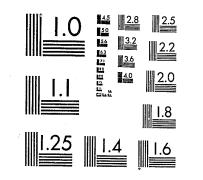
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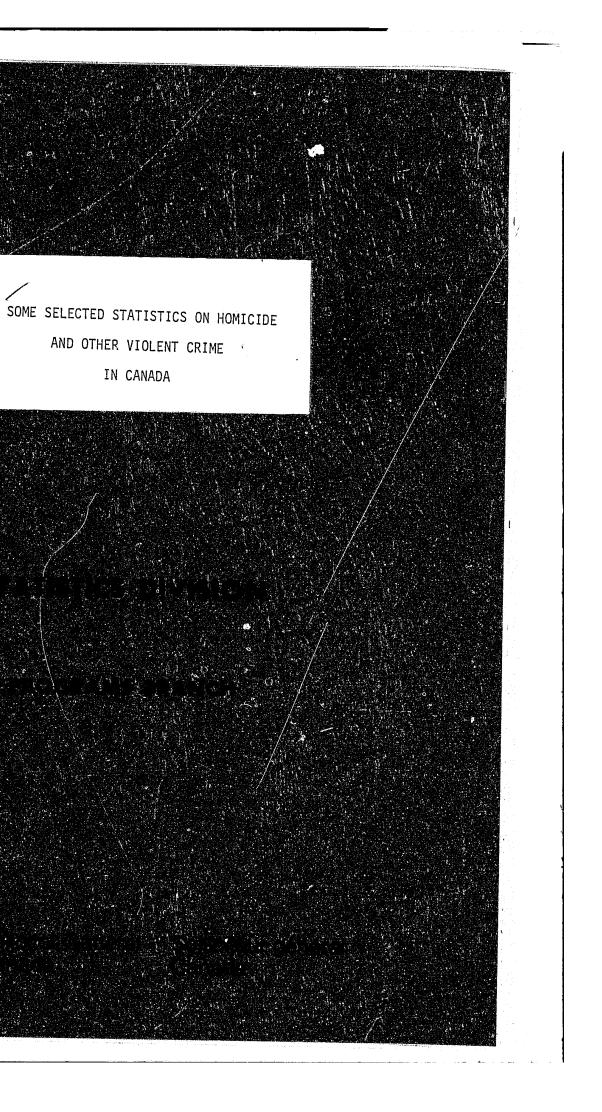


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# SOME SELECTED STATISTICS ON HOMICIDE

# AND OTHER VIOLENT CRIME

IN CANADA

### U.S. Department of Justice National Institute of Justice 76234

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Phyllis Doherty & Renée Joyal, Statistics Division, Ministry of the Solicitor General. April, 1979

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### INTRODUCTION

1.

This report presents an overview and description of information on violent crime in Canada, utilizing the most recent data available, and is in a "question-and-answer" format. We have attempted to pose the questions most likely to be raised on the subject of violent crime, and answer those questions within the constraints of data which could be culled from various sources.

It will be remarked that we have dealt most extensively with those crimes of violence which are subsumed under the heading of homicide. This was not a chance occurrence; of all the crimes of violence listed in the Criminal Code, it is homicide with which the general public appears to be most concerned.

Q.1 What constitutes violent crimes?

Violent crimes are Criminal Code offences in which the use or threat of force against the victim is an intrinsic element. They include homicide (murder, attempted murder, manslaughter, and infanticide), rape and other sexual offences, assaults (not indecent), and robbery. Penalties for these crimes range from punishment on summary conviction to imprisonment for life.

HOMICIDE

For statistical purposes, homicide is comprised of murder, attempted murder, manslaughter, and infanticide.

1. Murder:

In the years prior to 1961, all murder was capital murder. The punishment fixed by law was death. This penalty could be commuted to life imprisonment by the Governor General in Council.

As of September 1, 1961, amendments to the Criminal Code differentiated between Capital and Non-Capital murder. Capital murder included premeditated murder, the murder of a policeman, of a prison officer or a prison employee, or murder committed during the carrying out of another criminal act. The required penalty was death by hanging. All other types of murder constituted non-capital murder, for which the penalty was life imprisonment.

As of December 30, 1967, capital murder was limited to the killing of police officers or prison officers and employees. All other murders were classified as non-capital. Death remained the mandatory penalty for capital murder and life imprisonment remained the mandatory penalty for non-capital murder.

As of January 1, 1974, the Criminal Law Amendment (Capital Punishment) Act was proclaimed law. Capital murder was replaced by murder punishable by death and consisted of killing a law officer, a prison officer or a prison employee. Non-capital murder was replaced by murder punishable by life imprisonment.

As of July 26, 1976, Bill C-84 was proclaimed law. By this law the government redefined murder again, abolished the death penalty and instituted mandatory sentences of life imprisonment for both first and second degree murder, with rigorous conditions of parole eligibility.

Persons convicted of first degree murder must serve twenty-five years of imprisonment before they are eligible for parole; persons convicted of second degree murder must serve at least ten years.

• • • • • • •

### First degree murder includes:

- (a) planned or deliberate murder, including "contract" killing;
- (b) the murder of a police officer or of an employee of a penitentiary or prison while in the line of duty;

3.

(c) murder committed in the course of an aircraft hijacking, a kidnapping, and certain sexual offences including rape and attempted rape;

and

(d) murder committed after a person has been previously convicted of first and second degree murder.

Second degree murder includes all other murders.

2. Attempted Murder:

Everyone who attempts to commit murder is liable to imprisonment for life.

### 3. Manslaughter:

Manslaughter is culpable homicide that is not murder, infanticide, or causing death by criminal negligence. The maximum penalty incurred is imprisonment for life.

### 4. Infanticide:

This offence was first introduced in the law of Canada in 1948. It is the act of a mother who, under certain circumstances, takes the life of her newly-born child. The maximum punishment upon conviction is five years imprisonment.

For statistical purposes, infanticide offences have been classified as a distinct type of homicide since 1974 only. Previously, they belonged to the other lesser offences category.

### RAPE AND OTHER SEXUAL OFFENCES

1. Rape:

A male person commits rape when he has sexual intercourse with a female person who is not his wife, either without her consent, or with her consent but, if the consent is extorted by threats or fear of bodily harm, if it is obtained by personating her husband, or by false and fraudulent representations as to the nature and quality of the act. The maximum penalty for rape is imprisonment for life.

2. Other Sexual Offences

Other sexual offences include sexual intercourse with feeble-minded females and with very young females, incest, various forms of seduction, buggery or bestiality, and acts of gross indecency.

### ASSAULTS (NOT INDECENT)

These include wounding, causing bodily harm, assaulting a peace officer or a public officer, and other assaults.

They entail penalties ranging from punishment on summary conviction to life imprisonment.

### ROBBERY

Robbery includes stealing with violence, threats of violence, and stealing while armed. The maximum penalty is imprisonment for life.

For these, the maximum penalties range from imprisonment for two years to imprisonment for fourteen years.

Q.2 For Canada as a whole, what are the most recent statistics on each type of violent crime?

The most recent statistics are for 1977 and are shown in the table below.

5.

VIOLENT OFFENCES BY TYPE OF OFFENCE IN NUMBERS AND

RATES PER 100,000 POPULATION, SHOWING PERCENTAGE OF

TOTAL VIOLENT CRIMES<sup>(1)</sup>, CANADA, 1977

		· · · · · · · · · · · · · · · · · · ·	1
TYPE OF OFFENCE	NUMBER	% OF	RATE
HOMICIDE Murder, first degree Murder, second degree Manslaughter Infanticide Attempted Murder	1,391 199 425 78 5 684	1.0	5.9
SEXUAL OFFENCES Rape Indecent Assault (Female) Indecent Assault (Male) Other Sexual Offences	10,932 1,886 5,278 1,344 2,424	8.1	46.9
ASSAULTS (NOT INDECENT) Wounding Bodily Harm Police Other Peace-Public Officers Other Assault	103,931 2,070 24,245 5,340 732 71,544	76.5	446.2
ROBBERY Firearms Other Offensive Weapons Other Robbery	19,491 7,507 3,350 8,634	14.4	83.6
TOTAL VIOLENT OFFENCES	135,745	100.0	582.6

(1) Percentages are shown for major categories only.

SOURCE: Statistics Canada, Crime and Traffic Enforcement Statistics 1977, (Catalogue #85-205)

PREPARED BY: Statistics Division, Ministry of the Solicitor General March 1979

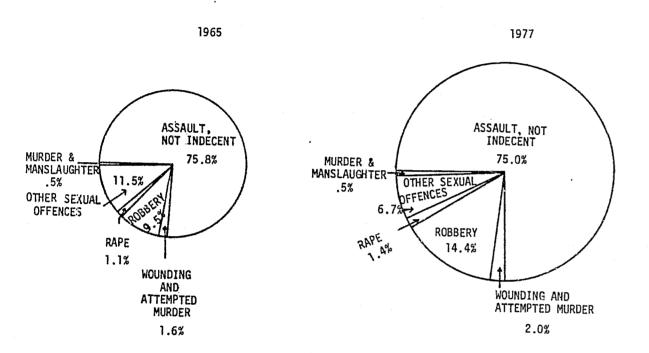
	VIOLENT OFFENCES I	N NUMBERS AND R	ATES
	PER 100,000 POPULATIO	N, CANADA, PROV	INCES
	AND TERRITOR		
		······································	
		NUMBER	RATE
	CANADA	135,745	582.8
	Newfoundland Prince Edward Island Nova Scotia New Brunswick Quebec Ontario Manitoba Saskatchewan Alberta British Columbia Yukon Northwest Territories (1) The high rates in Yukon should be interpreted w low population on which	ith caution bec	ause of the
offen	Violent offences include h ces, assaults (not indecent) an	nomicides, rape nd robbery.	and other sex
SOURC	E: Statistics Canada, <u>Crime ar</u> Statistics 1977, (Catalogu	nd Traffic Enfor 1e #85-205)	cement
PREPAI	ED BY: Statistics Division, Ministry of the Solici March, 1979	itor General	

each

Q.4 Is violent crime on the increase?

# PERCENTAGE BREAKDOWN OF SPECIFIC OFFENCES CLASSIFIED AS CRIMES OF VIOLENCE, CANADA, 1965 AND 1977

7.

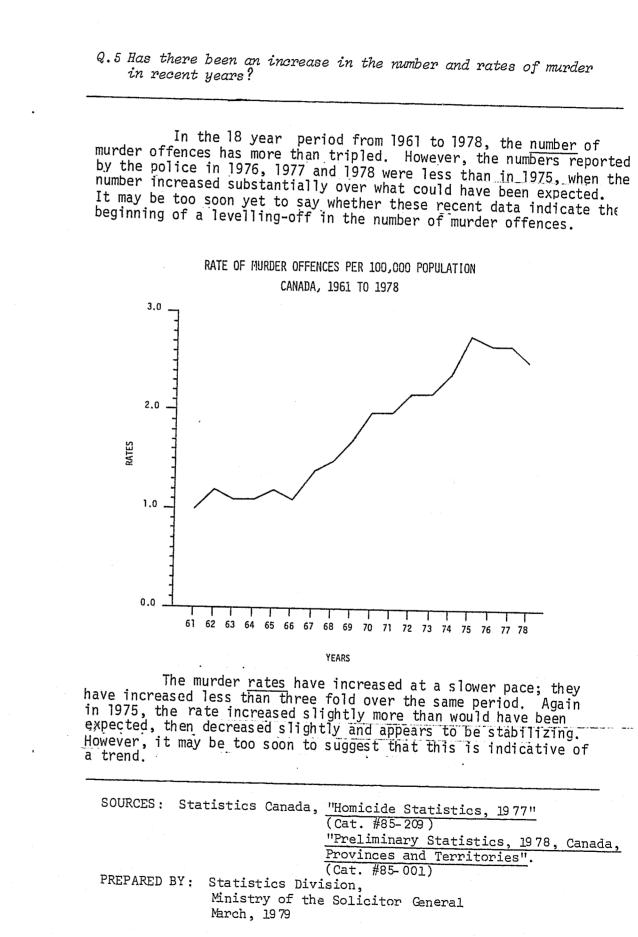


As illustrated by the difference in the sizes of the above circles, there has been more than a two-fold increase in the number of violent crimes in Canada between 1965 and 1977. This closely parallels the overall increase in all crimes during the same period. Throughout this time, violent crime has formed a constant 6% of the total number of all crimes committed.

The diagrams also show that there has been little change in the relative frequencies of the various types of violent crimes. The only deviation from the pattern is the increase in the relative frequency of robbery and a compensating decrease in that of "other sexual offences".

SOURCES: Statistics Canada, "Crime Statistics" (Cat. #85-205) Statistics Canada, "Law Enforcement, Judicial and Correctional Statistics", Service Bulletin, Vol. 6, No. 1. Preliminary crime statistics in 1977, Canada, Provinces & Territories. Sept. 1978 (Cat. #85-001)

PREPARED BY: Statistics Division, Ministry of the Solicitor General. February, 1979



"Preliminary Statistics, 1978, Canada,

Q.6 Since 1970, what have been the murder rates for Canada's three largest cities?

### RATES OF MURDER PER 100,000 POPULATION,

### MONTREAL, TORONTO, VANCOUVER AND

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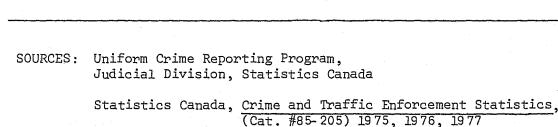
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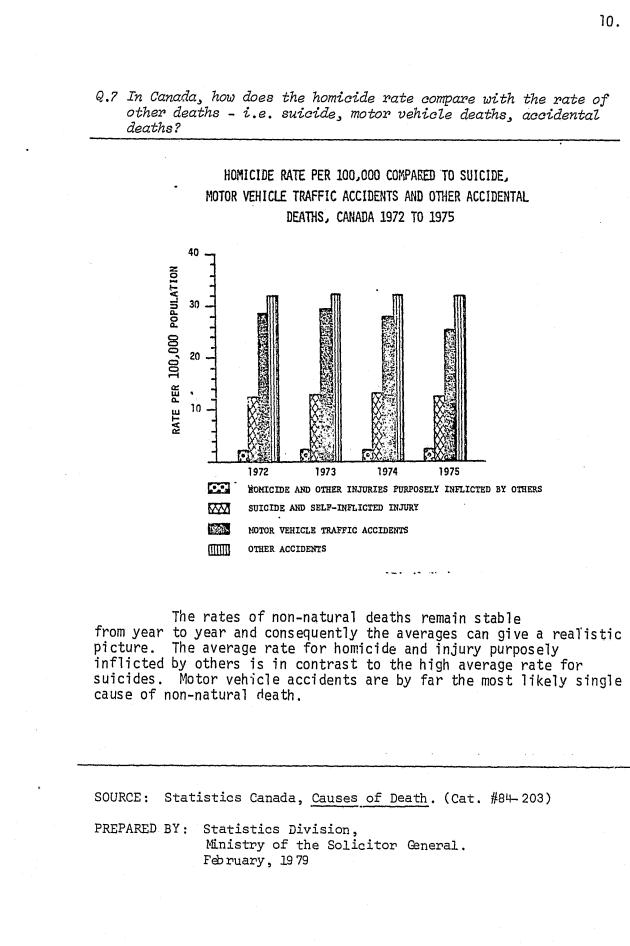
CANADA TOTAL, 1970-1977

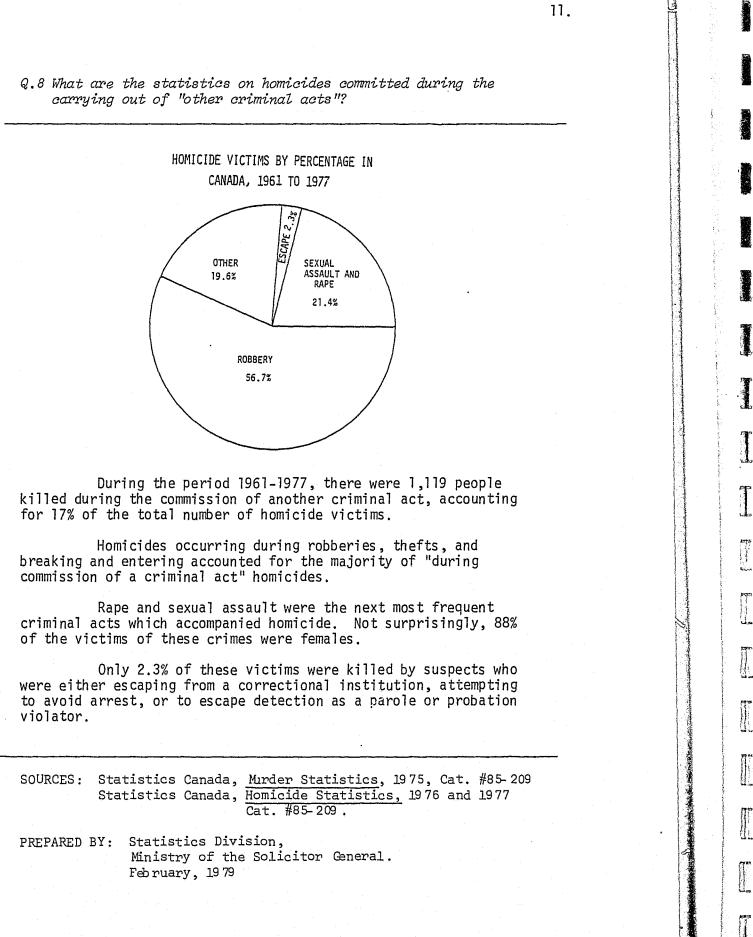
	1970	1971	1972	1973	1974	1975	1976	1977
Montreal	1.8	2.3	4.4	2.5	3.0	5.0	4.0	4.5
Toronto	0.7	1.9	2.0	2.1	1.7	2.2	2.4	2.5
Vancouver	2.5	2.0	3.4	3.3	4.2	4.1	4.0	3.5
CANADA	2.0	2.0	2.2	2.1	2.4	2.8	2.7	2.6



PREPARED BY: Statistics Division, Ministry of the Solicitor General.

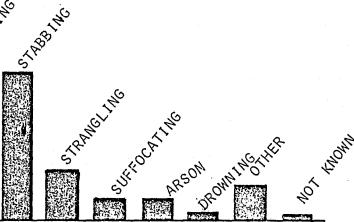
February, 1979.





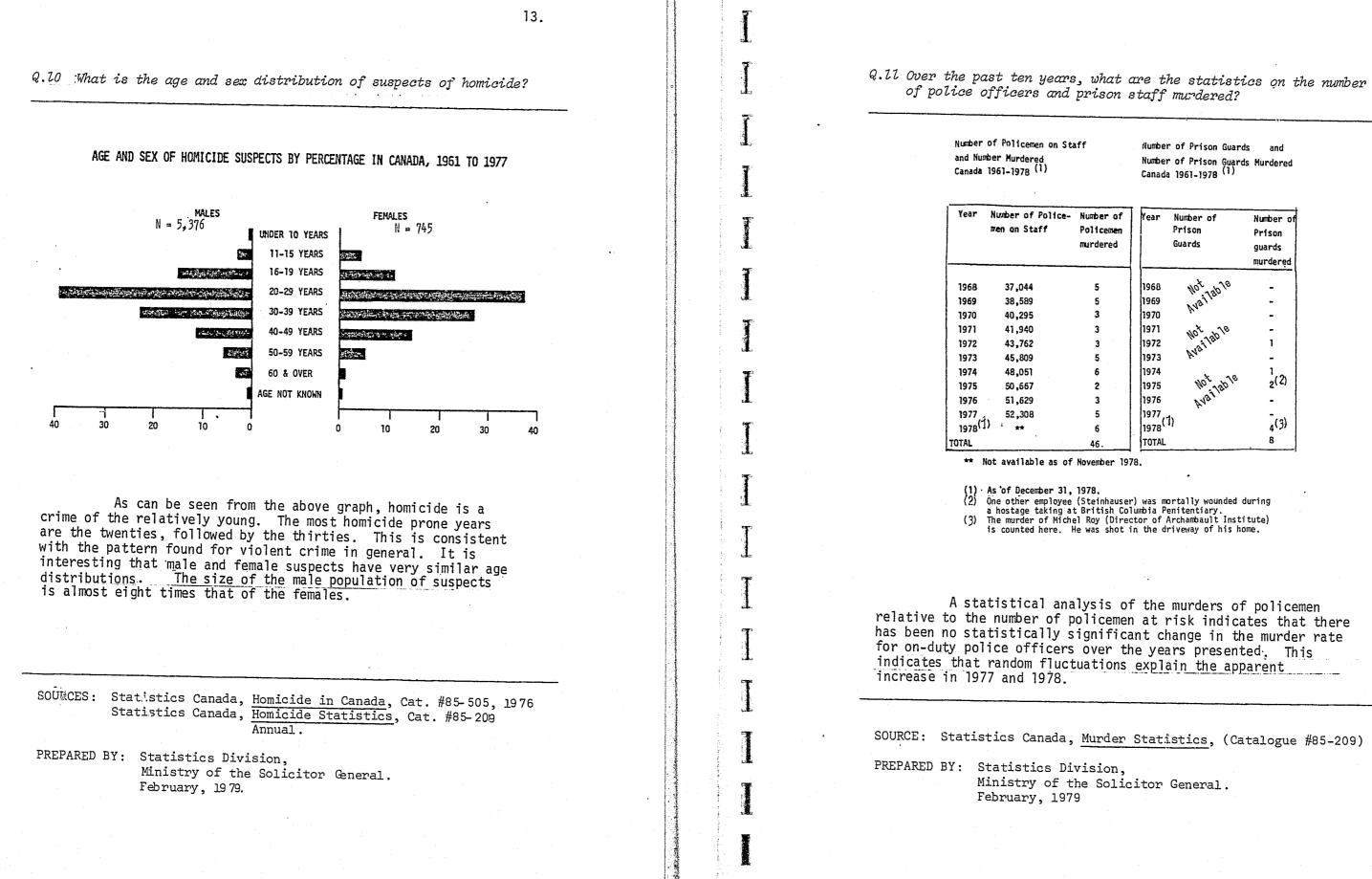
TOTAL MURDER INCIDENTS BY METHOD OF COMMISSION, CANADA, 1961 TO 1977 Shoot MG. 50 40 30 7 WI WI WI TAPP IN 20 5 PRANELING SUFFOCATING 10 Data on the methods employed in murder incidents were examined for the 17 years 1961 to 1977. Over this time the percentage distributions of the various methods remained quite stable from year to year. By far the most prevalent method is shooting, followed by beating, and then stabbing. SOURCE: Statistics Canada, Murder Statistics, 1969-1970, 1974, 1976, 1977, Catalogue #85-209. PREPARED BY: Statistics Division,

Q.9 What are the methods employed in murder incidents?



Ministry of the Solicitor General February, 1979

12.



of police officers and prison staff murdered?

Number of Prison Guards and Number of Prison Guards Murdered Canada 1961-1978 (1)

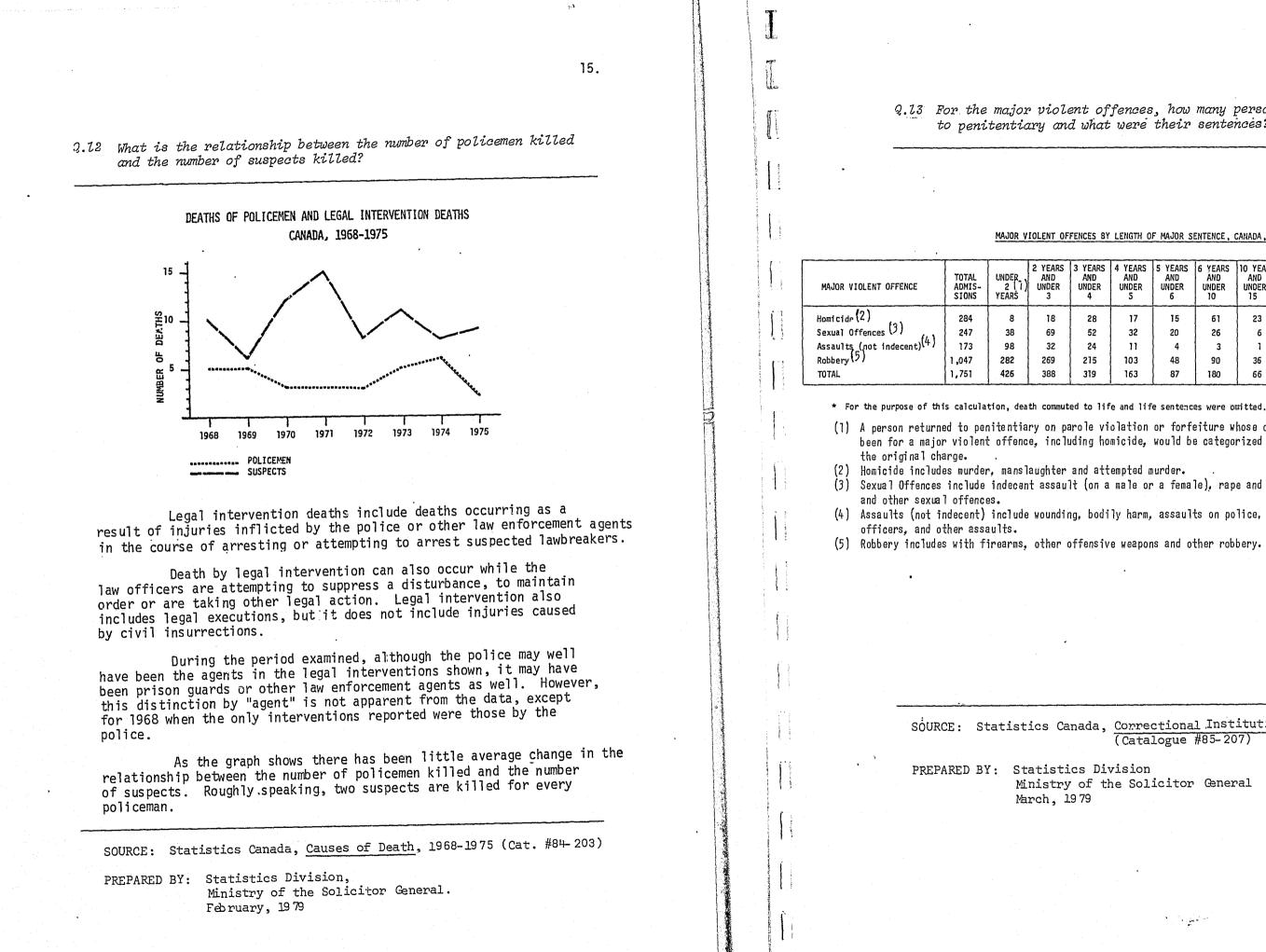
Police- aff	Number of Policemen murdered	Year Number of Prison Guards	Number of Prison guards murdered
	5	1968 Not 1807e	
	5	1969	-
	3	1970 N <sup>02</sup> 1971 N <sup>02</sup> 1972 N <sup>03</sup> 180 <sup>76</sup> 1973 N <sup>103</sup>	-
	3	1971 102 20	-
	3	1972 1120	1
	5	1973 <sup>NU</sup>	-
	6	1973 1974 1975 Not 280	a 1,0
	2	1975 10 180	<sup>e</sup> 2 <sup>(2)</sup>
	3	1976 NS	-
	5	1977	- 1
	6	1977 1978 <sup>(1)</sup>	4 <sup>(3)</sup>
•	46.	TOTAL	8

(2) One other employee (Steinhauser) was mortally wounded during a hostage taking at British Columbia Penitentiary.
(3) The murder of Michel Roy (Director of Archambault Institute) is counted here. He was shot in the driveway of his home.

A statistical analysis of the murders of policemen relative to the number of policemen at risk indicates that there has been no statistically significant change in the murder rate for on-duty police officers over the years presented. This indicates that random fluctuations explain the apparent

SOURCE: Statistics Canada, Murder Statistics, (Catalogue #85-209)

Ministry of the Solicitor General.



Q.13 For the major violent offences, how many persons were admitted to penitentiary and what were their sentences?

### MAJOR VIOLENT OFFENCES BY LENGTH OF MAJOR SENTENCE, CANADA, 1976

2 YEARS AND UNDER 3	3 YEARS AND UNDER 4	4 YEARS AND UNDER 5	5 YEARS AND UNDER 6	6 YEARS AND UNDER 10	10 YEARS AND UNDER 15	15 YEARS AND UNDER 20	20 YEARS AND OVER	DEATH COMMUTED TO LIFE	LIFE	AVERAGE* SENTENCE (YEARS)
18	28	17	15	61	23	7	2	0	105	7.0
69	52	32	20	26	6	2	0	0	2	4.0
32	24	11	4	3	1	o	0	0	0	2.0
269	215	103	48	90	36	3	1	O	0	3.5
388	319	163	87	180	66	12	3	0	107	4.0

(1) A person returned to penitentiary on parole violation or forfeiture whose original sentence had been for a major violent offence. including homicide, would be categorized as admitted under

(3) Sexual Offences include indecent assault (on a male or a female), rape and attempted rape.

(4) Assaults (not indecent) include wounding, bodily harm, assaults on police, other peace/public

SOURCE: Statistics Canada, Connectional Institutions Statistics 1976 (Catalogue #85-207)

> Ministry of the Solicitor General March, 1979

Q.14 With regard to the legislation to abolish capital punishment, passed into law on July 26, 1976, how many persons were admitted to penitentiaries each year on conviction for murder charges?

MURI	MURDER ADMISSIONS TO FEDERAL PENITENTIARIES CANADA, 1976-1978										
YEAR	CAPITAL MURDER	NON- CAPITAL MURDER	1ST DEGREE MURDER	2ND DEGREE MURDER	TOTAL						
1976	0	84	11	6	102						
1977	0	20	29	84	133						
1978	1978 0		44	96	141						
TOTAL	TOTAL O		84	186	375						

Where proceedings for offences of non-capital murder commenced before July 26, 1976, the person was sentenced as if the Act to abolish the death penalty had not come into force. In cases of capital murder, the person was sentenced as if the offence had been committed after the coming into force of the new legislation, that is, as if he had been charged with first degree murder.

SOURCE: Operational Information Services Inmate Record System Correctional Services of Canada PREPARED BY: Statistics Division, Ministry of the Solicitor General. February, 1979

Q.15 As of 1978 how many murderens penitentiary a YEAR Year of First Sentence Mu 1921 1924 1948 1950 1952 1953 1955 1956 1957 1958 1959 1960 1961 \_ 1962 1963 1964 1965 1966 1967 ----1968 -1969 1970 -----1971 \_ 1972 1973 2 1974 2 1975 2 1976 7 1977 35 1978 40 TOTAL 88 SOURCE: Operational Information Services Inmate Records Systems Correctional Services of Canada PREPARED BY: Statistics Division, Ministry of the Solicitor General 20 April 1979

17.

w mary	what	are	currently	serning	timo	1.00
and in	what year	were	they sen	tenced?	U UIIE	un

		RENT MURDERERS I		
Degree urder	Capital Murder	Second Degree Murder	Non-Capital Murder	Tota
	1			-
	1			1
	l			1
	1			1
	2	-		1
	2			2
-	1			2
	2			1
	1			2
	1			1
	4			1
-	1			4
-	1			1
-	2		3	1
•	5		10	5
-	2		10	15
	6		. 9	12
•	3		13	15
• .	5	-	-) 9	16
			28	14
			37	28
	2		51	37 52
			53	53 52
	1	<b></b> .	80	53 81
			58	60 60
			76	78 ·
	يحذب		79	- 81
		10	80	97
		77	14	126
		105	1	120
	45	192	611	936

18.

Q. 16 How long do convicted murderers remain in penitentiaries before they are released on first parole, and how does this compare to persons serving long terms for other offences?

### RELEASES ON FIRST PAROLE (INDEFINITE SENTENCES) FOR PERSONS ADHITTED BY WARRANT OF COHMITTAL, CANADA, 1970-1978

YEAR OF RELEASE	TOTAL	CAPITAL HURDER			HON-CAPITAL HURDER			OTHER OFFENCES		
	PERSONS RELEASED	ORIGINAL SENTENCE	PERSONS	AV. TIHE SERVED	ORIGINAL SENTENCE	PERSONS	AV. TIHE SERVED	ORIGINAL SENTENCE .	PERSONS	AV. TIME SERVED
1970	2	Death	1	9.8	Life	1	8.3			
1971	2		1		Life	1	7.6	Life	1	12.2
1972	1 1	Death	1 1	16.6					1	
1973	1 1				Life	1	6.6		1	1
1974	3	1		1			}	Prev. Det.	3	11.5
1975	18	Death	4	19.6	Life	4	9.3	Prev. Det.	10	7.4
1976	39	Death	12	15.8	Life	19	10.7 -	Prev. Det. Life	1.1	10.2 12.8
1977	32	Death	9	12.5	Life	12	10.2	Prev. Det. Life	8 3	12.3
1978	23	Death	2	43.4	Life	]4	10.9	Prev. Det.	5 2	13.4

For capital murder, twenty-seven inmates served an average of 15 years; two convicts deviated from this pattern, averaging 43 years in penitentiary. For non-capital murder, the average time served to first parole was 10.3 years. For other offences, this average time was 10.9 years.

The above data indicate that with very few exceptions, murderers and inmates given long sentences for other offences serve fairly similar portions of their terms before they are released on first parole. However, with the implementation of the legislation to abolish capital punishment (as of July 26, 1976), people convicted of first degree murder or of high treason must spend twenty-five years in penitentiary before they are considered for parole; people convicted of second degree murder must serve at least ten years.

SOURCE: Operational Information Services, Inmate Records System, CSC

PREPARED BY: Statistics Division, Ministry of the Solicitor General. March, 1979

Q.17 How many murderers have escaped from penitentiary? TO CUST YEAR 31 Aug. -31 Dec. 1975 1 Jan. -31 Dec. 1976 1 Jan. -31 Dec. 1977 TOTAL (1) This includes one inmate who is counted twice because he failed to return from a temporary absence in 1976 and again in 1977. SOURCE: Inmate Population Movement Operational Information Services Correctional Services of Canada PREPARED BY: Statistics Division Ministry of the Solicitor General March 1979

19.

UNLA	WFU	L LEA	VES, AI	ID F	٩E	TURNS	 •		:	••	
						DEC.					

UNLAWFUL LEAVE	S	RETURNS TO CUSTODY
Escapes	2	2
Escapes Temp. Absence Day Parole TOTAL	2 1 3 6	2 1 3 6
Escapes Temp. Absence Temp. Absence with Escort Walkaway Day Parole TOTAL	5 7 2 1 17	5 6 2 2 0 15
	25 (1)	23

### 2.18 During 1972 to 1978, how many inmates of federal penitentiaries died, and from what causes?

# TYPES OF DEATHS OF FEDERAL INMATES ON REGISTER BY INSTITUTIONAL SECURITY LEVEL, CANADA, 1972 TO 1978(P)

TYPE OF DEATH AND SECURITY LEVEL	1972	1973	1974	1975	1976	1977	1978		(P) 972-1978 <sub>%</sub> (1)
<u>Deaths by Natural Causes</u> Maximum Medium Minimum	3 4 0	8 4 2	5 5 1	5 10 0	6 5 4	3 6 0	6 3 2	36 37 9	
Total Natural Causes	7	14	11	15	15	9	11	82	37.6
<u>Accidental Deaths</u> Maximum Medium Minimum	2 4 1	0 2 0	1 3 1	2 1 3	3 1 2	1 3 0	0 0 3	9 14 10	
Total Accidents	7	2	5	6	6	4	3	33	15.1
<u>Suicides</u> Maximum Medium Minimum	7 1 0	9 3 0	4 4 2	5 3 0	5 0 0	7 4 0	2 2 1	39 17 3	
Total Suicides	8	12	10	8	5	11	5	59	27.1
<u>Deaths by Murder</u> Maximum Medium Minimum	1 1 1	1 2 0	3 1 0	4 0 · 0.	4 1 2	6 2 0	2 2 0	21 9 3	
Total Murders	3	3	4	4	7	8	4	33	15.1
<u>Deaths by Legal Intervention</u> Maximum Medium Minimum	1 0 0	0 1 0	1 0 0	1 0 0	0 1 2	1 1 1	1 0 0	5 3 3	
Total Legal Intervention <sup>(2)</sup>	1	1	1	1	3	3 <sup>(3)</sup>	1	11	5.0
<u>Deaths by all causes</u> Maximum Pedium Minimum	14 10 2	18 12 2	14 13 4	17 14 3	19 8 10	18 16 2	12 8 7	111 80 28	
Total Deaths	26	32	31	34	37(4)	36 <sup>(5)</sup>	27 <sup>(6)</sup>	223	100.0

Percentages are based on a total of 218 inmates.

(1) (2) Inmates shot by authorities while resisting arrest or committing an offence while on temporary absence or day parole.

(4) (5)

Includes two outside institution and one inside. Includes one death, cause unknown, in maximum. Includes one death, cause unknown, in minimum.

Includes three deaths, cause unknown, one in each of the categories. Preliminary, as of September 11, 1978. (6) (P)

attached.

May, 1978

PREPARED BY: Statistics Division March, 1979

21.

During the years presented, slightly more than a third of all inmate deaths were due to natural causes. The second major type of deaths was suicides, followed by accidents and murders. Deaths by legal intervention occurred the least often.

Data available on the cases in which inmates were murdered do not indicate who the suspects were. Furthermore, no conclusions can be drawn about the relative mortality risks of inmates in specific institutions and no comparison can be made between the types of deaths related to different security levels. The above counts do not take into consideration either the characteristics of the inmates sent to each institution or the number of institutions to which a given security level is

SOURCE: Directorate of Operational Information Services, Canadian Penitentiary Service,

Ministry of the Solicitor General

