

Everything You Wanted to Know about Canadian Federal Sex Offenders and More...

Being convicted of a sex-related offence in Canada will not necessarily result in a federal sentence (i.e., two years or more). Individuals who are incarcerated for sex-related offences are more likely to be committed to provincial facilities for a period of less than two years.

Those who do end up under federal jurisdiction are most likely to have received a four-year sentence and to have committed a sexual assault on an adult female.

At any one time, there are apt to be twice as many federal sex offenders serving time in an institution, usually medium-security, than in the community under supervision. Those being supervised in the community are most likely to be on full parole.

Once released, federal sex offenders are less likely than other federal offenders to commit a new offence. In fact, there is less chance of a released federal sex offender committing a new offence than a non-sex offender. However, the probability of a sex offender committing a new sex-related offence once released is higher than that of a non-sex offender.

This information is part of a comprehensive statistical profile of federal sex offenders prepared by the Research and Statistics Branch of the Correctional Service of Canada.

Where information was already available, we reviewed the findings of past studies on Canadian sex offenders. For the most part, however; this article presents original data.

* This article is based on comprehensive statistical information and briefing material prepared by Larry Motiuk, Ray Belcourt, Roger Boe, David Robinson and Sue Séguin of the Research and Statistics Branch, Correctional Service of Canada and on an overview of this information and material which was prepared by Doug Borrowman of the Evaluation Branch.

Background

The Ministry of the Solicitor General struck a working group on the Management and Treatment of Sex Offenders as a result of a number of factors, including the rapid growth of the federal sex offender population and the recommendations of formal enquiries (e.g., Pepino, Daubney).

The working group reported its findings and recommendations in March 1990. Some of the key findings follow:

- Practitioners in the field of sex offender treatment do not claim to "cure" sex offenders. Rather, the treatment strategy is to manage the risk of reoffending (relapse prevention).
- Continuity of treatment from the institution to the community is critical.
- There are not enough experts to meet the demand for sex offender treatment.
- There is a need for more and diverse programming, and outcome research is lacking.
- The limitations of treatment are recognized. The risk of future dangerous behaviour must be

addressed as an issue separate from progress in treatment.

A sound knowledge of the sex offender population is necessary for a follow-up on these recommendations and those of the Correctional Service of Canada's Task Force on Mental Health.

Recognizing this, the Research and Statistics Branch has developed a statistical information base on sex offenders, pooling information from a number of sources including the National Parole Board and the Canadian Centre for Justice Statistics. The following is an overview of some of the information available.

A Snapshot of the Current Situation Total Population

- Categorizing offenders by their major admitting offence - the one for which they received the longest sentence - one finds that **11 of 100** federal offenders are sex offenders (11.3% of the total federal offender population, including incarcerated offenders and those on conditional release).
- On 31 July 1991, there were **2,469** offenders under the jurisdiction of the Correctional Service of Canada whose major admitting offence was sexual in nature.
- About **two thirds** of these sex offenders were in institutions (**incarcerated**) and about **one third** were in the community on some form of **conditional release**.

Incarcerated Population

- Categorizing offenders by their major admitting offence, one finds that **14 of 100** incarcerated offenders are sex offenders (13.9% of the population).
- On 31 July 1991, there were **1,679** offenders incarcerated under federal jurisdiction whose major admitting offence was a sexual offence.
- **One half** of these incarcerated sex offenders were in **medium**-security institutions, and about **one quarter** were in **maximum**-security institutions. More specifically:
 - minimum security: **18.5%** of all sex offenders;
 - medium security: **51.3%** of all sex offenders; maximum security: **25.8%** of all sex offenders; and
 - regional psychiatric or treatment centres: **4.3%** of all sex offenders.

Conditional Release Population

- Categorizing offenders by their major admitting offence, one finds that **eight of 100** offenders on conditional release are sex offenders (8.1% of the population).
- On 31 July 1991, there were **790** federal offenders on conditional release whose major admitting offence was a sexual offence.
- **One half** of these sex offenders on conditional release were on **full parole**, and a little more than **one third** were on **mandatory supervision**. More specifically, of the 790 sex offenders on conditional release:

- **117** (14.8%) were on **day parole**;
- **389** (49.2%) were on **full parole**; and
- **284** (35.9%) were on **mandatory supervision**.

Where Are These Sex Offenders?

- Regionally, the **Ontario and Prairie regions** have the most sex offenders, with each being responsible for approximately **one quarter** of the sex offender population.
- In a comparison of the proportion of sex offenders in each region with the proportion of general offenders, **Quebec** has a **smaller proportion** of sex offenders than general offenders. The **Prairie and Pacific regions** have **larger proportions** of sex offenders than general offenders.
- More specifically:
 - Atlantic: **10.0%** of sex offenders, and **9.7%** of all offenders (about the same proportion of each);
 - Quebec: **20.3%** of sex offenders, and **29.6%** of all offenders (proportionately fewer sex offenders);
 - Ontario: **25.2%** of sex offenders, and **26.4%** of all offenders (about the same proportion of each);
 - Prairies: **26.2%** of sex offenders, and **20.9%** of all offenders (proportionately more sex offenders);
 - Pacific: **18.3%** of sex offenders, and **13.4%** of all offenders (proportionately more sex offenders).

Understatement of Sex Offender Population

The actual number of sex offenders incarcerated or under some form of conditional release is **understated** because current computer systems identify offenders by their major admitting offence.

The Correctional Service of Canada's National Sex Offender Census, conducted in March 1990, identified all offenders who had committed a sex offence, not just those whose most serious offence was sexual in nature.

The census included anyone currently serving a sentence for a sex offence (about 85% of those identified through the census fall into this group); anyone who was convicted in the past for a sex offence; anyone who has committed a sexually related offence; and anyone who has previously committed a sex offence but was never convicted.

The census identified about **15% more** sex offenders than the computer systems.

Accordingly, the census study showed that sex offenders make up **18.9%** of the incarcerated population (compared with 13.9% identified through computer systems) and **9.9%** of the conditional release population (compared with 8.1%).

Recent Trends Sex Offender Population

- The incarcerated sex offender population under federal jurisdiction has **grown rapidly and disproportionately** to the total offender population over the last five years.
- The number of offenders whose major admitting offence was a sex offence has grown from **1,339 (10.6%** of the offender population) in 1986/87 to **1,716 (12.4%** of the population) at the end of March 1991.
- Only a small proportion of sex offenders in Canada fall under the jurisdiction of the Correctional Service of Canada. In 1987/88 and 1988/89, fewer than **one of four** sex offenders sentenced to a term of incarceration were given a federal sentence (of two years or more).

Admissions

- Over the past five years, there has been a **20.4% growth** in the rate of admission of offenders whose major admitting offence was a sex offence.
- In 1986/87, there were **545** admissions of sex offenders (**8.9%** of a total of 6,136 admissions). By 1990/91, this figure had risen to **692 (10.7%** of a total of 6,475 admissions).

Releases

- Over the past five years, there has been a **17.6% growth** in the rate of release of offenders whose major admitting offence was a sex offence.
- In 1986/87, there were **501** releases of sex offenders (**8.1%** of a total of 6,165 releases). By 1990/91, this figure had risen to **599 (9.6%** of a total of 6,266 releases).

Sentence Length

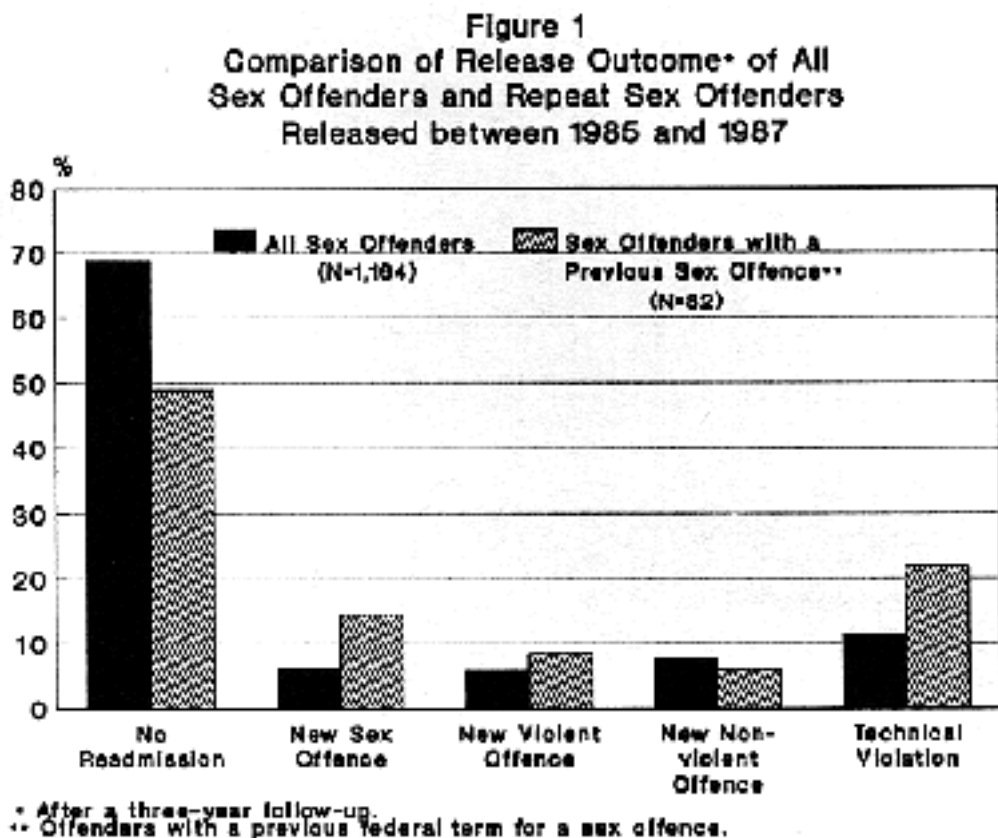
- The average sentence length in 1990/91 for all offenders admitted with a sex offence as their major admitting offence was **four years and three months**.
- The average sentence length for sex offenders has **not changed** significantly over the last five years, although it has increased slightly (by **1.7%**).
- There is **no significant difference** between the average sentence length of sex offenders and that of all federal offenders.
- In 1990/91, the average sentence length for all federal offenders was **4.13 years**, or one month less than for sex offenders.

Recidivism and Return Rates

- The recidivism rate of sex offenders is **less** than that of offenders in general.
- Sex offenders are **more likely** than offenders in general to return to prison or to recidivate with a sex offence.
- Compared to all sex offenders, **repeat sex offenders** (those with a previous federal term for a sex offence) are more than **twice as likely** to commit further sex offences, **much more likely** to

violate conditional release conditions, and **more likely** to reoffend with a non-sexual offence.⁽¹⁾
(See Figure 1.)

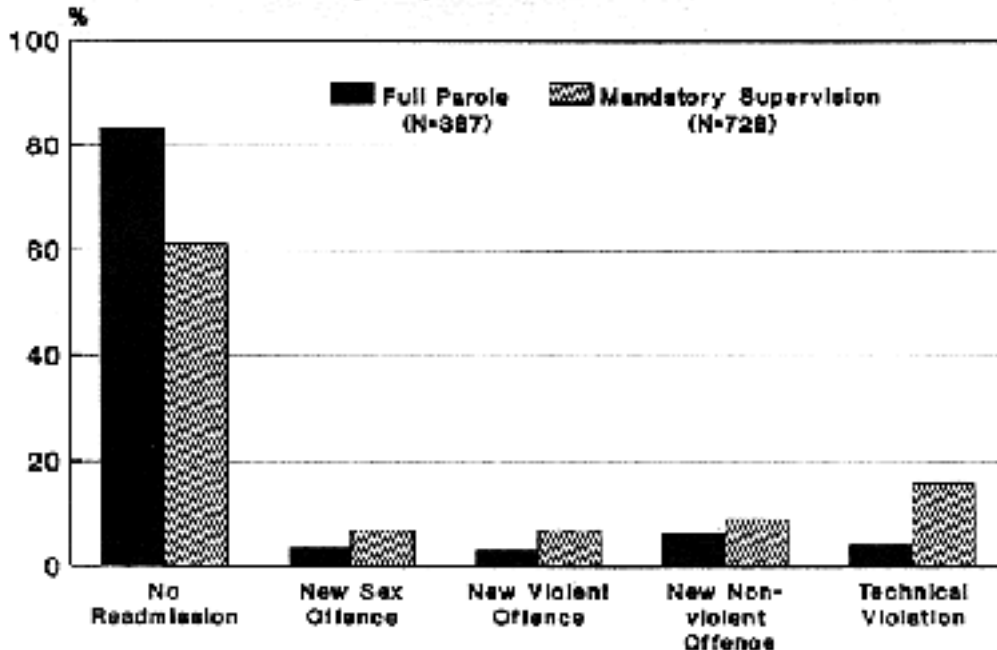
Figure 1



- More specifically, a three-year follow-up study of all sex offenders released from federal institutions between 1985 and 1987 (N=1,164) found the following (see also Figure 1):
 - no readmissions: repeat sex offenders - **48.8%**; all sex offenders - **68.8%**
 - new sex offences: repeat sex offenders - **14.6%**; all sex offenders - **6.2%**
 - new violent offences: repeat sex offenders - 8.5%; all sex offenders - 5.9%
 - new non-violent offences: repeat sex offenders - 6.1%; all sex offenders - 7.7%
 - technical violations: repeat sex offenders - 21.9%; all sex offenders - 11.3%
 - This study also found that sex offenders who were released on mandatory supervision were **twice** as likely to commit further sex offences than those released on full parole and **more than twice** as likely to commit violent offences. (See Figure 2.)

Figure 2

Figure 2
Comparison of Release Outcome* of
Sex Offenders Released on Full Parole
and Mandatory Supervision between 1985 and 1987



* After a three-year follow-up.

- More specifically, the study found the following:
 - no readmissions: mandatory supervision -**61.3%**; full parole -**83.2%**
 - new sex offences: mandatory supervision -**6.9%**; full parole -**3.4%**
 - new violent offences: mandatory supervision -**7%**; full parole -**3.1%**
 - new non-violent offences: mandatory supervision - **8.9%**; full parole -**6.2%**
 - technical violations: mandatory supervision - **15.9%**; full parole - **4.1%**

Detention Cases

Under normal circumstances, offenders are eligible to be released on day parole after serving one sixth of their sentence, and full parole may come after one third. If an offender poses too great a risk to the public, he or she will not be granted parole. After serving two thirds of their sentence, these offenders must be released on mandatory supervision unless exceptional circumstances warrant their being detained until the end of their sentence.

- Since detention legislation was effected, **half (52.6%)** of all offenders detained (309 of 587) have been sex offenders, a highly disproportionate number.
- Moreover, the number of sex offenders detained in federal penitentiaries has increased by **150%** over the last five years, from **32** in 1986 to **80** in 1990.

Types of Sex Offence

- According to the National Sex Offender Census,⁽²⁾ **most** sex offenders had committed either a **sexual assault** or "**mixed**" **sex offences**. **Pedophilia** was also common. The **least** frequent offence was **incest**.
- More specifically:
 - mixed offences: **27.9%** of sex offenders;
 - sexual assault: **25.2%** of sex offenders;
 - pedophilia: **21.0%** of sex offenders;
 - incest: **6.2%** of sex offenders; and
 - other offences or not known: **4.6%** of sex offenders.

Information about Victims

The National Sex Offender Census also gathered information on the victims of federal sex offenders. While the census looked at offenders' past sex offences, for the purpose of this section on victims, only current sex offences are considered (N=2,561).

Age

- **Adults** are **more frequently** the victims of sex offenders. The sex offender census found that an adult was the victim in about **half** the cases, a **child** in about **one third** and an adolescent in about **one third**.⁽³⁾
- More specifically:
 - adult (18 or over) victims: 1,288 cases;
 - adolescent (12 to 17) victims: 847 cases; and
 - child (under 12) victims: 864 cases.

Degree of Physical Injury

- The census also showed that in more than **half** the cases, the victim had slight or no physical injuries.
- In more than **one of 20** cases, the victim had injuries severe enough to cause death.
- More specifically:
 - no physical injury: **26.2%** of cases;
 - slight physical injury: **31.2%** of cases;
 - treated and released: **11.5%** of cases;
 - hospitalized: **9.6%** of cases;
 - caused death: **6.4%** of cases; and
 - not known: **16.1%** of cases.

Psychological Harm to Victims

Although psychological harm is more difficult to assess than physical injury, a review of relevant

literature, carried out on behalf of the Solicitor General Secretariat, had some important findings.

- The **majority** of victims suffer **severe trauma** shortly after a sexual attack.
 - **One of four** adult victims and **one of two** child victims report **long-term negative effects**.
 - Less than two days after the sexual attack, **three quarters** of adult victims are unable to do ordinary daily tasks, and **almost half** suffer severe psychological disturbances.
 - More than a year after the incident, **one quarter** of adult victims report continuing negative effects.
 - In the first year following disclosure of the sexual attack, **half to almost three quarters** of child victims display significant psychological symptoms.
 - **Half** of adults who were sexually abused as children report lasting negative effects.
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⁽¹⁾A. Gordon and F. Porporino, "Managing the Treatment of Incarcerated Sexual Offenders," *Corrections Today*, 53, 5 (1991): 162-168.

⁽²⁾As mentioned previously, the sex offender census included offenders who had committed sex offences in the past as well as those who currently were serving a sentence for a sex offence.

⁽³⁾Figures may not total 100% as some offenders had multiple victims in more than one age group.