

# Adult Criminal Justice in Canada

JOURNEY OF AN ADULT OFFENDER AGED 18+



↑ The average cost of an offender throughout adulthood is estimated at **\$242,077**<sup>7</sup>

Homicide and sexual assault are the most costly crimes<sup>10</sup>

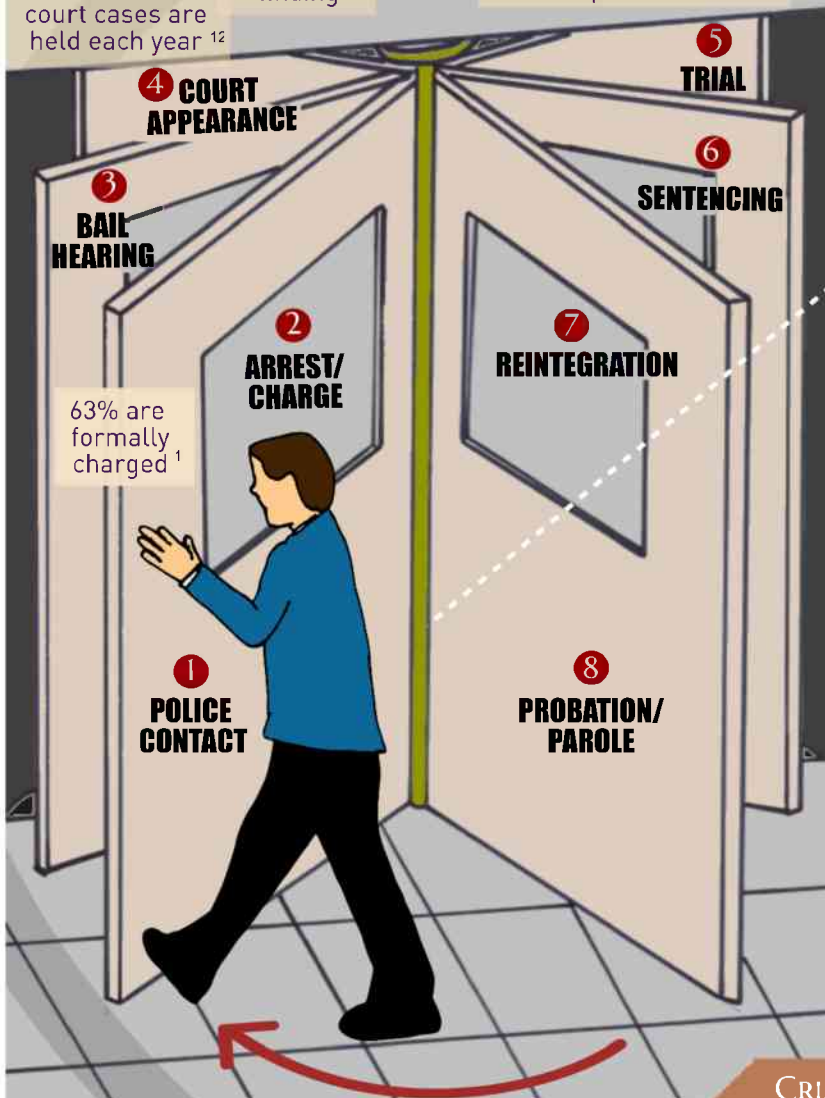
Federal incarceration is much more expensive than community supervision<sup>13</sup>

Over 360,000 adult criminal court cases are held each year<sup>12</sup>

63% result in a guilty finding<sup>12</sup>

Incarceration costs an average of \$111,202 per man per year and even more per woman!<sup>13</sup>

‡ In contrast, the cost of sending an adult through a Restorative Justice program may be as low as **\$1,000**<sup>5</sup>



63% are formally charged<sup>1</sup>

\* Over 690,000 adults are accused of a crime every year<sup>1</sup>



Majority are young adult men<sup>1,12</sup>

Most common adult crimes are theft and impaired driving<sup>12</sup>



## Restorative Justice

Restorative Justice may be considered an **exit** from the revolving door of the criminal justice system

§ Compared to traditional approaches, Restorative Justice programs result in:

- ↓ RECIDIVISM
- ↑ VICTIM SATISFACTION
- ↑ OFFENDER SATISFACTION
- ↑ RESTITUTION COMPLIANCE<sup>11</sup>

|| The rate of recidivism for Restorative Justice participants, at 35%, is about half that of probationers<sup>3</sup>

|| Restorative Justice programs with a restitution component are most effective<sup>3</sup>



For example:

Community Justice Forums

Family Group Conferencing

Victim-Offender Mediation/Dialogue (e.g. Correctional Service of Canada's Restorative Opportunities program)



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This diagram depicts the typical journey of an adult offender (18+ years of age) through the Canadian criminal justice system; however the flow of steps is always in flux and depends on each individual case.

### CRIMINAL JUSTICE <sup>4,12</sup>

- 1** Police Contact: The adult comes into contact with police after committing a crime. The police decide to warn, arrest, or charge based on public safety, the seriousness of the offence, and the Criminal Code. They may also refer him/her to a pre-charge diversion program.
- 2** Arrest/Charge by Police: If public safety is not a concern, the adult may be released and given a date for his/her first court appearance. If it is a concern, the adult is taken into custody until his/her bail hearing.
- 3** Bail Hearing: The adult is either released until his/her court appearance or is sent to or remains in custody at a detention centre.
- 4** First Court Appearance: The adult attends his/her first court appearance and is given the Crown's position on sentencing.
- 5** Trial: The adult attends a trial in which a judge and/or jury examines evidence to determine guilt. Each trial is unique and the adult is presumed "innocent until proven guilty".
- 6** Sentencing: If the adult is convicted, possible sentencing options include fines, probation, and custody. Sentencing is based, in part, on gravity of the offence and harm to the victim(s). Cases can include more than one sentence.
- 7** Reintegration: Once the adult has completed his/her sentence, he/she is reintegrated into the community to find work and/or attend school or needed programs.
- 8** Probation/Parole: If the adult offender served a custodial sentence, he/she is then required to undergo community supervision. The adult works with a Probation/Parole Officer on a plan aimed at decreasing re-offense.

### RESTORATIVE JUSTICE

Restorative Justice has been seen as an alternative to the traditional court system but is being used more and more together WITH the current criminal justice system as an opportunity to address harm. <sup>6,8</sup>

Restorative Justice is an inclusive process that is based on an understanding that crime is a violation of people and relationships. It offers a meaningful voice to victims and community members and is an opportunity for offenders to admit guilt and be accountable for their actions in all types of crimes. <sup>2,6,8</sup>

Entry into a Restorative Justice program can occur at any stage in the criminal justice process, such as: (a) police (pre-charge), (b) Crown (post-charge), (c) courts (pre-sentence), (d) corrections (post-sentence), and (e) parole (pre-revocation). <sup>11</sup>

Although Restorative Justice programs are currently more accepted for youth offenders, research suggests that they may actually be more effective at reducing recidivism among adults. Adult corrections also cost much more than youth corrections. Together, these points further support the **need for Restorative Justice programs for adult offenders in Canada.** <sup>2,3,14</sup>

### Cost Savings

**11** Restorative Justice is more than **six times** more cost-effective than traditional criminal justice <sup>9</sup>

This figure is based on a cost-effectiveness analysis that compared both the costs and outcomes of contemporary Restorative Justice programs and traditional criminal justice methods. Restorative Justice had a lower cost per percentage of effectiveness at reducing recidivism.

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## Footnotes

Most of the crime statistics presented in the diagram above are from Canadian national data.

\* There were 692,695 adults (18+) who were accused of Criminal Code offences (excluding traffic) in Canada in 2014, according to Statistics Canada.<sup>1</sup>

† This cost was calculated from estimates gathered through a 15-year follow-up study conducted in Toronto, Ontario. Some of the sample would have reoffended during this time period. The number represents the total average cost of a single male offender throughout young adulthood (ages 18-26) and includes victim costs, correctional costs, and other criminal justice system costs (e.g. police, courts, prosecution, and legal aid).<sup>7</sup>

‡ Based on personal communication with an adult Victim Offender Reconciliation Program (VORP) in Ontario, Canada that uses volunteers.<sup>5</sup>

§ These statistically significant findings were collected in a meta-analysis of studies examining the effectiveness of Restorative Justice programs (including both adult and youth programs together) compared to traditional non-restorative approaches.<sup>11</sup>

|| One study found that offenders who participated in a Restorative Justice program had lower recidivism rates than a matched group of probationers. With each year of follow-up, the differences in recidivism rates for the two groups widened. By the third year, the Restorative Justice group had a recidivism rate of 35%, compared to 66% for the probationers (a difference of about half). Based on a separate meta-analysis, this study also found that Restorative Justice programs that included an agreement that the offender pay the victim to address financial losses (restitution) were most effective at reducing recidivism.<sup>3</sup>

¶ Based on U.S. Restorative Justice and traditional criminal justice cost and outcome (i.e. recidivism) estimates. Although some criminal justice cost data was missing, any additional costs would have only bolstered the results suggesting that Restorative Justice is more cost-effective.<sup>9</sup>

## References

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By: Nicole Jeffrey (2017)

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