

2.8 Crime and delinquency

2.8.1 Adult offenders and convictions

Offences may be classified under two headings, "indictable offences" and "offences punishable on summary conviction". Indictable offences are grouped in two main categories: offences that violate the criminal code and offences against federal statutes. These include the more serious crimes. Offences punishable on summary conviction — those not expressly made indictable — include offences against the criminal code, federal statutes, provincial statutes and municipal by-laws. Increases in the total number of summary conviction offences do not measure adequately the increase in the seriousness of crime. Many summary conviction offences amount to mere disturbances of the peace, minor upsets to public safety, health and comfort such as parking violations, intoxication and practising trades without licence. Nevertheless, summary conviction offences may include more serious charges such as assault and contribution to juvenile delinquency.

Adults convicted of indictable offences. Statistics are available for persons convicted of indictable offences. Thus it is possible to determine the population engaged in prohibited activities and to help in the treatment of anti-social behaviour in terms of subject-centred action. In the present counting system, although individuals may be charged with more than one offence, only one offence is tabulated for each person and is selected according to the following criteria: (1) if the person were tried on several charges, the offence is that for which proceedings were carried to the farthest stage — conviction and sentence; (2) if there were several convictions, the offence is that for which the heaviest punishment was awarded; (3) if the final result of proceedings on two or more charges were the same, the offence is the more serious one, as measured by the maximum penalty allowed by the law; (4) if a person were prosecuted for one offence and convicted of another — for example, charged with murder and convicted of manslaughter — the offence is the one for which the person was convicted.

In 1971 there were 54,098 adults charged with 92,335 indictable offences of whom 47,874 were found guilty of 79,437 offences (see Table 2.5). All data for 1970 and 1971 exclude returns for Quebec and Alberta. It should be noted that figures given in Tables 2.5 - 2.16 are based on information received through the provincial judicial systems and consequently cannot be compared with data reported by police under the Uniform Crime Reporting Program (Tables 2.2 - 2.4) which include these two provinces.

Table 2.6 classifies indictable offences by type of offence for 1970 and 1971. Class I covers offences against the person and in 1971, 5,429 males and 344 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 1971, 1,766 men and 155 women were convicted under federal statutes of whom 1,340 men and 127 women were offenders under the Narcotic Control Act.

The number of female offenders convicted of indictable offences increased from 6,997 in 1970 to 7,735 in 1971 with Ontario accounting for 4,460 and British Columbia for 1,615 of the total. The ratio of female offenders convicted to total persons convicted increased from 15.3% in 1970 to 16.1% in 1971; the increases ranged from 4.3% in Prince Edward Island to 17.2% in Ontario. Table 2.7 summarizes the most serious court sentences given for indictable offences and Table 2.8 shows the method of trial and disposition of cases.

Two kinds of sentences — probation and commitment to an institution — maintain, for a certain period of time, a relationship between the person dealt with by the court and the legal institutions of a community. There are several types of institutions to which a person can be committed, such as penitentiaries, reformatories, jails and industrial farms. Theoretically, every institution 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 decision rendered by the court.

Young adult offenders (16-24 years). Attention is focused on the needs of the young adult offenders, 16-24 years of age, who constitute a promising group for rehabilitation in modern