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Youth custody and community services in Canada, 2005/2006

by Shelly Milligan

Highlights¹

- In 2005/2006, the third year following the implementation of the *Youth Criminal Justice Act (YCJA)*, there were 3,724 youth admitted to sentenced custody, 14% fewer than the previous year and 18% fewer than in 2003/2004, the fiscal year in which the *YCJA* was implemented. Declines occurred in both secure and open custody admissions.
- There were 13,681 youth admitted to remand (meaning custody while awaiting trial or sentencing) which was an increase of 2% from the previous year.
- There were 12,550 admissions to probation in 2005/2006, marking a 2% decline from the previous year and a 24% decrease since the implementation of the *YCJA* in 2003/2004. Probation continued to account for 37% of all admissions to youth correctional services programs.
- Compared to years prior to the implementation of the *YCJA*, 16- to 17-year-olds accounted for a larger proportion of youth admitted to sentenced custody. They accounted for 69% of youth admitted to sentenced custody in 2005/2006, compared to 53% in 2001/2002, the earliest comparable trend year prior to the implementation of the *YCJA*. The largest rise in their representation occurred in 2003/2004, the first year of the *YCJA*.
- The proportion of youth admitted to sentenced custody for property offences decreased in 2005/2006, and no longer account for the largest proportion of admissions to sentenced custody. According to data from 6 jurisdictions, 26% of admissions to sentenced custody in 2005/2006 were for property offences, compared to 36% in 2001/2002. This change is largely a result of considerable decreases in the number of admissions to sentenced custody for property offences.
- Compared to years prior to the implementation of the *YCJA*, a greater proportion of youth spent longer periods of time in sentenced custody. In 2005/2006, 43% of youth spent less than 1 month in custody compared to 50% in 2001/2002. Further in 2005/2006, 47% spent more than 1 month but less than 6 months, compared to 42% in 2001/2002.
- There were approximately 7,500 Aboriginal youth admitted to either custody or probation in 2005/2006. Aboriginal youth represented 31% of admissions to sentenced custody, 23% of admissions to remand and 22% of admissions to probation, yet accounted for 6% of youth in Canada.



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Introduction

Youth correctional services across Canada are the responsibility of the provincial/territorial governments but are subject to the provisions in the *Youth Criminal Justice Act (YCJA)*. The *YCJA* was developed in 1999 and enacted on April 1, 2003 as part of the new strategy for youth justice put forth by Canada's Department of Justice. This new strategy provides a more inclusive framework which focuses on public awareness, crime prevention, education, child welfare, health, family and the community. This strategy is reflected in the *YCJA* with its concentration on integrating all areas of young peoples' lives including their mental health, education and welfare, while placing emphasis on rehabilitation and reintegration as well as the long-term protection of the public (Tustin and Lutes, 2006). A central component of the *YCJA*, as stated in the Preamble, is the mandate that the youth justice system "reserve its most serious intervention for the most serious crimes". Essentially, the *YCJA* is "an attempt to find a ... balance on youth justice issues" (Bala, 2003) by including provisions that would ensure that the most serious offenders serve longer sentences, while youth who have committed less serious offences are diverted from youth courts and custodial facilities to community correctional services. The introduction of the *YCJA* represented a significant change in the way the Canadian criminal justice system processes young persons, and 2005/2006 marked the third year since its implementation.

Providing information on the number and characteristics of youth admitted to and released from youth correctional services allows those creating policy and programming for young offenders to monitor the extent to which the various programs are being used and by whom. In addition, this information allows the public to understand the use of youth correctional services. This *Juristat* provides such information in three ways. The first part of this *Juristat* provides a statistical overview of the youth corrections population (i.e., 12- to 17-year-olds) in Canada for 2005/2006, the most recent year of data. The second part presents data on youth corrections over time to examine how correctional services and the characteristics of young offenders in the system may have changed compared to years prior to and since the implementation of the *YCJA*. The third part of this *Juristat* provides information on the average counts of youth in custody and community services and includes the rate at which Canada incarcerates young offenders.

Youth correctional services, 2005/2006

Youth correctional services include both custodial and community supervision programs. Custodial supervision is comprised of sentenced custody, which includes both open and secure custody,² and remand. Remand is the holding of a young person temporarily in custody while he or she awaits trial or sentencing. Community supervision consists of the following programs: probation and *YCJA* sentences which encompasses the community portion of a custody and supervision order, and the deferred custody and supervision order.³ Community supervision programs often include placing a number of restrictions on the young person. Community supervision orders are sometimes given with other sanctions and, at a minimum, require the young person to keep the peace, be of good behaviour, report to correctional personnel and appear before the court as required.

Number of youth admitted to custody and community supervision programs declined in 2005/2006

The total number of admissions to youth correctional services in the 7 jurisdictions that reported complete data in 2005/2006 declined by 2% (Table 1).⁴ This is consistent with one of the primary objectives of the *YCJA* which is to reserve the use of custody for the most serious offenders while diverting the minor offenders. This overall decrease in admissions to youth correctional services also corresponds to a decrease in the number of youth appearing in court.⁵ Decreases occurred in both custodial (-2%) and community supervision (-3%) programs. Admissions to sentenced custody, which includes both secure and open custody, declined by 14% from the previous year.⁶ However, the number of admissions to remand, meaning custody while awaiting trial or sentencing, increased by 2%.⁷ In addition, community supervision programs experienced declines in both

probation (-2%) and *YCJA* sentences (i.e., the community portion of a custody and supervision order and the deferred custody and supervision order) (-4%).

The number of youth admitted to sentenced custody dropped in most jurisdictions

Sentenced custody is the most serious sentence that youth may receive. The *YCJA* allows a young person to be sentenced to custody only if he or she has committed a serious violent offence; has not complied with non-custodial sentences; has committed an offence for which an adult would be liable to imprisonment for more than two years and has a history that indicates a pattern of findings of guilt; or, in exceptional cases where the young person has committed an indictable offence, the aggravating circumstances of which are such that a non-custodial sentence would be inconsistent with the purposes and principles of sentencing (s.39, *YCJA*).

In 2005/2006, 3,724 youth were admitted to sentenced custody in 7 reporting jurisdictions, with 1,902 (51%) of these youth being admitted to secure custody and 1,822 (49%) being admitted to open custody. Admissions to secure custody decreased by 11% from the previous year while open custody decreased by 16%. As a result, there was an overall decline of 14% in sentenced custody admissions for 2005/2006 (Table 1).⁸ The number of youth admitted to sentenced custody dropped in most jurisdictions (Table 2).

**Text box 1
Factors that limit comparability across jurisdictions**

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

Overall levels of admissions and average counts may differ among jurisdictions because of variations in the diversion measures employed by the police and the Crown. Such measures include the use of police discretion as well as extrajudicial measures and sanctions. These diversion programs may have an impact on both the court case flow and admissions to community supervision programs and correctional facilities. Consequently, the reader is advised to consider table notes and use caution in making comparisons among jurisdictions. For more information on definitions and limitations, please see the Data Sources and Measures section at the end of this *Juristat*.

Vast majority of youth spent less than 6 months in either open or secure custody

The overwhelming majority of young offenders admitted to sentenced custody in 2005/2006 served a period of six months or less (Table 3). In 2005/2006, 44% of youth released from secure custody⁹ had served a term of 1 month or less and the same proportion had spent anywhere from more than 1 month up to 6 months. Thirteen percent had served more than 6 months.¹⁰

In comparison to secure custody, patterns in 2005/2006 were slightly different for youth released from open custody. A greater

proportion of those released had spent anywhere from more than 1 month to 6 months in open custody (52% versus 44% released from secure custody) and lower proportions had spent 1 month or less (41%), or more than 6 months in open custody (7%).

Admissions to remand accounted for over three-quarters of all youth admitted to custody

Admissions to remand include all young persons temporarily in custody while awaiting trial or sentencing. Young persons may be remanded into custody based on the judge's decision that the young person poses a danger to society, that there may be a risk of failure to appear for court, or where detention is necessary to maintain confidence in the administration of justice. The *YCJA* states that remand must not be used as a social measure, such as child protection. In general, a youth can only be remanded if he or she has committed an offence for which he or she can be sentenced to custody if found guilty (s.39(1)a-c).¹¹

In 2005/2006, reporting jurisdictions¹² indicated that there were 13,681 admissions to remand, an increase of 2% from the previous year (Table 1). These admissions accounted for over three-quarters (79%) of admissions to custody. Decreases in admissions to remand were reported in Quebec (-36%), British Columbia (-8%) and Newfoundland and Labrador (-4%), while the remaining jurisdictions experienced increases (Table 2).

Over half of all youth held in remand were released within one week

In 2005/2006, 55% of all young persons admitted to remand were released within 1 week and an additional 27% were held for up to 1 month (Table 3).¹³ While 17% were held for a period between more than 1 month and 6 months, a very small proportion was held in remand for a period of time greater than 6 months (1%).

In 2005/2006, youth in the Northwest Territories and Nunavut spent considerably longer periods of time in remand than youth in other jurisdictions (Table 3). For instance, 43% of youth in Nunavut and 36% in the Northwest Territories spent anywhere from more than 1 month to 6 months in remand. In comparison, Manitoba, the next highest jurisdiction, reported 27% of youth spending this amount of time in remand. The longer periods of time spent in remand for youth in the Northwest Territories and Nunavut could be related to the accessibility of courts and services in remote northern areas.

Youth convicted of violent and property offences accounted for similar proportions of youth admitted to sentenced custody

According to 10 reporting jurisdictions, youth convicted of either *property*¹⁴ (29%) or *violent*¹⁵ offences (33%) accounted for similar proportions of admissions to sentenced custody in 2005/2006 (Table 4).¹⁶ That year, of the 10 reporting jurisdictions, 5 experienced higher proportions of admissions for *property offences* than for *violent offences*, including Newfoundland and Labrador (52% versus 28%), Nova Scotia (39% versus 27%), Alberta (16% versus 14%), Yukon (78% versus 11%) and Nunavut (72% versus 28%).

One-third of admissions to remand were for violent offences

In 2005/2006, 33% of young persons admitted to remand were admitted for *violent offences*.¹⁷ Meanwhile admissions for other

Criminal Code offences accounted for 28% of admissions, *property offences* for 26%, and other offences for 13%. The largest proportion of remand admissions for *violent offences* was reported in Manitoba at 60% and the smallest in Alberta at 9% (Table 4).

Admissions to probation declined

Under the *Young Offenders Act (YOA)* - the legislation governing young offenders prior to the *YCJA* - probation was sometimes imposed as a measure to reintegrate youth back into the community after a period of sentenced custody. With the introduction of the *YCJA*, a period of community supervision became a mandatory component of all custody orders. Although the mandatory supervision component of all custody orders may lessen the need to impose a probation order, it is more likely that decreases in the use of probation may be a result of the expanded options for police diversion under the *YCJA*. The 12,550 admissions to probation¹⁸ in 2005/2006 represented a 2% decrease from the previous year (Table 1).¹⁹

In 2005/2006, among the 7 reporting jurisdictions,²⁰ there were 13,129 releases from probation. The largest proportion of youth were released after serving 6 months to 1 year (41%) (Table 6).

Property and violent offences accounted for similar proportions of admissions to probation

In 2005/2006, 39% of young persons admitted to probation were admitted as a result of *property offences*.²¹ Similarly, *violent offences* accounted for 37% of admissions. *Other Criminal Code offences* accounted for 15% of admissions while *other offences* accounted for 9% (Table 4). It is important to bear in mind that admissions to probation include those where a youth received a combined sentence of custody with probation and has begun his or her term of probation after completing the term of custody.

Use of YCJA community sentences increased from 2003/2004

With the inclusion of the community portion of custody and supervision orders (CPCS) and the new deferred custody and supervision order sentences, there are more community corrections sanctions available under the *YCJA*. The CPCS is meant to allow the reintegration of the youth from custody into the community.²² A CPCS is similar to a federal statutory release where, ordinarily, the final one-third of a custody sentence is served under community supervision. The deferred custody and supervision order sentence is similar to the adult conditional sentence and allows a young person who would otherwise be sentenced to custody to serve their sentence in the community under a number of strict conditions. Any breach of conditions may result in the young person being sent to custody.

In 2005/2006, there were 1,452 admissions to a deferred custody and supervision order,²³ representing an increase of 2% from the previous year (Table 7) and a 33% increase since 2003/2004, the first year the *YCJA* was implemented. With respect to CPCS's,²⁴ there were 3,176 admissions in 2005/2006, representing a 9% decrease from the previous year. This number, however, was 17% higher than admissions reported in 2003/2004.

Females accounted for approximately one-fifth of admissions to youth correctional service programs

As with youth who are accused by police and who appear in youth court, a minority of youth in correctional services are female. Among reporting jurisdictions for 2005/2006, female youth accounted for 21% of young persons admitted to remand²⁵ and 17% of young persons admitted to sentenced custody.²⁶ Moreover, in 2005/2006 the representation of females continued to be slightly higher among admissions to probation (23%) than among admissions to custody (Table 8).

Higher representation of Aboriginal youth in correctional services

Aboriginal youth had higher levels of representation in sentenced custody compared to their representation in the Canadian youth population in all provinces and territories. For example, in British Columbia the proportion of youth admitted to sentenced custody who were Aboriginal was five-fold their representation in the youth population.

Among jurisdictions reporting data, Aboriginal youth accounted for 24% of admissions to custody or probation in 2005/2006²⁷ yet approximately 6% of youth in Canada. Specifically, Aboriginal youth represented 31% of all admissions to sentenced custody, 23% of all admissions to remand and 22% of all admissions to probation (Table 8). In total, there were 7,516 admissions of Aboriginal youth to custody or probation.

Female Aboriginal youth represent considerable share of all female admissions

While both male and female Aboriginal youth are highly represented in correctional services, this is particularly true for female Aboriginal youth. In 2005/2006, female Aboriginal youth accounted for 35% of females admitted to sentenced custody²⁸ and 27% admitted to remand.²⁹ By comparison, the representation of male Aboriginal youth among admissions of males for these types of custody was lower (31% and 22%, respectively).

Text box 2 Aboriginal justice

Most Aboriginal societies focus on holistic understanding and inclusive decision-making when finding a "solution" within the context of crime (Chartrand, 2005). The *Youth Criminal Justice Act (YCJA)* includes provisions that are intended to respond to the high level of Aboriginal representation in the justice system as well as Aboriginal needs. The *YCJA* acknowledges the need to respect cultural and linguistic differences of Aboriginal persons and to respond to their specific needs. In this regard, *Part 4* of the *YCJA* states that, with particular attention to the circumstances of Aboriginal young persons, all available sanctions other than custody should be considered, (s.38 (2)(d), *YCJA*). In addition, through conferencing provisions and its guiding principles,¹ the *YCJA* encourages those administering the *Act* to "prevent crime by addressing the circumstances underlying a young person's offending behaviour" (s.3 (1)(a)(i)).

1. The mandate of a conference is to "give advice on appropriate extrajudicial measures, conditions for judicial interim release, sentences, including the review of sentences, and reintegration plans" (s.19 (2)). According to Tustin and Lutes (2006), "the objective is to encourage more input from interested parties and people affected by the misconduct of the youth" (p.40).

Youth corrections before and after the YCJA

In this section of the report, trend analysis will be conducted to compare the landscape of youth correctional services prior to and since the implementation of the YCJA. For comparability, trend analysis completed in this *Juristat* focuses on five selected years: 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. This approach was taken because several jurisdictions were either missing certain data or missing various years of data, and/or had experienced changes in data capture systems which affected the comparability of data.³⁰ As such, the years chosen for the trend analysis provide the most complete data over time in order to examine youth corrections both prior to and since the implementation of the YCJA on April 1, 2003.

Admissions to sentenced custody continued to decline, but decreases were smaller in the third year of the YCJA

Admissions to sentenced custody in 2005/2006 were substantially lower than prior to the YCJA and the large decreases observed

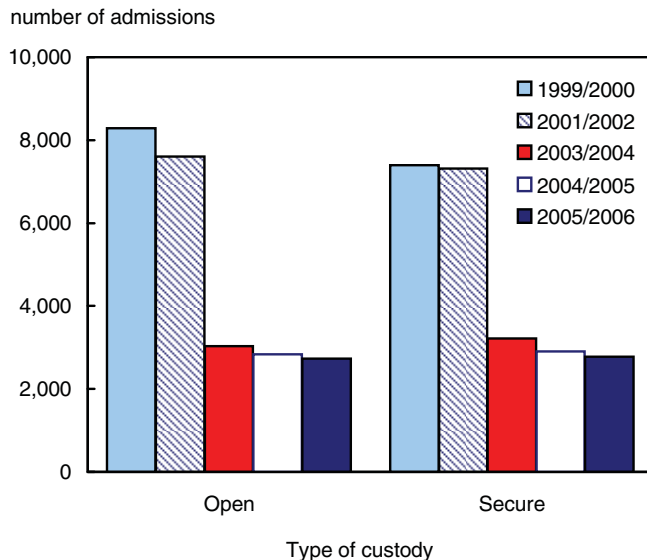
directly after the YCJA's enactment have begun to stabilize. Based on data from selected jurisdictions,³¹ admissions to sentenced custody in 2005/2006 were down 63% from 2001/2002, the earliest comparable trend year prior to the implementation of the YCJA, but were just 5% below 2004/2005. More specifically, admissions to secure custody were 62% less than in 2001/2002 and down 5% from 2004/2005. Open custody admissions in 2005/2006 were down 64% from 2001/2002 and decreased 6% from the 2004/2005 (Chart 1).

Remand accounting for a larger proportion of admissions to custody

Large decreases in the number of admissions to sentenced custody since the implementation of the YCJA, accompanied by lesser decreases in admissions to remand, have resulted in remand admissions accounting for a greater proportion of custodial admissions. According to data from 10 reporting jurisdictions,³² youth admitted to remand accounted for 73% of custodial admissions in 2005/2006, compared to 65% in 2001/2002 (Chart 2).

Chart 1

Decreases in custody admissions since the implementation of the Youth Criminal Justice Act (YCJA) in April 2003 have tapered off

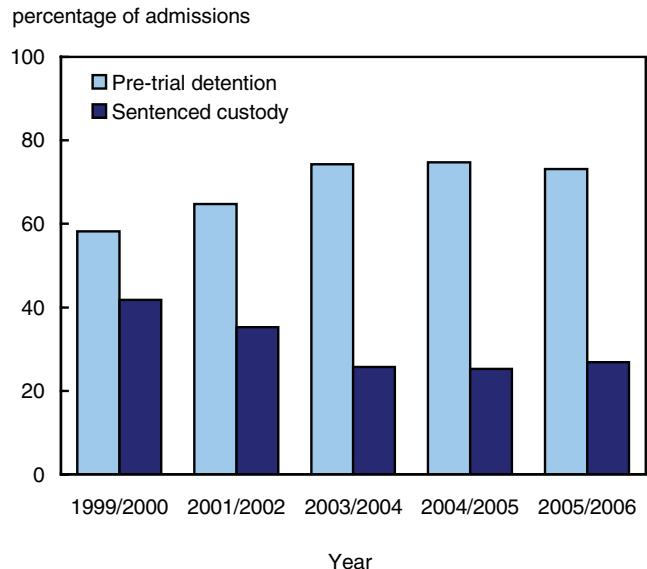


Notes: Due to missing data, the analysis excludes Prince Edward Island and Nunavut. Trend analysis in this report is limited to the selected periods of 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. These years were chosen because they have the most complete data and provide information on youth corrections prior to and since the implementation of the YCJA on April 1, 2003.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey.

Chart 2

Since the implementation of the Youth Criminal Justice Act (YCJA), remand (pre-trial detention) makes up an increasing share of admissions to custody while sentenced custody has decreased



Notes: Due to missing data, the analysis excludes Prince Edward Island, Saskatchewan, Nunavut and Ontario Phase I (12- to 15-year-olds). A proxy was used to derive Phase II (16- to 17-year-olds) for both remand and sentenced custody in 2004/2005 and 2005/2006. Trend analysis in this report is limited to the selected periods of 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. These years were chosen because they have the most complete data and provide information on youth corrections prior to and since the implementation of the YCJA on April 1, 2003.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey.

Majority of youth continue to be held in remand for 1 week or less but the proportion has decreased slightly

Under the *YCJA*, it appears that the proportion of youth spending 1 week or less in remand has decreased slightly. Just over half (52%) of releases in the 6 reporting jurisdictions³³ in 2005/2006 occurred within 1 week or less compared to 55% in 2001/2002. The proportion of releases after more than 1 week and up to 1 month in remand remained stable (31% in 2001/2002 to 30% in 2005/2006). However, releases after a period of more than 1 month to 6 months inched upward slightly from 13% in 2001/2002 to 17% in 2005/2006.

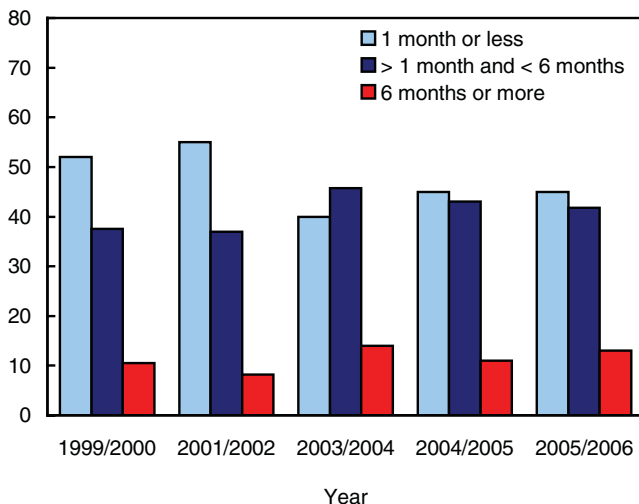
A greater proportion of youth seem to be spending longer periods of time in sentenced custody

Data from seven jurisdictions³⁴ suggest that under the *YCJA* the proportion of youth spending more than one month in sentenced custody is greater than under the *Young Offenders Act (YOA)*. According to data from the jurisdictions included in the trend analysis, 42% of youth in 2005/2006 were released from secure custody after serving a period greater than 1 month but less than 6 months (Chart 3). This was true for 37% of youth in 2001/2002. Youth who spent 6 months or more in secure custody has fluctuated through the years, but accounted for 13% in 2005/2006

Chart 3

Proportion of secure custody releases within the first month decreased following the implementation of the *Youth Criminal Justice Act (YCJA)*

percentage of releases from secure custody



Notes: Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Quebec, Saskatchewan, Nunavut and the Northwest Territories. Trend analysis in this report is limited to the selected periods of 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. These years were chosen because they have the most complete data and provide information on youth corrections prior to and since the implementation of the *YCJA* on April 1, 2003.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey.

compared to 8% in 2001/2002. This may mean that the reduction in admissions to secure custody under the *YCJA* could be partially attributable to a reduction in youth who, under the *YOA*, would have been sentenced to secure custody for a short period of time.

Analysis of open custody releases in eight jurisdictions³⁵ suggests that changes in length of time served are similar to the changes witnessed with secure custody releases (Chart 4).

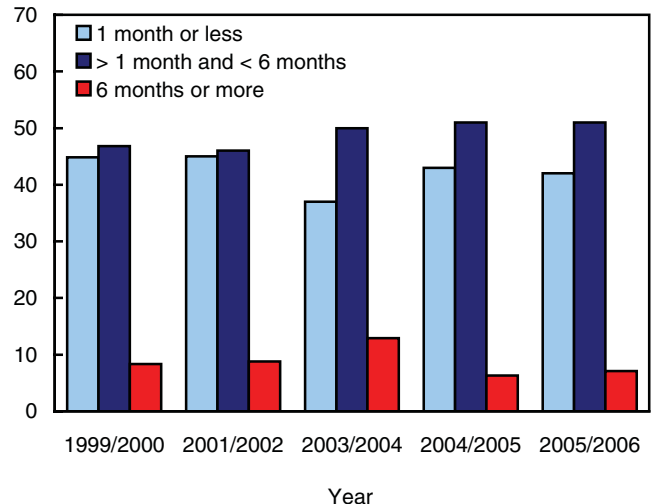
Decreases in admissions to sentenced custody for property offences after implementation of the *YCJA* have changed the composition of admissions

Admissions to sentenced custody by the most serious offence designation no longer consist predominantly of those convicted of *property offences* (Chart 5). According to data from 6 jurisdictions,³⁶ 26% of admissions to sentenced custody in 2005/2006 were for property offences, compared to 36% in 2001/2002. Although admissions to sentenced custody declined overall between these two reference periods and decreases were therefore seen in admissions for all types of offences, the shift in the composition of most serious offence among admissions is driven by larger declines in the number of admissions for *property offences*.³⁷

Chart 4

Proportion of open custody releases within the first month decreased following the implementation of the *Youth Criminal Justice Act (YCJA)*

percentage of releases from open custody



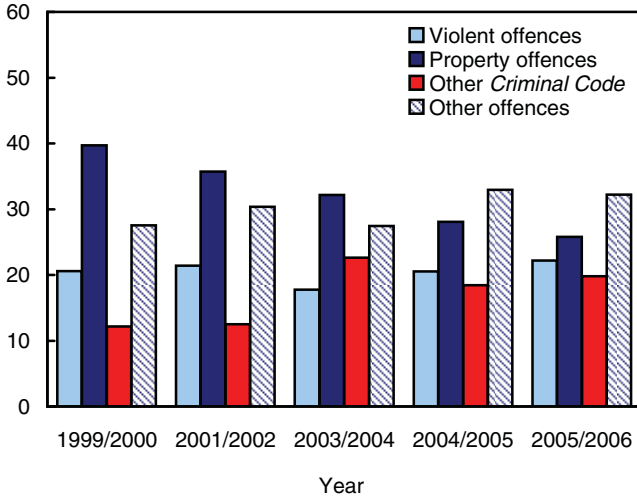
Notes: Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Quebec, Saskatchewan, Nunavut and the Northwest Territories. Trend analysis in this report is limited to the selected periods of 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. These years were chosen because they have the most complete data and provide information on youth corrections prior to and since the implementation of the *YCJA* on April 1, 2003.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey.

Chart 5

Decreases in admissions to sentenced custody for property offences after implementation of the Youth Criminal Justice Act (YCJA) have changed the composition of admissions

percentage of admissions to sentenced custody



Notes: Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Ontario, Quebec, Saskatchewan, Nunavut and the Northwest Territories. Trend analysis in this report is limited to the selected periods of 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. These years were chosen because they have the most complete data and provide information on youth corrections prior to and since the implementation of the YCJA on April 1, 2003.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey.

Compared to under the Young Offenders Act, admissions to probation declined by over half

Under the *Young Offenders Act (YOA)*, probation was sometimes imposed as a measure to reintegrate youth back into the community after a period of sentenced custody. With the introduction of the YCJA, a period of community supervision became a mandatory component of most custody orders, thereby perhaps reducing the need to impose a probation order. Compared to 2001/2002, the earliest comparable trend year prior to the implementation of the YCJA, admissions to probation in 2005/2006 were 53% lower.³⁸ It is also possible that decreases in the use of probation are a result of the expanded options for police diversion under the YCJA. Probation as a proportion of all admissions to correctional services remained stable at 37% in both 2004/2005 and 2005/2006.

Under the YCJA, a greater proportion of youth in sentenced custody were Aboriginal

As the number of youth in sentenced custody has decreased with the implementation of the YCJA in April 2003, their composition with respect to characteristics appears to have changed. An examination of selected comparable years of data for 11 jurisdictions³⁹ reveals that Aboriginal youth as a proportion of admissions to sentenced custody has been increasing since 2001/2002. Aboriginal youth accounted for 22% of youth admitted to sentenced custody in 2001/2002 and 31% in 2005/2006. This, however, may be due to improved reporting of Aboriginal identity.

Youth 16 to 17 year olds account for a greater proportion of those in sentenced custody since the enactment of the YCJA

With the enactment of the YCJA the proportion of 16- to 17-year-olds in sentenced custody grew. In 2001/2002 16- to 17-year-olds accounted for 53% of young persons admitted to sentenced custody compared to 69% in 2005/2006 (Chart 6). This is consistent with research showing that as young offenders get older, they tend to commit more serious types of offences and are more likely to have had previous contact with the criminal justice system, factors which make them more apt to receive a sentence of custody (Thomas, 2008). Conversely, younger youth tend to commit less serious offences and have less contact with the criminal justice system which makes them candidates for some form of diversion, extrajudicial sanction or measure, or community supervision. Given the objective of the YCJA, to reserve the use of custody for the most serious offenders while diverting the minor offenders, it stands to reason that 16- to 17-year-olds are now accounting for a larger percentage of admissions to sentenced custody.

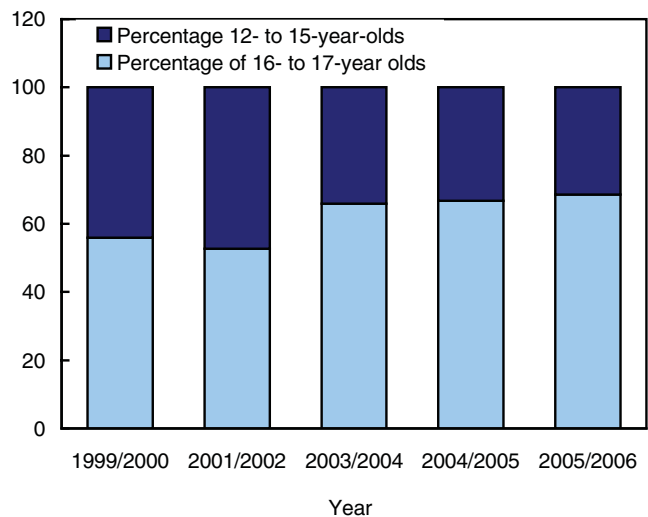
Little change in the proportion of female youth admitted to sentenced custody

Compared to under the YOA, females as a proportion of admissions to sentenced custody have remained relatively stable.⁴⁰

Chart 6

Youth aged 16 to 17 years old are making up an increasingly larger portion of sentenced custody admissions

percentage of sentenced custody admissions



Notes: Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Quebec, Saskatchewan and Nunavut. Trend analysis in this report is limited to the selected periods of 1999/2000, 2001/2002, 2003/2004, 2004/2005 and 2005/2006. These years were chosen because they have the most complete data and provide information on youth corrections prior to and since the implementation of the YCJA on April 1, 2003.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey.

In 2001/2002 female youth accounted for 19% of admission to sentenced custody and 17% in 2005/2006, with little difference in the other trend analysis years.

Average counts of youth in custody and under community supervision⁴¹

While admissions data provide an overview of the caseload flowing through the various correctional services programs, data on average counts provide a snapshot of the number of youth in custody on any given day and the number of youth in community supervision at the end of any given month. Average counts are important to managers in correctional services as they are used as key operational measures for the utilization of services.

Youth incarceration rate almost 60% lower than in 1996/1997

The incarceration rate is the average daily number of young persons in sentenced custody and remand per 10,000 youth aged 12 to 17 in the population. This number describes the level of incarceration in relation to the number of young persons in the population and permits comparisons over time by taking into account changes in the size of the Canada's youth population. The overall youth incarceration rate has been on the decline over the last decade. In 2005/2006, 7.5 of every 10,000 youth were incarcerated (Table 9), a 9% decrease from the previous year. The 2005/2006 rate was 40% lower than in 2002/2003 and 58% lower than in 1996/1997.⁴²

Sentenced custody counts continued to decline

In 2005/2006, an average of 1,152 young persons were in sentenced custody on any given day in Canada, a decline of 12% from 2004/2005, and an overall decline of 26% since the first year of the implementation of the *YCJA* in 2003/2004. Among the young persons in sentenced custody in 2005/2006, there were, on average, 590 young persons in secure custody and 562 in open custody. These represent decreases of 16% and 7%, respectively, from 2004/2005 (Table 10).

In 2005/2006, jurisdictions varied substantially in the rate of young persons in sentenced custody, ranging from 2.4 per 10,000 youth in British Columbia to 39.6 per 10,000 youth in the Northwest Territories (Table 11). Since 2003/2004, all jurisdictions but Nunavut experienced declines in their rates of sentenced custody. In particular, from 2003/2004 to 2005/2006, Nova Scotia, Quebec, Ontario and the Yukon experienced declines of more than 30% (Table 11).

Remand counts increased as a proportion of total custodial services

On any given day in 2005/2006, there were 859 youth in remand, 7% fewer than the previous year, yet 1% more than in the first year of the *Youth Criminal Justice Act* (Table 12). Due to large declines in sentenced custody, youth in remand account for a greater proportion of youth in custody. For instance, in 2005/2006, they accounted for 42% compared to 35% in 2003/2004. In 2005/2006, jurisdictions varied in the rate of young persons held on remand, ranging from 0.8 per 10,000 youth population in Prince Edward Island to 13.2 in Nunavut (Table 11).

Average number of youth on probation declines

The average month end count of young offenders on probation in 2005/2006 was 18,619, down 12% from the previous year and 33% from 2003/2004 (Table 13). While the probation rate has declined steadily from 2001/2002, rates continue to vary from one jurisdiction to another (Table 14).

Little change in average number of youth on new *YCJA* community supervision provisions

With a deferred custody and supervision order, the court may allow a young person who would otherwise be sentenced to custody, to defer the custodial portion of the sentence and to serve a sentence in the community under a number of strict conditions. In 2005/2006, there were, on average, 595 young persons on deferred custody which is relatively unchanged compared to 2004/2005 (Table 15). Similarly, the community portion of a custody and supervision order has also remained relatively stable at 404 in 2004/2005 and 408 in 2005/2006.

Summary

The implementation of the *YCJA* on April 1, 2003 has brought many changes to the landscape of youth correctional services. In general, the youth correctional system has witnessed substantial decreases in admissions to correctional programs, in average daily counts of youth in custody and in average monthly counts of youth under community supervision. The largest changes were observed in the two years following the implementation of the *YCJA*, with decreases slowing in 2005/2006. That year, the number of youth admitted to correctional services declined 2% from the previous year to 33,894 admissions. With the exception of remand and the deferred custody and supervision order sentence, decreases were evident in all other youth correctional service programs, both custody and community. Further, trend analysis of selected years has revealed that the composition of admissions to sentenced custody has changed in line with the principles of the *YCJA* and its objective of reserving its most serious intervention for the most serious crimes. For instance, 16- to 17-year-olds as a proportion of admissions to sentenced custody grew with the implementation of the *YCJA*. Property offences no longer account for the greatest proportion of admissions as they did under the *YOA*. And, shorter stays in sentenced custody are accounting for a smaller proportion of releases. With respect to Aboriginal youth, however, representation in sentenced custody continues to be high.

Data sources and measures

The information presented in this *Juristat* comes from data collected on youth correctional services in Canada through three surveys: the Youth Custody and Community Services (YCCS) survey, the Integrated Correctional Services Survey (ICSS) which is currently being implemented and is intended to eventually replace the YCCS, and the Key Indicator Report (KIR) for youth. All three surveys are conducted by the Canadian Centre for Justice Statistics (CCJS). The data are provided by the various provincial and territorial ministries and agencies that administer correctional services across the country. The surveys are conducted annually, on a fiscal-year basis. As a result of consistent counting practices

within jurisdictions over time, statements may be made about the trends within each jurisdiction.

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

The Youth Custody and Community Services (YCCS) Survey

The YCCS survey collects the aggregate number of annual admissions to, and releases from, correctional facilities and community supervision programs. Admissions data are collected when an individual enters an institution or community supervision program, and describe and measure the case flow in correctional agencies over time. While aggregate **admissions** include all persons passing through the correctional system, they do not indicate the number of unique individuals in the correctional system. The same person can be included several times in the admission counts where the individual moves from one type of correctional service to another (e.g., from remand to sentenced custody) or re-enters the system in the same year.

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

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

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

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

Although the YCCS survey attempts to standardize the way in which status changes are counted, limitations due to differences among jurisdictional operational systems may restrict uniform application of the survey definitions in some situations. For this reason, inter-jurisdictional comparisons of the number of admissions should be made with caution. Nevertheless, as a result of consistent counting practices within jurisdictions over time, statements can be made about the trends within each jurisdiction.

The Integrated Correctional Services Survey (ICSS)

The ICSS collects person-level descriptive data and characteristics information on young persons and was developed to eventually replace the YCCS. Data from 2005/2006 include the following jurisdictions: Newfoundland and Labrador, New Brunswick, Ontario

and Alberta. The jurisdictions not yet reporting to the ICSS continue to participate in the YCCS.

The Key Indicator Report (KIR) for youth

The KIR collects data on both the average daily counts for youth in custody (i.e., remand, secure and open) and average monthly counts of youth supervised in the community (i.e., probation, community portion of custody sentence and deferred custody and supervision order). Average counts include all young persons on remand and temporary detention, sentenced offenders and other young offenders who are legally required to be at a youth correctional facility and who are present at the time the count is taken by correctional facility officials. Average counts for young persons on community supervision are taken at the end of the month.

Average counts provide a snapshot of the daily correctional population and are used to calculate an annual average count. Managers in correctional services use average counts as a key operational measure for the utilization of services, such as bed space in institutions. Typically, correctional officials perform daily counts in their facilities and monthly counts of offenders under community supervision. Average count statistics, collected through the KIR, are more representative of longer term inmates and offenders serving longer term community supervision orders. They are also the count used to calculate incarceration rates.

Glossary of terms

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

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

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

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

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

Deferred custody and supervision order: A deferred custody and supervision order allows a young person, who would

otherwise be sentenced to custody, to serve his/her sentence in the community. A deferred custody and supervision order is similar to a conditional sentence of imprisonment for adults.

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

Month-end probation count: An indication of the current monthly caseload of young offenders on supervised probation.

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

1. **Violent offences:** Include *Criminal Code* offences such as murder, attempted murder, sexual assault, aggravated assault, common assault, robbery, kidnapping, and extortion. Violent offences involve the use or threatened use of violence against a person. Robbery is considered a violent offence because unlike other theft offences, it involves the use or threat of violence.
2. **Property offences:** Include *Criminal Code* offences such as break and enter, theft, arson, motor vehicle theft, fraud, possession of stolen property, and mischief. Property offences involve unlawful acts to gain property, but do not involve the use or threat of violence against the person.
3. **Other *Criminal Code* offences:** Include *Criminal Code* offences such as prostitution, impaired operation of a motor vehicle, escaped custody, failure to appear, disorderly conduct, soliciting, and other offences against the administration of justice.
4. **Drug related offences:** Include offences under the *Controlled Drugs and Substance Act* such as importing/exporting narcotics, trafficking in narcotics, possession of narcotics, cultivation, trafficking in drugs, and possession of drugs. In this *Juristat*, this category is rolled into *other offences*.
5. **YOA/YCJA offences:** Include offences such as failure to comply with a court ordered disposition, and contempt against youth court. In this *Juristat*, this category is rolled into *other offences*.
6. **Provincial/territorial, municipal and other federal offences:** Include offences such as provincial liquor offences, provincial/territorial traffic violations, violations of municipal by-laws, and violations of other federal statutes such as offences under the *Income Tax Act* and *Immigration and Refugee Protection Act*. In this *Juristat*, this category is rolled into *other offences*.

Open custody: In accordance with section 85(1) and 88 of the *Youth Criminal Justice Act (YCJA)*, all provinces/territories have maintained the definition of open custody provided under section 24.1 of the *YOA* as follows:

- (a) a community residential centre, group home, child care institution, or forest wilderness camp, or
- (b) any other like place or facility designated by the Lieutenant Governor in Council of a province or his delegate as a place of open custody for the purposes of this Act, and includes a place or facility within a class of such places or facilities so designated.

Probation: A common type of community-based sentence, where the offender is placed under the supervision of a probation officer or other designated person. This includes only supervised probation.

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

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

Secure custody: In accordance with section 85(1) and 88 of the *Youth Criminal Justice Act (YCJA)*, all provinces/territories have maintained the definition of secure custody provided under section 24.1 of the *YOA* as follows:

Secure custody means custody in a place or facility designated by the Lieutenant Governor in Council of a province for secure containment or restraint of young persons, and includes a place or facility within a class of such places or facilities so designated.

Sentenced custody: Refers to both secure and open custody

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

Time served: Refers to the aggregate time served or total number of days a young person spent in custody upon completion of an uninterrupted period of time during which time the youth was under the authority of the Provincial/Territorial Director.

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

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Endnotes

1. Due to missing data from various jurisdictions for various years, data in the highlights are based on data from jurisdictions that consistently reported information over time. These jurisdictions differ across highlights.
2. The *Youth Criminal Justice Act (YCJA)* makes provision for open and secure custody through section 85(1) which requires that there must be at least two levels of custody for young persons distinguished by the degree of restraint of the young persons in them. Further, all provinces/territories, through section 88, have opted to maintain the definitions of open and secure custody provided under section 24.1 of the *Young Offenders Act (YOA)*. For definitions of open and secure custody refer to the glossary section of this *Juristat*.
3. Refer to the glossary section of this *Juristat* for definitions of probation, the community portion of a custody and supervision order, and the deferred custody and supervision order. The responsibility of youth who receive a conditional discharge by the courts also falls under youth corrections. However, these cases fall outside the scope of the Youth Custody and Community Services (YCCS) Survey.
4. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
5. For further statistics on youth court activity, see Thomas, 2008.
6. See endnote 4.

7. Admissions to remand are admissions to pre-trial detention only and do not include provincial director remand which is captured separately by the Youth Custody and Community Services (YCCS) Survey. However, some jurisdictions are unable to separate the number of admissions to provincial director remand from admissions to pre-trial detention.
8. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
9. See endnote 2 for the distinction between open and secure custody.
10. Due to missing data, the analysis excludes Prince Edward Island, Quebec, Saskatchewan, and the Northwest Territories.
11. The only exception to this is where the youth has committed an offence for which they could be sentenced to custody according to s. 39(1)(d) (i.e., exceptional circumstances). In these cases, s.29(2) dictates that they cannot be remanded for the protection of safety of the public.
12. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
13. Due to missing data, the analysis excludes Prince Edward Island, Quebec and Saskatchewan.
14. *Property offences* include offences such as break and enter, theft, arson, motor theft, fraud, possession of stolen property, and mischief.
15. *Violent offences* include offences such as murder, attempted murder, sexual assault, aggravated assault, common assault, robbery, kidnapping, and extortion.
16. Due to missing data, the analysis excludes Prince Edward Island, Quebec and Saskatchewan. The remaining categories include other *Criminal Code* offences which include offences such as failure to appear and disorderly conduct (20% of sentenced custody admissions) as well as *other offences* which include drug-related offences, *YOA/YCJA* and other federal offences, and provincial/territorial/municipal offences (19% of sentenced custody admissions).
17. Due to missing data, the analysis excludes Prince Edward Island, Quebec and Saskatchewan.
18. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
19. For data by jurisdiction see Table 5.
20. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
21. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan and Nunavut.
22. See Department of Justice Canada, *YCJA Explained*.
23. Due to missing data, the analysis excludes Prince Edward Island, British Columbia and Nunavut.
24. Due to missing data, the analysis excludes Prince Edward Island, Quebec and British Columbia.
25. Due to missing data, the analysis excludes Prince Edward Island, Quebec and Saskatchewan.
26. Due to missing data, the analysis excludes Prince Edward Island and Quebec.
27. *Ibid.*

28. Due to missing data, the analysis excludes Prince Edward Island and Quebec.
29. Due to missing data, the analysis excludes Prince Edward Island, Quebec and Saskatchewan.
30. System changes in two jurisdictions were key determinants in selecting these five specific reference periods for trend analysis. First, British Columbia changed its administrative data capture systems in 1998/1999. As such, the trend analysis for this *Juristat* begins in 1999/2000 to enable the inclusion of British Columbia. Second, the two Ministries responsible for youth corrections in Ontario amalgamated in 2003/2004 and, as a result, Ontario did not report data for 12- to 15-year-olds for 2002/2003.
31. Due to missing data, the analysis excludes Prince Edward Island and Nunavut.
32. Due to missing data, the analysis excludes Prince Edward Island, Ontario Phase II (12- to 15-year-olds), Saskatchewan and Nunavut.
33. Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan and Nunavut.
34. Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
35. Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Quebec, Saskatchewan, the Northwest Territories and Nunavut.
36. Due to missing data, the analysis excludes Prince Edward Island, New Brunswick, Ontario, Quebec, Saskatchewan, Nunavut and the Northwest Territories.
37. Specifically, from 2001/2002 to 2005/2006, the number of admissions for *property offences* decreased 72%, *violent offences* decreased 60%, *other offences* (includes drug-related offences and other federal/provincial offences) decreased 59% and other *Criminal Code offences* (which is primarily offences against the administration of justice) decreased by 39%.
38. Due to missing data, the analysis excludes Prince Edward Island, Nova Scotia, the Northwest Territories and Nunavut.
39. Excludes Prince Edward Island, and Quebec.
40. Excludes Prince Edward Island, New Brunswick, Quebec and Nunavut.
41. Data on average counts for youth in 2005/2006 were originally released on November 21, 2007.
42. For more information on the incarceration rate, see Statistics Canada. *The Daily*. "Adult and youth correctional services: Key indicators" released Wednesday, November 21, 2007.

Table 1

Number of admissions to youth correctional services, 2004/2005 and 2005/2006

Correctional services	2004/2005			2005/2006			Percentage change in adjusted admissions from 2004/2005
	Admissions	Adjusted admissions ¹	% of total ²	Admissions	Adjusted admissions ¹	% of total ²	
	number	percentage		number	percentage	percentage	
Custodial supervision							
Sentenced custody	5,836	4,307	12	5,538	3,724	11	-14
Secure custody	2,927	2,143	6	2,788	1,902	6	-11
Open custody	2,909	2,164	6	2,750	1,822	5	-16
Remand	16,730	13,418	39	15,951	13,681	40	2
Total custodial supervision	22,566	17,725	51	21,489	17,405	51	-2
Community supervision							
Probation ³	18,267	12,804	37	17,522	12,550	37	-2
<i>Youth Criminal Justice Act (YCJA)</i> sentences ⁴	4,907	4,108	12	4,628	3,939	12	-4
Community portion of a custody and supervision order	3,488	3,104	9	3,176	2,875	8	-7
Deferred custody and supervision order	1,419	1,004	3	1,452	1,064	3	6
Total community supervision	23,174	16,912	49	22,150	16,489	49	-3
Total correctional services	45,740	34,637	100	43,639	33,894	100	-2

1. Due to missing data, Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, the Northwest Territories and Nunavut have been excluded from "Adjusted admissions" in order to make comparisons between years. The jurisdictions excluded in this table may differ from the jurisdictions excluded in other related tables. As such, totals for the same data element may differ from one table to another.

2. The percentages of total statistics are based upon adjusted admissions.

3. Admissions to *YCJA* sentences for British Columbia are included in probation admissions.

4. Due to rounding, the community portion of a custody and supervision order and the deferred custody and supervision order may not add up to the total percent of *YCJA* sentences.

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

Table 2

Admissions of young persons to custody, 2004/2005 and 2005/2006

Jurisdiction	Remand ¹			Secure custody ²			Open custody ²		
	2004/2005	2005/2006	% change from 2004/2005	2004/2005	2005/2006	% change from 2004/2005	2004/2005	2005/2006	% change from 2004/2005
	number	number	percentage	number	number	percentage	number	number	percentage
Total	16,730	15,951	-5	2,927	2,788	-5	2,909	2,750	-5
Newfoundland and Labrador	158	151	-4	60	53	-12	67	44	-34
Prince Edward Island	..	..	...	..	..	...	..	..	...
Nova Scotia	163	227	39	16 ^r	5	-69	120 ^r	141	18
New Brunswick	275	305	11	137	145	6	131	96	-27
Quebec	3,088	1,975	-36	569	723	27	362	584	61
Ontario	8,351	8,472	1	1,097	839	-24	1,121	939	-16
Manitoba	1,552	1,714	10	136	95	-30	243	271	12
Saskatchewan	..	..	...	160	117	-27	216	159	-26
Alberta	1,655	1,716	4	486	484	0	249	247	-1
British Columbia	1,404	1,290	-8	225	285	27	343	217	-37
Yukon	23	33	43	2	1	-50	10	8	-20
Northwest Territories	39	41	5	24	28	17	29	25	-14
Nunavut	22	27	23	15	13	-13	18	19	6

.. not available for a specific reference period

... not applicable

0 true zero or a value rounded to zero

^r revised

1. Total excludes Prince Edward Island and Saskatchewan.

2. Totals exclude Prince Edward Island.

Note: The jurisdictions excluded in this table may differ from the jurisdictions excluded in other related tables. As such, totals for the same data element may differ from one table to another.

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

Table 3

Releases from remand, secure, and open custody, by time served, 2005/2006

Jurisdiction	Remand ¹				Secure custody ²			Open custody ²		
	1 week or less	>1 week to 1 month	>1 month to 6 months	>6 months	1 month or less	>1 to 6 months	>6 months	1 month or less	>1 to 6 months	>6 months
	percentage									
Total	55	27	17	1	44	44	13	41	52	7
Newfoundland and Labrador	62	28	11	0	28	57	15	25	72	4
Prince Edward Island	..	..	..	..	..	..	..	..	..	..
Nova Scotia	56	25	19	0	20	60	20	17	60	23
New Brunswick	51	30	19	0	33	58	9	26	62	12
Quebec	..	..	..	..	..	..	..	..	..	..
Ontario	58	26	15	1	43	45	12	46	49	5
Manitoba	49	23	27	2	8	50	42	28	65	7
Saskatchewan	..	..	..	..	..	..	..	..	..	..
Alberta	53	26	18	2	54	36	10	40	50	10
British Columbia	49	34	16	0	53	38	9	55	39	6
Yukon	53	34	13	0	0	100	0	29	57	14
Northwest Territories	19	43	36	2	..	..	..	..	..	..
Nunavut	21	29	43	7	50	50	0	39	61	0

.. not available for a specific reference period

0 true zero or a value rounded to zero

1. Total remand excludes Prince Edward Island, Quebec and Saskatchewan.

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

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

Table 4

Distribution of young persons admitted to remand, sentenced custody and probation, by most serious offence, 2005/2006

Jurisdiction	Remand ¹				Sentenced custody (secure and open) ¹				Probation ²			
	Violent ³	Property ⁴	Other Criminal Code ⁵	Other offences ⁶	Violent ³	Property ⁴	Other Criminal Code ⁵	Other offences ⁶	Violent ³	Property ⁴	Other Criminal Code ⁵	Other offences ⁶
	percentage											
Total	33	26	28	13	33	29	17	21	37	39	15	9
Newfoundland and Labrador	19	43	37	1	28	52	21	0	37	53	9	1
Prince Edward Island	..	..	..	..	..	..	..	..	..	..	..	..
Nova Scotia	30	24	25	21	27	39	16	18	..	..	..	..
New Brunswick	22	32	26	21	38	29	13	20	35	43	12	10
Quebec	..	..	..	..	..	..	..	..	..	..	..	..
Ontario	33	25	31	11	34	30	20	17	38	38	14	10
Manitoba	60	32	7	0	66	34	0	0	50	38	9	4
Saskatchewan	..	..	..	..	..	..	..	..	..	..	..	..
Alberta	9	19	35	37	14	16	18	52	31	47	13	9
British Columbia	43	27	28	3	37	33	28	2	36	27	33	5
Yukon	39	45	12	3	11	78	0	11	31	44	6	19
Northwest Territories	54	44	0	2	45	40	15	0	35	62	3	4
Nunavut	30	67	4	0	28	72	0	0	..	..	..	..

.. not available for a specific reference period

0 true zero or a value rounded to zero

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

2. Total excludes Prince Edward Island, Nova Scotia, Quebec, Saskatchewan and Nunavut.

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

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

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

6. Other offences include drug-related offences, *Young Offenders Act/Youth Criminal Justice Act* and other federal offences, and provincial/municipal offences.

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

Table 5

Admissions of young persons to probation, 2004/2005 and 2005/2006

Jurisdiction	2004/2005	2005/2006	Percentage change from 2004/2005
	number	number	percentage
Total¹	17,732	17,396	-2
Newfoundland and Labrador	351	296	-16
Prince Edward Island	..	..	...
Nova Scotia	535	..	...
New Brunswick	455	494	9
Quebec	3,663	3,631	-1
Ontario	7,593	7,604	0
Manitoba	931	936	1
Saskatchewan	1,265	1,215	-4
Alberta	1,778	1,684	-5
British Columbia	1,668	1,520	-9
Yukon	28	16	-43
Northwest Territories	..	126	...
Nunavut	..	..	...

.. not available for a specific reference period

... not applicable

0 true zero or a value rounded to zero

1. Excludes Prince Edward Island, Nova Scotia, Nunavut and the Northwest Territories. The jurisdictions excluded in this table may differ from the jurisdictions excluded in other related tables. As such, totals for the same data element may differ from one table to another.

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

Table 6

Releases from probation, by time served, 2005/2006

Jurisdiction	Total	Duration by time served				
		1 month or less	>1 to 6 months	>6 months to 1 year	>1 to 2 years	More than 2 years
		number	percentage			
Total¹	13,129	2	15	41	26	16
Newfoundland and Labrador	371	0	7	47	28	17
Prince Edward Island	..	...	...	...	...	...
Nova Scotia	..	...	...	...	...	...
New Brunswick	465	0 ^s	9	52	24	15
Quebec	..	...	...	...	...	...
Ontario	7,816	1	8	45	26	20
Manitoba	874	1	7	15	46	31
Saskatchewan	..	...	...	...	...	...
Alberta	1,779	1	31	45	17	6
British Columbia	1,804	7	35	30	25	4
Yukon	20	5	45	50	0	0
Northwest Territories	..	...	...	...	...	...
Nunavut	..	...	...	...	...	...

.. not available for a specific reference period

... not applicable

0 true zero or a value rounded to zero

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

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

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

Table 7

Admissions of young persons to the community portion of custody and supervision orders and to deferred custody and supervision orders, 2004/2005 and 2005/2006

Jurisdiction	Community portion of a custody sentence ¹			Deferred custody and supervision ²		
	2004/2005	2005/2006	% change from 2004/2005 to 2005/2006	2004/2005	2005/2006	% change from 2004/2005 to 2005/2006
	number	number	percentage	number	number	percentage
Total	3,488	3,176	-9	1,419	1,452	2
Newfoundland and Labrador	121	95	-21	22	21	-5
Prince Edward Island	..	..	...	..	..	...
Nova Scotia	121	122	1	98	92	-6
New Brunswick	175	207	18	107	145	36
Quebec	..	..	...	148	132	-11
Ontario	2,038	1,733	-15	502	538	7
Manitoba	287	321	12	121	153	26
Saskatchewan	214	124	-42	167	159	-5
Alberta	469	504	7	249	202	-19
British Columbia	..	..	...	..	..	...
Yukon	14	15	7	3	5	67
Northwest Territories	24	30	25	2	5	150
Nunavut	25	25	0	..	..	...

.. not available for a specific reference period

... not applicable

0 true zero or a value rounded to zero

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

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

Note: The jurisdictions excluded in this table may differ from the jurisdictions excluded in other related tables. As such, totals for the same data element may differ from one table to another.

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

Table 8

Characteristics of young persons admitted to correctional services, 2005/2006

Jurisdiction	Remand ¹		Sentenced custody ²		Probation ³		Total youth population 2006 (age 12 to 17 years)
	Aboriginal	Female	Aboriginal	Female	Aboriginal	Female	Aboriginal
	percentage						
Total	23	21	31	17	22	23	6
Newfoundland and Labrador	3	17	3	14	3	16	7
Prince Edward Island	..	..	..	..	..	..	2
Nova Scotia	7	16	8	8	..	..	4
New Brunswick	9	22	8	22	7	19	4
Quebec	..	..	..	..	..	..	2
Ontario	8	20	12	17	6	23	3
Manitoba	79	22	86	13	63	25	23
Saskatchewan	..	..	76	16	66	26	24
Alberta	35	20	38	15	33	22	9
British Columbia	35	24	37	23	31	27	8
Yukon	100	18	100	0	100	19	33
Northwest Territories	85	37	91	30	91	30	65
Nunavut	100	0	100	0	..	..	95

.. not available for a specific reference period

0 true zero or a value rounded to zero

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

2. Total excludes Prince Edward Island and Quebec.

3. Total excludes Prince Edward Island, Nova Scotia, Quebec and Nunavut.

Note: The jurisdictions excluded in this table may differ from the jurisdictions excluded in other related tables. As such, totals for the same data element may differ from one table to another.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey and the Integrated Correctional Services Survey; Demography Division, Population Estimates, 2006 Census Population.

Table 9

Incarceration rates of young persons per 10,000 youth population, 1996/1997 to 2005/2006

Jurisdiction	Incarceration rate ¹									
	1996/1997	1997/1998	1998/1999	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004	2004/2005	2005/2006
Total²	18.0	17.2	16.6	15.4	14.4	13.5	12.6	9.0	8.2	7.5
Newfoundland and Labrador	28.1	24.0	22.9	21.4	20.6	22.1	24.2	12.8	12.7	11.3
Prince Edward Island	33.0	23.1	18.8	17.9	14.8	13.9	12.2	6.6	2.5	4.2
Nova Scotia	23.0	19.5	19.5	18.0	18.4	15.9	17.1	10.0	7.4	7.9
New Brunswick	31.1	25.6	23.2	23.5	24.1	21.5	18.0	12.6	12.7	10.9
Quebec	8.8	9.6	9.9	8.7	8.4	7.9	7.5	5.5	4.7	3.9
Ontario ³	..	..	..	..	..	..	..	10.2	9.7	8.4
Manitoba	32.8	32.5	31.0	30.1	27.9	26.4	25.5	19.7	19.1	20.6
Saskatchewan	37.3	39.6	41.0	36.2	35.6	35.3	33.9	28.0	25.5	23.1
Alberta	22.3	18.9	17.8	16.4	14.4	13.5	11.9	8.3	7.5	7.1
British Columbia	13.0	12.2	11.2	10.2	8.9	7.9	6.7	4.7	4.7	4.1
Yukon	56.2	63.6	50.4	46.8	30.5	24.3	21.2	14.1	14.2	10.8
Northwest Territories ⁴	90.2	99.1	62.3	157.0	134.1	136.0	109.6	59.2	56.2	51.3
Nunavut ⁴	...	...	...	..	35.4	16.8	38.0	29.2	34.1	31.6

.. not available for a specific reference period

... not applicable

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

2. National figures exclude Ontario and Nunavut for all reference years due to incomplete data.

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

4. On April 1, 1999, the Northwest Territories was divided and the territory of Nunavut was created. Therefore, caution is advised when comparing Northwest Territories' data prior to 1999/2000 with any data reported after the creation of Nunavut. In addition, Nunavut did not report data in 1999/2000.

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

Table 10

Average daily count of young offenders in sentenced custody, 2003/2004 to 2005/2006

Jurisdiction	Sentenced custody					Secure custody					Open custody				
	Average count			% change of average count		Average count			% change of average count		Average count			% change of average count	
	2003/2004	2004/2005	2005/2006	2003/2004 to 2004/2005	2004/2005 to 2005/2006	2003/2004	2004/2005	2005/2006	2003/2004 to 2004/2005	2004/2005 to 2005/2006	2003/2004	2004/2005	2005/2006	2003/2004 to 2004/2005	2004/2005 to 2005/2006
	number	number	number	percentage	percentage	number	number	number	percentage	percentage	number	number	number	percentage	percentage
Total	1,553	1,306	1,152	-26	-12	822	701	590	-28	-16	732	607	562	-23	-7
Newfoundland and Labrador	45	44	38	-16	-14	28	18	17	-39	-6	17	26	21	24	-19
Prince Edward Island	6	3	5	-17	67	3	2	2	-33	0	3	2	2	-33	0
Nova Scotia	57	38	38	-33	0	12	6	2	-83	-67	45	32	35	-22	9
New Brunswick	61	59	50	-18	-15	30	32	30	0	-6	31	28	21	-32	-25
Quebec	232	184	157	-32	-15	159	127	96	-40	-24	73	57	61	-16	7
Ontario ¹	598	485	420	-30	-13	300	254	213	-29	-16	299	231	207	-31	-10
Manitoba	104	92	87	-16	-5	43	37	29	-33	-22	61	55	59	-3	7
Saskatchewan	188	160	135	-28	-16	115	97	82	-29	-15	73	63	52	-29	-17
Alberta	142	126	119	-16	-6	82	77	77	-6	0	60	49	42	-30	-14
British Columbia	90	87	77	-14	-11	37	38	30	-19	-21	53	49	46	-13	-6
Yukon	3	3	2	-33	-33	1	1	0	-100	-100	2	2	2	0	0
Northwest Territories	22	17	17	-23	0	10	8	9	-10	13	12	9	10	-17	11
Nunavut	5	8	7	40	-13	2	4	3	50	-25	3	4	4	33	0

0 true zero or a value rounded to zero

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

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

Table 11

Average daily counts of young persons in remand and sentenced custody per 10,000 youth population, by jurisdiction, 2003/2004 to 2005/2006

Jurisdiction	Remand			% change in remand rate		Sentenced custody			% change in sentenced custody rate	
	2003/ 2004	2004/ 2005	2005/ 2006	2004/ 2005 to 2005/2006	2003/ 2004 to 2005/2006	2003/ 2004	2004/ 2005	2005/ 2006	2004/ 2005 to 2005/2006	2003/ 2004 to 2005/2006
	rate ¹			percentage		rate ¹			percentage	
Total	3.4	3.6	3.3	-8	0	6.1	5.1	4.5	-12	-27
Newfoundland and Labrador	2.1	2.0	1.5	-23	-29	10.6	10.7	9.5	-11	-10
Prince Edward Island	0.8	0.0	0.8	...	3	4.9	2.5	4.2	69	-15
Nova Scotia	2.5	2.0	2.5	22	-3	7.6	5.1	5.2	1	-32
New Brunswick	2.0	2.2	2.1	-7	2	10.4	10.1	8.7	-15	-17
Quebec	1.4	1.4	1.2	-16	-12	4.2	3.2	2.7	-16	-34
Ontario ²	4.2	4.8	4.2	-13	1	6.1	4.9	4.2	-14	-31
Manitoba	9.0	9.3	10.7	16	19	10.3	9.1	8.6	-5	-17
Saskatchewan	7.8	8.1	8.2	2	5	20.2	17.4	14.9	-14	-26
Alberta	3.1	3.0	2.8	-4	-10	5.2	4.6	4.3	-6	-17
British Columbia	1.9	2.0	1.8	-12	-7	2.8	2.7	2.4	-12	-15
Yukon	3.5	3.5	3.6	1	2	10.6	10.6	7.2	-32	-32
Northwest Territories	9.5	16.4	11.7	-29	23	52.1	39.8	39.6	0	-24
Nunavut	15.9	13.1	13.2	0	-17	13.3	21.0	18.4	-12	39

... not applicable

0 true zero or a value rounded to zero

1. Rates are calculated on the basis of 10,000 youth aged 12 to 17. The population estimates come from Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 2005; preliminary postcensal estimates for 2006.

2. Partial year estimated counts for 12- to 15-year-olds for 2003/2004.

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

Table 12

Average daily count of young persons in remand, 2003/2004 to 2005/2006

Jurisdiction	2003/2004		2004/2005		2005/2006	
	Average count	% of total custody ¹	Average count	% of total custody ¹	Average count	% of total custody ¹
	number	percentage	number	percentage	number	percentage
Total – remand	852	35	924	41	859	42
Newfoundland and Labrador	9	17	8	15	6	13
Prince Edward Island	1	13	0 ^s	0	1	20
Nova Scotia	19	25	15	27	18	31
New Brunswick	12	16	13	18	12	19
Quebec	77	25	82	31	70	31
Ontario	411	41	478	50	422	50
Manitoba	91	46	94	48	109	52
Saskatchewan	73	28	74	32	74	35
Alberta	86	38	81	39	78	40
British Columbia	62	41	66	43	58	43
Yukon	1	25	1	25	1	33
Northwest Territories	4	16	7	29	5	23
Nunavut	6	55	5	38	5	42

0 true zero or a value rounded to zero

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

1. Total custody includes secure and open custody, remand and provincial director remand.

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

Table 13

Average month-end count of young offenders on probation, 2003/2004 to 2005/2006

Jurisdiction	Probation				
	Average count			Percentage change in average count	
	2003/2004	2004/2005	2005/2006	2003/2004 to 2005/2006	2004/2005 to 2005/2006
	number	number	number	percentage	percentage
Total¹	27,754	21,068	18,619	-33	-12
Newfoundland and Labrador	672	627	519	-23	-17
Prince Edward Island	134	107	..	..	..
Nova Scotia ²	808	651	609	-25	-6
New Brunswick	654	545	565	-14	4
Quebec	4,014	3,663	3,631	-10	-1
Ontario ³	14,411	9,711	7,860	-45	-19
Manitoba	1,796	1,500	1,521	-15	1
Saskatchewan	1,524	1,381	1,337	-12	-3
Alberta	2,108	1,727	1,577	-25	-9
British Columbia	1,740	1,247	986	-43	-21
Yukon	27	16	14	-48	-13
Northwest Territories	..	..	..	..	..
Nunavut	18	..	77	328	..

.. not available for a specific reference period

... not applicable

1. Total excludes Prince Edward Island, Northwest Territories and Nunavut for all years.

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

3. Partial year estimated counts for 12- to 15-year-olds for 2003/2004.

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

Table 14

Probation rate per 10,000 youth population, 2001/2002 to 2005/2006

Jurisdiction	Probation rate ¹				
	2001/2002	2002/2003	2003/2004	2004/2005	2005/2006
Total²	114.1	109.0	87.3	74.0	69.8
Newfoundland and Labrador	182.7	184.6	158.9	153.0	130.3
Prince Edward Island	128.4	122.5	109.4	88.9	..
Nova Scotia ³	127.3	116.8	108.1	88.0	83.4
New Brunswick	131.7	140.8	111.3	93.5	97.8
Quebec	99.9	93.7	72.0	64.6	63.1
Ontario ⁴	201.7	99.2	146.0	97.4	78.0
Manitoba	205.3	203.7	177.9	147.7	149.8
Saskatchewan	190.2	191.8	163.7	150.5	148.1
Alberta	101.9	95.5	76.7	62.9	57.2
British Columbia	81.9	75.1	53.7	38.5	30.4
Yukon	158.2	116.7	95.5	56.1	50.6
Northwest Territories	..	..	..	..	..
Nunavut	44.6	..	47.7	..	203.3

.. not available for a specific reference period

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

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

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

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

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

Table 15

Average month-end count of young persons on the community portion of a custody and supervision order or on a deferred custody and supervision order, 2004/2005 and 2005/2006

Jurisdiction	Community portion of a custody and supervision order ¹			Deferred custody and supervision ²		
	2004/2005	2005/2006	% change from 2004/2005 to 2005/2006	2004/2005	2005/2006	% change from 2004/2005 to 2005/2006
Total	404	408	1	598	595	-1
Newfoundland and Labrador	13	18	38	2	8	300
Prince Edward Island	4	..	...	21	..	...
Nova Scotia	..	..	...	..	..	...
New Brunswick	20	22	10	40	45	13
Quebec	..	..	...	148	132	-11
Ontario	158	172	9	140	163	16
Manitoba	36	27	-25	41	42	2
Saskatchewan	61	65	7	73	92	26
Alberta	74	70	-5	88	62	-30
British Columbia	40	32	-20	66	51	-23
Yukon	2	2	0	0 ^s	0 ^s	..
Northwest Territories	..	..	...	..	..	...
Nunavut	..	3	...	..	4	...

.. not available for a specific reference period

... not applicable

0 true zero or a value rounded to zero

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

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

2. Total excludes Prince Edward Island, Nova Scotia, Northwest Territories and Nunavut.

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

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