

Recent statistical trends shaping the corrections population in Canada

by Roger Boe, Larry Motiuk and Michael Muirhead¹
Research Branch, Correctional Service of Canada

During the five-year period 1989–1990 to 1994–1995 the inmate populations in Canada grew rapidly. According to a special report prepared for the Federal/Provincial/ Territorial (FPT) Ministers Responsible for Justice, the federal penitentiary population grew especially quickly — by 22%, a growth rate twice the historic average.² Provincial prison populations also grew rapidly, although their 12% growth was relatively modest by comparison. Fortunately, inmate populations have begun to recede from the peaks achieved in 1994 and 1995, and the correctional system growth rate appears to be slackening.

Although this rapid growth has abated, considerable interest has arisen in identifying and understanding its sources. A special working group of deputy ministers and heads of corrections is currently studying the issue, and periodically issues progress reports.³ The Research Branch of the Correctional Service of Canada is also examining these inmate population growth patterns to identify and quantify factors that might lead to better forecasting. This article reports on some of our preliminary findings.

Sources of rapid population growth

The special FTP working group suggested a number of causes for the rapid growth in inmate populations. The working group agreed that several factors in combination were the likely source of the rapid growth:

- “At the provincial/ territorial level of the system more custodial sentences were being given and for longer periods of time; there has been significant growth in charges for sexual and other assaults.
- “Federally, there have been fewer conditional releases granted and more revocations of conditional release, resulting in more time being served by more offenders; in addition, there has been significant growth in the proportion of offenders serving sentences for violent offences including homicide.”⁴

The crime rate in Canada began to decline in 1991 so the sudden growth in inmate populations was most likely attributable to a combination of other factors. This paper examines the three most plausible causes, namely:

- a rapid increase in prison and penitentiary admissions;
- changes in the length of the average sentence handed down by the courts; and
- changes in the average length of time served in custody by offenders.

Unfortunately, not enough data are available yet from the new Adult Court Survey of the Canadian Centre for Justice Statistics to do a time series analysis, so we cannot say much about actual sentencing trends. The analysis will obviously benefit once this court data is available.

Trends in annual prison admissions

There is little doubt that a sharp increase in annual admissions contributed significantly to the rapid increase in the inmate populations in provincial and territorial prisons (see Table 1). This increase was also notable at the federal jurisdictional level, although the build-up in annual admissions began earlier and peaked earlier at the provincial-territorial level — it occurred mainly in the period between 1986–1987 and 1992–1993 and peaked in 1992–1993, a year earlier than the peak in federal admissions in 1993–1994. This was predominantly caused by increases in the “remand” (i.e., non-sentenced) population that began in 1985–1986. For most of this period, if remand admissions had not increased, the admission trend would likely have remained relatively flat (see Figure 1).

There is little doubt that a sharp increase in annual admissions contributed significantly to the rapid increase in the inmate populations.

Table 1

Provincial Custody Admissions, Aggregate Sentence and Time Served

Annual admissions to provincial custody, sentenced and remand														
	1983-1984	1984-1985	1985-1986	1986-1987	1987-1988	1988-1989	1989-1990	1990-1991	1991-1992	1992-1993	1993-1994	1994-1995	1995-1996	1996-1997
Sentenced admissions	129,748	123,771	119,299	116,269	117,325	116,051	115,100	114,834	120,733	121,817	119,789	117,938	114,562	107,997
Remand admissions	60,885	61,042	63,722	67,638	72,816	82,202	84,797	92,893	123,014	123,929	120,945	120,922	115,768	117,462
Total admissions	190,633	184,813	183,021	183,907	190,141	198,253	199,897	207,727	243,747	245,746	240,734	238,860	230,330	225,459
Median aggregate sentence for inmates in provincial custody (days)														
Median aggregate sentence	28	28	30	30	30	31	31	31	31	31	31	33	31	31
Median time served by inmates in provincial custody (days)														
Sentenced releases	24	14	20	22	21	21	22	20	19	18	26	27	27	24
Remand releases	11	5	6	6	6	5	6	6	5	4	6	6	6	7
Total releases	19	9	12	13	9	9	12	10	11	10	11	8	12	16

Source: Canadian Centre for Justice Statistics, *Adult Correctional Services in Canada*.

Figure 1

Annual Admissions to Provincial Custody

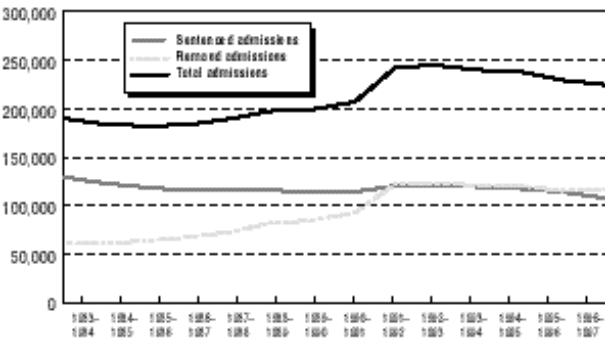
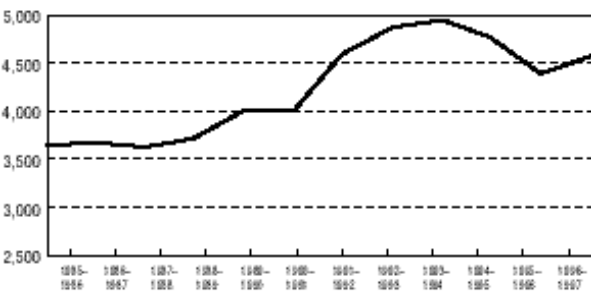


Figure 2

Annual Admissions to Federal Custody on Warrant of Committal



Our analysis of federal admissions focuses primarily on federal Warrant of Committal admissions (i.e., inmates serving a ‘determinate’ sentence of two years or more). Other admission types were excluded to permit an examination of aggregate sentence length and time served.

The federal Warrant of Committal admissions sample accounts for nearly two thirds of all federal admissions each year (revocation admissions account for the next largest proportion, or about 30% of admissions each year).⁵ Federal admission trends show that the annual number of Warrant of Committal admissions began to increase noticeably only in 1989–1990 (see Figure 2).

Federal Warrant of Committal admissions increased from 4,004 in 1989–1990 to 4,948 in 1993–1994 — almost 1,000 offenders per year or nearly 25% (see Table 2). After peaking in 1993–1994, admissions decreased to 4,569 per year by 1996–1997. Clearly, the increase in federal Warrant of Committal admissions was significant and contributed in large measure to the rapid growth experienced during the period.

The rapid growth in the federal inmate population began about two years after provincial and territorial admissions had begun to increase. Federal growth accelerated in 1991–1992 and peaked in 1993–1994, lagging the provincial-territorial system by one year. Because the two increases are so nearly synchronized, one could infer that federal and provincial-territorial admission rates were responding to a common force or series of events, but that question remains unanswered. Since peaking two or three years ago, the growth rate has significantly declined in both systems.

Trends in the average length of sentence

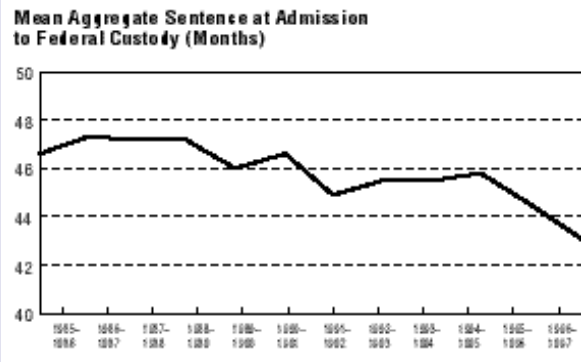
Each year, Statistics Canada publishes the average (median, in days) aggregate sentence for sentenced admissions to provincial and territorial custody and the average (mean, in months) aggregate sentence for admissions to federal custody.⁶

The average sentence length reported for provincial and territorial offenders is about 31 days and it has remained at or about this length since 1988–1989. Median aggregate sentence length for provincial and territorial sentenced admissions has increased since the early 1980s, from 28 days to 31 days, an increase of nearly 11% (see Figure 3). This increase occurred between 1984–1985 and 1988–1989, and, since then, the median sentence has remained stable except for a one-year spike in 1994–1995, which seems to have been transitory. The combination of larger numbers of remand admissions described above and the 11% longer average sentences would contribute substantially to the growth of inmate populations in provincial and territorial prisons.

The mean average aggregate sentence for federal Warrant of Committal admissions is significantly longer than the average provincial-territorial

toward shorter federal aggregate sentences. Unlike the evidence presented for the length of the average provincial or territorial sentence, the federal trend suggests that population growth in the federal correctional system was unlikely to have resulted from an increase in the length of the average sentence.

Figure 4

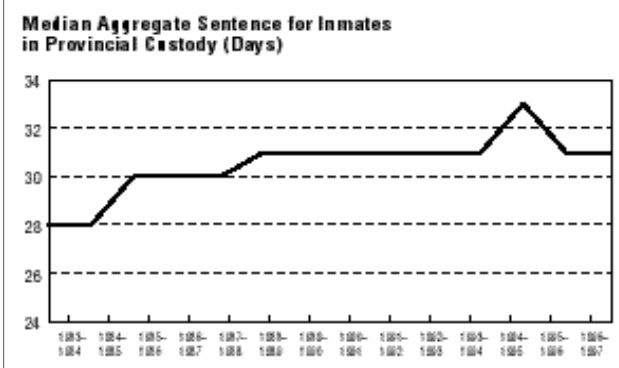


Trends in the average time served

The average time served on recent provincial and territorial sentences (for sentenced releases) appears now to be about 25 days. The average aggregate sentence was found to be about 31 days, so this indicates that the average sentenced provincial offender serves about three quarters of the aggregate sentence in custody. The aggregate sentence length has remained fairly stable over the past decade while the average time served has increased somewhat during this period, thereby contributing to the growth of the provincial and territorial inmate populations.

The average time served for provincial and territorial sentenced offenders increased during the period but time served for remand offenders remained relatively stable (see Figure 5). Remand admissions, however, accounted for most of the admission growth over the past decade and the time served for remand releases showed no real increase. The net effect of these various trends is that the overall time served in provincial and territorial custody has probably decreased slightly although there is a significant spike in the sentenced time served in recent years. With respect to correctional population growth, it is difficult to see any clear pattern although time served for sentenced releases and for total releases have increased since 1992–1993.

Figure 3



sentence — about 44 months. This reflects the two-year rule: custodial sentences of two years or more are served in federal penitentiaries, while sentences less than two years may be served in provincial or territorial prisons. The average federal sentence also became shorter over the same period (see Figure 4).

Although there is some year-to-year variation in the federal average, the trend is unmistakably

Figure 5

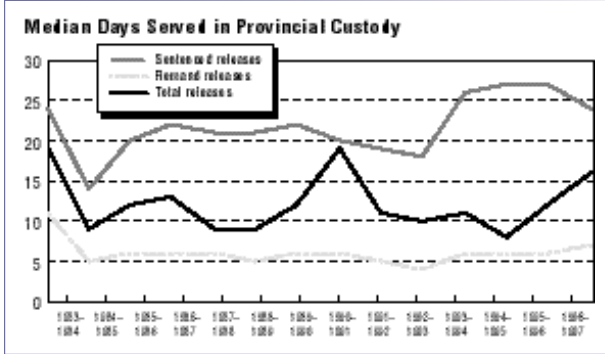
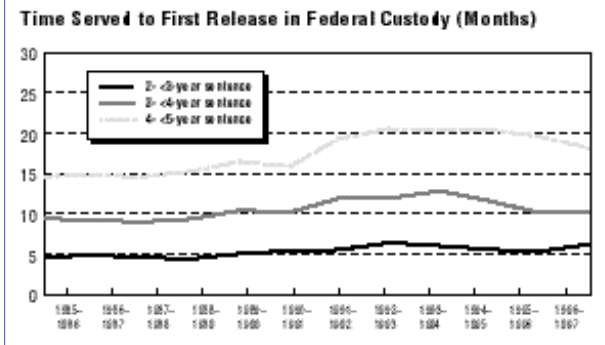


Figure 6



For federal offenders, the average time served in federal custody until first release reflects the discretionary release aspect of the *Corrections and Conditional Release Act (1992)*.⁷ The data collected is for Warrant of Committal admissions and indicates that the average time served in federal custody has remained relatively constant over the period under review. Figure 6 shows only the average time served for offenders admitted over the past decade with shorter aggregate sentences (e.g., those between two years to less than three years and including four years to less than five years) because the follow-up period for offenders with longer sentences in the more recent years is not long enough for good estimates. (Note that offenders sentenced to terms of less than five years represent nearly 80% of all Warrant of Committal admissions). Most federal offenders, especially those serving shorter two- to five-year sentences, serve about half of their sentence in custody and the other half under supervision in the community. Provincial or territorial offenders serve only about one third of their sentence in custody.

Table 2

Federal Warrant of Committal admissions, aggregate sentence

	Annual admissions to federal custody											
	1985-1986	1986-1987	1987-1988	1988-1989	1989-1990	1990-1991	1991-1992	1992-1993	1993-1994	1994-1995	1995-1996	1996-1997
Sentence length												
2<3 years	1,462	1,477	1,458	1,524	1,644	1,588	1,928	2,050	2,037	2,041	1,961	1,818
3<4 years	938	921	898	933	1,040	1,018	1,191	1,190	1,281	1,165	1,015	1,019
4<5 years	449	487	460	438	506	540	552	640	603	558	530	617
5<6 years	285	260	281	276	283	317	337	340	363	327	326	334
6<7 years	132	129	147	145	173	166	171	188	214	199	162	183
7<8 years	112	132	99	111	116	88	120	141	134	141	140	133
8<9 years	82	71	82	85	65	93	94	108	93	96	62	78
9<10 years	48	40	39	46	42	45	49	46	57	58	42	59
10+ years	136	155	162	157	135	150	148	166	166	182	153	142
Total	3,644	3,672	3,626	3,715	4,004	4,005	4,590	4,869	4,948	4,767	4,391	4,569
Mean aggregate sentence at Warrant of Committal admission (months)												
Mean aggregate sentence	46.6	47.3	47.2	47.2	46.0	46.6	44.9	45.5	45.5	45.8	44.5	43.1
Average time served to first release (months)												
Sentence length												
2<3 years	15.71	14.17	14.71	14.82	14.39	13.79	13.41	13.23	13.68	13.96	13.80	—
3<4 years	21.04	18.77	18.57	19.10	18.23	17.84	17.47	17.31	18.35	16.97	—	—
4<5 years	25.35	23.70	25.27	24.52	22.15	23.59	22.52	23.79	23.70	—	—	—
Total	22.25	21.67	—	—	—	—	—	—	—	—	—	—

Source: Canadian Centre for Justice Statistics, *Adult Correctional Services in Canada*.

The average time served in federal custody appears to have decreased slightly since 1987. It is therefore unlikely that the length of time served would have contributed materially to the recent rapid growth of the federal inmate population.

Summary and conclusions

Of the three major factors examined here, growth in new admissions seems to be the main factor in the sudden population growth in correctional institutions. This growth appeared first in the provincial-territorial system, and lasted about five years, from 1986–1987 to 1991–1992. In the federal system, the increase began three years later (starting in 1989–1990), also lasted about five years, and ended in 1994–1995, after provincial admission growth had peaked.

Secondly, provincial and territorial systems also have to take into account the increase (11%) in aggregate sentences, along with a slight recent increase in the average time served. Both the average sentence and time served trends show a decrease for federal admissions, suggesting that these factors had a moderating effect on penitentiary population growth.

If the growth of Canada's inmate population was driven mainly by an increase in new admissions, what were the forces driving the growth in admissions? This question cannot be answered from these data; further research is required.

Of the three major factors examined here, growth in new admissions seems to be the main factor in the sudden population growth in correctional institutions.

The special working group mentioned several factors other than the three examined here. Perhaps some answers may be found in that list. In addition, we think some of the growth resulted from major changes in the corrections legislation (e.g., Bill C-67, 1987; Bill C-36, 1992) and the *Criminal Code of Canada*. Finally, since 1978, Canada has experienced two major recessions, a massive restructuring of the economy and considerable regional restructuring. These changes have all affected the populations of correctional systems, but the extent of these effects has yet to be analyzed.

These results present the corrections community with another challenge — admission patterns are notoriously difficult to predict. The Service is just beginning to develop a forecasting model for federal admissions. We expect this development to augment our knowledge about correctional population dynamics, and hope to understand the general predictors of growth better. We will report our results as this research progresses. ■

¹ 340 Laurier Avenue West, Ottawa, Ontario K1A 0P9.

² *Corrections Population Growth, Report for Federal/Provincial/Territorial Ministers Responsible for Justice* (Ottawa, ON, May 1996): 1 and 4.

³ A progress report under the same title was issued in February 1997.

⁴ *Corrections Population Growth: 2*.

⁵ A Warrant of Committal admission file was developed for the Service covering the 1985–1986 to 1995–1996 period. The total population from January 1, 1994, to September 1, 1996, contains 88,477 federal admissions, of which approximately two thirds (66.4%) are Warrant of Committal admissions, slightly under one third (30.6%) are Revocation or Termination admissions, and the rest (3%) are "Other" admissions. Of the approximately 59,000

Warrant of Committal admissions, 3.6% were indeterminate sentences (e.g., with no aggregate sentence recorded) and 11.3% were admissions with an aggregate sentence of less than two years. The remaining 85% of Warrant of Committal admissions were selected for analysis. By limiting the study to complete fiscal years (1985–1986 through 1995–1996), the analysis file yielded 46,231 offenders.

⁶ Canadian Centre for Justice Statistics, *Adult Correctional Services Canada* (annual), Cat. no. 85-211.

⁷ A federal sentence includes both statutory community supervision (e.g., statutory release — normally beginning at the last third of the sentence) and discretionary community supervision (e.g., day parole, full parole or both); discretionary community supervision can begin after serving six months of the sentence and is at the discretion of the National Parole Board.