

Lawyers who provide duty counsel services may be located in magistrate's (provincial), family and juvenile courts. In Yukon and Northwest Territories, duty counsel lawyers travel with the court.

Nova Scotia, Prince Edward Island and Saskatchewan do not have duty counsel systems, but lawyers working for the legal aid plans advise or represent accused persons if necessary.

Legal aid services. Legal aid services may consist of providing advice, representing clients in court proceedings, representing clients in administrative matters, drawing up legal documents, and negotiating settlements. The extent of these services, especially in civil matters, differs by jurisdiction.

20.4 Law enforcement

20.4.1 Crime

Over the six-year period 1977-82, the number of offences increased 27.5% from 2,226,565 to 2,838,840. Part of the increase can be attributed to the growth of the Canadian population of 5.8% over the same period.

Criminal code offences, accounting for about three-quarters of all offences, grew by 33.2% between 1977 and 1982. They can be broken down into three categories: crimes of violence, property crimes and other criminal code offences. According to 1982 data, property crimes were about nine times as numerous as crimes of violence. Between 1977 and 1982 property crimes increased 38.4% and crimes of violence 24.2%.

Federal statute offences, which accounted for about 4% of total offences, declined by 14.3% between 1977 and 1982. Federal statute drug offences declined by 2% between 1977 and 1982 due to a dramatic decline between 1981 and 1982 (Table 20.3).

Criminal code traffic statistics. In 1982 there were 267,290 criminal code traffic offences. From 1977 to 1982, impaired driving offences consistently accounted for more than half of these traffic offences, while "failure to stop" offences accounted for between one-quarter and one-third. The remaining 10% to 20% of the offences over the six-year period were: criminal negligence causing death, criminal negligence causing bodily harm, criminal negligence in the operation of a motor vehicle, dangerous driving, failure or refusal to provide a breath sample, and driving while disqualified (Table 20.4). This last offence was found unconstitutional by the Supreme Court of Canada in February 1981. These criminal code traffic offences are in addition to provincial and territorial highway traffic legislation violations.

20.4.2 Homicide

Homicide is a term used to designate the criminal code offences of murder (prior to July 26, 1976, capital and non-capital murder), manslaughter and

infanticide. In the period 1977-82 inclusive, 3,914 Canadians were victims of homicide. This represents a yearly average of 652.3 deaths or an average annual rate of 2.7 homicide victims per 100,000 population. Total homicide offences reported in Canada from 1977 to 1980 declined from 711 to 593 but increased over the next two years from 648 to 670 (Table 20.5). As murders account for an average of 90% of all homicide offences in any year, the murder and total homicide patterns from 1977 to 1982 are similar. Volatile yearly fluctuations in manslaughter offences and rates over this period preclude the identification of any consistent trends. One manslaughter incident culminated in the death of 48 victims in 1980 and caused a dramatic rise in both the number of manslaughter offences and corresponding rate for that year.

20.4.3 Police forces

Organization of police forces. Police forces of Canada are organized in three groups:

- (1) federal, the Royal Canadian Mounted Police;
- (2) provincial — Ontario and Quebec have their own police forces; the RCMP performs parallel functions in all other provinces, including New Brunswick, where the New Brunswick Highway Patrol also operates; and
- (3) municipal police forces — most urban centres have their own police forces, or provincial police under contract, to attend to police matters.

In addition, the Canadian National Railways, the Canadian Pacific Railway Company and Ports Canada have their own police forces.

The Royal Canadian Mounted Police (RCMP). This is a civil force maintained by the federal government. It was established in 1873 as the North-West Mounted Police and was granted the prefix Royal by King Edward VII in 1904. Its sphere of operations was expanded in 1918 to include all of Canada west of Port Arthur and Fort William (now Thunder Bay). In 1920 it absorbed the Dominion Police, its headquarters was transferred from Regina to Ottawa and its title changed to Royal Canadian Mounted Police.

The force operates under authority of the Royal Canadian Mounted Police Act (RSC 1970, c. R-9). It is responsible to the solicitor general and is controlled and managed by a commissioner who holds the rank and status of a deputy minister and is empowered to appoint members to be peace officers in all provinces and territories.

Administration of justice in the provinces, including enforcement of the Criminal Code of Canada, is part of the power and duty delegated to the provincial governments. All provinces except Ontario and Quebec have contracts with the RCMP to enforce criminal and provincial laws, under direction of the respective attorneys general or solicitors general. In these eight provinces, the force