



CANADIAN RESEARCH INSTITUTE FOR LAW AND THE FAMILY

THE IMPACT OF THE *YOUTH CRIMINAL JUSTICE ACT* ON CASE FLOW IN ALBERTA AND SYSTEM RESPONSE IN CALGARY

Objectives of the Report

Examine the flow of cases through the youth criminal justice system to understand the impact of the *Youth Criminal Justice Act* (YCJA) in Alberta.

Understand changes in the occupational practices and workload of police officers and probation officers working with offending youth in Calgary as a result of the new legislation.

Research Questions

1. How has the implementation of the YCJA affected the flow of cases through the Alberta youth criminal justice system:
 - a. Have the number and type of charges been affected?
 - b. Have court decisions changed and have they changed by offence type?
 - c. Have sentences changed and have they changed by offence type?
2. Has the YCJA affected the workload of police and probation officers in Calgary's youth justice system?
3. Has the use of extrajudicial measures (formerly alternative measures) been affected by the implementation of the YCJA?
4. How do police officers and probation officers working with youth view the changes to the legislation and what changes do they recommend in order for it to be more effective?

Method

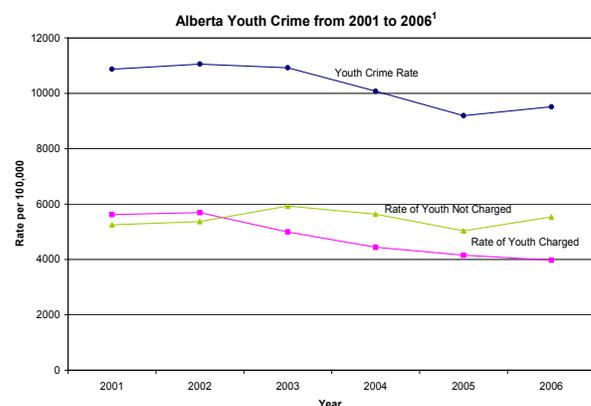
A case flow analysis of the youth cases processed in the Alberta youth criminal justice system was examined from 2001 to 2006 using data from the Uniform Crime Reporting Survey, the Youth Court Survey and Corrections Services.

Focus groups were conducted with small groups of police (N=32) and probation officers (N=14) working with youth in Calgary.

Case Flow Analysis

The reported youth crime rate in Alberta has steadily declined since 2003, the year the YCJA came into force.

The rate of youth charged with property crimes has shown the steepest decline out of all types of offences since 2003. The proportion of charges represented by property crimes has also decreased in the years following the implementation of the YCJA, dropping from 41% of youth charged in 2001 to 35% in 2006.



Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

¹ Rates are based on based on Alberta youth population (ages 12-17).

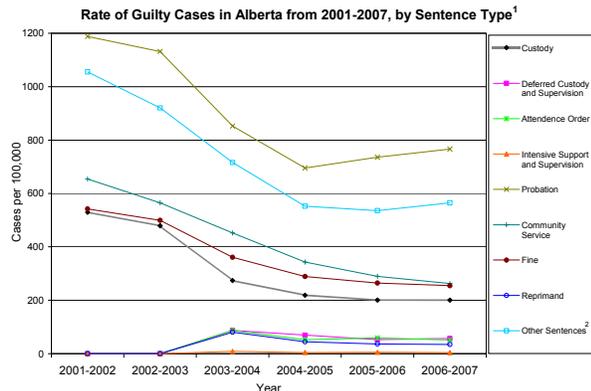
Following the introduction of the YCJA, the rate of youth cases heard in court dropped substantially. This was primarily due to the decrease in cases heard for property-related offences; however, decreases were also observed in all other offence types, including crimes against the person.

Guilty decisions mirrored the overall drop in youth court decisions following the implementation of the YCJA, while the number of stays increased. The increase in cases that were stayed may reflect the change in legislation that called for increased use of diversion programs and fewer youth to be incarcerated.

There was an immediate decrease in the rate of custodial sentences ordered following the implementation of the *YCJA* across a number of different offence categories.

While the new sentences introduced in the *YCJA* (deferred custody and supervision, intensive support and supervision, attendance orders and reprimands) have been used, they are still not as common as probation, community service, fines and custody. Probation is still the most common sentence, representing 47% of all guilty cases in 2006-2007.

The average number of youth supervised in the community has declined since the *YCJA* came into force, while the unsupervised caseload has increased.



Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Court Survey.

¹ Rates are based on based on Alberta youth population (ages 12-17).

² Other Sentences include absolute discharge, restitution, prohibition, seizure, forfeiture, compensation, pay purchaser, essays, apologies, counselling programs, intensive rehabilitative custody and supervision, and conditional discharge.



Impact of *YCJA* on Workload for Calgary Police and Probation Officers

Most police officers reported that their workload increased following the implementation of the *YCJA*. They cited a number of reasons for this, including: increased monitoring of youth who were no longer getting sentenced to custody or were serving their sentences in the community; increased paperwork associated with extrajudicial measures; and increased time collecting background information on youth and taking statements from them. However, due to a decrease in charges, police officers also spent less time doing charge-related paperwork and were also less likely to appear in court.

Probation officers reported that despite the decrease in their caseload since the implementation of the *YCJA*, their workload has increased. Probation officers cited increases in the intensity of their work because the cases they supervise are more complex. They have also experienced increases in the length of pre-trial supervisions, greater contact with youth due to the new orders introduced in the *YCJA*, and the growing complexity of their jobs as reasons for their increased workload.

Police and Probation Officers' General Perceptions of the *YCJA*

Police and probation officers praised the new legislation for its increased emphasis on diversion and its multiple levels of intervention. Probation officers also spoke favourably about the process of reintegration under the *YCJA* and the increase in sentencing options. In particular, they appreciated the principles and guidance on ordering custody in the legislation.

On the other hand, police and probation officers felt that there were difficulties in achieving all of the principles of the *Act*, in particular, for chronic and persistent offenders. One cause of these difficulties, identified by study participants, is a shortage of targeted services in the community. Police and probation officers felt that despite the existence of many programs for youth, many programs are voluntary, sometimes difficult to access, and under-resourced. There is still also a shortage of resources to facilitate rehabilitation of chronic young offenders.

Links to the full report and executive summary are available under Research Reports on CRILF's website: <http://www.ucalgary.ca/~crilf>