980s. The program heavily stressed the creation of public awareness to reduce the problem of impaired driving, in co-operation with the provinces and territories. A number of community awareness activities were organized, and numerous messages were broadcast on radio and television.

Figure 1



Note: Early 1980s, Health Canada campaign on impaired driving. Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Police Enforcement Practices

Other explanations for the overall decrease in the rate of impaired driving offences in the 1980s and 1990s concern the increased use of roadside suspensions by police. In 1997, the Canadian Association of Chiefs of Police and Transport Canada commissioned the National Survey of Front-Line Police Officers. In the study, which asked questions on police officer attitudes toward impaired driving, respondents indicated that they were likely to use roadside suspensions for cases where the blood-alcohol content (BAC) was slightly over the legal limit. In addition, the study concluded that the increase in the use of roadside suspensions is due to some of the following reasons: (i) time required to formally charge a person under the *Criminal Code*; (ii) resources required to process charges; and (iii) the fact that roadside suspensions immediately get impaired drivers off the road (Transport Canada, 1999).

In the past, these offences were generally not recorded in the UCR survey unless the driver was formally charged by police, meaning that the actual number of impaired driving incidents may have been slightly under-estimated in police-reported crime statistics. Beginning in 2001, some police forces began recording these incidents of impaired driving (where the driver was not formally charged) in the UCR survey as actual incidents

History of selected amendments to the *Criminal Code*

1921: Parliament creates, under the *Criminal Code*, the summary conviction offence of driving while intoxicated.

1925: Parliament extends the provision to include intoxication by a narcotic.

1930: The offence becomes a hybrid offence, enabling the Crown to choose to proceed by either summary conviction or indictment.

1951: The hybrid offence of driving while impaired by alcohol or any drug is added to the *Criminal Code*. Penalties are generally lower than for the driving while intoxicated offence. Chemical analysis of bodily substances is made admissible in evidence but there is no requirement for a suspect to provide any sample.

1969: Major amendments are made to the *Criminal Code*. The 1921 offence of driving while intoxicated is repealed. The 1951 offence of driving while impaired is retained and the "exceeds 80 mg.%" offence and the refusal to provide breath sample on an "approved instrument" offences are added as summary conviction offences.

1976: A refuse breath sample on an "approved screening device" offence is added to the *Criminal Code*. Refusal offences and "exceeds 80 mg.%" become hybrid offences. The penalties for impaired driving, refusing to provide samples and "exceeds 80 mg.%" offences are harmonized.

1985: The aircraft and vessel transportation modes are added to the offence provisions. Where impaired operation causes death, the maximum penalty is raised to 14 years imprisonment. Where impaired driving causes bodily harm, the maximum penalty is raised to 10 years imprisonment. Previously, the Crown could only prosecute under criminal negligence or manslaughter provisions if it wished to attract potentially high penalties for an alcohol related driving conviction. A provision is introduced permitting police to seek a warrant to obtain a blood sample from an unconscious alcohol-involved driver in certain circumstances. A mandatory driving prohibition period is introduced and some penalty adjustments are made.

1989: The railway mode is added to the offence provisions.

1994: The time for the police to seek a warrant to obtain a blood sample from an unconscious driver is extended from 2 hours to 4 hours.

1997: Amendment made to ensure that imprisonment time cannot be used to reduce the driving prohibition period. Also, evidence to rebut the presumption that the concentration of alcohol at the time of testing is the concentration at the time of driving must not only be different from the result of the sample analysis but must show that the concentration at the time of driving was lower than the "legal limit".

1999: Bill C-82 amended the *Criminal Code* to increase the maximum penalty for leaving the scene of an accident to life imprisonment and 10 years imprisonment, where there is a death or injury. The maximum penalty for driving while disqualified is increased from 2 years imprisonment to 5 years imprisonment.

The time for police to make a demand for a sample is increased from 2 hours to 3 hours.

In sentencing an offender, the judge must consider a blood alcohol concentration that exceeds 160 mg.% as an aggravating factor. Provisions are added to specify that a judge may make a term in a probation order requiring the offender to take treatment or to use an ignition interlock device. The minimum driving prohibition periods are increased on first, second and subsequent offences to 1, 2 and 3 years, respectively. Only a first offender is given the possibility of returning to driving during a part of the prohibition period if the offender is driving a vehicle equipped with an ignition interlock device under a provincial or territorial government program for the remainder of the driving prohibition period. The minimum fine for a first impaired driving offence is increased from \$300 to \$600.

2000: Bill C-18 amended the *Criminal Code* to increase the maximum penalty for impaired driving causing death from 14 years to life imprisonment. The provision allowing police, in certain circumstances, to seek a warrant to obtain a blood sample from an unconscious driver is extended to include a driver whom they believe is impaired by a drug.

2001: Parliament extends to repeat offenders the possibility of returning to driving during a part of the prohibition period if the offender is driving a vehicle equipped with an ignition interlock device under a provincial or territorial government program for the remainder of the driving prohibition period. It is up to the provinces and territories whether to offer such a program.

of impaired driving. This new scoring directive contributed to an increase in the number of actual incidents in 2001 and a corresponding rise in the percentage of incidents cleared by means other than by charge. Beginning in 2002, all police services were directed to begin scoring this way.

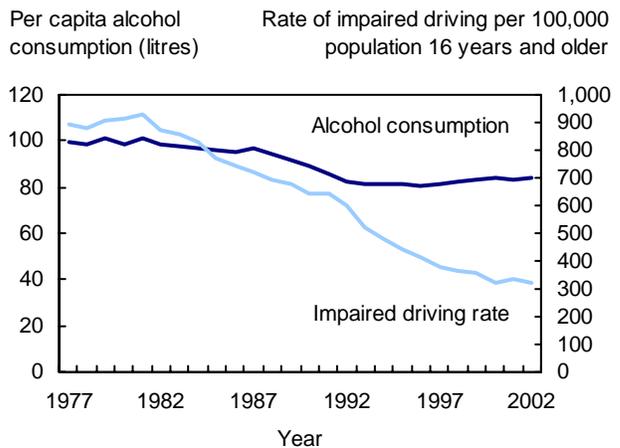
Changing Demographics and Societal Attitudes

The general decline in crime rates since the early 1980s coincided with a decrease in the proportion of young adults in the general population. Since young adults have higher rates of offending and victimization than other age groups, crime rates can be expected to decline as their share of the population declines (Quimet, 2002). This can help explain the downward trend in the rate of impaired driving offences.

Also, some evidence suggests that individuals are more frequently choosing alternative means of transportation or relying on "designated drivers" when consuming alcohol outside the home. The drop in impaired driving rates occurred despite little change in alcohol consumption over the last decade (Figure 2).

Figure 2

Annual per capita alcohol consumption and rates of impaired driving incidents, Canada, 1977 to 2002



Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada and Statistics Canada (2003) Food Statistics. Vol. 2, no. 1, catalogue 21-020-XIE.

Majority of offences are for operating a vehicle while impaired or with BAC over 80 mg per 100 ml

Among approximately 81,000 impaired driving offences in 2002, the vast majority (94%) were classified by police as operating a vehicle while impaired or with a Blood Alcohol Content (BAC) over 80 mg³ (Table 3). The remaining offences were processed as failure to provide a breath or blood sample (5%) and impaired operation of a motor vehicle causing bodily harm or death (1%).⁴

Although these proportions have changed little over time, some variation exists in the type of impaired driving offences recorded by police. The number of incidents of impaired operation of *other vehicles* (i.e. watercraft, snowmobiles, vessels or aircraft) has fluctuated over the past 15 years and the 2002 number is similar to the number recorded in 1987.

Over the last ten years, incidents of failing or refusing to provide blood or breath samples have dropped by 63%. These types of incidents made up 5% of all impaired driving incidents in 2002, compared to 8% in 1992.

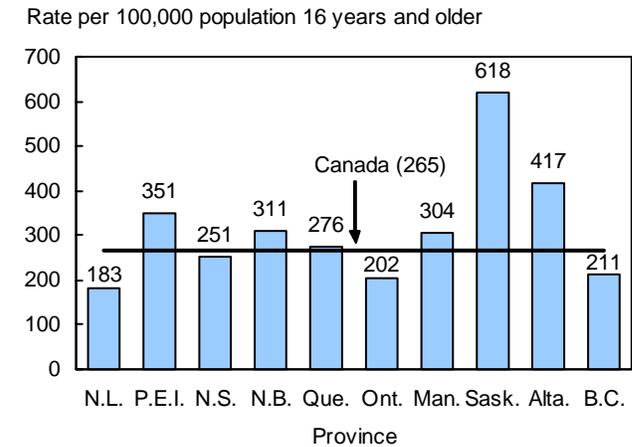
Saskatchewan continues to have highest rate of impaired driving charges

There is considerable variation across Canada, with rates of persons charged with impaired driving offences (per 100,000 persons 16 and older) ranging from 183 in Newfoundland and Labrador to 618 in Saskatchewan.

With the exception of Quebec which showed relatively no change from the previous year, all provinces reported decreases in the rate of persons charged with impaired driving in 2002. Newfoundland and Labrador (-19%) reported the largest decrease, followed by New Brunswick (-12%) and Saskatchewan (-11%) (Table 4).

Figure 3

Rate of persons charged with impaired driving, by province, 2002



Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

The level of police resources available to the community could have an impact on charge data, especially for an offence like impaired driving that is driven to a significant degree by police-enforcement activities. In 2002, the same year that Saskatchewan reported the highest rate of impaired driving

³ These include offences under Section 253 (a) driving while the person's ability is impaired by alcohol or a drug and Section 253 (b) driving a vehicle with a BAC in excess of 80 mg of alcohol per 100 ml of blood.

⁴ For a more detailed description of impaired driving offences causing bodily harm and death, please refer to the section on Traffic Injuries and Fatalities of this Juristat.

Impaired driving under the *Criminal Code*:

Definition:

Operation while impaired / exceeding 80 mg.

Section 253 creates two distinct offences:

Everyone commits an offence who operates a motor vehicle or vessel or operates or assists in the operation of an aircraft or of railway equipment or has the care or control of a motor vehicle, vessel, aircraft or railway equipment, whether it is in motion or not,

- a) while the person's ability to operate the vehicle, vessel, aircraft or railway equipment is impaired by alcohol or a drug; or
- b) having consumed alcohol in such a quantity that the concentration in the person's blood exceeds 80 mg of alcohol/100 ml of blood.

Section 254(5) creates the offence of refusing without reasonable excuse to comply with a demand given by a peace officer to provide a breath or blood sample.

Penalties:

Section 255(1) provides for the following maximum penalties:

- a) where the offence is prosecuted by indictment, imprisonment for a term not exceeding 5 years;
- b) where the offence is punishable on summary conviction, imprisonment for a term not exceeding 6 months.

Minimum penalties under sections 253 and 254 are:

- i) for a first offence, a fine of not less than \$600;
- ii) for a second offence, imprisonment for not less than 14 days;
- iii) for a third offence, imprisonment for not less than 90 days.

Section 259 provides that everyone who is convicted under s. 253 (a) or (b) is prohibited from driving for a minimum of :

- a) 1 year for a first offence;
- b) 2 years for a second offence; or
- c) 3 years for a subsequent offence.

Section 259 also provides that an offender may operate a vehicle equipped with an ignition interlock device under a provincial program during the driving prohibition period if authorized to do so by a court but only after the offender has served:

- a) a minimum of three months of the driving prohibition (first offence);
- b) a minimum of six months of the driving prohibition (second offence); or
- c) a minimum of one year of the driving prohibition (subsequent offences).

Section 255(2) provides that everyone who commits an offence under paragraph 253(a) and thereby causes bodily harm to any other person is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years.

Section 255(3) provides that everyone who commits an offence under paragraph 253(a) and thereby causes the death of any other person is guilty of an indictable offence and liable to life imprisonment.

charges, it also had the highest police per capita among the provinces (Logan, 2002). However, more police officers do not necessarily translate into greater rates of impaired driving. Along with resource allocation, overall prevalence of impaired driving contributes to the rate of persons charged.

Regina - highest rate among Canada's Census Metropolitan Areas

Among Canada's Census Metropolitan Areas (CMAs), Regina reported the highest rate of persons charged with impaired driving (383 per 100,000 population 16 and older), followed by Trois-Rivières (355), Saskatoon (345), and Thunder Bay (293) (Table 5).⁵ The vast majority of CMAs reported lower rates than the Canadian average of 265.

While most of Canada's 25 CMAs continued to report declining rates of persons charged with impaired driving in 2002 (Table 3), 7 reported increases. The Quebec CMAs of Sherbrooke (+11%) and Saguenay (+9%) reported the largest increases, followed by Vancouver (+5%). Slight increases were reported by Calgary, Sudbury and Thunder Bay (3% each), and Trois-Rivières (2%).

Only three of the 25 CMAs reported increases over the last five years: Toronto (15%), St. Catharines-Niagara (8%), and Calgary (6%).

Of Canada's nine largest CMAs (total populations over 500,000), the two Alberta cities of Calgary and Edmonton reported the highest rate of persons charged with impaired driving (272 and 244, respectively). For the second consecutive year, Vancouver (135) and Hamilton (130) reported the lowest rates.

Characteristics of impaired driving

Some police departments report crime statistics to the Incident-Based UCR2 Survey, which gathers detailed characteristics about incidents, victims and offenders that are not available from the aggregate UCR survey including age of persons involved and the level of injury to victims. In 2002, the UCR2 Research database, a subset of the UCR2 database, includes 94 police agencies in 9 provinces.⁶ These data represent 56% of the national volume of reported actual *Criminal Code* incidents.⁷

Most impaired driving incidents involve automobiles

In 2002, the UCR2 Research database reveals that of those impaired driving incidents where the type of vehicle was known, 81% involved automobiles, 17% involved trucks, vans, buses or recreational vehicles, 1% involved other motorized land vehicles, and 1% involved vessels and other watercraft.

Impaired driving rates highest on weekends and in the early morning hours

According to UCR2 Research database, police were more likely to report impaired driving offences during the weekend (Fridays, Saturdays and Sundays). The weekend rate of impaired driving (143 per 100,000 persons 16 and older) was 1.7 times higher than the rate during the week (86). Rates of police-reported impaired driving incidents were highest on Saturdays and lowest on Tuesdays. As would be expected, overall rates were also highest between midnight and 4 a.m. (115).

Impaired driving rates were highest in June (21 per 100,000 persons 16 and older) and lowest in January and February (16 and 17).⁸

⁵ Police forces forming the CMAs may enforce traffic offences outside the boundaries of the CMAs.

⁶ The UCR2 is not nationally representative.

⁷ For a more detailed description, refer to the Methodology section of this Juristat.

⁸ Fewer days in February may partly contribute to its lower rate.

The effects of drug use when driving a motor vehicle

In Canada, the following provisions regarding drug use are set out in the *Criminal Code*. Subsection 253(a) of the *Criminal Code* makes it an offence to operate a motor vehicle while the driver's ability to do so is impaired by a drug or alcohol. Police may only seek a warrant under section 256 to obtain a blood sample from an unconscious driver where they believe the driver to be impaired by alcohol or a drug and to have been involved in a collision where there was injury or death. Otherwise, police powers for obtaining evidence of the s. 253(a) drug impaired driving offence are limited, compared to situations involving suspects who have a BAC exceeding 80 milligrams of alcohol in 100 millilitres of blood (s. 253(b)). In fact, a police officer has no authority under the *Code* to demand that a suspect provide evidence in the form of a bodily substance for the purposes of drug testing, even if there are reasonable grounds to believe the suspect is impaired by a drug. Subsection 258(5) does authorize testing for drugs on a blood sample that has been obtained for alcohol testing through a section 254 demand. In some jurisdictions, there is a program to assist officers to recognize the presence of drugs. Under this program, first developed in the United States, police officers are trained to assess the behaviour and physical appearance of impaired drivers to determine whether they are under the influence of a drug, and if so, to identify the category of drugs involved.

The most commonly used drugs that are likely to interfere with driving have the following effects:

Cannabis: - Disruption of vision, especially night vision; increased recovery time after exposure to glare; poor appreciation of distances; poor colour perception, difficulties coming out of a turn; and difficulties concentrating.

Heroin and morphine: Loss of attention; diminished reflexes, sense of reality and awareness of danger and obstacles. In low dosage: risk of loss of control of vehicle through drowsiness, cardiac or respiratory pain. In high dosage: delirium, hallucinations, motor excitement.

Cocaine: Sensation of euphoria with excessive self-confidence, desire to perform, alteration of vision, increased risk-taking, and aggressiveness.

Ecstasy-type derivatives: Fatigue, fever, muscular rigidity, and accommodation problems (owing to mydriasis, or dilation of the pupil).

How many Canadians drive after drinking?

The Traffic Injury Research Foundation (TIRF) administers an annual survey entitled *The Road Safety Monitor*, which asks Canadians 16 years and older a number of questions on issues related to road safety. In 2002 7.9% of Canadian drivers said that they had driven in the past year while they thought they were over the legal limit. This represents an estimated 1.7 million Canadians who drove when they thought they were impaired.

With respect to demographic characteristics of impaired drivers, young drivers (16 to 18) and older drivers (age 65 and over) were least likely and those between 19 and 34 were most likely to report driving after drinking (Beirness, Simpson & Desmond, 2002).

Most persons charged are male

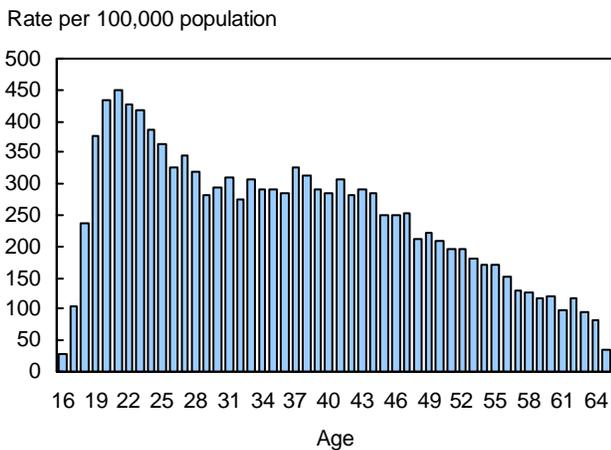
According to the aggregate UCR survey, although the vast majority of persons charged with impaired driving offences continue to be men (87%), the proportion of women charged has steadily increased from 8% in 1986 to 13% in 2002.

Highest rates reported among young adults aged 19 to 24

The UCR2 Research database indicates that the rate of persons accused of impaired driving offences by this group of police departments was highest among those between the ages of 19 and 24 (416 per 100,000 persons aged 19 to 24). The highest single-age impaired driving rate occurred among 21 year olds, at 449 (Figure 4). Rates leveled off and remained relatively constant for 25 to 44 year olds, while accused persons aged 65 and over had the lowest rate (36 per 100,000 persons 65 and over).

Figure 4

Rate of persons accused of impaired driving by age, 2002

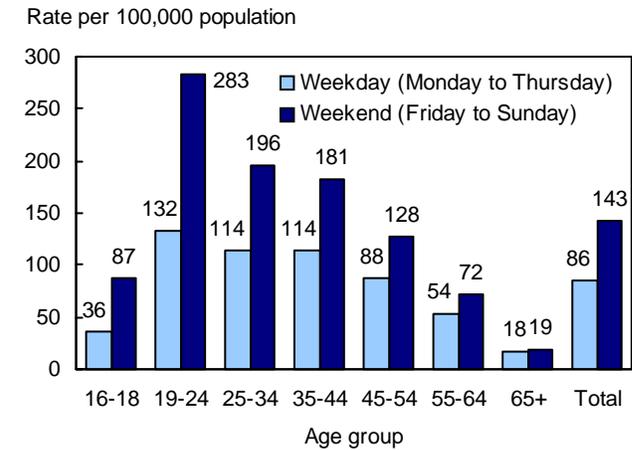


Note: Data are not nationally representative. Based on data from 94 police departments (excluding partial year respondents and OPP rural) representing 56% of the national volume of crime in 2002. The population for respondents having partial jurisdiction over certain CSDs has been adjusted in this table.
Source: Incident-based Uniform Crime Reporting Survey, CCJS, Statistics Canada. Populations for police forces are derived based on estimates provided by the Demography Division of Statistics Canada. These populations are based on the 1996 Census geography boundaries.

Age-related patterns are consistent among persons accused of impaired driving offences on weekdays and those charged on weekends (Figure 5). The highest rates were found among 19 to 24 year olds charged on weekends (283 per 100,000 population).

Figure 5

Rate of persons accused of impaired driving during the week and weekend, 2002



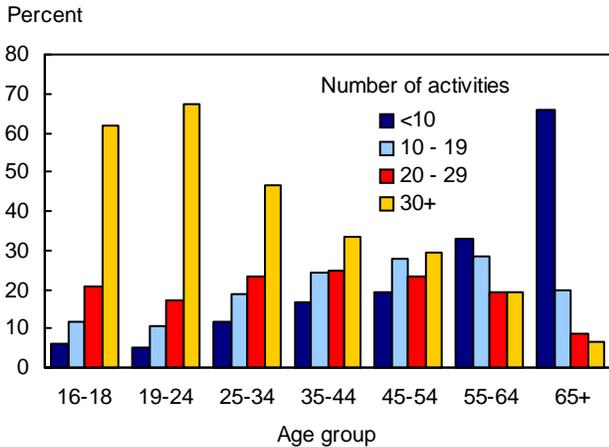
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Source: Incident-based Uniform Crime Reporting Survey, CCJS, Statistics Canada. Populations for police forces are derived based on estimates provided by the Demography Division of Statistics Canada. These populations are based on the 1996 Census geography boundaries.

Drinking and lifestyle patterns may explain the higher rates of impaired driving among young adults. According to the Canadian Community Health Survey (CCHS), persons between the ages of 20 to 24 report the highest rates of “regular heavy drinking” – defined as drinking five or more drinks on one occasion at least 12 times in the previous 12 months. In 2000/01, 37% of persons aged 20 to 24 reported being “regular heavy drinkers” compared to 25% of 25 to 34 year olds and 21% of persons between the ages of 35 and 44. This factor, combined with lifestyle, increases the potential for drinking and driving among young persons.

The number of evening activities outside the home can be an indicator of one’s lifestyle. Compared to their older counterparts, young adults spend a greater number of evening activities outside the home (Figure 6). The 1999 General Social Survey indicates that two out of every three individuals aged 19 to 24 years engage in 30 or more evening activities in a month, versus less than half of persons aged 25 to 34 and a third of persons aged 35 to 44.

Figure 6

Number of evening activities outside of the home per month, by age group¹



¹ Excludes "don't know/not stated" responses.
Source: General Social Survey, 1999, Statistics Canada.

Other *Criminal Code* traffic violations

In 2002, police reported over 117,000 *Criminal Code* traffic violations. The majority of these were for impaired driving offences (69%) followed by failing to stop and remain (19%), dangerous driving offences (7%), and driving while disqualified (5%). The rate of dangerous driving was 34 incidents per 100,000 persons aged 16 and older (Table 6).

Among provinces, Saskatchewan reported the highest rate of incidents of dangerous driving (88), while Quebec reported the lowest rate (15).

Generally, over the past 15 years the rate of police-reported *Criminal Code* dangerous driving offences has fluctuated slightly from year to year; however in 2001 the rate increased sharply by 25% and remained fairly constant in 2002.

Traffic violations involving injuries and fatalities

Federal, provincial/territorial, and municipal governments and non-governmental organizations such as Mothers Against Drunk Drivers (MADD) and the Traffic Injury Research Foundation (TIRF) have taken an active role in monitoring impaired driving and other traffic violations and the threats to safety that such infractions pose.

Police-reported traffic violations causing death and bodily harm generally decreasing

According to police-reported statistics from the UCR survey, the overall rate of *Criminal Code* traffic incidents that involve fatalities or bodily harm has been generally decreasing (Table 7). The rate of incidents involving fatalities has been reduced by more than half over the last 16 years, declining from 2.4 (per 100,000 persons 16 and older) in 1986 to 1.0 in 2001 and 2002. The decline is associated with a reduction in fatalities related to both impaired and dangerous driving offences.

In the case of traffic violations resulting in bodily harm, most of the 41% decline since 1986 is associated with a reduction in injuries related to impaired driving incidents (a 49% decline). Rates in police-reported dangerous driving incidents causing bodily harm are down 20% since 1986.

Victim rates of traffic violations highest among young adults

Including *Criminal Code* traffic violations causing bodily harm or fatalities reported in 2002 by UCR2 survey respondents (including failure to stop or remain offences) the rate of personal victimization caused by traffic violations was 18 per 100,000 population.⁹ Just as accused impaired driving rates were highest among young adults between the ages of 19 and 24 so were the victim rates (43 per 100,000 population). Children and youth under 16 years of age had the lowest risk of victimization (6 per 100,000 population). Eighteen year-olds had the highest single-age victim rate, at 51 per 100,000 persons 18 years of age (Figure 7).

⁹ Victims may include anyone injured or killed of any age in the traffic violation (e.g. as a passenger, traveling in an opposing vehicle, or as a pedestrian).

Dangerous driving under the *Criminal Code*

Definition

Dangerous driving – Section 249, subsection 1 of the *Criminal Code* defines the general offence of dangerous driving of a motor vehicle as follows:

Everyone commits an offence who operates

- a) a motor vehicle in a manner that is dangerous to the public, having regard to all the circumstances, including the nature, condition and use of the place at which the motor vehicle is being operated and the amount of traffic that at the time is or might reasonably be expected to be at that place;

Penalties

Dangerous operation – Everyone who commits an offence under subsection (1) is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years; or is guilty of an offence punishable on summary conviction.

Dangerous operation causing bodily harm – Everyone who commits an offence under subsection (1) and thereby causes bodily harm to any other person is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

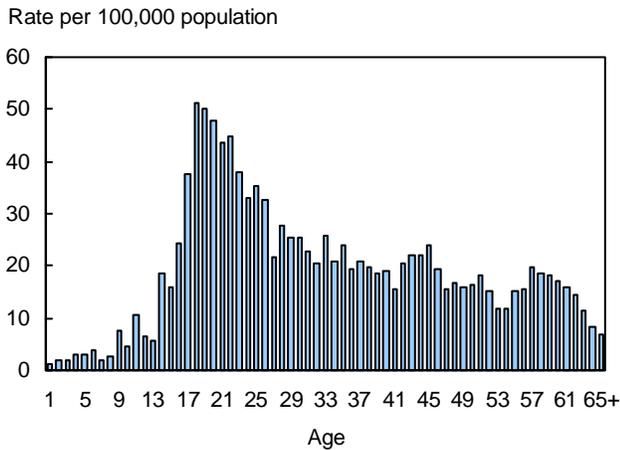
Dangerous driving that causes bodily harm during a flight from police carries a maximum period of imprisonment of 14 years (section 249.1).

Dangerous operation causing death – Everyone who commits an offence under subsection (1) and thereby causes the death of any other person is guilty of an indictable offence and liable to imprisonment for a term not exceeding 14 years.

Dangerous driving that causes death while fleeing from police carries a maximum of life imprisonment (section 249.1).

Figure 7

Rate of victims of traffic injuries and fatalities, by age, 2002



Note: Data are not nationally representative. Based on data from 94 police departments (excluding partial year respondents and OPP rural) representing 56% of the national volume of crime in 2002. The population for respondents having partial jurisdiction over certain CSDs has been adjusted in this table.

Source: Incident-based Uniform Crime Reporting Survey, CCJS, Statistics Canada. Populations for police forces are derived based on estimates provided by the Demography Division of Statistics Canada. These populations are based on the 1996 Census geography boundaries.

The Traffic Injury and Research Foundation (TIRF) uses a variety of indicators to examine the problem of alcohol-related accidents, some of which extend beyond impaired driving.¹⁰ The indicators include:

- the number and percent of people who were killed in crashes that involved alcohol
- the number and percent of fatally injured drivers who had been drinking
- the number and percent of fatally injured pedestrians who had been drinking
- the number and percent of drivers in serious injury crashes that involved alcohol

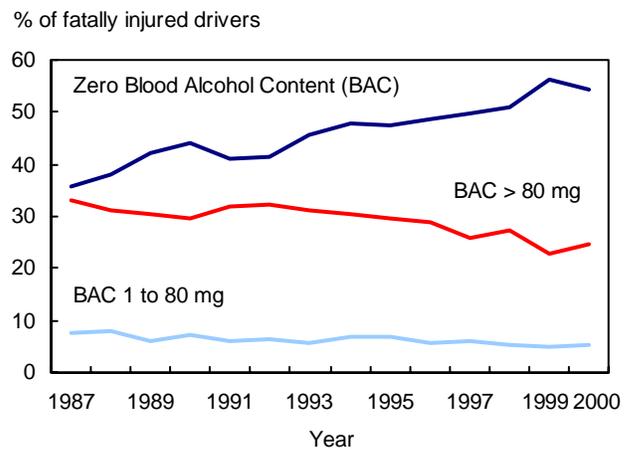
Data from TIRF indicate that between 1995 and 2000, the estimated number of deaths in accidents that involved a drinking driver dropped from 1,296 to 864. Figure 8 indicates that the proportion of fatally injured drivers with blood alcohol content (BAC) over the legal limit (greater than 80 mg of alcohol per 100 ml of blood) declined from about one-third (33%) to one-quarter (25%) between 1987 and 2000. Furthermore, TIRF figures indicate that the proportion of drivers in serious injury crashes that involved alcohol dropped slightly from 21% in 1995 to 19% in 2000.

The courts and traffic offences

Important questions surround the way in which persons accused of impaired driving and other traffic offences are sanctioned, how much of a burden these offences and

Figure 8

Alcohol use among driver fatalities, Canada, 1987 to 2000



Source: Traffic Injury Research Foundation, 2002.

offenders impose on the court system, and how many offenders are re-appearing in court for these violations.

The Adult Criminal Court Survey (ACCS) collects information on traffic cases handled by the courts. At the time of this report, adult criminal courts in all provinces and territories (except Manitoba, Northwest Territories and Nunavut) reported court data to the survey. These nine provinces and one territory represent approximately 90% of the national adult criminal court caseload.¹¹

High conviction rates for impaired driving and other traffic offences

Of the more than 452,000 cases heard in the courts reporting to the ACCS in 2001/02, 12% (52,662) were for impaired driving offences. This compares to 11% for common assault, 9% for theft, 4% for fraud and 3% for break and enter.¹²

Conviction rates for traffic violations, in comparison with other *Criminal Code* infractions, are relatively high. Just under three-quarters (73%) of cases involving impaired driving resulted in a conviction and seven in ten cases (69%) of other traffic

¹⁰ For more detailed information on the data and the methodology employed, see Traffic Injury Research Foundation of Canada (2002) "The Alcohol-Crash Problem in Canada: 2000", TP 11759 E, Transport Canada.

¹¹ For a more detailed description, refer to the Methodology section of this Juristat.

¹² There are three levels of assault in the Criminal Code: (Assault Level 1, s. 266), (Assault Level II, s. 267), (Assault Level III, s. 268). Common assault (Assault Level 1, s. 266) is the least serious of the three types of assault in the Criminal Code. A common assault has been committed when an individual intentionally applies force or threatens to apply force to another person, without that person's consent. Major assault is an offence category that includes the higher levels of assault in the Criminal Code: assault with a weapon (Assault Level II, s. 267), aggravated assault (Assault Level III, s. 268), and other assaults (e.g., assaulting a police officer, and unlawfully causing bodily harm).

violations resulted in a guilty decision. This compares to a conviction rate of 60% for all *Criminal Code* offences, 50% for violent crimes and 62% for property crimes (Robinson, 2003).

Fines are most common for impaired driving, prison for other traffic violations

Fines are the most common form of sanction handed down in cases of impaired driving. In 2001/02, less than eight in ten (77%) cases of impaired driving resulted in fines being imposed as the most serious sentence, followed prison (14%) and probation (7%). In comparison, custodial sentences were ordered in 36% of cases of violent crime and in 39% of cases involving property crimes. Prison sentences were most commonly used for other traffic violations (46%), followed by fines (37%) and probation (10%).

The vast majority (74%) of fines for impaired driving offences were for amounts between \$500 and \$1000. The average dollar amount for a fine was \$785, compared to \$648 for other *Criminal Code* traffic offences in 2001/02.

In 2001/02 the mean length of probation orders was just over one year (383 days). Where a prison sentence was ordered, the majority (57%) were sanctioned to one month or less. Nearly four in ten cases resulted in prison sentences between one and six months and 4% resulted in sentences of more than six months. About 1% were sentenced to federal institutions – a prison sentence that is for 2 years or more.¹³ The average length of a prison sentence for cases of impaired driving was under three months or 73 days.

Use of imprisonment and sentence length for impaired driving offences varies considerably across the country

As previously noted, in 2001/02 a prison sentence was ordered in 14% of impaired driving convictions in adult criminal courts¹⁴; however, this figure varies considerably across the country. For example, in Prince Edward Island, 91% of guilty cases of impaired driving resulted in a prison sentence as compared to only 4% in Nova Scotia. Sentence length also varies across the country. For instance, although in PEI, 91% of convicted cases resulted in a prison sentence, the average length of their prison term was 17 days. This compares to an average sentence length of 182 days in Nova Scotia (Figure 9).

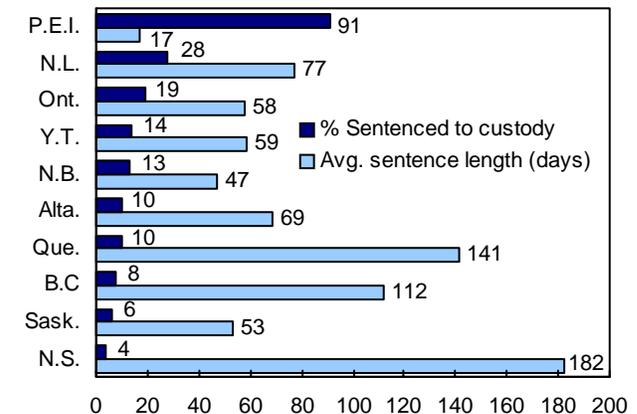
Trends in Court Outcomes for *Criminal Code* Traffic Cases

Fewer impaired driving cases received a period of incarceration

Based on data from jurisdictions consistently reporting to the ACCS since 1994/95, the use of incarceration as the most serious sentence in cases of impaired driving has declined slightly from 14% in 1994/95 to 11% in 2001/02.¹⁵ A number of factors can help explain the small decrease in use of prison, such as stiffer fines, decreasing severity of offences, and the implementation of conditional sentences¹⁶ (which represented the most serious sentence in approximately 1% of cases). However, it should be noted that conditional sentences for repeat offenders are not available since second offenders of

Figure 9

Percent of convicted cases of impaired driving sentenced to prison and average sentence length, by province, 2001-02



Note: Adult Criminal Court Survey data were not reported by Manitoba, Northwest Territories, and Nunavut.

Source: Adult Criminal Court Survey, CCJS, Statistics Canada.

impaired driving are subject to a minimum of 14 days imprisonment and subsequent offenders are subject to a minimum of 90 days imprisonment (Table 8). For impaired driving cases sentenced to a term of incarceration, the average length has ranged from 55 to 72 days between 1994/95 and 2001/02.

During this same time, the fines imposed for impaired driving offences have steadily increased from a mean of \$542 seven years ago to \$787 in 2001/02. Probation orders have also become longer. The average length of probation orders for impaired driving offences in 2001/02 was 21% longer than in 1994/95. The average probation order was set at 384 days, compared to 364 days two years ago and 317 days in 1994/95. The use of prison sentences for other traffic violations has dropped over the last 3 years.

¹³ The ACCS is not able to provide information on aggregate sentences and as a result, the proportion sentenced to federal institutions would be understated.

¹⁴ Convictions include guilty pleas and convictions after a trial.

¹⁵ 1994/95 marks the first year that the ACCS had 80% coverage. Prior to this, coverage was 35%. Although New Brunswick and British Columbia began reporting to the ACCS in 2001/02, these jurisdictions have been excluded for the purposes of trend analysis.

¹⁶ The Criminal Code provisions concerning conditional sentence of imprisonment (sections 742.1 to 742.7) were enacted in September 1996. Section 742.1 describes the imposition of a conditional sentence: "Where a person is convicted of an offence, except an offence that is punishable by a minimum term of imprisonment, and the court (a) imposes a sentence of imprisonment of less than two years, and (b) is satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the fundamental purpose and principles of sentencing set out in section 718 to 718.2, the court may, for the purposes of supervising the offender's behaviour in the community, order that the offender serve the sentence in the community, subject to the offender's complying with the conditions of a conditional sentence order made under section 742.3".

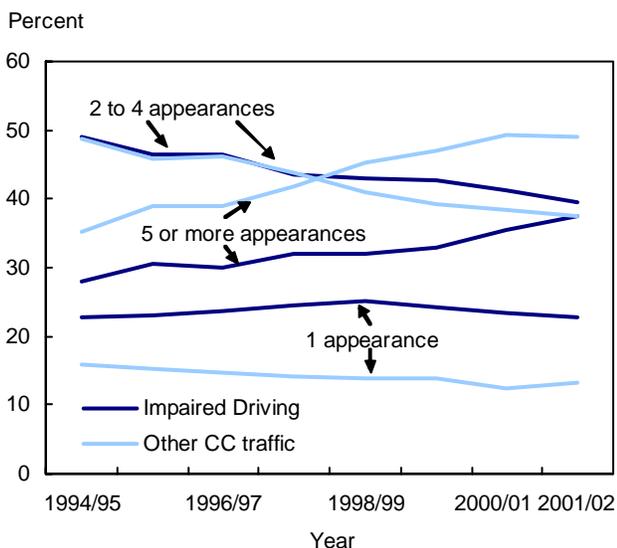
Length of court cases for *Criminal Code* traffic violations are increasing

The median¹⁷ elapsed time from first court appearance to case completion for all *Criminal Code* traffic violations increased slightly from 99 days in 2000/01 to 104 in 2001/02. This increase followed six years of stability and was primarily fueled by a rise in the elapsed time for impaired driving cases. The length of elapsed time for impaired driving cases increased from 92 days in 2000/01 to 99 days in 2001/02 (Table 9). The proportion of such cases requiring five or more appearances for a completion has steadily increased from 28% in 1994/95 to 38% in 2001/02 (Figure 10).

However, while cases involving other *Criminal Code* traffic violations continue to take longer to process (122 days in 2001/02, compared to 99 in 1994/95), they have decreased from the previous year.

Figure 10

Proportion of traffic violation court cases by number of appearances, 1994/1995 to 2001/02



Note: The figure includes only those jurisdictions that have consistently reported to the Adult Criminal Court Survey since 1994/95. New Brunswick, Manitoba, British Columbia, Northwest Territories and Nunavut are not included.

Source: Adult Criminal Court Survey, CCJS, Statistics Canada.

Over one in three young impaired drivers are recidivists

According to a pilot study of convicted young adults between 18 and 25 years of age, 36% of young impaired drivers in 1999/00 had one or more previous convictions, either in adult or youth court (Thomas et. al, 2002). This compares to a recidivism rate of 61% among offenders convicted of crimes against the person and 63% among offenders convicted of crimes against property. To be considered a recidivist, the offender would have had at least one conviction in 1999/00 and at least one other conviction in an adult court since 1994/95 or youth court since 1991/92 within the same province or territory.¹⁸

Conclusion

After a small increase in 2001, the rate of impaired driving offences resumed its downward trend, which had been occurring over the past two decades. The 4% decrease places the rate in 2002 just below the rate reported in 2000.

In attempting to explain decreases in impaired driving incidents, parallels can be drawn with overall police-reported crime. Although the declines did not start in the same year, the overall crime rate has been generally decreasing since the early 1990s. Some of the factors that have been cited in attempting to explain overall crime rates can also help explain the drop in impaired driving, including reporting practices by the police, the impact of new initiatives such as changes in legislation, policies or enforcement practices; and, social and demographic changes.

Methodology and Data Sources

Uniform Crime Reporting (UCR) Survey - The Canadian Centre for Justice Statistics, in co-operation with the policing community, collects police-reported crime statistics through the Uniform Crime Reporting (UCR) Survey. The UCR survey produces a continuous historical record of crime and traffic statistics reported by every police agency in Canada since 1962. UCR data reflect reported crime that has been substantiated through police investigation. Information collected by the survey includes the number of criminal incidents, the clearance status of those incidents and persons-charged information. The UCR survey is considered to be a summary or aggregate type census, with data available for nearly 100 separate criminal offences.

Incident-based UCR2 Survey - In 1988, the UCR survey was redeveloped to expand the information collected. This new survey, called the Incident Based UCR2 survey, is a micro data survey that allows detailed examinations of accused and victim characteristics, as well as characteristics of the incident itself. Information in this Juristat on specific ages of accused persons and time of incidents is based on the results of this survey. In 2002, there were 123 police agencies in 9 provinces reporting to the UCR2. A subset of the UCR2 database, the UCR2 Research database, was used for the current Juristat. Data from this non-representative sample accounted for 56% of the national volume of crime. The UCR2 Research database includes 94 police agencies in 9 provinces. The incidents contained in the 2002 Research database were distributed as follows: 39% from Ontario, 30% from Quebec, 12% from Alberta, 5% from British Columbia, 5% from Manitoba, 5% from Saskatchewan, 2% from Nova Scotia, 1% from New Brunswick, and 1% from Newfoundland & Labrador.

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

¹⁷ The median represents the mid-point of a group of values when all the values are sorted by size.

¹⁸ For more information about these limitations, refer to Methodology section.

in provincial/territorial adult criminal courts. Some limitations on coverage of the survey should be noted. In 2001/02, Manitoba and two territories (Northwest Territories and Nunavut) are not included in the survey. Also, data from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. In addition, in 2001/02, Prince Edward Island, New Brunswick, Alberta, British Columbia, and the Yukon reported Superior Court data to the ACCS. The primary unit of analysis is the case, which is defined as one or more charges against an individual and disposed of in court on the same day.

Pilot Analysis of Recidivism among Convicted Youth and Young Adults

Data on repeat offenders is based on a pilot study of convicted persons drawn from the ACCS as well as the Youth Courts Survey (YCS). The study examines the conviction profiles of persons, 18 to 25 years of age, who were found guilty of at least one charge in adult criminal court in the fiscal year 1999/00. Recidivists were defined as those individuals with at least one other conviction in an adult or youth court in the same jurisdiction during the nine years covered by the study.

Complete conviction histories were available for 18,19, and 20 year olds in the study, but because comprehensive YCS data are not available prior to 1991/92, complete youth conviction histories for 21-25 year olds were not obtainable. For example, 25 year old offenders (17 years of age in 1991/92) would have had only one year in the youth system, 24 year old offenders would have had two years in the youth system, etc. Consequently, the total number of prior youth convictions for these offenders may be understated. Complete adult conviction histories were not available for 24 and 25 year olds in the study. For example, 25 year old offenders convicted in 1999/00, would have been 20 years of age in 1994/95, and 24 year old offenders in 1999/00 would have been 19 years of age in 1994/95. This reduces the possibility of an age of onset of 18 or 19 years for 25 year olds and an age of onset of 18 years for 24 year olds. Consequently, the proportion of recidivists with an age of onset of 18 or 19 years is slightly understated.

Police Administration Survey – This survey collects data on police personnel and expenditures from each municipal, provincial and federal (RCMP) police services in Canada. Information in this Juristat is based on the number of police officers. Police officers include the actual number of sworn police officers as of June 15th of the calendar year.

Canadian Community Health Survey (CCHS) – The primary objective of the CCHS is to provide timely cross-sectional estimates of health determinants, health status and health system utilization at a sub-provincial level (health region or combination of health regions). The CCHS collects information from individuals aged 12 or older who are living in private dwellings. People living on Indian reserves or Crown lands, residents of institutions, full-time members of the Canadian Armed Forces, and residents of certain remote regions are excluded. The CCHS covers approximately 98% of the Canadian population aged 12 or older.

Canadian Vehicle Survey (CVS) – The CVS is a Statistics Canada voluntary vehicle-based survey that provides annual estimates of road vehicle activity (vehicle-kilometres and passenger-kilometres) of vehicles registered in Canada. A quarterly sample of vehicles is drawn from vehicle registration lists provided by the provincial and territorial governments. Survey collection began on February 1, 1999. Only eight provincial / territorial vehicle registration lists were received in time to be included in the sample at that time, but over the remainder of 1999, the other lists were received. Starting October 1, 1999, vehicles from all provinces and territories were included in the survey. The CVS provides annual and quarterly estimates of road activity for vehicles registered in Canada. The estimates are provided by type of vehicle and other variables, such as driver and vehicle characteristics, time of day and season.

General Social Survey on Time Use (1998) – The General Social Survey has two principal objectives: first to gather data on social trends in order to monitor changes in Canadian Society over time, and second, to provide information on specific social issues of current or emerging interest. The core content for the 1998 GSS was time use. This was the third GSS with time use as the core content. Cycle 2 in 1986 and Cycle 7 in 1992 also focussed on time use. The target population included all people aged 15 and over, except full-time residents of institutions and residents of the Yukon, Nunavut and the Northwest Territories. Data was collected each month from February 1998 to January 1999. Over this period, a total of 10,749 people were successfully interviewed.

Traffic Injury Research Foundation (TIRF) – Two national databases are used by TIRF – the *Fatality Database* and the *Serious Injury Database*. The *Fatality Database* was initially developed in 1973 to provide an objective source of data on persons fatally injured in motor vehicle crashes occurring on and off public highways in Canada. From 1973 to 1987, data were available for seven provinces and since then the database has had full coverage. Two sources of data are used: (1) police reports on fatal motor vehicle collisions and (2) coroners and medical examiners reports. The *Serious Injury Database* was initially constructed in the mid-1990s to examine the incidence of alcohol in crashes that involve a serious injury (i.e. a crash that resulted in a person being admitted to hospital). Since 1995, information on serious alcohol related crashes have been assembled from all jurisdictions in Canada. The database contains information from police reports on persons seriously injured in crashes and on all drivers involved.

TIRF also conducts an annual survey on road safety issues, entitled the Road Safety Monitor. In 2002, 4,670 households across Canada were contacted in which a person was asked to participate; 2,722 (58%) refused; 120 (2.6%) terminated early; 579 (12%) were not qualified; 35 (<1%) were qualified but the quota was full; and 1,214 (26%) completed the interview. The data were weighted to ensure the results were representative of the national population. TIRF considers the results to be accurate within 2.8%, 19 times out of 20.

National Survey of Front-Line Police Officers – In 1997, in conjunction with Transport Canada, the Canadian Association of Chiefs of Police (CACCP) surveyed 1,401 police officers in

Canada. The purpose of the survey was to identify current problems in enforcing impaired driving laws, determine the cause of the problems, and find possible solutions. The sample consisted of 48% of police officers serving communities of more than 100,000. Sixty percent of the respondents worked in a municipal police service, 17% in a provincial force, and 26% in the RCMP. Fourteen percent were full-time traffic officers, and 44% were Approved Instrument technicians (not necessarily full-time). The questionnaire consisted of multiple choice questions. The results presented in the analysis section of the report have a 5% margin of error.

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Table 1

Province		Actual incidents	Persons charged	Percent cleared ¹
Newfoundland and Labrador	Number	923	799	90.5
	Rate	212	183	
Prince Edward Island	Number	555	392	77.3
	Rate	498	351	
Nova Scotia	Number	2,458	1,925	80.9
	Rate	320	251	
New Brunswick	Number	2,123	1,915	93.9
	Rate	345	311	
Quebec	Number	19,646	16,762	90.9
	Rate	324	276	
Ontario	Number	20,586	19,445	99.2
	Rate	214	202	
Manitoba	Number	3,242	2,732	85.6
	Rate	361	304	
Saskatchewan	Number	6,151	4,855	82.2
	Rate	783	618	
Alberta	Number	13,035	10,186	84.5
	Rate	534	417	
British Columbia	Number	11,197	7,125	88.6
	Rate	332	211	
Canada	Number	80,789	66,682	90.3
	Rate	321	265	

Rates are based on 100,000 population aged 16 and over.

¹ Percent cleared includes incidents that were "cleared by charge" and "cleared otherwise".

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 2



Impaired driving rates¹, incidents and persons charged, Canada 1977 to 2002

Year	Incidents			Persons Charged		
	Number	Rate	% change rate ²	Number	Rate	% change rate ²
1977	155,031	892	...	149,004	857	...
1978	155,887	879	-1.4	149,738	845	-1.5
1979	164,379	909	3.4	155,260	859	1.7
1980	169,216	916	0.7	157,492	852	-0.7
1981	175,382	930	1.6	162,048	859	0.8
1982	167,312	872	-6.3	143,424	747	-13.0
1983	166,438	855	-1.9	148,040	761	1.8
1984	162,807	826	-3.4	142,100	721	-5.2
1985	153,310	769	-7.0	131,726	660	-8.4
1986	150,571	745	-3.1	128,797	637	-3.5
1987	148,320	722	-3.1	128,030	623	-2.2
1988	144,029	691	-4.3	121,178	581	-6.7
1989	144,383	679	-1.7	118,722	558	-3.9
1990	139,078	644	-5.1	112,161	520	-6.9
1991	140,727	644	-0.1	111,917	512	-1.5
1992	132,419	598	-7.0	105,805	478	-6.6
1993	117,574	525	-12.3	92,531	413	-13.6
1994	107,768	475	-9.5	88,582	391	-5.5
1995	102,285	445	-6.3	84,085	366	-6.3
1996	96,280	414	-7.1	79,347	341	-6.8
1997	90,145	382	-7.7	72,307	306	-10.1
1998	87,660	367	-3.9	72,579	304	-0.8
1999	85,997	356	-3.1	73,143	302	-0.5
2000 ^f	79,225	323	-9.1	69,126	282	-6.7
2001 ^f	82,718	333	2.9	68,986	278	-1.6
2002	80,789	321	-3.7	66,682	265	-4.7

... not applicable

^f Revised. Revisions have been made to the number of "actual" impaired driving incidents for the RCMP in 2000 and 2001. These revisions resulted in a 6% reduction in actual incidents at the Canada level for 2000 and 9% for 2001. These changes did not affect the national impaired driving trend. The number of persons "charged" with impaired driving offences did not require revision.

¹ Rates are calculated on the basis of 100,000 population 16 years and older. The population estimates come from the Annual Demographic Statistics 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002.

² In comparison to the previous year's rate. Percent change based on unrounded rates.

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 3



Number of offences related to impaired driving, Canada 1986 to 2002

Year	Impaired operation of motor vehicle				Impaired operation of other vehicles				Fail or refuse to provide blood or breath sample			Total impaired driving
	Total	Operating vehicle while impaired or over 80 mg	Causing bodily harm	Causing death	Total	Operating vehicle while impaired or over 80 mg	Causing bodily harm	Causing death	Total	Breath	Blood	
1986	135,342	133,726	1,430	186	558	397	151	10	14,671	14,292	379	150,571
1987	133,506	131,872	1,452	182	502	402	93	7	14,312	13,867	445	148,320
1988	129,917	128,355	1,374	188	479	338	128	13	13,633	13,113	520	144,029
1989	130,315	128,744	1,385	186	374	267	85	22	13,694	13,187	507	144,383
1990	125,859	124,306	1,387	166	464	328	121	15	12,755	12,246	509	139,078
1991	128,374	126,903	1,300	171	448	361	80	7	11,905	11,484	421	140,727
1992	121,428	119,884	1,383	161	325	240	64	21	10,666	10,284	382	132,419
1993	108,522	107,194	1,160	168	317	221	82	14	8,735	8,432	303	117,574
1994	99,651	98,363	1,155	133	274	228	30	16	7,843	7,510	333	107,768
1995	95,113	93,660	1,277	176	265	193	36	36	6,907	6,657	250	102,285
1996	89,883	88,444	1,266	173	214	162	30	22	6,183	5,989	194	96,280
1997	84,396	83,080	1,131	185	207	152	43	12	5,542	5,378	164	90,145
1998	81,969	80,786	1,045	138	229	203	19	7	5,462	5,302	160	87,660
1999	80,221	78,971	1,088	162	314	268	39	7	5,462	5,305	157	85,997
2000 ^r	73,715	72,488	1,069	158	673	594	74	5	4,837	4,707	130	79,225
2001 ^r	78,065	76,965	990	110	431	380	41	10	4,222	4,085	137	82,718
2002	76,323	75,240	973	110	505	451	41	13	3,961	3,832	129	80,789

^r revised

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 4

Number and rate ¹ of persons charged with impaired driving, province/territory, 1992 to 2002												% Change ² 2001-2002	% Change ² 1992-2002	
Province/Territory		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002		
Newfoundland and Labrador	Number	2,326	1,737	1,754	1,333	1,191	962	947	956	1,019	988	799		
	Rate	523	388	393	300	270	219	217	219	234	227	183		
Prince Edward Island	Number	585	611	509	554	542	489	397	414	467	424	392		
	Rate	587	605	497	535	517	462	373	384	429	385	351		
Nova Scotia	Number	4,251	3,495	3,279	2,816	2,444	2,244	2,284	2,404	1,927	2,049	1,925		
	Rate	590	482	450	385	332	302	306	319	254	269	251		
New Brunswick	Number	3,933	3,356	3,165	2,721	2,638	2,487	2,414	2,584	2,387	2,166	1,915		
	Rate	673	571	536	458	442	414	401	426	391	353	311		
Quebec	Number	22,811	20,710	20,734	21,324	19,518	17,637	18,283	18,548	15,885	16,717	16,762		
	Rate	407	366	364	371	337	302	311	313	266	278	276		
Ontario	Number	31,295	26,181	26,240	25,995	24,688	20,355	20,575	21,609	22,074	19,993	19,445		
	Rate	377	313	309	303	284	230	230	237	238	211	202		
Manitoba	Number	4,444	3,637	3,552	3,454	3,082	3,384	3,417	3,332	2,957	2,948	2,732		
	Rate	520	424	412	398	354	387	389	377	332	330	304		
Saskatchewan	Number	6,929	5,806	5,523	5,675	5,552	5,682	5,629	5,549	5,274	5,444	4,855		
	Rate	924	770	729	743	720	732	721	707	671	693	618		
Alberta	Number	15,358	14,003	12,921	10,660	10,335	10,377	9,988	10,047	9,970	10,523	10,186		
	Rate	777	697	633	514	489	479	448	440	427	441	417		
British Columbia	Number	12,922	12,167	10,087	8,916	8,767	8,021	8,020	7,185	6,672	7,278	7,125		
	Rate	473	433	347	298	285	255	251	222	204	219	211		
Yukon	Number	481	469	495	326	253	290	276	250	243	150	180		
	Rate	2,146	2,059	2,216	1,416	1,056	1,195	1,155	1,055	1,030	638	764		
Northwest Territories	Number	470	359	323	311	337	379	349	203	195	252	311		
	Rate	1,143	856	749	705	751	841	777	698	668	850	1,038		
Nunavut ³	Number	0	0	0	0	0	0	0	62	56	54	55		
	Rate								382	336	315	314		
CANADA	Number	105,805	92,531	88,582	84,085	79,347	72,307	72,579	73,143	69,126	68,986	66,682		
	Rate	478	413	391	366	341	306	304	302	282	278	265		

... not applicable

¹ Rates are calculated on the basis of 100,000 population 16 years and older. The population estimates come from the Annual Demographic Statistics 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002.

² Percent change based on unrounded rates.

³ In 1999, Nunavut, which comprises the eastern part of the Northwest Territories, officially became a Canadian territory. Data for 1999 onward for the Northwest Territories cannot be compared to data prior to 1999.

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 5

 Rate¹ of persons charged with impaired driving, Census Metropolitan Areas², 1998 to 2002							
CMA	1998	1999	2000	2001	2002	% Change 2001-2002 ³	% Change 1998-2002 ³
500,000 population							
Calgary	256	252	249	265	272	2.9	6.4
Edmonton	313	322	305	276	244	-11.7	-22.0
Quebec	308	279	244	231	223	-3.6	-27.8
Montreal	187	213	190	194	182	-6.1	-2.7
Winnipeg	244	246	206	183	167	-8.7	-31.6
Ottawa ⁴	166	192	168	176	150	-14.5	-9.1
Toronto	129	149	154	157	149	-5.1	14.9
Vancouver ⁵	144	121	118	128	135	5.3	-6.6
Hamilton	169	171	173	135	130	-3.8	-23.2
Under 500,000 population							
Regina	500	502	555	479	383	-20.1	-23.5
Trois-Rivières	402	431	355	350	355	1.5	-11.7
Saskatoon	456	439	334	350	345	-1.2	-24.3
Thunder Bay	401	299	315	286	293	2.5	-26.8
St.Catharines-Niagara	234	261	267	310	253	-18.3	8.4
Sherbrooke	267	252	273	226	250	10.7	-6.3
Saguenay	315	317	280	207	226	9.2	-28.1
Gatineau ⁶	337	259	239	244	220	-9.8	-34.7
Kitchener	284	260	285	229	214	-6.7	-24.8
Saint John	294	335	390	286	212	-25.7	-27.7
London	247	258	275	218	212	-2.8	-14.1
Sudbury	214	188	152	194	199	2.9	-7.0
Halifax	237	255	186	208	195	-6.4	-18.0
St.John's	243	214	238	237	185	-21.9	-23.9
Windsor	286	268	243	241	168	-30.5	-41.3
Victoria	253	229	187	168	166	-1.3	-34.6

¹ Rates are calculated per 100,000 population 16 years and older. Populations as of July 1st: updated postcensal estimates for 2000 and 2001 and preliminary postcensal estimates for 2002.

² A CMA typically comprises more than one police force. Police forces may also enforce traffic offences outside the boundaries of the CMAs. Please note that the Oshawa Census Metropolitan Area (CMA) is excluded from this table due to the incongruity between the police agency jurisdictional boundaries and the CMA boundaries.

³ Percent change based on un-rounded rates.

⁴ Ottawa refers to the Ontario part of the Ottawa-Gatineau CMA.

⁵ Data for 2001 include estimates for 3 months for Vancouver Police.

⁶ Gatineau refers to the Quebec part of the Ottawa-Gatineau CMA.

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 6



Number and rate¹ of dangerous driving, Canada and provinces/territories, 2002

Province/Territory	Population 16 and older	Dangerous driving	
		Number	Rate (16 years and older)
Newfoundland and Labrador	436,335	146	33
Prince Edward Island	111,543	31	28
Nova Scotia	767,849	158	21
New Brunswick	615,871	301	49
Québec	6,070,631	930	15
Ontario	9,626,289	3,017	31
Manitoba	898,420	303	34
Saskatchewan	785,126	693	88
Alberta	2,442,323	1,739	71
British Columbia	3,369,924	1,260	37
Yukon	23,550	18	76
Northwest Territories	29,950	41	137
Nunavut	17,541	9	51
CANADA	25,195,352	8,646	34

¹ Rates are calculated on the basis of 100,000 population 16 years and older. The population estimates come from the Annual Demographic Statistics, 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 to 2001, and preliminary postcensal estimates for 2002.

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 7



Rate¹ of police-reported incidents involving fatalities and injuries, 1986 to 2002

Year	Total	Causing death			Causing bodily harm		
		Total causing death	Impaired driving	Dangerous driving	Total causing bodily harm	Impaired driving	Dangerous driving
1986	13.2	2.4	1.0	1.4	10.8	7.8	3.0
1987	13.0	2.2	0.9	1.3	10.8	7.5	3.3
1988	12.2	2.0	1.0	1.0	10.2	7.2	3.0
1989	11.9	2.1	1.0	1.1	9.8	6.9	2.9
1990	11.9	2.0	0.8	1.1	9.9	7.0	2.9
1991	11.3	1.7	0.8	0.9	9.6	6.3	3.3
1992	11.5	1.8	0.8	1.0	9.8	6.5	3.2
1993	10.0	1.7	0.8	0.8	8.4	5.5	2.8
1994	9.4	1.5	0.7	0.8	8.0	5.2	2.7
1995	10.1	1.7	0.9	0.8	8.3	5.7	2.6
1996	9.7	1.5	0.8	0.7	8.2	5.6	2.6
1997	9.1	1.6	0.8	0.8	7.5	5.0	2.5
1998	8.0	1.3	0.6	0.6	6.8	4.5	2.3
1999	8.3	1.4	0.7	0.7	6.9	4.7	2.2
2000 ^r	8.2	1.3	0.7	0.7	6.9	4.7	2.3
2001 ^r	7.6	1.0	0.5	0.5	6.6	4.1	2.4
2002	7.5	1.0	0.5	0.6	6.4	4.0	2.4

^r revised

¹ Rates are calculated on the basis of 100,000 population 16 years and older. The population estimates come from the Annual Demographic Statistics, 2002 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1992 to 1995, final postcensal estimates for 1996 to 1999, updated postcensal estimates for 2000 and 2001, and preliminary postcensal estimates for 2002.

Source: Uniform Crime Reporting Survey, CCJS, Statistics Canada.

Table 8



**Mean sentence length and fine amount for impaired driving and other
Criminal Code traffic offences, 1994/95 to 2001/02**

Year	Prison (Days)		Probation (Days)		Fine (\$)	
	Impaired driving	Other Criminal Code traffic	Impaired driving	Other Criminal Code traffic	Impaired driving	Other Criminal Code traffic
1994/95	55	74	317	389	542	574
1995/96	56	75	320	383	539	589
1996/97	58	77	329	369	545	582
1997/98	61	80	329	368	549	603
1998/99	70	91	352	384	560	602
1999/00	65	96	364	378	650	621
2000/01	67	91	374	380	767	644
2001/02	72	87	384	381	787	664

Note: Includes jurisdictions that have consistently reported to the ACCS since 1994/95. New Brunswick, Manitoba, British Columbia, Northwest Territories and Nunavut are not included. Revised figures for 1994/95 to 2000/01. Revisions were made to the ACCS counting procedures and offence classifications. The revisions reduced the number of overall cases in 1997/98 (2.5%), 1998/99 (1.8%), 1999/00 (1.9%) and 2000/01 (2.0%).

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

Source: Adult Criminal Court Survey, CCJS, Statistics Canada.

Table 9



Case elapsed time (median days) in adult criminal court by number of appearances, 1994/95 to 2001/02

Year and Offence	Total	1 appearance	2 appearances	3 appearances	4 appearances	5 or more appearances
1994/95						
Impaired Driving	95	1	36	100	145	238
Other Criminal Code Traffic	99	1	33	79	123	197
1995/96						
Impaired Driving	98	1	36	99	146	245
Other Criminal Code Traffic	103	1	29	79	121	210
1996/97						
Impaired Driving	99	1	34	100	151	256
Other Criminal Code Traffic	108	1	29	84	120	218
1997/98						
Impaired Driving	97	1	29	98	155	283
Other Criminal Code Traffic	120	1	29	84	125	228
1998/99						
Impaired Driving	92	1	29	99	153	273
Other Criminal Code Traffic	120	1	29	71	121	225
1999/00						
Impaired Driving	93	1	29	92	149	264
Other Criminal Code Traffic	124	1	29	76	120	228
2000/01						
Impaired Driving	92	1	28	79	151	276
Other Criminal Code Traffic	127	1	29	69	111	232
2001/02						
Impaired Driving	99	1	28	78	141	292
Other Criminal Code Traffic	122	1	29	73	107	234

Note: Includes only those jurisdictions that have consistently reported to the Adult Criminal Court Survey since 1994/95. New Brunswick, Manitoba, British Columbia, Northwest Territories and Nunavut are not included.

Revised figures for 1994/95 to 2000/01. Revisions were made to the ACCS counting procedures and offence classifications. The revisions reduced the number of overall cases in 1997/98 (2.5%), 1998/99 (1.8%), 1999/00 (1.9%) and 2000/01 (2.0%).

Source: Adult Criminal Court Survey, CCJS, Statistics Canada.

Canadian Centre for Justice Statistics

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