

Fact Sheet

#22

*in a series of fact sheets
that examine questions
frequently asked about
the criminal justice
system*

A Publication of the John Howard Society of Ontario

January 2006

Crime and the Criminal Justice System in Ontario: Current data and trends

Recent high-profile incidents and the federal election campaign have highlighted issues related to crime and how we respond to crime. Much of the discussion speaks to a “crisis”, to the notion that we are “soft on crime and criminals” and to the need for stricter, harsher penalties. In the belief that fact and evidence should drive our actions, we have developed this Fact Sheet to present a number of updated facts about crime and the responses to crime specifically relevant to Ontario.

Crime is not out of control

While not suggesting that there is an acceptable level of crime, we can say, by looking at the facts, that crime in Ontario is not out-of-control. Contrary to popular belief, the police-reported data show that Ontario is safer now than in the early 1990's and than other provinces in Canada.

Note: Unless specified otherwise, "rate" refers to the number of incidents reported per 100,000 population.

- In 2004, Ontario had the lowest crime rate (5,702) of all the

provinces/territories in Canada for the second year in a row. Of the 9 largest CMA's (census metropolitan area), Toronto had the lowest crime rate (4,699).

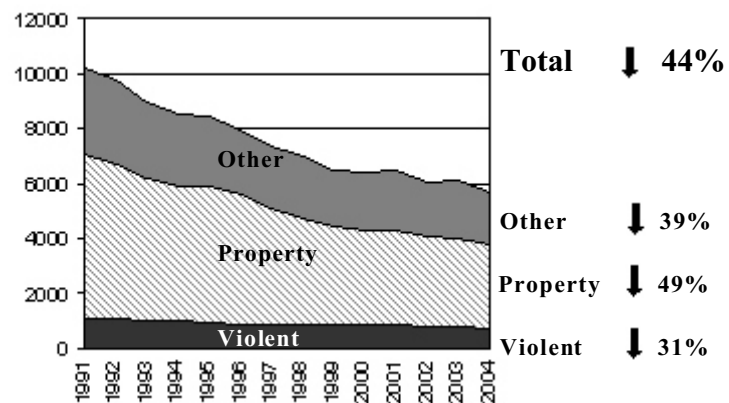
- Ontario led the decline in the national crime rate from 2003 to 2004, with a 5% drop. A number of major CMA's in Ontario reported large decreases, specifically:
 - Hamilton (-13%), Ottawa(-10%),

St. Catharines-Niagara (-9%) Toronto (-9%).

- Ontario's violent crime rate (755) in 2004 was the second lowest in the country, behind Quebec. The province's homicide rate was 1.5, lower than the national average (1.9).
- The property crime rate for Ontario (3,013) was significantly lower than the national average (3,991). The

Chart 1

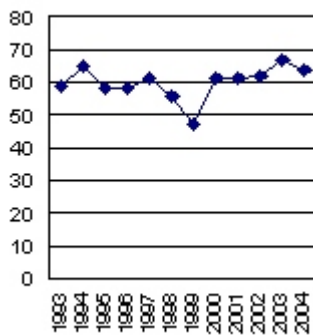
Crime Rate in Ontario
1991 to 2004



Source: Statistics Canada

Chart 2

**Number of Homicides
Toronto 1993 to 2004**



Source: Toronto Police Services

rates for both break and enter and motor vehicle thefts declined from 2003 to 2004 by 9% and 12% respectively.

- Longer-term trends show dramatic decreases in all of the major categories of offences - violent, property and "other" (Chart 1).
- While the number of homicides in Toronto in 2005 (78) has been reported as the highest in a decade (Toronto Star, January. 1, 2006), this fact does not reflect a long-term trend. From 2000 to 2004, the number of homicides in Toronto was stable (Chart 2). The same appears to be true with respect to the number of homicides involving a firearm in Toronto. The number (52) for 2005 does not reflect a long-term trend. In 2004, there were 24 and in each of the years leading up to 2005, the number of homicides involving a firearm had dropped (Ottawa Citizen, January 4, 2006).
- From 1992 to 2004, the number of other crimes involving a firearm in Toronto have either declined - robbery by 44%, assault with a weapon by

59% - or, in the case of attempted murder and sexual assault, have remained stable (Ottawa Citizen, January 4, 2006).

- The rate of youth (per 100,000 youth population) charged by police in Ontario in 2004 was lower than the national average (6,117 and 7,041 respectively). Only Quebec and Prince Edward Island were lower.

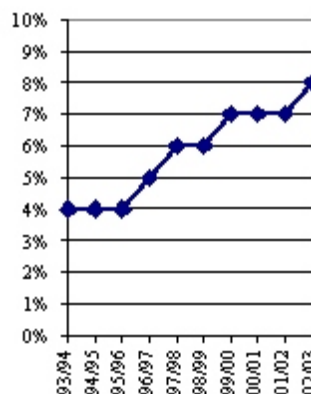
Not soft on crime

Looking at the measures that reflect how we respond to crime, the evidence suggests an approach that is not "soft on crime and criminals".

- There are currently over 23,000 police officers in Ontario - 187 police officers per 100,000 population. The government is increasing this number through an additional \$37 million dollar investment to hire 1,000 more police officers, 400 of which have already been hired and the remaining 600 to be on duty by 2007.

Chart 4

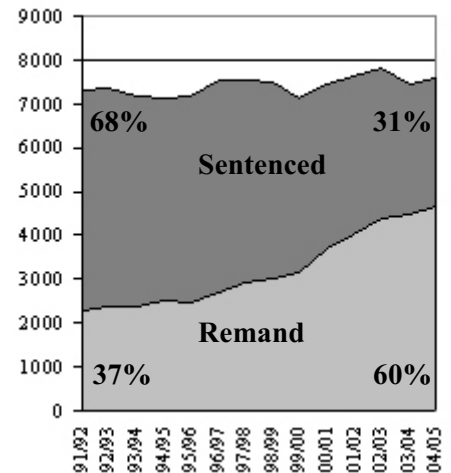
**Time Spent on Remand
Over 3 Months
Ontario 1993/94 to 2002/03**



Source: Statistics Canada

Chart 3

**Distribution of Remand and
Sentenced to Total Population
Ontario Provincial Prisons
1991/92 to 2004/05**

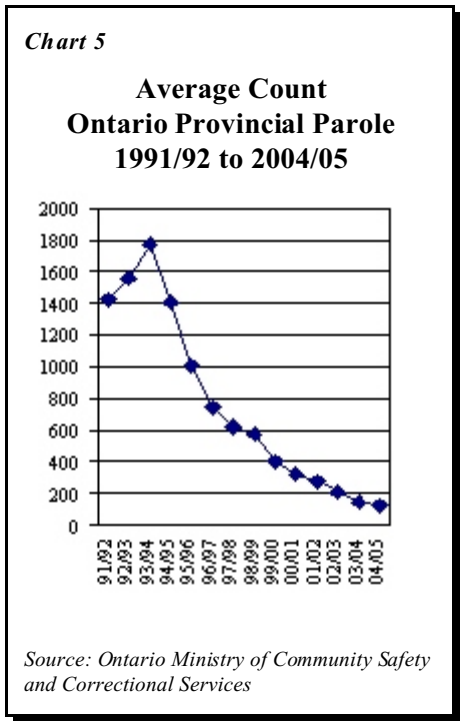


Source: Statistics Canada and Ontario Ministry of Community Safety and Correctional Services

- There are now more untried people in Ontario prisons than sentenced prisoners and their numbers and proportion have been steadily and dramatically increasing over the years. In 2004/05, 60% of those in Ontario provincial prisons on any given day are on remand (mostly untried awaiting a further court appearance either for a bail hearing or, if not granted bail, for their trial), a figure which has grown from 37% in the early 1990's (Chart 3). More people are being admitted on remand and more are staying there for longer before being released on bail or having their trial.
- Remand prisoners are held in maximum security institutions (which impose the greatest restrictions on their movements) and have virtually no access to programs or other meaningful activities. While most

are released from remand in under a month, there are a significant number held on remand under these conditions in excess of three months and up to a year (some even beyond) and the percentage of remands of this length has doubled in a decade (Chart 4).

- In Ontario, in 2003/04, 41% of the cases where there was a finding of guilt resulted in a prison term, higher than the national incarceration rate of 35%.
- The use of conditional release programs (temporary absences, parole) for provincial prisoners in Ontario declined dramatically since the early 1990's. This means that thousands of people who a decade ago would have been out in the community under supervision and involved in programs and services geared to reintegration are now staying in jail longer and then released not subject to any conditions or supervision (Chart 5).



sentences.

Possible reasons for fewer admissions and shorter sentences include:

- ▶ decrease in the crime rate (fewer

sentences of imprisonment) ,

- ▶ use of conditional sentences, a sentencing option by a sentence of imprisonment of under two years can be served in the community, generally under house arrest, when the person is judged to be “non-dangerous” (fewer admitted to prison), and,
- ▶ increasing time spent on remand which increases the time credited towards the sentence for pre-trial detention - typically two days for every day - in recognition of the aversive conditions of remand (shorter sentences and more sentences of “time served” by which the person is released at court and does not become a sentenced admission).

Regardless of the underlying reasons, a decreasing sentenced population has not resulted in increases in the crime rate (Chart 1), contrary to the claims of those who argue for more and longer sentences of imprisonment.

Understanding divergent trends

Looking only at some specific trends with respect to sentenced offenders and young offenders may lead some to suggest a lenient approach. However, some context is required to explain why these trends appear to be different from what we see generally in terms of our responses to crime.

Sentenced population

- The number of sentenced prisoners admitted to Ontario provincial prison serving a provincial sentence (less than two years) has decreased by 31% from 1991/92 to 2004/05 and the average daily count by 43% during this period (Chart 6). These trends mean that fewer people are being sentenced and have shorter

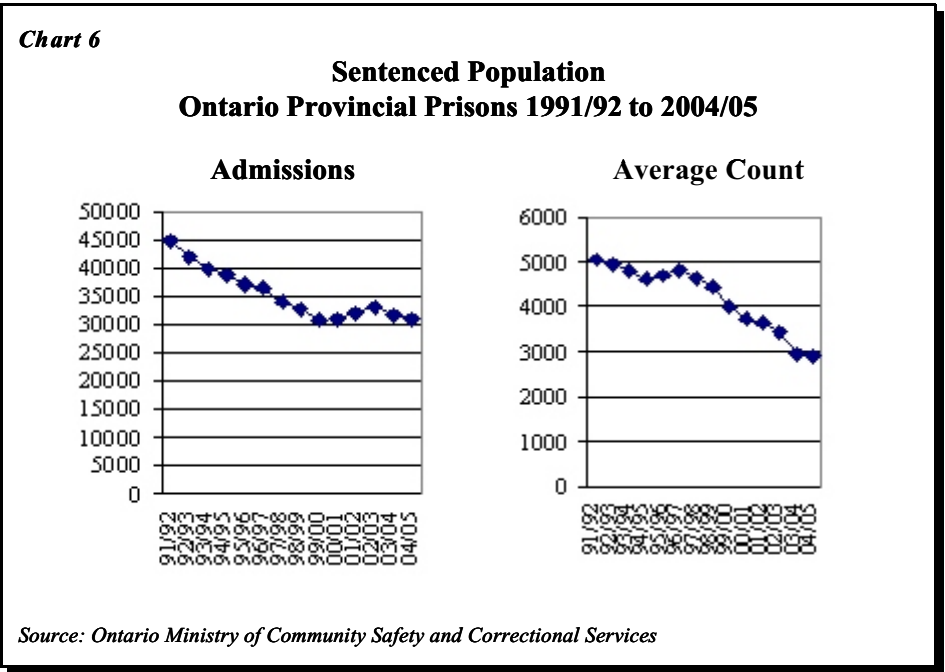
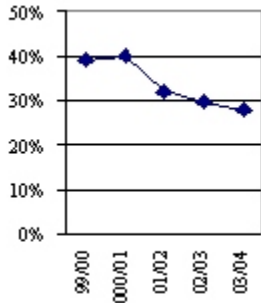


Chart 7

**Youth Sentenced to Custody
Of All Sentenced
Ontario 1999/2000 to 2003/04**



Source: Statistics Canada

Young offenders

The new legislation governing young offenders, the *Youth Criminal Justice Act (YCJA)*, which came into force April 1, 2003, emphasizes pre-court diversion, community alternatives and the reduced use of incarceration. It appears to be having an impact on the use of youth courts and corrections in Ontario.

- Referrals to youth court have dropped significantly. Five years ago, there were 39,096 cases heard in Ontario

youth courts. In 2003/04, this number dropped by 19% to 31,768.

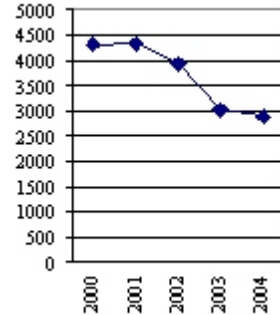
- For a case to be referred to youth court, first and foremost the police must lay a charge. Evidence at the national level shows the charge rate (police laying a charge versus not charging) has decreased, particularly for the more minor offences. Correspondingly, there has been an increase in the use of extrajudicial measures by the police.
- The proportion of youth convicted in Ontario youth courts who have been sentenced to custody has dropped from 39% in 1999/2000 to 28% in 2003/04 (Chart 7).
- In the first full year of the implementation of the *YCJA*, the number of youth incarcerated in Ontario has dropped dramatically from an average daily count of 1,262 in 2002/03 to 410 in 2003/04 - a decrease of 68%. The number of persons on probation has declined as well.

Here again, it appears that the decreasing use of criminal justice measures has not resulted in an increase

in youth crime. Not only has the rate of youth charged significantly decreased (Chart 8) but also early evidence shows no real increase in the rate of chargeable youth - all those charged and not charged (Carrington 2005).

Chart 8

**Rate of Youth Charged
Ontario 2000 to 2004**



Source: Statistics Canada

Before deciding what needs to be done...

Get the facts and understand the context. Only by becoming informed can we make wise, measured and sustainable decisions about how we respond to crime.

Effective, just and humane responses to crime and its causes

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