

## CHAPTER XXVII.—JUDICIAL AND PENITENTIARY STATISTICS.\*

**Canadian Criminal Law and Procedure.**—An account of the development of the Criminal Code in Canada was given at pp. 1085-1087 of the 1934-35 edition of the Year Book. In this article a *résumé* of procedure and of the extent and jurisdiction of the various classes of judges and magistrates was given.

The statistics presented in the tables that follow, which are summarized from the Annual Report of Statistics of Criminal and Other Offences, are collected directly from the criminal courts in the different judicial districts throughout the Dominion. There are 154 judicial districts, including 4 sub-districts, divided as to provinces as follows: Prince Edward Island 3, Nova Scotia 18, New Brunswick 15, Quebec 23, Ontario 47, Manitoba 6, Saskatchewan 19, Alberta 14, British Columbia 8 and Yukon 1. The figures for the Northwest Territories are obtained from the reports of the Royal Canadian Mounted Police.

### Section 1.—General Tables.

The statistics relate to years ended Sept. 30, the latest report being for 1934. Beginning with the report for 1922, an enlargement of the classification of offences has been adopted, by which offences of juvenile offenders are compiled separately from those of adults.

According to the provisions of the Criminal Code, offences are classified as indictable and non-indictable. Broadly speaking, indictable offences are triable by jury, although in certain classes the accused is accorded the right of election as to whether he be tried by jury or before a judge without the intervention of a jury, and in other cases the jurisdiction of the magistrate as to trial is absolute and does not depend upon the consent of the accused. Non-indictable offences are usually dealt with summarily by police magistrates under the Summary Convictions Act and comprise breaches of municipal regulations and other minor offences. The term "indictable" applies to offences of adults only, similar offences committed by juveniles being termed "major" offences; similarly, "non-indictable" offences of adults are termed "minor" offences when attributed to juveniles. Previous to 1922, however, the classification into criminal and minor offences was followed in classifying statistics; the historical Table 1 and the more detailed short-term statistics of Table 2 continue the classification on a comparable basis, giving the totals for all offences, *i.e.*, different classes of criminal offences and minor offences, *including those of juvenile delinquents*. In connection with Table 1, it should be remembered that, while the Criminal Code undergoes little change over periods of time, the figures of summary convictions are influenced very much by the changing customs of the people, and are apt to increase with the increasing urbanization of the population. The most significant column of this table is the figure of criminal offences per 100,000 of population. Attention may be drawn to the increase in the proportion of both criminal offences and minor offences to population in recent years, convictions for criminal offences having risen from 284 per 100,000 population in 1921 to 425 in 1931 and 404 in 1934, and convictions for minor offences from 1,732 per 100,000 in 1921 to 3,113 in 1931 and 3,145 in 1934.

It should be understood that the classification of offences in these general tables is irrespective of the mode of procedure. That is to say, the "criminal"

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