

The processing of adult females through the police and court stages of the Canadian criminal justice system

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Adult females in the Canadian criminal justice system have come under increased scrutiny in Canada during the past decade. This scrutiny was spurred by the report of the Task Force on Federally Sentenced Women,² which facilitated the decentralization of the federal female inmate population from one institution to five regional ones. Incarceration, however, represents only the final stage of the Canadian criminal justice process. This article focuses on trends in the police and criminal court stages which, in turn, affect federal female incarceration rates in Canada.

The Canadian criminal justice system can be viewed as a series of successive stages through which an offender passes before reaching incarceration. The primary stages of this process are:

- (1) a criminal act is committed;
- (2) the police respond to the incident/charge laid;
- (3) a criminal court trial is initiated;
- (4) the trial results in a conviction; and

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(5) the conviction leads to incarceration.³

This article examines the flow of adult female offenders through the police and court stages on the national level (see Diagram A).⁴ It analyzes the 1992 to 1996 annual Uniform Crime Reports and the 1994–95 to 1996–97 annual Adult Criminal Court data. The Adult Criminal Court survey collects data on a fiscal-year basis (e.g., from April 1 to March 31) whereas the Uniform Crime Report survey collects information for a calendar year.

Federal criminal justice policy makers could use these findings to identify trends in matching offence type to programming requirements and trends in court dispositions,

which would help them forecast federal incarceration rates.

1. Police Stage, 1992–1996

A. Adult females charged by police⁵

In the five years examined here, there has been a decrease in the rate of adult females charged by police per 10,000 adult female population. The rate decreased from 85.5 per 10,000 in 1992 to 66.0 in 1996.

By offence category, property crime rates decreased from 43.2 to 31.0 per 10,000 adult female population and the rates for other crimes decreased from 23.8 to 18.2. Drug offence rates and violent crime rates showed a slight decrease, from 5.4 to 4.5 and from 13.1 to 12.3 respectively (see Figure 1).

By violent offence type, the rate for homicide and related offences⁶ remained stable at a low rate (approximately 0.05 per 10,000

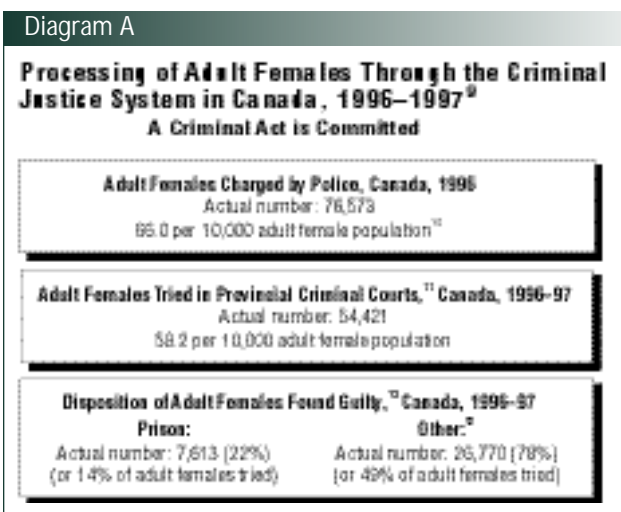


Figure 1

Adult Females Charged by Police per 10,000 Adult Female Population, Canada



adult female population) from 1992 to 1996. There was an overall decrease in robbery (from 0.65 to 0.55), and a slight decrease in both attempted murder (from 0.09 to 0.06), and abduction (from 0.08 to 0.06). The sexual assault and other sexual offences charge rate also declined (from 0.21 to 0.16), and — with the exception of 1994 — non-sexual assault declined slightly (from 1.2 to 1.1).

2. Adult Criminal Court Stage, 1994–95 to 1996–97

A. Adult females processed through the court system⁷

The annual collection of Adult Court Survey statistics began in 1994–95, which limits the period of comparison between police and court information. At the national level over this period, the rate of adult females processed through the court system per 10,000 adult female population has decreased slightly from 63.3 to 58.2.

The trend by offence type shows a decrease in the rates of property crimes processed (from 27.3 to 24.4), and a slight decrease in the rate of violent crimes processed (from 10.9 to 10.3). There was also a slight decrease in the rate for drug offences (from 4.2 to 3.7) and for other crimes processed (from 20.9 to 19.8) (see Figure 2).

Figure 2

Adult Females Processed Through the Court System per 10,000 Adult Female Population, Canada



Focusing on specific violent offences, per 10,000 adult female population, the rates for homicide and related offences remained relatively stable (average about 0.05), as did the rates for attempted murder (average 0.04), abduction (average 0.06), and robbery (average 0.34). There was a decrease in sexual assault and other sex offences (from 0.15 to 0.10) and major and common assault (from 1.02 to 0.97).

B. Court dispositions of adult females⁸

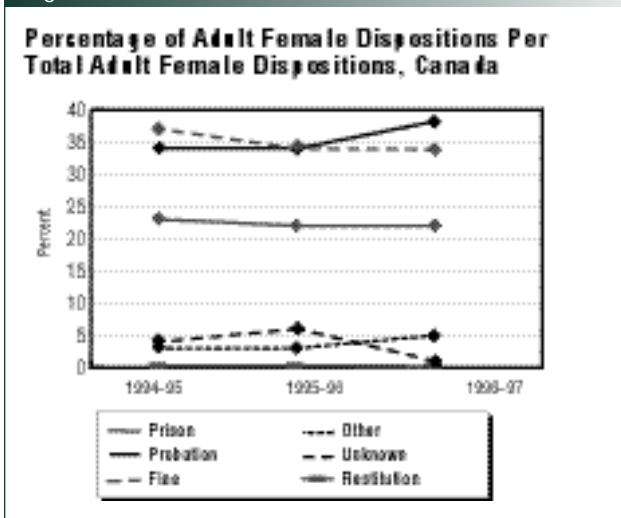
At the national level, the number of female court dispositions decreased from 36,058 in 1994–95 to 34,383 in 1996–97.

With regard to the different dispositions recorded between 1994–95 and 1996–97, the proportion of prison dispositions decreased slightly (from 23% to 22%), while probation dispositions increased (from 34% to 38%) and fine dispositions decreased (from 37% to 34%). Restitution orders

remained relatively stable at an average of 0.08%, other dispositions increased from 3% to 5%, and the proportion of unknown dispositions decreased (from 4% to 1%) (see Figure 3).

In the five years examined here, there has been a decrease in the rate of adult females charged by police per 10,000 adult female population.

Figure 3



- ¹ 340 Laurier Avenue West, Ottawa, Ontario K1A 0P9.
- ² The mandate of the Task Force on Federally Sentenced Women was to examine “the correctional management of federally sentenced women from the commencement of sentence to the date of warrant expiry and to develop a plan...[to]...guide and direct this process in a manner...responsive to the unique and special needs of this group” (Creating Choices, 1990:1).
- ³ L. B. Deutschmann, *Deviance and Social Control*, 2nd Edition (Toronto: ITP Nelson, 1998).
- ⁴ For regional rates refer to C.A. Dell and R. Boe, research brief B-21, *Adult Female Offenders in Canada: Recent Trends* (Correctional Service Canada, 1998).
- ⁵ Source: *Uniform Crime Report*.
- ⁶ Homicide and related offences include the Criminal Code offences of first-degree murder, second-degree murder, manslaughter and infanticide.
- ⁷ Source: *Adult Criminal Court Survey*.

Discussion

Analysis of the police and court data during this recent but relatively short period has revealed several findings that may interest federal criminal justice workers. The actual number of police charge rates and female court dispositions has decreased. Of greater interest to the federal correctional system is the slight decrease in prison dispositions and an increase in probation and other dispositions. Restitution orders have remained a very small proportion of all adult female dispositions. ■

- ⁸ Source: *Adult Criminal Court Survey*.
- ⁹ As noted earlier, data for the Adult Criminal Court Survey are collected by fiscal year while Uniform Crime Report data are collected by calendar year. Caution must therefore be made in comparing the data across police and court sectors. As well, the population estimates (from Statistics Canada) are for July 1 of the indicated years.
- ¹⁰ Rate per 10,000 total adult (aged 18 years and older) female population.
- ¹¹ The Canadian total does not include British Columbia, Manitoba, New Brunswick and Northwest Territories for 1996-97.
- ¹² This summary does not include adult female offenders raised to higher courts, or court findings of not guilty, absolute discharge, etc.
- ¹³ ‘Other’ includes probation, fine, restitution, absolute and conditional discharge, suspended sentence, payment of legal costs, suspension of drivers’ license, and unknown.

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