Trends in youth crime in Canada, 1977-1996

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This paper examines trends in youth crime in Canada from 1977 to 1996 using data from the UCR Survey. Apart from a temporary peak in the early nineteen-nineties, the level of police-reported youth crime in Canada has changed very little since 1980. The average rate per 100,000 of police-reported youth crime — that is, young persons apprehended by police — was 7 percent higher during 1986-96 than during 1980-83. This increase is unlikely to be due to the Young Offenders Act (YOA). The rate of young persons charged by police, however, was 27 percent higher during 1986-96 than during 1980-83. This increase reflects a jump in
1986 in the proportion of apprehended youth who were charged by police—that is, a drop in the use of police discretion. The Young Offenders Act appears to have resulted in a change in police charging practices in relation to apprehended youth in four provinces and one territory. Under the Juvenile Delinquents Act (JDA), these five jurisdictions were characterized by the charging of relatively low proportions of apprehended youth—that is, high use of police discretion; under the Young Offenders Act, proportions of apprehended youth who were charged in these jurisdictions increased suddenly and substantially, reaching levels similar to those already existing in the other jurisdictions. The relationship of these findings to the Principles of the YOA, and to recently proposed changes in the Canadian youth justice system, is discussed.

In 1991, police-reported youth crime in Canada reached the highest level ever recorded. This peak followed increases in five of the six years since the Young Offenders Act came into force in 1985. Not surprisingly, the long climb from 1985 to 1991 in the level of youth crime, immediately following the inception of the YOA, aroused considerable adverse comment in the media, and contributed to public disenchantment with the YOA (Corrado and Markwart 1992: 160-163; Bala 1994: 248-251; Hylton 1994: 236-239; Task Force on Youth Justice 1996: 14-19). By 1996, the rate of youth crime had returned to the same level as in 1983, prior to the YOA, after falling for four of the five years since 1991; this decrease seems to have received less public attention.

Although scholarly commentators did not attribute the rise in youth crime to the YOA, it did occasion debate about the extent to which youth crime was increasing, and the extent to which its level exceeded that under the Juvenile Delinquents Act. Answers to these questions were conditioned by the range of years selected for study by researchers, although most writers cautioned that insufficient time had elapsed since the inception of the YOA to draw definite conclusions about post-YOA trends.

More than a decade has now elapsed since the YOA came into effect. At the time of writing (August, 1998), the federal government is once more considering changes to the Canadian youth justice system in response to public concern about youth crime (Department of Justice Canada n.d. [1998]). This is therefore an opportune time to review the fluctuations in youth crime
over the past twenty years, and to assess the change, if any, in its post-YOA level, and the extent to which any change that has occurred is due to the YOA.

Previous research

**Has the level of youth crime in Canada increased since 1984?**

Carrington and Moyer (1994: 8-11) compared quarterly data from the Uniform Crime Reporting (UCR) Survey on rates of young persons apprehended and charged for the periods 1980-84 (under the JDA) and 1985-90 (under the YOA),\(^2\) and concluded that the average per capita rate of police-reported youth crime\(^3\) during 1985-90 was the same as during 1980-84, but that the average rate of young persons charged was 21 percent higher in the post-YOA period. They also noted that there was no upward or downward trend in either rate during 1980-84, but that there appeared to be slight upward trends, which were not statistically significant, in both rates during 1985-90, especially during 1989-90.

Corrado and Markwart (1994: 350-51) concluded from analysis of annual UCR data on young persons charged with *Criminal Code* offences from 1986 to 1992 that there was a “relatively modest 25 percent increase” over the period. Comparing annual UCR data for 1986-92 with 1980-83, Carrington (1995: 63-64) found a statistically non-significant increase of 5 percent in the per capita rate of young persons apprehended, and an increase of 29 percent in the rate of young persons charged. He also reported an apparent upward trend in both rates from 1986 to 1992, which he said required further data for confirmation. Markwart and Corrado (1995: 77-79) compared UCR data on rates of young persons apprehended during 1990-93 and 1980-83, and found a 10 percent increase. They estimated that, after correcting for inflation in the per capita rates for 1980-83, the post-YOA increase was “more likely in the range of 20%”. Using annual UCR data for 1980 to 1993, Moyer (1996: 16) noted a “steady climb” in rates of young persons apprehended and charged from 1986 to a peak in 1991, followed by declines in 1992 and 1993. Comparing the level in 1993 with the average
level in 1980-83, she reported an increase of 5 percent in the rate of young persons apprehended and of 32 percent in the rate of young persons charged.

In summary, there is agreement that the per capita rate of young persons charged has increased significantly since the inception of the YOA, but disagreement as to the size and interpretation of the change, if any, in the per capita rate of young persons apprehended.

*What has caused the increase, if any, in youth crime? Is it the YOA?*

After comparing the 1985-90 period with 1980-84, Carrington and Moyer (1994) concluded that the observed increase in the per capita rate of young persons charged with offences reflected a change in the police propensity to charge young persons, rather than in the criminal behaviour of young persons, since the average rate of young persons *apprehended* by police did not change. Furthermore, they speculated that this change in police propensity to charge young persons might be statistical rather than "real": that is, that it might reflect a change in statistical categories rather than in police behaviour. After examining this phenomenon on a province-by-province basis, they suggested that the observed post-YOA increase in police charging could be due to a possibly pre-existing practice of charging 16 and 17 year old suspects in higher proportions than 12 to 15 year olds; when these 16 and 17 year olds were added, in many provinces, to the youth justice system and, therefore, the statistics on youth crime by the Uniform Maximum Age provision of the YOA, the average per capita rate of young persons charged would increase: more "young persons" per capita would be charged (although no more people would actually be charged), due to the legal redefinition of 16 and 17 year olds as "young persons". Carrington (1998) analysed age-specific data for Ontario and Saskatchewan and concluded that a substantial part – between one-half and all – of the observed increase in police charging of young offenders in at least those two provinces is not a statistical artifact, and reflects a change in actual police behaviour.

None of these writers attributes the observed changes in youth crime since 1985 to the effect of the YOA on the criminal
behaviour of young persons. DuWors (1997) and Kong (1997) note that peaks in the early nineteen-nineties in overall police-reported crime in Canada are mirrored by similar trends in other countries. As Markwart and Corrado (1995: 84) put it,

...the international evidence seems quite clear that crime control changes in law alone will not have any significant effect on youth crime rates. changes to which, of course, arise as a result of far broader social factors...

**The present study**

The logic of this study is that of the interrupted time series experiment. It attempts to detect the effects, if any, of the YOA on youth crime by comparing the level and direction of time series of crime data before and after the legislation came into effect. This "natural experiment" has serious weaknesses as a design for establishing cause-and-effect (Cook and Campbell 1979). In order to attribute any observed changes to the YOA, it is necessary to rule out other possible causes and to establish a plausible conceptual connection with the YOA. This can never be done with certainty. Nevertheless, we believe that a *prima facie* case for an effect of the YOA can be made on the basis of evidence of sudden changes occurring immediately after 1985 which cannot be attributed to other events. More gradual changes during the period are more likely to be due to the "broader social factors" referred to in the quotation above.

The analyses presented here are based on annual UCR data on young persons apprehended and charged during 1977 to 1996, omitting 1984-85. Differences in average levels under the YOA and the JDA were tested for statistical significance using t-tests, in order not to attribute significance to results that could well be due to random year-to-year fluctuations. Trends over time were estimated by regressing the annual rate per 100,000 on the year, separately for the JDA and YOA periods.

Data from the UCR Survey cannot be taken at face value as an indicator of the level of youth crime. The UCR Survey collects its data from police forces, and is therefore limited to criminal activity known to police and considered by police to be worth recording. Furthermore, counts of young persons implicated
and charged in connection with criminal incidents, which are used in the present study, are necessarily limited to incidents which have been "cleared": that is, to incidents in which the offender(s) have been identified, or "apprehended", by police. Thus, the very substantial number of incidents that are known to and recorded by police, but not cleared, are omitted: in 1996, for example, only about 38 percent of incidents known to police in Canada were cleared.

The UCR Survey reports counts of both "young persons charged" and "young persons not charged". Counts of "young persons charged" are probably a very accurate indicator of the charging of young persons, since the laying of charges is an official act which must be carefully recorded as the first step in court process.[6] As an indicator of the amount of youth crime, it has the major disadvantage of omitting the substantial number of persons – especially young persons – who are apprehended but not charged: that is, levels of "young persons charged" reflect both criminal activity by young persons (and its detection and recording by police) and the exercise of police discretion to charge or to deal with the apprehended youth by other means.[7] Thus, changes in numbers of young persons charged may confound changes in youth crime with changes in police charging practices. The analyses presented below show that the use of "young persons charged" as an indicator of youth crime (which is a common practice) would lead to seriously erroneous conclusions concerning changes in the level of youth crime after the YOA came into effect. Therefore, in this study, "young persons charged" is interpreted as precisely that: an indicator of the charging of young persons by police.

For an indicator of changes over time in the amount of youth crime, this study uses UCR data on "young persons apprehended" – that is, the sum of police-reported "young persons charged" and "young persons not charged". Numbers of young persons apprehended are a more valid indicator of changes in the level of youth crime than numbers of young persons charged, since they are not filtered by the decision to charge, but they are less reliable – that is, consistent – because the criteria for classifying a person as "[apprehended but] not charged" are much less precise than for "charged", and vary considerably among police forces reporting to the UCR (Hackler and Paranjape 1983; 1984).[8] Data
on young persons apprehended (and, a fortiori, on young persons charged) also systematically underestimate the amount of youth crime known to the police, because police tend to under-report minor incidents involving young persons (Doob and Chan 1982).^{99}

On the other hand, UCR data are probably reliable enough to be useful for certain purposes. After reviewing research on the production, interpretation, and reliability of police crime statistics, Scanlon (1986: 94-95) concludes:

...Despite these serious limitations, which are associated with the crime rates for any given year, official crime trends may accurately reflect relative changes in crime over time. Finally, while differences in crime rates between police jurisdictions may be confounded to an unknown extent by differences in levels of police activity and reporting procedures, there is some empirical evidence to suggest that regional comparisons may be valid.

In this study, UCR data are used primarily to trace trends over time, and to compare changes over time across regions.

In order to make meaningful comparisons of levels of crime over time or across jurisdictions, population-standardized rates such as the rate per 100,000 population must be used. This is a difficult problem in the comparison of youth crime during the periods under the JDA and the YOA, because the populations defined as "juveniles" under the JDA and as "young persons" under the YOA differ. The age jurisdiction of the YOA is 12 to 17 years inclusive, everywhere in Canada. The age jurisdiction of the juvenile courts under the JDA varied by province: 7 to 17 years inclusive in Quebec and Manitoba, 7 to 16 years in Newfoundland and British Columbia, and 7 to 15 years in the other provinces and the territories.^{100}

One obvious approach to defining youth crime and the corresponding populations would be to use the legal definitions given above: that is, to compare the number of persons apprehended or charged by police who were aged 7 to 15 (or 16 or 17, depending on the province) during the JDA period with the number aged 12 to 17 during the YOA period. This results in the technically correct but rather spurious conclusion that
there was a huge jump in youth crime after the YOA came into effect: the jump in the population standardized rate is due to the inclusion of the very low crime rates of 7 to 11 year olds in the rates for the JDA period, and the inclusion of the relatively high crime rates of 16 and 17 year olds in the rates for the YOA period.111

To avoid this artificial jump in rates, Carrington and Moyer (1994; Carrington 1995; Moyer 1996) excluded 7 to 11 year olds from the populations which they used to standardize their juvenile crime data for the JDA period. They justified this procedure by arguing that, in practice, few children under 12 were charged under the JDA: in other words, since these children were largely omitted from the numbers of juvenile offenders (the numerator in the calculation of the population-standardized rate), they should also be omitted from the standardizing populations (the denominator in the rate calculation). This procedure resulted in estimated juvenile crime rates under the JDA that were remarkably similar in level to those under the YOA. As Markwart and Corrado (1995: 77-79) pointed out, while Carrington and Moyer were able to eliminate children under 12 from the standardizing population estimates, because Statistics Canada publishes age-specific population data, they could not eliminate them from their juvenile crime data, since the UCR data are not age-specific. This resulted in inflation of their population-standardized juvenile crime rates under the JDA, and, therefore, under-estimation of increases under the YOA. This inflation would be more acute in data on juveniles apprehended than on juveniles charged, since many more children under 12 were probably apprehended than charged under the JDA.

One solution to this problem, which Markwart and Corrado adopted in order to evaluate Carrington and Moyer’s findings, is to estimate the number of children under 12 included in the UCR data on young persons apprehended and charged for the JDA period, and adjust the calculated rates downward to offset the resulting inflation. This is easier in the case of data on children charged than on children apprehended, since age-specific data are available from Statistics Canada’s publication Juvenile Court Statistics for persons appearing in juvenile court before 1984. According to Bala and Mahoney (1994: 12), in 1983 “just under 2% of all J.D.A. charges against juveniles were laid against
children ages 7 to 11”. Bala and Corrado (1985: 17-19 and note 21) report that some provinces had statutory or policy restrictions on charging children under 12 or under 14, which resulted in very low charge rates: for example, in 1981, only 3 children under 12 were charged in Quebec, only 53 in Manitoba, and only 110 in Alberta, out of a total of 24,406 juveniles charged in those provinces.

No such data are available for children apprehended during the JDA period. One source of age-specific data on apprehended youth is the Revised, or Incident-Based, Uniform Crime Reporting Survey: a new annual census of police-reported crime in Canada, which captures detailed information on criminal incidents, including the age of the accused. The Revised UCR was initiated in 1988 with reporting by only a few police forces, and continues to increase its coverage each year. The numbers in Table 1 are taken from a summary by DuWors (1992: 3) of the sample of apprehended persons in the Revised UCR Survey for 1988-92, and suggest that children aged 7 to 11 years constituted about 5 percent of apprehended youth under 18.\(^{(12)}\) The estimate of 5.3 percent shown in the table is slightly inflated by the inclusion of accused under 7 years old.

<table>
<thead>
<tr>
<th>Age of the accused</th>
<th>Number</th>
<th>% of accused under 18</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 12 years</td>
<td>4,757</td>
<td>5.3</td>
<td>1.2</td>
</tr>
<tr>
<td>12 to 17 years</td>
<td>84,701</td>
<td>94.7</td>
<td>20.8</td>
</tr>
<tr>
<td>Subtotal under 18 years</td>
<td>89,458</td>
<td>100.0</td>
<td>22.0</td>
</tr>
<tr>
<td>18 years and older</td>
<td>317,194</td>
<td>100.0</td>
<td>78.0</td>
</tr>
<tr>
<td>Total</td>
<td>406,662</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>


This estimate is corroborated by a sample of apprehended persons from the Incident-Based UCR Survey, obtained by the author from the Canadian Centre for Justice Statistics. This
sample includes all accused reported by police forces participating in the Revised UCR Survey in 1992 and 1993 – covering parts of five provinces and about one-third of all police-reported crime in Canada in those years. Table 2 shows that children aged 7 to 11 made up 4.5 percent of accused aged 7 to 17 in this sample.

<table>
<thead>
<tr>
<th>Age of the accused</th>
<th>Number</th>
<th>% of accused aged 7-17</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 to 11 years</td>
<td>5,510</td>
<td>4.5</td>
<td>0.8</td>
</tr>
<tr>
<td>12 to 17 years</td>
<td>117,456</td>
<td>95.5</td>
<td>17.4</td>
</tr>
<tr>
<td>Subtotal 7 to 17 years</td>
<td>122,966</td>
<td>100.0</td>
<td>18.2</td>
</tr>
<tr>
<td>Under 7 years</td>
<td>315</td>
<td></td>
<td>0.0</td>
</tr>
<tr>
<td>18 years and older</td>
<td>550,929</td>
<td>81.7</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>674,210</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Source: tabulations supplied by Canadian Centre for Justice Statistics.

The inflation of per capita rates of juvenile crime for the JDA period which was caused by inclusion of accused aged 7 to 11 years would actually have been somewhat greater than the 5 percent suggested by Tables 1 and 2, since the numbers of young offenders shown in those tables include accused aged 16 and 17 years, who were excluded from the jurisdiction of the JDA, and, therefore, from the UCR counts of apprehended juveniles, in most provinces (Markwart and Corrado 1995: 76). Therefore, the estimate of inflation has been further adjusted in Table 3, which uses the same definition of "juvenile" as that used by each province and, therefore, by the UCR Survey, prior to 1984.

Overall, 7 to 11 year olds made up 6 percent of accused in this sample in the age groups which would have been under the jurisdiction of the JDA. On would expect the proportion of juveniles 7 to 11 years old to be least in Quebec, since it treated persons as old as 17 years as juveniles, and to be highest in those provinces with the lowest maximum age of jurisdiction:
New Brunswick, Ontario, and Saskatchewan. In fact, the proportions vary considerably, and are, contrary to expectations, above average in Quebec and below average in Ontario and New Brunswick.

Table 3

Numbers and percentages of apprehended persons aged 7 years to the provincial maximum age of jurisdiction of the JDA, by province, police forces reporting to the Revised UCR Survey, 1992-93

<table>
<thead>
<tr>
<th>Province*</th>
<th>Age limits</th>
<th>Number</th>
<th>%</th>
<th>Number</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Brunswick</td>
<td>7 - 15</td>
<td>25</td>
<td>4.0</td>
<td>600</td>
<td>96.0</td>
<td>625</td>
</tr>
<tr>
<td>Ontario</td>
<td>7 - 15</td>
<td>844</td>
<td>3.5</td>
<td>23,257</td>
<td>96.5</td>
<td>24,101</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>7 - 15</td>
<td>909</td>
<td>10.1</td>
<td>8,121</td>
<td>89.9</td>
<td>9,030</td>
</tr>
<tr>
<td>British Columbia</td>
<td>7 - 16</td>
<td>115</td>
<td>3.7</td>
<td>3,023</td>
<td>96.3</td>
<td>3,138</td>
</tr>
<tr>
<td>Quebec</td>
<td>7 - 17</td>
<td>3,617</td>
<td>6.6</td>
<td>51,584</td>
<td>93.4</td>
<td>55,201</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>5,510</td>
<td>6.0</td>
<td>86,585</td>
<td>94.0</td>
<td>92,095</td>
</tr>
</tbody>
</table>

*Note: does not include all police forces in each province.
Source: tabulations supplied by Canadian Centre for Justice Statistics.

This sample is not nationally representative, since it includes only parts of five provinces, and is strongly skewed toward Quebec, which makes up approximately 60 percent of apprehended youth in the sample, but only about 15 percent of apprehended youth in Canada in 1992-93 (Carrington 1996: Table III.1). The numbers in Table 3 can be adjusted to simulate a national census of youth crime by making the further, somewhat tenuous, assumption that the sample from Quebec is representative of all youth crime in provinces with an age limit under the JDA of 17 (that is, all of Quebec and Manitoba), and that the samples from British Columbia and from the other three provinces are representative of youth crime in all provinces and territories with JDA.
age limits of 16 and 15 respectively. This is done in Table 4. The result suggests that children aged 7 to 11 would constitute 5.3 percent of a national sample of “juvenile” offenders in 1992-93, using the provincially-specific definitions of “juvenile” which were in effect under the JDA and which determined the classification of accused persons in the UCR Survey during the JDA period.

<table>
<thead>
<tr>
<th>Provinces/territories</th>
<th>Age limits</th>
<th>7 to 11 years</th>
<th>12 years to the JDA maximum age</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>Quebec, Manitoba</td>
<td>5,414</td>
<td>6.6</td>
<td>77,207</td>
</tr>
<tr>
<td>B.C., Newfoundland</td>
<td>2,144</td>
<td>3.7</td>
<td>56,353</td>
</tr>
<tr>
<td>All others</td>
<td>12,894</td>
<td>5.3</td>
<td>231,910</td>
</tr>
<tr>
<td>Canada</td>
<td>20,452</td>
<td>5.3</td>
<td>365,470</td>
</tr>
</tbody>
</table>

Source: Table 3 above and Carrington (1996: Table III.1).

In summary, this attempt to develop a method to adjust the estimated rates per 100,000 of juveniles apprehended during 1977-83 to make them more comparable with rates under the YOA rests on the assumption that the proportions of 7 to 11 year olds reported as apprehended by police forces participating in the Revised UCR during 1988 to 1995 were similar to those of 7 to 11 year olds in the UCR Surveys of 1977 to 1983. If that is true, then to exclude 7 to 11 year olds from the numbers of apprehended juveniles in the UCR for 1977-83, one should adjust the numbers downward by 5.3 percent. Juvenile court statistics suggest that rates of juveniles charged should be deflated by 2 percent. These adjustments are incorporated in the following analyses.
Analysis and Results

Young persons apprehended by police

As Figure 1 shows, the per capita rate of youth apprehended by police increased rapidly during the late nineteen-seventies, which were the last years of a rising trend in officially recorded crime in Canada extending throughout the nineteen-sixties and nineteen-seventies (Brantingham 1991: 399). From 1980 to 1988, youth crime remained at about the same level, then it rose to a peak in 1991, and fell back almost to its former level by 1996. During the period of stable rates under the JDA – 1980 to 1983 – the average annual rate of juveniles\(^{13}\) apprehended was approximately 7,891 per 100,000. During 1986-96, the average annual rate of young persons (aged 12 to 17) apprehended was 8,413 per 100,000 – a statistically significant\(^{14}\) increase of 522 per 100,000, or 7 percent, over the annual rate under the JDA.

Thus, the rate of police-reported youth crime was a little higher during the first decade under the YOA than during the last few years under the JDA. Was this increase due to the YOA itself? If the YOA had affected rates of youth crime, we would
expect to see one or both of the following phenomena: a jump in level after 1984-85, or a rising trend after 1984-85 that had not existed previously. Changes such as these would indicate that something had happened that affected the rate of youth crime around 1984-85, and if other causes could be ruled out, the changes could be attributed to the YOA.

In fact, there was no jump after 1985, as can be seen from Figure 1. There was a slight change in the trend over time. During 1980-83, the trend was an annual increase of 25 per 100,000, but this was not statistically significant - that is, it could represent random fluctuations, rather than a "real" trend. During 1986-96, the rising trend increased to 46 per 100,000, but it remained statistically non-significant. Thus, we cannot be confident that any real change in trend took place after 1986. The only noteworthy change in the level of youth crime that took place after 1984-85 was the "hump" in the early nineteen-nineties, and this is highly unlikely to have been caused by the YOA, since it occurred several years later, and was mirrored by similar "humps" in crime in other countries, that could not be related to the YOA.

Another way of looking for changes in youth crime due to the YOA is to examine data for individual provinces and territories, since some underwent large changes in age jurisdiction, due to the addition of 16 and 17 year olds, and others underwent smaller or no change in age jurisdiction. It is in the provinces and territories that added 16 and 17 year olds that we would most expect to see changes in the rate of youth crime following 1984-85 (Carrington and Moyer 1994).

The results of this examination are shown in Figure 2 and Table 5. Figure 2 has been simplified by aggregating the provinces and territories having similar levels and trends, based on the detailed results presented in Table 5, and by smoothing with 3 year moving averages.\(^{(15)}\)

In the four Atlantic provinces, there appears to have been a rising trend in youth crime during the entire period, 1977-96, with a temporary peak in the early nineteen-nineties. This is suggested in Table 5 by positive trend parameters for both the JDA and YOA periods, and higher average levels during 1986-96.
## Table 5
Changes over time in rates per 100,000 of young persons apprehended by police, by province, 1980 to 1996

<table>
<thead>
<tr>
<th>Region/province</th>
<th>% of young offenders</th>
<th>Ages added by the YOA</th>
<th>JDA 1980-83 (adjusted)</th>
<th>YOA 1986-96</th>
<th>Difference between mean levels</th>
<th>Difference (as % of JDA rate)</th>
<th>Jump after 1985?</th>
<th>Trend JDA 1980-83 (adjusted)</th>
<th>Trend YOA 1986-96</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada</td>
<td>100.0</td>
<td>7.891</td>
<td>8.413</td>
<td>+522</td>
<td>+7%</td>
<td>no</td>
<td>+25</td>
<td>+46</td>
<td></td>
</tr>
<tr>
<td>Atlantic</td>
<td>6.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newfoundland</td>
<td>17</td>
<td>5.885</td>
<td>6.329</td>
<td>+444</td>
<td>+8%</td>
<td>no</td>
<td>+469</td>
<td>+105 *</td>
<td></td>
</tr>
<tr>
<td>P.E.I.</td>
<td>16-17</td>
<td>4.651</td>
<td>6.675</td>
<td>+2.024 **</td>
<td>+44%</td>
<td>no</td>
<td>+727 *</td>
<td>+181</td>
<td></td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>16-17</td>
<td>5.016</td>
<td>7.021</td>
<td>+2.005 ***</td>
<td>+40%</td>
<td>no</td>
<td>+270 **</td>
<td>+164 *</td>
<td></td>
</tr>
<tr>
<td>New Brunswick</td>
<td>16-17</td>
<td>3.553</td>
<td>6.226</td>
<td>+2.673 ***</td>
<td>+75%</td>
<td>yes</td>
<td>+191</td>
<td>+173 ***</td>
<td></td>
</tr>
<tr>
<td>Quebec</td>
<td>17.5</td>
<td>—</td>
<td>6.062</td>
<td>-1.107 **</td>
<td>-18%</td>
<td>drop</td>
<td>+164</td>
<td>+94 **</td>
<td></td>
</tr>
<tr>
<td>Ontario</td>
<td>35.6</td>
<td>16-17</td>
<td>9.486</td>
<td>-999 **</td>
<td>-11%</td>
<td>drop</td>
<td>+267</td>
<td>-76</td>
<td></td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>5.9</td>
<td>16-17</td>
<td>9.020</td>
<td>+4.930 ***</td>
<td>+55%</td>
<td>yes</td>
<td>-661</td>
<td>+84</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>33.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manitoba</td>
<td>—</td>
<td>9.256</td>
<td>10.763</td>
<td>+1.507 *</td>
<td>+16%</td>
<td>no</td>
<td>-33</td>
<td>+164</td>
<td></td>
</tr>
<tr>
<td>Alberta</td>
<td>16-17</td>
<td>7.753</td>
<td>11.051</td>
<td>+3.298 **</td>
<td>+43%</td>
<td>no</td>
<td>+237</td>
<td>+125</td>
<td></td>
</tr>
<tr>
<td>B.C.</td>
<td>17</td>
<td>9.234</td>
<td>11.702</td>
<td>+2.468 ***</td>
<td>+27%</td>
<td>yes</td>
<td>-13</td>
<td>+103</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>1.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yukon</td>
<td>16-17</td>
<td>23.018</td>
<td>20.701</td>
<td>-2.317</td>
<td>-10%</td>
<td>no</td>
<td>-2.839</td>
<td>-194</td>
<td></td>
</tr>
<tr>
<td>N.W.T.</td>
<td>16-17</td>
<td>31.571</td>
<td>23.228</td>
<td>-8.343 **</td>
<td>-26%</td>
<td>no</td>
<td>+1.040</td>
<td>-946 **</td>
<td></td>
</tr>
</tbody>
</table>

Note: significance levels: *p < .05; **p < .01; ***p < .001.
Source: tabulations supplied by Canadian Centre for Justice Statistics; the adjustment for 1980-83 is explained in the text.
than during 1980-83. New Brunswick is the only province in which there was a (small) jump after 1984-85. Thus, the rate of police-reported youth crime in the Atlantic provinces was much higher during 1986-96 than during 1977-83, but this appears to be due to a pre-existing trend, not to the YOA.

In Quebec, the rate of youth crime was significantly lower during 1986-96 than during 1980-83. This decrease was due to a sudden drop, not to a falling trend: in fact, there was a slight rising trend during both periods (Table 5). We would speculate that this drop in official youth crime reflects not a sudden change in actual youth crime, but rather a change made by the Quebec government in 1984 in the screening procedure for young offenders (LeBlanc and Beaumont 1992) which could have affected the numbers of young persons reported to the UCR as apprehended offenders.
There was also a substantial drop in Ontario in police-reported youth crime in 1986, and little trend thereafter. As a result, the average rate of youth crime in Ontario was 999 per 100,000 lower during 1986-96 than during 1980-83: a statistically significant decrease of 11 percent. Perhaps some or all of this was due to the YOA, but we are unable to say how.

In Manitoba, Alberta, and British Columbia, rates of police-reported youth crime were fairly stable from 1980 to 1983, then rose steadily from 1988 to peaks in the early nineteen-nineties, from which they declined through 1996. In British Columbia, there was a jump in 1986. The large "hump" in youth crime rates during 1986-96 (Figure 2), and the post-1985 jump in British Columbia, resulted in average rates for the period that were significantly (16 to 27 percent) higher than during 1980-83. With the possible exception of the jump in 1986 in British Columbia, the timing of these phenomena suggests that they are not related to the YOA.

Saskatchewan is shown separately in Figure 2, because of the unique, and spectacular, one-time jump in its rate of official youth crime after 1986, which resulted\(^{(17)}\) in an average rate during 1986-96 that was 55 percent higher than during 1980-83, and the highest among the ten provinces. Since this coincided with the introduction of the YOA, it may well have been related to it; however, we are unable to determine from these data to what extent this sudden increase of more than 50 percent reflects a change in the criminal behaviour of young persons, and to what extent it reflects a change in police enforcement activity and reporting practices.

Beginning at very high levels, both the Yukon and the Northwest Territories experienced somewhat erratic downward trends in police-reported youth crime from 1980 to 1996\(^{(18)}\) and no jump after 1984-85.

This survey of trends over two decades in police-reported youth crime in the provinces and territories confirms once again the diversity of patterns of criminal behaviour in Canada. With the exception of Quebec, regional youth crime rates rise from east to west and are far higher in the territories. Saskatchewan and British Columbia are the only provinces in which there was
a substantial increase in recorded youth crime immediately after the YOA was introduced.\textsuperscript{19} Ontario and Quebec experienced \textit{drops} in police-reported youth crime immediately after 1984-85; this could have been due to changes in the \textit{Youth Protection Act} (YPA) in Quebec, and may have been related somehow to the introduction of the YOA in Ontario. In the other provinces and territories, there were rising or falling trends, or both, that appear to be unrelated to the YOA.

**Young persons charged by police**

Figure 1 shows that the rate per 100,000 of young persons charged (the "charge rate") tracked the rate of young persons apprehended fairly consistently over the period 1977 to 1996, with one important exception: there was a jump in charging in 1986 that did not occur in apprehensions of young persons. As a result of this jump, the average charge rate during 1986-96 was 27 percent higher than during 1980-83, compared with the 7 percent increase in young persons apprehended. There was practically no rising or falling trend in the charge rate, either before or after 1984-85.

Since the rate of young persons apprehended increased by only 7 percent after 1985, most of the 27 percent increase in the charge rate was due to an increase in the proportion of apprehended young persons who were charged (the "charge ratio"), and a corresponding reduction in the use by police of informal means - that is, in police discretion (Carrington and Moyer 1994). This is shown in Figure 3, in which the proportion of apprehended youth who were charged fluctuated around 55 percent prior to 1984, jumped to about 65 percent in 1986, and fluctuated around that level through 1996. There was practically no trend over time in the charge ratio either before or after 1984-85.

It seems likely that this jump in charging of apprehended youth was due to the YOA, since it occurred immediately after the YOA came into effect, and the charge ratio was stable over the rest of the two decades examined.\textsuperscript{120} The following section examines changes in charging of young persons by province, to see if the changes were more pronounced in the eight provinces and territories which experienced the greatest expansion of their
**Figure 3**

Percent of apprehended youth who were charged, Canada, 1977-1996

**Figure 4**

Rates per 100,000 of juveniles/young persons charged, by region, 1977-1996

Note: rates are modified 3 year moving averages; the upper part of the Y-axis is not linear.
Figure 5
Percent of apprehended youth who were charged, 1977-1996.

(a) Provinces in which the charge ratio jumped in 1986

(b) Other provinces

Note: percentages are modified 3 year moving averages
Table 6
Changes over time in rates per 100,000 of young persons charged by police, by province, 1980 to 1996

<table>
<thead>
<tr>
<th>Province</th>
<th>Ages added by the YOA</th>
<th>JDA 1980-83 (adjusted)</th>
<th>YOA 1986-96</th>
<th>Difference between mean levels</th>
<th>Difference (as % of JDA rate)</th>
<th>Jump after 1985?</th>
<th>JDA 1980-83 (adjusted)</th>
<th>YOA 1986-96</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada</td>
<td>4.302</td>
<td>5.483</td>
<td>+1.181 ***</td>
<td>+27%</td>
<td>yes</td>
<td>-22</td>
<td>+46</td>
<td></td>
</tr>
<tr>
<td>Quebec</td>
<td>—</td>
<td>4.930</td>
<td>3.375</td>
<td>-1.555 ***</td>
<td>-32%</td>
<td>drop</td>
<td>+127</td>
<td>-112 ***</td>
</tr>
<tr>
<td>Manitoba</td>
<td>—</td>
<td>6.987</td>
<td>8.429</td>
<td>+1.442 **</td>
<td>+21%</td>
<td>no</td>
<td>-80</td>
<td>+210 *</td>
</tr>
<tr>
<td>Newfoundland</td>
<td>17</td>
<td>3.520</td>
<td>4.687</td>
<td>+1.167 *</td>
<td>+33%</td>
<td>no</td>
<td>-41</td>
<td>+226 *</td>
</tr>
<tr>
<td>B.C.</td>
<td>17</td>
<td>5.832</td>
<td>6.466</td>
<td>+634 *</td>
<td>+11%</td>
<td>no</td>
<td>+6</td>
<td>-45</td>
</tr>
<tr>
<td>P.E.I.</td>
<td>16-17</td>
<td>2.084</td>
<td>4.391</td>
<td>+2.307 **</td>
<td>+111%</td>
<td>no</td>
<td>+149</td>
<td>+109</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>16-17</td>
<td>2.646</td>
<td>5.379</td>
<td>+2.733 ***</td>
<td>+103%</td>
<td>yes</td>
<td>-36</td>
<td>+184 **</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>16-17</td>
<td>2.539</td>
<td>4.391</td>
<td>+1.852 ***</td>
<td>+73%</td>
<td>yes</td>
<td>-59</td>
<td>+145 ***</td>
</tr>
<tr>
<td>Ontario</td>
<td>16-17</td>
<td>3.105</td>
<td>5.450</td>
<td>+2.345 ***</td>
<td>+76%</td>
<td>yes</td>
<td>-153</td>
<td>+94</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>16-17</td>
<td>2.306</td>
<td>9.290</td>
<td>+6.984 ***</td>
<td>+303%</td>
<td>yes</td>
<td>-117</td>
<td>+236 **</td>
</tr>
<tr>
<td>Alberta</td>
<td>16-17</td>
<td>4.358</td>
<td>7.366</td>
<td>+3.008 ***</td>
<td>+69%</td>
<td>small</td>
<td>-24</td>
<td>+120</td>
</tr>
<tr>
<td>Yukon</td>
<td>16-17</td>
<td>11.616</td>
<td>12.986</td>
<td>+1.370</td>
<td>+12%</td>
<td>no</td>
<td>-1.856</td>
<td>+266</td>
</tr>
<tr>
<td>N.W.T.</td>
<td>16-17</td>
<td>11.063</td>
<td>14.486</td>
<td>+3.423</td>
<td>+31%</td>
<td>yes</td>
<td>-788</td>
<td>-883 ***</td>
</tr>
</tbody>
</table>

Note: significance levels: *p < .05; **p < .01; ***p < .001.
Source: tabulations supplied by Canadian Centre for Justice Statistics; the adjustment for 1980-83 is explained in the text.
Table 7
Changes over time in proportions of apprehended youth who were charged by police, by province, 1977 to 1996

<table>
<thead>
<tr>
<th>Province</th>
<th>Ages added by the YOA</th>
<th>JDA 1977-83 %</th>
<th>YOA 1986-96 %</th>
<th>Difference between mean levels</th>
<th>Difference as % of JDA level</th>
<th>Jump after 1985?</th>
<th>JDA 1977-83 %</th>
<th>YOA 1986-96 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada</td>
<td>16-17</td>
<td>53.5</td>
<td>65.1</td>
<td>+11.6 ***</td>
<td>+22%</td>
<td>yes</td>
<td>+0.3</td>
<td>+0.2</td>
</tr>
<tr>
<td>Quebec</td>
<td>—</td>
<td>80.9</td>
<td>68.8</td>
<td>-12.1 **</td>
<td>-15%</td>
<td>no</td>
<td>+0.2</td>
<td>-3.5 ***</td>
</tr>
<tr>
<td>Manitoba</td>
<td>—</td>
<td>77.2</td>
<td>78.1</td>
<td>+0.9</td>
<td>+1%</td>
<td>no</td>
<td>-1.2 *</td>
<td>+0.8 *</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>16-17</td>
<td>74.8</td>
<td>70.5</td>
<td>-4.3</td>
<td>-6%</td>
<td>no</td>
<td>-2.8 *</td>
<td>+0.4</td>
</tr>
<tr>
<td>Newfoundland</td>
<td>17</td>
<td>65.8</td>
<td>73.5</td>
<td>+7.7</td>
<td>+12%</td>
<td>no</td>
<td>-3.9 *</td>
<td>+2.5 *</td>
</tr>
<tr>
<td>British Columbia</td>
<td>17</td>
<td>55.1</td>
<td>55.3</td>
<td>+0.2</td>
<td>+0%</td>
<td>no</td>
<td>+2.9 *</td>
<td>-0.9 ***</td>
</tr>
<tr>
<td>P.E.I.</td>
<td>16-17</td>
<td>44.2</td>
<td>65.3</td>
<td>+21.1 ***</td>
<td>+48%</td>
<td>yes</td>
<td>+0.3</td>
<td>-0.1</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>16-17</td>
<td>58.6</td>
<td>76.5</td>
<td>+17.9 **</td>
<td>+31%</td>
<td>yes</td>
<td>-3.8 **</td>
<td>+0.9 *</td>
</tr>
<tr>
<td>Ontario</td>
<td>16-17</td>
<td>34.0</td>
<td>64.4</td>
<td>+30.4 ***</td>
<td>+89%</td>
<td>yes</td>
<td>-1.2 *</td>
<td>+1.7 **</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>16-17</td>
<td>24.3</td>
<td>66.5</td>
<td>+42.2 ***</td>
<td>+174%</td>
<td>yes</td>
<td>+0.7</td>
<td>+1.3 ***</td>
</tr>
<tr>
<td>Alberta</td>
<td>16-17</td>
<td>56.1</td>
<td>66.4</td>
<td>+10.3 *</td>
<td>+18%</td>
<td>small</td>
<td>-1.8</td>
<td>+0.5</td>
</tr>
<tr>
<td>Yukon</td>
<td>16-17</td>
<td>46.2</td>
<td>63.1</td>
<td>+16.9 ***</td>
<td>+37%</td>
<td>no</td>
<td>+1.1</td>
<td>+1.8 *</td>
</tr>
<tr>
<td>N.W.T.</td>
<td>16-17</td>
<td>36.9</td>
<td>61.9</td>
<td>+25.0 ***</td>
<td>+68%</td>
<td>yes</td>
<td>-2.4 *</td>
<td>-1.3 *</td>
</tr>
</tbody>
</table>

Coefficient of variation: 0.33 0.10

Note: significance levels: *p < .05; **p < .01; ***p < .001.
Source: tabulations supplied by Canadian Centre for Justice Statistics; the adjustment for 1977-83 is explained in the text.
youth justice systems due to the addition of 16 and 17 year olds, as Carrington and Moyer (1994) suggested.

Table 6 shows the average level and trends in rates of young persons charged, by province. In Figure 4, these data are aggregated into regions with similar levels and trends, and are smoothed using 3-year moving averages (see note 13). Table 7 shows similar information for charge ratios, which are charted in Figures 5a and 5b.\{21\}

Quebec is the only province in which fewer young persons per capita were charged after 1984-85 than during 1980-83. There was an immediate drop after 1985, similar to the drop in the rate of apprehensions, but then the charge rate declined slowly through 1996; whereas the rate of apprehensions rose slightly in Quebec during 1986-96 (Figure 2). This divergence in the rates of apprehensions and charging is reflected in a strong downward trend in the charge ratio – the proportion of apprehended youth who were charged – from 80 percent in 1986 to 51 percent in 1996 (Figure 5b and Table 7). Quebec moved from being the province having the highest proportion of apprehended youth charged during 1980 to 1988, to having the lowest proportion charged, and by far the lowest per capita rate of young persons charged, by 1996. Since these trends are unique to Quebec, it seems likely that they are due to its unique system of diversion for young persons, which was implemented in 1979 by the provincial *Youth Protection Act*, and whose operation was not greatly changed by supersession of the YPA by the YOA in 1984 (LeBlanc and Beaumont 1988; 1992).

The other provinces and territories all experienced increases after 1985 in rates of young persons charged: in the range of 10 to 30 percent in British Columbia, Newfoundland, Manitoba, the Yukon, and the Northwest Territories, and 70 to 110 percent in the other provinces, except Saskatchewan, in which the rate of young persons charged tripled after 1985. Saskatchewan moved from having the second-lowest rate of youth charged in the country during 1980-83 to having the highest rate, except for the territories, during 1987-96. This spectacular increase was due both to the large increase in the rate of young persons apprehended (Figure 2) and to the large increase after 1985 in the proportions of these apprehended youth who were charged.
around 25 percent in 1977-83 to 60 to 70 percent in 1986-96 (Table 7). Both of these increases were mainly in the form of large jumps in 1986, but there were also upward trends after 1986 (Figure 5a).

Ontario also experienced a large increase – about 75 percent – after 1985 in the rate of young persons charged, due to a jump from about 3,000 per 100,000 in the early nineteen-eighties to about 4,500 in 1986, rising to 5-6,000 per 100,000 in the early nineteen-nineties. This was not due to an increase in apprehensions – which actually declined during the period (Figure 2) – but to a jump in the proportion of these apprehended youth who were charged, from about 30 percent in 1983 to about 55 percent in 1986, followed by a steady increase to about 70 percent in the early nineteen-nineties (Figure 5a).

Indeed, one of the most striking aspects of the transition from the JDA to the YOA in five of the eight provinces and territories that had a maximum age of 15 years under the JDA, and therefore added 16 and 17 year olds under the Uniform Maximum Age provision of the YOA, is the sudden transition in 1986 from charging relatively low proportions of apprehended youth – that is, high use of police discretion – to charging high proportions. This has resulted in greater national homogeneity in police charging practices. This sudden change was particularly pronounced in Saskatchewan and Ontario, but also occurred in Prince Edward Island, Nova Scotia, and the Northwest Territories (Figure 5a and Table 7). The timing suggests the influence of the YOA. Previous research suggests that the increase in proportions charged in Ontario and Saskatchewan applied over the entire YOA age range (12 to 17 years inclusive), and was therefore not simply due to the addition of 16 and 17 year olds to the jurisdiction of the youth justice system (Carrington 1998).

In Prince Edward Island and Nova Scotia, this increase in charge ratios, combined with the rising trends in both the rate of apprehensions and charge ratios, resulted in rising trends after 1986 in the rates of young persons charged, and in average rates of young persons charged that were twice as high as during 1980-83 (Table 6). In the Northwest Territories, the large jump in charge ratio in 1986 (Figure 5a) was offset to some extent by a decrease in the rate of apprehensions (Table 5), result-
ing in a moderate, statistically non-significant, increase in the rate of young persons charged (Table 6).

On the other hand, the higher average charge ratios for 1986-96 in Alberta and the Yukon are due to rising trends rather than large jumps in 1986, and may be unrelated to the YOA.

In New Brunswick and Manitoba, there were fairly stable, high proportions of apprehended youth charged throughout 1977-96 (Figure 5b and Table 7), so the rate of young persons charged followed the rate of apprehensions.

In Newfoundland, the charge ratio decreased steeply during 1977-83, rose sharply from 1988 to 1993, then fell (Figure 5b). Similarly, the rate of young persons charged rose from a rather low level of about 3,200 per 100,000 in 1986 to a peak of about 6,000 in 1991, then fell to about 5,300 in 1996. In British Columbia – the other province in which 17 year olds were added to the youth justice system by the YOA – the charge ratio and the rate of young persons charged increased from 1977 to 1983, then decreased from 1986 to 1996. In neither province was there a significant change in level in 1986, and it is difficult to know to what extent the changes in charging in these provinces might have been affected by the YOA.

Discussion

This paper has shown that there is no basis in fact for public concern about increased levels of youth crime or the supposed failure of the YOA to control youth crime. Apart from a temporary peak in the early nineteen-nineties, the level of police-reported youth crime in Canada has changed very little since 1980. The average per capita rate of police-reported youth crime was 7 percent higher during the first 11 years under the YOA than during the last 4 years under the JDA. This increase does not appear to be due to the YOA, since it did not occur immediately after 1985, but is largely accounted for by a temporary “hump” in youth crime during the early nineteen-nineties, mainly in the Western provinces. There were jumps in police-reported youth crime in Saskatchewan and British Columbia immediately after 1985, which may have been due to the YOA, possibly because of
changes in police recording practices rather than the criminal behaviour of young persons. On the other hand, police-reported youth crime was lower under the YOA than during 1980-83 in Quebec and Ontario. Although the drop in Quebec was probably at least partly due to the provincial youth diversion system, which predated the YOA by 5 years, we cannot account for the drop in 1986 in Ontario.

The average rate of young persons charged by police was 27 percent higher during 1986-96 than 1980-83 (see note 23). Unlike the rate of young persons apprehended, the charge rate jumped immediately after the YOA came into effect. Before and after this, the charge rate followed the rate of apprehensions quite closely.

The jump in 1986 in young persons charged reflects a jump in the proportion of identified young offenders who were charged – that is, to a sudden drop in police diversion of young offenders. This sudden change in the charge ratio, a time series that is otherwise quite stable, suggests the effect of a discrete event: presumably the YOA. The jump in police charging was especially pronounced in Saskatchewan and Ontario, but also occurred in Prince Edward Island, Nova Scotia, and the Northwest Territories. All of these jurisdictions were characterized, prior to the YOA, by the charging of relatively low proportions of apprehended youth – that is, by the use of relatively high levels of police discretion. On the other hand, Quebec – which had the highest proportion of apprehended youth charged prior to the YOA – experienced a continuous decline in the charge ratio after 1988. The charging of apprehended youth in the other six jurisdictions appears not to have been affected by the YOA.

During the decade after the YOA came into effect, the rate of police-reported youth crime in Canada has increased slightly, but probably not because of the YOA. It has decreased in Ontario, Quebec, and the Yukon, and increased elsewhere. The YOA does appear to have caused a substantial increase in the rate of young persons charged in Canada, by causing an increase in the proportion of apprehended youth who are charged – that is, a reduction in the use of police discretion – in some jurisdictions. In other jurisdictions, the rate of young persons charged has also increased, but apparently not because of the YOA. Quebec
is the only province in which the rate of young persons charged has declined since 1985.

In its Declaration of Principle, the YOA recognizes the right to the "least possible interference" in the lives of young persons accused of crimes. It encourages the use of informal processing in preference to formal proceedings against young persons. Quebec is the only province in which formal charging of apprehended young persons has decreased under the YOA. It is difficult to see how the increase in the laying of charges against young persons in Ontario, Saskatchewan, Prince Edward Island, Nova Scotia, and the Northwest Territories is consistent with the intent of the YOA. The federal government is currently considering changes to the youth justice system to encourage more use of police discretion and other innovative alternatives to formal charging (Department of Justice Canada n.d. [1998]: 19-24). The findings reported in this paper suggest that such measures are needed.

Notes

1. I am indebted to Jim Hackler, Julian Roberts, and Jean Trépanier for comments on an earlier version. Preparation of this article was supported by Social Sciences and Humanities Research Council Research Grant No. 410-95-0661.

2. They excluded the four quarters from April, 1984 to March, 1985, because the Uniform Maximum Age provision of the YOA was phased in during that period, making per capita rates of youth crime rather unreliable (Carrington and Moyer 1994: 7).

3. That is, the rate of young persons apprehended but not necessarily charged by police.

4. 1977 is the first year for which reliable detailed data are available from the UCR Survey. See note 2 re the omission of 1984 and 1985.

5. Details of the methodology of the UCR Survey are provided annually in the Canadian Crime Statistics series; see, e.g. Canadian Centre for Justice Statistics (1996).

6. The category "persons charged" in the UCR Survey actually refers to persons "charged or recommended for charges by police," since, in some jurisdictions, such as New Brunswick, Quebec, and British Columbia, the laying of charges against young persons is subject to approval by the Crown. It appears that in UCR returns from New Brunswick and
Quebec, if the Crown does not approve the recommendation to charge, the apprehended person is counted as "not charged"; but that in British Columbia, the person recommended for charges is counted as charged whether or not the Crown approves the charges (Canadian Centre for Justice Statistics 1994: 14-15).

7. Police in Canada have discretion to use "other means" in dealing with apprehended offenders, such as taking no action at all, or none beyond an informal warning or notification of the parents; they may also refer the apprehended youth to a pre-charge alternative measures programme. Police discretion not to charge in Canada is discussed at length in Hornick, Caputo, Hastings, Knoll, Bertrand, Paetsch, Stroeder, and Maguire (1996); for discussion of the relative values of the UCR Survey's "persons charged" and "persons apprehended," see Carrington (1995: 62), Markwart and Corrado (1995: 74-75), and Task Force on Youth Justice (1996: 146-147).

8. According to Hackler, the UCR category "juveniles not charged" was used particularly inconsistently by individual police departments prior to the YOA, varying "from 0 to a very large figure" (private communication; see also Hackler and Don 1990). However, even very large inconsistencies among individual police departments in a given year do not invalidate inferences concerning changes over time aggregated to the provincial or regional level, as long as the inconsistencies are reasonably consistent over time.

9. In addition to the underestimation due to crime that the police are unaware of, or are aware of but do not record, and incidents that are not cleared (see above).

10. Some provinces used a minimum age of 12 or 14, rather than 7 years, for juvenile court proceedings (Bala and Corrado 1985: 17-19).

11. For an example of this approach, see Schissel (1993: Chapter 3). Silverman (1990) illustrates the pitfalls of using the "legal" definition of juveniles in studying youth homicide, and cautions against making comparisons when definitions are unstable; however, to eschew such pre-post comparisons would severely restrict evaluation of many legislative initiatives, and, more generally, the study of many social phenomena over time.

12. Clark and O'Reilly-Fleming (1994: 308) calculated from these data that children under 12 made up "roughly 2% of total national offences" during 1988-92. Using this estimate of 2 percent, and knowing that accused aged between 12 and 17 made up 21 percent of the total, Markwart and Corrado (1995: 76) concluded that children under 12 made up about 10 percent [2/(2+21)] of accused under 18. However, Clark and O'Reilly-Fleming appear to have miscalculated the percentage of the national total made up by children under 12, which is 1.2 percent, not 2 percent (Table 1 above; see also DuWors 1992: 3). This estimate is corroborated by the official annual reports on crime in Canada, which reported that children under 12 accounted for 1.2 percent of all apprehended offenders in each of 1994 and 1995; that is,

13. At least 12 years old; this estimate was obtained by using the adjustment for inflation discussed above.

14. That is, there is less than a 5 percent chance that this increase could be due to random annual fluctuations. Actually, the increase is barely significant: the p value is .047.


16. See the previous note. There was also a small, but short-lived, jump in Nova Scotia.

17. Along with a very small, and statistically non-significant, upward trend during 1986-96.

18. The non-significant positive trend value of 1.040 for 1980-83 for the Northwest Territories is due to an anomalous high value for 1983: the rates for 1980-82 decline consistently.

19. The increases in 1986 in Nova Scotia and Manitoba appear to be part of a trend that existed prior to 1984.

20. Except for the temporary peak in the early nineteen-nineties, which is characteristic of many indicators of crime and police activity.

21. The entire 7-year period, 1977-83, is used in the analyses in Table 7, since charge ratios - unlike rates of young persons apprehended and charged - had relatively consistent trends during this period.

22. This is indicated by the reduction in the coefficient of variation in the last line of Table 7.

23. Assuming that the adjustment for inflation of rates under the JDA is correct.

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