

Table 2.6 classifies indictable offences by type of offence for 1972 and 1973. Class I covers offences against the person and in 1973, 3,348 males and 237 females were convicted in this category, mostly for assaults of various kinds. Classes II to IV deal with offences against property. Thefts predominate among the offences in these classes, and breaking and entering, extortion and robbery — serious crimes which involve acts of violence — are the next most numerous. Class V deals with offences relating to currency and Class VI with miscellaneous offences; among the latter, the most numerous convictions are for offences connected with gaming, betting and lotteries. In 1973 there were 2,316 men and 224 women convicted under federal statutes of whom 1,962 men and 195 women were offenders under the Narcotic Control Act.

The number of female offenders convicted of indictable offences decreased from 7,283 in 1972 to 6,706 in 1973. Table 2.7 summarizes the most serious court sentences given for indictable offences in 1972 and 1973, and Table 2.8 shows the method of trial and disposition of cases in 1973.

Two kinds of sentences — probation and commitment to an institution — link the person dealt with by the court and the legal institutions of a community. There are several types of institutions — penitentiaries, reformatories, jails and industrial farms. Theoretically, each has a specific purpose which is supposed to be taken into account when arriving at a legal decision. In practice, however, the availability of an institution in a given community is a factor in determining the court decision.

Convictions for summary conviction offences. Offences punishable on summary conviction under the criminal code or under the provincial summary conviction acts can be tried by magistrates and justices of the peace. Data relating to these offences are based on convictions; no information is available on either the number of persons involved in these offences or the number of charges (see Table 2.9).

Appeals. The conviction or the sentence pronounced by a judge of a first instance court may be appealed on the grounds that the verdict was unreasonable, that there was a wrong decision on some question of law or that there was a miscarriage of justice. In 1973 (excluding Alberta) there were 3,260 appeals in indictable cases disposed of by the courts, of which 325 were Crown appeals and 2,935 appeals of the accused. Of the Crown appeals, 96 were from acquittal and 229 from sentence. Appeals in summary conviction cases disposed of by the courts numbered 2,734 in 1973. Of these, 324 were appeals of the informant and 2,410 appeals of the accused. The informant appeals comprised 263 from acquittal and 61 from sentence, and appeals of the accused comprised 1,757 from conviction and 653 from sentence.

2.8.2 Juvenile delinquents

Juvenile delinquent, as defined in the Juvenile Delinquents Act, means any child who violates any provision of the criminal code, any federal or provincial statute, any bylaw or ordinance of any municipality, who is guilty of sexual immorality or any similar form of vice, or who is liable by reason of any other act to be committed to an industrial school or juvenile reformatory under the provision of any federal or provincial statute. The commission by a child of any of these acts constitutes an offence known as a delinquency. The upper age limit of children brought before the juvenile courts in the provinces varies. The Juvenile Delinquents Act defines a child as meaning any boy or girl apparently or actually under the age of 16 or such other age as may be directed in any province. In Prince Edward Island, Nova Scotia, New Brunswick, Ontario and Saskatchewan under 16 is the official age; in Alberta under 16 for boys and under 18 for girls; in Newfoundland and British Columbia under 17; in Quebec and Manitoba under 18 years. Up to 1967, it was the practice of Statistics Canada to publish information about juvenile delinquents 16 years of age and over separate from that of juveniles under 16 years of age. From 1968 on, the figures include all those considered as juveniles by the respective provinces, regardless of the differing upper age limits.

The figures in Tables 2.10 - 2.12 represent the number of juveniles brought before the courts. If a juvenile was charged with committing more than one offence during the year, only one delinquency — the most serious — was selected for tabulation. With the exception of Manitoba, juveniles involved only in informal hearings are not included in