

offences specified on p. 295 (*cf.* Sect. 413 and the former Sect. 583). It should be noted too that a judge or magistrate trying an indictable offence will have power under the new Code to try an issue of insanity if the question arises before him. In this, Sects. 523 and 524 extend the provisions of the former Sects. 966 and 967.

There is an important change embodied in Sect. 9 which gives a right of appeal to a person summarily convicted of contempt of court.

It has been mentioned that a general penalty has been provided in summary conviction matters. It may be mentioned finally that punishment by imprisonment for indictable offences has been appropriated to a scale, namely, two years, five years, 10 years, 14 years, life.

Attention must be called to the fact that the subjects of capital and corporal punishment, as well as the law relating to lotteries, are being studied by a joint committee of the Senate and House of Commons, and that a Royal Commission has been appointed to consider questions of mental health in their relation to the criminal law.

## Section 2.—Adult Offenders and Convictions

The main interest in criminal statistics is concerned with those persons guilty of the more serious crimes. Such offenders are fewer than those who commit non-indictable offences but, from the standpoint of the protection of society, they are more important.

In 1949, the basis of the statistics of indictable crimes was changed from *convictions* to *persons* so that the figures for 1949 and subsequent years are not comparable with those for previous years. Where any person is prosecuted at the same hearing for several offences, one offence has to be selected for tabulation. The rule followed is to select that for which the proceedings were carried to the furthest stage—to conviction and sentence if the prisoner were tried on several charges; if there were several convictions, the offence selected is that for which the heaviest punishment was awarded; if the final result of proceedings on two or more charges were the same, the most serious offence (as measured by the maximum penalty allowed by the law) appears in the tables. Where a person was prosecuted for one offence and convicted of another (e.g., charged with murder and convicted of manslaughter), the case appears only under the offence for which he was convicted.

In the case of non-indictable offences, the figures continue to be based on convictions and are thus comparable with those for earlier years.

Statistics include only cases finally determined within the year. Cases not entirely disposed of within the year (e.g., tried but sentence postponed) are held over for the next year's report.

In 1950 the reporting year for criminal statistics was changed from the 12 months ended Sept. 30 to the calendar year. Also, figures for Newfoundland were included for the first time in 1951.

### Subsection 1.—Adults Convicted of Indictable Offences

During the year 1952, the courts of Canada dealt with 35,086 adults charged with 51,125 indictable crimes, of whom 29,761 were found guilty of 41,591 offences. This was an increase of 2.7 p.c. over the number of persons convicted in 1951.