RESEARCH AND STATISTICS DIVISION

Offender Profile and Recidivism among Domestic Violence Offenders in Ontario

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Highlights

➢ The purpose of this study is to compare offence characteristics, criminal history, and recidivism of offenders who have been convicted of a domestic violence offence in an Ontario Domestic Violence Court (DVC) with a sample of offenders convicted in other Ontario courts. It will also examine the influence of criminal history as well as spousal conviction and sentence characteristics on the likelihood of recidivism.

➢ Offenders who appeared in a DVC were generally older than offenders who appeared in other Ontario courts. They were more likely to have been convicted, for the index domestic violence conviction, of less serious violence and were more likely to be sentenced to prison. However, the median prison sentence was shorter compared to offenders who appeared in other Ontario courts.

➢ Similar proportions of offenders from both court types had prior convictions on their criminal record and had been convicted of prior violent offences. However, offenders who appeared in a DVC were less likely to have a prior spousal violence conviction.

➢ Offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to have received a prison term as the most serious sentence for prior convictions.

➢ Offenders who appeared in a DVC were less likely to be reconvicted of a serious violent offence or of a spousal offence. They were, however, more likely to receive a prison sentence for the reconviction.

➢ Time elapsed between the index domestic violence conviction and the reconviction was slightly shorter for offenders who appeared in a DVC.

➢ Gender, age, existence of prior criminal record, seriousness and sentence for prior conviction, sentence and prison sentence length for the index domestic violence conviction, total number of lifetime convictions and of charges without convictions all appear to play a statistically significant role in the likelihood of recidivism.

➢ The findings presented in this report did not demonstrate the influence of a DVC on reducing the overall likelihood of recidivism. However, offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to be reconvicted of a spousal or other violent offence. Also, they were more likely to receive a prison sentence for the index domestic violence conviction and for the reconviction.

Executive Summary

The issue of domestic violence has been, and continues to be, a high priority for federal, provincial and territorial governments. In the past fifteen years, the federal government, as well as many of the provincial and territorial governments have introduced prevention and treatment programs for both victims and perpetrators of domestic violence. In addition, public education programs on the human and financial costs of domestic violence have been well established. Specific domestic violence legislation has been proclaimed in five provinces and two territories in order to complement existing responses under the *Criminal Code*.

In 1997, the Ontario government created the Domestic Violence Court (DVC) Program, starting with two pilot projects in the Toronto area. By 1998, the program had expanded to six additional locations (Brampton, Durham Region, Hamilton, London, North Bay and Ottawa). And, as of June 2005, Domestic Violence Courts exist in 42 locations across the province and it is anticipated the DVC will exist in all 54 court locations in Ontario by the end of 2005−2006.

The purpose of this study is to compare offence characteristics, criminal history and recidivism of a sample of offenders who have been convicted in Ontario of a domestic violence offence in a jurisdiction where there is a Domestic Violence Court (DVC) with a sample of offenders convicted in court jurisdictions without a DVC. It also examines the influence of criminal history as well as spousal conviction and sentence characteristics on the likelihood of recidivism.

A sample of 500 offenders who were convicted of a domestic violence offence between January 1 and December 31, 2001, in Ontario DVCs and a sample of 500 offenders who were convicted in other Ontario courts were randomly selected. A Criminal Convictions, Conditional and Absolute Discharges and Related Information form (also known as a "fingerprint form," "criminal record," or "CPIC record") was retrieved by the Royal Canadian Mounted Police (RCMP) for these offenders and sent to the Research and Statistics Division, Department of Justice Canada, for data entry and analysis. The criminal history for all 1,000 offenders was recorded from its starting point up until December 31, 2003, in an Access database form and analyzed using Statistical Analysis System (SAS) software.

Various statistical analyses were undertaken to present offender, offence and sentence characteristics by court type for all offenders in the sample. Additionally, data on the variables that have an influence on the likelihood of recidivism and the variables that have the strongest relationship with recidivism are also presented.

A few variables showed significant differences between offenders from the two court types. Offenders who appeared in a DVC were generally older than offenders who appeared in other Ontario courts. They were more likely to have been convicted, for the index domestic violence conviction, of less serious violence. They were also more likely to

be sentenced to prison but the median prison sentence was shorter compared to offenders who appeared in other Ontario courts.

There were some differences between offenders from both court types when examining the offender's criminal history. Although similar proportions of offenders from both court types had prior convictions on their criminal record and similar proportions of offenders had been convicted of serious violence or violent offences, offenders who appeared in a DVC were less likely to have a prior conviction for spousal violence compared to offenders who appeared in other Ontario courts. Moreover, they were also more likely than offenders who appeared in other Ontario courts to have received a prison term as the most serious sentence for prior convictions.

Differences between offenders from both court types were also found when controlled by the offender's reconviction record after the index domestic violence conviction. Although similar proportions were reconvicted following the index domestic violence conviction, offenders who appeared in a DVC were less likely to be reconvicted of a serious violent offence or of a spousal offence. They were, however, more likely to receive a prison sentence for the reconviction. Finally, the time elapsed between the index domestic violence conviction and the reconviction was slightly shorter for offenders who appeared in a DVC.

In terms of the influence of various variables on recidivism, gender, age, existence of prior criminal record, seriousness of prior conviction, sentence for prior conviction, sentence for index domestic violence conviction, prison sentence length for index domestic violence conviction, total number of lifetime convictions and total number of charges without convictions all appear to play a statistically significant role in the likelihood of recidivism.

The findings presented in this report did not demonstrate the influence of a DVC on reducing the overall likelihood of recidivism. Based on these data, we were not able to find a strong positive relationship between appearing in DVC and recidivism. However, offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to be reconvicted of a spousal or other violent offence and were more likely to be reconvicted of an administrative offence. Also, they were more likely to receive a prison sentence for the index domestic violence conviction and for the reconviction.

This study has a few limitations. As the basis for the analysis was the offender's criminal record, the analysis presented in this report portrays only the influence of selected elements related to the offender's criminal record on the likelihood of recidivism. The influence of individual level variables such as marital status, relationship of the accused to the victim, education level, employment status, income, urban/rural living should be considered in identifying the variables that most influence the likelihood of recidivism. These variables are not available on the criminal record for the sample of offenders and thus not included as explanatory variables. The analysis could also benefit from a country level analysis where the influence of variables such as economy, politics, democracy, social development could be found in the likelihood of recidivism.

Although all index domestic violence convictions were spousal offences, as this was the basis for this analysis, it was not possible to accurately identify all pre- and post-spousal offences due to the variability among police forces in filling out the RCMP's Volunteer Screening Initiative (VSI)[1] of the Criminal Records Synopsis (CRS). This limitation posed constraints in identifying prior spousal offences or spousal reconvictions. The additional information would have allowed a more accurate portrayal of the realities behind recidivism in domestic violence. It is possible that most reconvictions are of spousal nature, whether it was an actual spousal violent incident or administrative offence related to the index domestic violence conviction, but it was impossible to definitely identify the true nature of those prior offences or reconvictions.

Although the present study cannot fully explain the incidence of recidivism in domestic violence cases, it does shed some light on the issue and provides information on one specialized court created by one province to address the issue of domestic violence. The information examined in this report may help shape future programs or services to address and to contribute to a better understanding of recidivism in domestic violence at this present time.

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[1] RCMP document that identifies domestic violence offenders.

1. Introduction

The issue of domestic violence has been, and continues to be, a high priority for federal, provincial and territorial governments. In the past fifteen years, the federal government, as well as many of the provincial and territorial governments have introduced prevention and treatment programs for both victims and perpetrators of domestic violence. In addition, public education programs on the human and financial costs of domestic violence have been well established. Specific domestic violence legislation has been proclaimed in the following provinces and territories in order to complement existing responses under the *Criminal Code*:

- Alberta: *Protection Against Family Violence Act* (June 11, 1999);
- Manitoba: *Domestic Violence and Stalking Prevention, Protection and Compensation Act* (June 29, 1998);
- Northwest Territories: *Protection Against Family Violence Act* (April 1, 2005);
- Nova Scotia: *Domestic Violence Intervention Act* (April 1, 2003);
- Prince Edward Island: *Victims of Family Violence Act* (December 16, 1996);
- Saskatchewan: *Victims of Domestic Violence Act* (February 1, 1995); and
- Yukon: *Family Violence Prevention Act* (December 11, 1997).

Since 1997, Ontario, Manitoba, Alberta and the Yukon have implemented specialized courts or court processes to handle cases of domestic violence. These domestic violence courts were established to recognize the special nature of domestic violence incidents and to sensitize criminal justice personnel on the nature and extent of domestic violence. Systems or protocols were also developed to support coordination inside and outside the justice system in response to the unique dynamics of domestic violence.

In 1997, the Ontario government created the Domestic Violence Court (DVC) Program, starting with two pilot projects in the Toronto area. By 1998, the program had expanded to six additional locations (Brampton, Durham Region, Hamilton, London, North Bay and Ottawa). And, as of June 2005, Domestic Violence Courts exist in 42 locations across the province,[2] and it is anticipated the DVC will exist in all 54 court locations in Ontario by the end of 2005−2006.

The objectives of the Ontario DVC Program are to:

1) prosecute and manage domestic violence cases more effectively;
2) intervene early in domestic violence situations;
3) provide better support to victims of domestic violence throughout the criminal justice process; and
4) increase offender accountability.

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[2] See Appendix A for list of locations.

Ontario's DVC program is comprised of two components:

1) Early Intervention
2) Coordinated Prosecution

Early Intervention

This component of the DVC program is designed to provide first-time offenders with an opportunity to learn about non-abusive ways to resolve conflict. The victim is consulted and informed about the accused's participation in the project. In order to be eligible for the program, the accused must meet the following criteria:

1) no prior conviction for a domestic violence-related offence;
2) no use of a weapon in the commission of the offence; and
3) no significant harm caused to the victim.

If the accused is eligible for the program, he or she can choose to plead guilty and attend the Partner Assault Response (PAR) program as a condition of bail. In some sites, the accused may be ordered to attend a PAR program as part of probation, in which case, reporting back to the court would be unnecessary.

The Partner Assault Response (PAR) program is a 16-week specialized counselling/educational program delivered by community-based agencies for individuals accused of abusive behaviour towards their partners. The goal of the PAR program is to hold offenders accountable for their behaviour and enhance victim safety. It provides participants with an opportunity to examine the beliefs and attitudes used to justify their abusive behaviour and to learn non-abusive ways of resolving conflict. Upon completion of the PAR program, if PAR program attendance is a condition of bail, the accused returns for sentencing where the court receives a report of his or her progress in the program. If the accused completed the PAR program successfully, the Crown will recommend that a conditional discharge be imposed so that the accused avoids having a criminal record. If the offender did not attend the program, did not participate fully, or re-offended during the program, it would be considered that he or she breached bail conditions. The offender may then be charged and processed through the Coordinated Prosecution program.

Coordinated Prosecution

This component involves a specialized team of police, Crown attorneys and staff from the Victim/Witness Assistance Program (VWAP) who work together to investigate, prosecute, and provide victims with support and information. Crown attorneys often ask the police to collect, in addition to the victim's statement, copies of 911 tapes, medical reports and photographs of injuries, interviews with family and neighbours, and audio and/or video-taped victim statements. The police also lay charges where there are reasonable grounds to believe the offender has breached conditions of bail or probation. Specially trained domestic violence Crown attorneys use this additional evidence to proceed with the prosecution, and to provide support to the victim.

2. Purpose

The purpose of this study is to compare the offence characteristics, criminal history, and recidivism of a sample of offenders who have been convicted in Ontario of a domestic violence offence in a jurisdiction where there is a Domestic Violence Court (DVC) with a sample of offenders convicted in court jurisdictions without a DVC. The study also examines the influence of criminal history as well as spousal conviction and sentence characteristics on the likelihood of recidivism.

3. Methodology

Using the Domestic Violence Evaluation System (DOVES)[3] from the Ministry of the Attorney General of Ontario, a sample of 500 offenders who were convicted of a domestic violence offence between January 1 and December 31, 2001, *in an Ontario DVC*[4,5,6] were randomly selected. The names and birthdates of these 500 offenders were consequently sent to the Criminal Records Information Services of the Royal Canadian Mounted Police (RCMP) for Fingerprint Service (FPS) number identification. When an FPS number was identified for these 500 offenders, a Criminal Convictions, Conditional and Absolute Discharges and Related Information form (also known as a "fingerprint form," "criminal record" or "CPIC record") was retrieved and sent to the Research and Statistics Division, Department of Justice Canada, for data entry and analysis.

In order to obtain a random sample of 500 offenders who were convicted of a domestic violence offence between January 1 and December 31, 2001, in court jurisdictions *without a DVC*[7,8], the Volunteer Screening Initiative (VSI), which is a subset of the RCMP's Criminal Records Synopsis (CRS),[9] was used to identify domestic violence offenders. The

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[3] The Domestic Violence Evaluation System (DOVES) tracking database provides data on prosecutions of domestic violence cases by local, regional, and provincial levels. It monitors and evaluates domestic violence trends as cases proceed through the criminal justice system.

[4] See Appendix B for list of Ontario Court of Justice court locations where the Domestic Violence Court Program was operational in 2001.

[5] The data from the sites with Domestic Violence Courts came from the Ministry of the Attorney General's Domestic Violence Evaluation System (DOVES). While domestic violence cases are heard at both the Ontario Court of Justice and the Superior Court of Justice, the Domestic Violence Courts have been established in the Ontario Court of Justice sites. DOVES information is, therefore, most likely to reflect Ontario Court of Justice convictions.

[6] This refers to a conviction in an Ontario Court of Justice court location where the Domestic Violence Court Program was operational.

[7] Information from this data source may have come from either the Superior Court of Justice or Ontario Court of Justice. CPIC data does not specify in which level of court the conviction occurred.

[8] In this report, courts located in a jurisdiction without a DVC will be referenced as "Other Ontario courts."

[9] The Criminal Records Synopsis (CRS) identifies tombstone data for all individuals with a CPIC record. The CRS includes the FPS number, names and aliases, eye colour, height and weight, cautionary flags (if the individual is violent, suicidal, etc.), fingerprint classification, and basic information on types of offences an individual was charged with. This information is available to all police services in the country.

VSI identifies certain convictions, such as child sexual offences (including information on the victim's age and gender), sex-related offences, spousal assault, other family violence, and whether there was a publication ban on the fingerprint form. After identifying a random sample of offenders with the "spousal assault" identifier, a verification of court location was done in order to select an offender who appeared in another Ontario provincial court and not a DVC. If a randomly selected offender had appeared in a DVC instead of another Ontario provincial court, another offender was randomly selected, and the court location was again cross-referenced to the list of operational DVCs in 2001. When a total of 500 domestic violence offenders were randomly selected and an FPS number identified, a Criminal Convictions, Conditional and Absolute Discharges and Related Information form (also known as a "fingerprint form," "criminal record" or "CPIC record") was retrieved for these offenders and sent to the Research and Statistics Division, Department of Justice Canada, for data entry and analysis.

In order to facilitate the reading of this report, the 2001 index offence for all 1,000 offenders will be defined as the "index domestic violence conviction" throughout this report.

The year 2001 was selected as a basis for this analysis because it was the year where a significant number of Domestic Violence Court Programs were fully operational, meaning that they were running both the Early Intervention and Coordinated Prosecution programs, in a significant number of court locations in the province. The criminal history for all 1,000 offenders was recorded from its starting point up until December 31, 2003, in an Access database form and analyzed using Statistical Analysis System (SAS) software.

Recidivism is defined in this report as at least one reconviction for any criminal offence after the index domestic violence conviction. A period of two years after the index domestic violence conviction was examined for each offender to determine recidivism. This was considered by experts in the Research and Statistics Division to be a sufficient period of time to measure the occurrence of recidivism among these offenders.

In order to facilitate the analysis for the current and prior convictions and reconvictions, the most serious conviction (MSC) was created using the Canadian Centre for Justice Statistics' (CCJS) Seriousness Index.[10] The MSC variable reflected the seriousness of the physical harm inflicted and was categorized accordingly. A total of 42 MSC were included in this analysis.[11]

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[10] See Appendix C for CCJS Seriousness Index.
[11] See Appendix D for Most Serious Charges List.

In addition to the individual MSC variable, broader offence categories were created to analyze prior convictions and reconvictions data. These were:

1) **Spousal Violence** – any violent incident for which a "spousal" offence designation was recorded on the VSI subset of the Criminal Convictions, Conditional and Absolute Discharges and Related Information form from the RCMP;
2) **Other Violent** – any violent incident for which a "spousal" offence designation was *not* recorded on the VSI subset of the Criminal Convictions, Conditional and Absolute Discharges and Related Information form from the RCMP;
3) **Administrative Offences** – includes Breach of Recognizance/Undertaking, Breach of Probation, Failure to Appear, Failure to Comply with Probation Order;
4) **Property Offences** – includes Break and Enter, Fraud, Theft over and under, Motor Vehicle Theft, Possession of Stolen Goods, and Trespass at Night;
5) **Other *Criminal Code* Offences** – includes Arson, Escape Custody, Weapons Offences, Bail Violations, Unlawfully at Large, Mischief, Obstruct Peace Officer, Disturbing the Peace, Impaired Driving, and Other Traffic Incidents;
6) **Drugs and Other Federal Statutes** – includes all drug offences under the *Controlled Drugs and Substances Act* (includes trafficking, importation and production, possession and production) as well as all other federal statutes (i.e., *Income Tax Act, Customs Act, Competition Act*, etc.).

Finally, a seriousness index which ranks offences according to the potential harm to victims was created for this analysis in consultation with experts in the Research and Statistics Division. The four categories are:

1) **Serious Violence** – includes First Degree Murder, Second Degree Murder, Manslaughter, Robbery, Sexual Assault with Weapon/Indecent Assault, Aggravated Sexual Assault, Kidnapping, Forcible Confinement, Aggravated Assault, Sexual Interference, Sexual Assault, Abduction, Assault with Weapon/Causing Bodily Harm, and Infanticide**;**
2) **Violence** – includes Assault, Assault Police/Peace Officer, Other Sexual, Other Assault, and Other Violent;
3) **Threat of Violence** – includes Criminal Harassment[12] and Uttering Threats; and
4) **No Violence** – includes Administrative Offences, Property Offences, Drug Offences, Other *Criminal Code* Offences, and Other Federal Statutes.

The Most Serious Sentence (MSS) variable was also created by experts in the Research and Statistics Division by using the severity of the sentence. The MSS index was as follows: prison, conditional sentence, probation, suspended sentence, fine, community service, restitution/compensation, prohibition, conditional discharge, and absolute discharge.

Data will be presented in five sections in this report. In Section 4, offender, offence, and sentence characteristics for all offenders in the sample will be presented by court type.

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[12] Criminal harassment spans a range of conduct that can cause serious psychological harm and can potentially lead to physical harm to victims; however, for the purpose of this analysis, it has been included under this category.

Section 5 will focus on descriptive data and chi square results to show what variables have an influence on the likelihood of recidivism, and in Section 6, the same data will be presented by court type. In Section 7, Pearson correlation coefficients will be presented to examine the variables that have the strongest relationship with recidivism. And in Section 8, logistic regression results will show which variables have the most influence on recidivism, after controlling for a selection of variables included in the model.

4.   Results

4.1   Offender Demographic Characteristics and Other Information

Table 1 provides information on the demographics of the offender population in the sample. The data shows that the majority of offenders were male (92%) and that the median age of male offenders was slightly younger than that of female offenders (35 versus 36.5 years). Further, the median age of offenders who appeared in other Ontario courts was slightly younger than offenders who appeared in a DVC (35 versus 36 years).

TABLE 1		
Gender and Age Group by Court Type, 2001		
	Domestic Violence Courts **N (column %)**	**Other Ontario Courts** **N (column %)**	**Total** **N (column %)**
*Gender**			
Male	438 (92%)	450 (92%)	888 (92%)
Female	38 (8%)	41 (8%)	79 (8%)
Total	**476 (100%)**	**491 (100%)**	**967 (100%)**
Age			
18−34	221 (44%)	247 (49%)	468 (47%)
35−54	250 (50%)	237 (47%)	487(49%)
55+	27 (5%)	16 (3%)	43 (4%)
Total	**498 (100%)**	**500 (100%)**	**998 (100%)**
Median	**36 years**	**35 years**	**35 years**
Gender and Age			
Male			
18−34	196 (45%)	222 (49%)	418 (47%)
35−54	214 (49%)	213 (47%)	427 (48%)
55+	26 (6%)	15 (3%)	41 (5%)
Total	**436 (100%)**	**450 (100%)**	**886 (100%)**
Median	**37 years**	**35 years**	**35 years**
Female			
18−34	16 (42%)	23 (56%)	39 (49%)
35−54	21 (55%)	17 (42%)	38 (48%)
55+	1 (3%)	1 (2%)	2 (3%)
Total	**38 (100%)**	**41 (100%)**	**79 (100%)**
Median	**36 years**	**35 years**	**36.5 years**

1.   Gender was unknown for 33 accused.
2.   Age was unknown for 2 accused.
3.   Total may not equal 100% due to rounding.
4.   * = p<.05; **=p<.01; ***=p<.001

Table 2 presents data on the total number of convictions offenders received in their lifetime, as well as the total number of charges laid without a conviction. Offenders appearing in both court types had a median number of 5 convictions, meaning that approximately half of the sample had less than 5 convictions and half had more than 5 convictions in their lifetime.

Additionally, Table 2 shows that offenders who appeared in a DVC had a median number of 2 charges laid against them in their lifetime without it resulting in a conviction compared to 1 conviction for offenders who appeared in other Ontario courts.

TABLE 2
Total Number of Lifetime Convictions and Number of Charges Laid in Lifetime without Convictions, by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Total Number of Lifetime Convictions			
1 conviction	110 (22%)	109 (22%)	219 (22%)
2 convictions	59 (12%)	44 (9%)	103 (10%)
3 convictions	40 (8%)	62 (12%)	102 (10%)
4 convictions	32 (6%)	26 (5%)	58 (6%)
5−9 convictions	101 (20%)	119 (24%)	220 (22%)
10+ convictions	158 (32%)	140 (28%)	298 (30%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Median	**5 convictions**	**5 convictions**	**5 convictions**
*Total Number of Charges Laid in Lifetime without Convictions**			
None	125 (25%)	159 (32%)	284 (28%)
1 charge	100 (20%)	110 (22%)	210 (21%)
2 charges	60 (12%)	67 (13%)	127 (13%)
3 charges	47 (9%)	41 (8%)	88 (9%)
4 charges	33 (6%)	41 (8%)	74 (7%)
5−9 charges	86 (17%)	60 (12%)	146 (15%)
10+ charges	49 (10%)	22 (4%)	71 (7%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Median	**2 charges**	**1 charge**	**2 charges**

1. Total may not equal 100% due to rounding.
2. p<.05; **=p<.01; ***=p<.001

4.2   Most Serious Index Domestic Violence Conviction

Table 3 presents data based on the seriousness of the current offence calculated using the seriousness index created for this analysis.[13] These data show that offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to be convicted of serious violent/violent offences (86% versus 96% respectively) but more likely to be convicted of less violent offences (including threat of violence and no violence) (14% versus 5% respectively). Chi square results show that these differences appear to be statistically significant.

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[13] More details on the seriousness index can be found in the Methodology section.

Table 3 also shows the distribution of index domestic violence convictions by court type. As demonstrated earlier, offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to be convicted of less violent offences such as uttering threats (10% versus 4%) and criminal harassment (4% versus 1%). They were, however, less likely to be convicted of assault (74% versus 82%). Chi square results show that these differences are statistically significant.

TABLE 3
Seriousness Index and Most Serious Index Domestic Violence Conviction by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Seriousness Index***			
Serious Violence	60 (12%)	68 (14%)	128 (13%)
Violence	368 (74%)	408 (82%)	776 (78%)
Threat of Violence	71 (14%)	24 (5%)	95 (10%)
No Violence	1 (0%)	0 (0%)	1 (0%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Most Serious Index Domestic Violence Conviction***			
Second Degree Murder	0 (0%)	1 (0%)	1 (0%)
Aggravated Sexual Assault	1 (0%)	2 (0%)	3 (0%)
Kidnapping/Forcible confinement	5 (1%)	3 (1%)	8 (1%)
Aggravated Assault	3 (1%)	0 (0%)	3 (0%)
Sexual Interference	0 (0%)	1 (0%)	1 (0%)
Sexual Assault	3 (1%)	6 (1%)	9 (1%)
Assault with Weapon/Causing Bodily Harm	48 (10%)	55 (11%)	103 (10%)
Assault	368 (74%)	408 (82%)	776 (78%)
Uttering Threats	52 (10%)	21 (4%)	73 (7%)
Criminal Harassment	19 (4%)	3 (1%)	21 (2%)
Disturbing the Peace	1 (0%)	0 (0%)	1 (100%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**

1. Total may not equal 100% due to rounding.
2. p<.05; **=p<.01; ***=p<.001

4.3 Number of Convictions

Table 4 presents data on the total number of concurrent convictions the offenders received during their appearance for the index domestic violence conviction. The majority (63%) of offenders received only one conviction in 2001, which was the index domestic violence conviction.

Table 4 also presents data on the total number of spousal convictions the offenders received during their appearance for the index domestic violence conviction. The majority (89%) of offenders received only one spousal conviction.

TABLE 4
Total Number of Convictions for Index Domestic Violence Conviction and Total Number of Spousal Convictions for Index Domestic Violence Conviction by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Total Number of Convictions for Index Domestic Violence Conviction			
1 conviction	316 (63%)	316 (63%)	632 (63%)
2 convictions	103 (21%)	96 (19%)	199 (20%)
3 convictions	55 (11%)	42 (8%)	98 (10%)
4 convictions	15 (3%)	21 (4%)	36 (4%)
5−9 convictions	11 (2%)	25 (5%)	36 (4%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Median	**1 conviction**	**1 conviction**	**1 conviction**
Total Number of Spousal Convictions for Index Domestic Violence Conviction			
1 conviction	441 (88%)	444 (89%)	885 (89%)
2 convictions	47 (9%)	44 (9%)	91 (9%)
3 convictions	8 (2%)	9 (2%)	17 (2%)
4 convictions	4 (1%)	1 (0%)	5 (1%)
5 convictions	0 (0%)	2 (0%)	2 (0%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Median	**1 conviction**	**1 conviction**	**1 conviction**

1. Total may not equal 100% due to rounding.

4.4   Most Serious Sentence and Sentence Length

Table 5 shows the most serious sentence received for the index domestic violence conviction by court type. Prison (48%) and probation (47%) were the most common sentences received in cases of domestic violence. However, offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to receive a prison sentence (52% versus 45%) and less likely to receive a probation sentence (45% versus 50%). Chi square results show that these differences are statistically significant.

Table 5 also presents prison and probation sentence lengths for the index domestic violence conviction. Although offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to receive a prison sentence, the median prison sentence length was shorter compared to offenders who appeared in other Ontario courts (40 versus 49 days). Offenders from both court types were more likely to receive a prison sentence of less than one month for the index domestic violence conviction (44% and 41% respectively). It is noteworthy that about nine-in-ten offenders who received a prison sentence were sentenced to a period of less than 6 months, whatever the court type.

Probation sentence lengths tended to be longer than prison sentences. For both court types, the median probation sentence length was 360 days or one year. While offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario provincial courts to have received a sentence of 6 to 12 months (62% versus 57%), they were less likely to receive a sentence of 12 to 24 months (28% versus 36%).

TABLE 5
Most Serious Sentence for Index Domestic Violence Conviction and Prison/Probation Sentence Length by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Most Serious Sentence *			
Prison	259 (52%)	223 (45%)	482 (48%)
Conditional Sentence	15 (3%)	22 (4%)	37 (4%)
Probation	223 (45%)	248 (50%)	471 (47%)
Fine	2 (1%)	7 (1%)	9 (1%)
Absolute Discharge	0 (0%)	1 (0%)	1 (0%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Prison Sentence Length			
< 1 month	113 (44%)	92 (41%)	205 (43%)
1−3 months	82 (32%)	79 (35%)	161 (33%)
3−6 months	39 (15%)	32 (14%)	71 (15%)
6−12 months	15 (6%)	9 (4%)	24 (5%)
1−2 years	5 (2%)	8 (4%)	13 (3%)
2+ years	5 (2%)	3 (1%)	8 (2%)
Total	**259 (100%)**	**223 (100%)**	**482 (100%)**
Median	**40 days**	**49 days**	**45 days**
Probation Sentence Length			
< 6 months	11 (5%)	13 (5%)	24 (5%)
6−12 months	138 (62%)	141 (57%)	279 (59%)
12−24 months	63 (28%)	90 (36%)	153 (33%)
24+ months	11 (5%)	4 (2%)	15 (3%)
Total	**223 (100%)**	**248 (100%)**	**471 (100%)**
Median	**360 days**	**360 days**	**360 days**

1. Total may not equal 100% due to rounding.
2. * = p<.05; **=p<.01; ***=p<.001

4.5   Number of Convictions Prior to 2001

Table 6 shows the total number of convictions offenders received prior to the index domestic violence conviction. A total of 692 offenders had prior convictions on their criminal records. The median number of prior convictions was 5 convictions per court type. However, about one-in-three offenders (33% and 31% respectively) from each court type had over 10 convictions prior to the index domestic violence conviction.

TABLE 6
Prior Conviction Status and Total Number of Prior Convictions by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Prior Conviction			
Yes	347 (69%)	345 (69%)	692 (69%)
No	153 (31%)	155 (31%)	308 (31%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Total Number of Prior Convictions			
1 conviction	60 (17%)	55 (16%)	115 (17%)
2 convictions	31 (9%)	54 (16%)	85 (12%)
3 convictions	31 (9%)	30 (9%)	61 (9%)
4 convictions	33 (10%)	32 (9%)	65 (9%)
5−9 convictions	78 (22%)	66 (19%)	144 (21%)
Over 10 convictions	114 (33%)	108 (31%)	222 (32%)
Total	**347 (100%)**	**345 (100%)**	**692 (100%)**
Median	**5 convictions**	**5 convictions**	**5 convictions**

1.   Total may not equal 100% due to rounding.

4.6   Most Serious Conviction Prior to 2001

Table 7 presents data based on the seriousness index created for this analysis (see Methodology section). These data show that offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to have prior convictions for incidents not involving violence (32% versus 37%) and that there are no significant differences between the two court types for the other variables on the seriousness index.

Table 7 also presents detailed information on the most serious convictions for the offenders who had prior convictions. Offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to have been convicted of an other violent offence (63% versus 52%) but less likely to have been convicted of a spousal offence (5% versus 11%) or an other *Criminal Code* offence (8% versus 11%). There were no significant differences between the two court types for the other offence categories. Chi square results show that these differences are statistically significant.

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
TABLE 7			
Seriousness Index and Most Serious Prior Conviction by Court Type, 2001			
Seriousness Index			
Serious Violence	100 (29%)	94 (27%)	194(28%)
Violence	119 (34%)	117 (34%)	236 (34%)
Threat of Violence	16 (5%)	8 (2%)	24 (4%)
No Violence	112 (32%)	126 (37%)	238 (34%)
Total	**347 (100%)**	**345 (100%)**	**692 (100%)**
Most Serious Prior Conviction*			
Spousal Violence	18 (5%)	39 (11%)	57 (8%)
Other Violent	217 (63%)	180 (52%)	397 (57%)
Administrative Offences	40 (12%)	42 (12%)	82 (12%)
Property Offences	39 (11%)	41 (12%)	80 (12%)
Other Criminal Code Offences	28 (8%)	37 (11%)	65 (9%)
Drugs and Other Federal Statutes	5 (1%)	6 (2%)	11 (2%)
Total	**347 (100%)**	**345 (100%)**	**692 (100%)**

1. Total may not equal 100% due to rounding.
2. * = p<.05; **=p<.01; ***=p<.001

4.7   Most Serious Sentence Prior to 2001

Table 8 presents data on the most serious sentence received for the most serious prior conviction. Offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to have received a prison sentence (71% versus 64%) but slightly less likely to have received a probation sentence (20% versus 22%) or a fine (9% versus 11%).

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
TABLE 8			
Most Serious Sentence for Prior Conviction by Court Type, 2001			
Most Serious Sentence for Prior Conviction			
Prison	244 (71%)	222 (64%)	466 (67%)
Conditional Sentence	3 (1%)	9 (3%)	12 (2%)
Probation	68 (20%)	75 (22%)	143 (21%)
Suspended Sentence	1 (0%)	0 (0%)	1 (0%)
Fine	31 (9%)	39 (11%)	70 (10%)
Total	**347 (100%)**	**345 (100%)**	**692 (100%)**

1. Total may not equal 100% due to rounding.

4.8   Number of Reconvictions After 2001

Table 9 presents data on recidivism rates and total number of reconvictions by court type. Almost one-in-three offenders were reconvicted at least once after the index domestic violence conviction and (31% in DVC and 32% in other Ontario courts). Based on chi square results, the differences between recidivism rates for the two court types as well as the number of reconvictions are not statistically significant. Additionally, the median number of reconvictions was similar for both court types and similar proportions of offenders were reconvicted once after the index domestic violence conviction (31% for DVC and 30% for other Ontario courts).

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
TABLE 9 **Reconviction Status and Total Number of Reconvictions After 2001 by Court Type, 2001**			
Reconviction			
Yes	157 (31%)	160 (32%)	317 (32%)
No	343 (69%)	340 (68%)	683 (68%)
Total	**500 (100%)**	**500 (100%)**	**1000 (100%)**
Number of Reconvictions			
One	50 (31%)	48 (30%)	98 (31%)
Two	34 (22%)	40 (25%)	74 (23%)
Three	19 (12%)	26 (16%)	45 (14%)
Four	21 (13%)	11 (7%)	32 (10%)
Five to nine	26 (17%)	30 (19%)	56 (18%)
Over ten	7 (5%)	5 (3%)	12 (4%)
Total	**157 (100%)**	**160 (100%)**	**317 (100%)**
Median	**2 reconvictions**	**2 reconvictions**	**2 reconvictions**

1.   Total may not equal 100% due to rounding.

4.9   Most Serious Reconviction After 2001

Table 10 presents data based on a seriousness index created for this analysis (for more details on the seriousness index, see the methodology section). These data show that offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to be reconvicted of serious violence/violent offence (41% versus 53%) and more likely to be reconvicted of incidents not involving any violence (51% versus 40%).

Table 10 also presents detailed information on the most serious reconviction after the index domestic violence conviction by court type. Offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to be reconvicted of an administrative offence (43% versus 28%). They were, however, less likely to be reconvicted of a spousal offence (13% versus 19%), other violent offence (36% versus 41%), and other *Criminal Code* offence (3% versus 7%).

TABLE 10
Seriousness Index and Most Serious Reconviction by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Seriousness Index			
Serious Violence	13 (8%)	15 (9%)	28 (9%)
Violence	52 (33%)	71 (44%)	123 (39%)
Threat of Violence	12 (8%)	10 (6%)	22 (7%)
No Violence	80 (51%)	64 (40%)	144 (45%)
Total	**157 (100%)**	**160 (100%)**	**317 (100%)**
Most Serious Reconviction*			
Spousal Violence	21 (13%)	31 (19%)	52 (16%)
Other Violent	56 (36%)	65 (41%)	121 (38%)
Administrative Offences	67 (43%)	44 (28%)	111 (35%)
Property Offences	7 (5%)	5 (3%)	12 (4%)
Other Criminal Code Offences	5 (3%)	11 (7%)	16 (5%)
Drugs and Other Federal Statutes	1 (1%)	4 (3%)	5 (2%)
Total	**157 (100%)**	**160 (100%)**	**317 (100%)**

1. Total may not equal 100% due to rounding.
2. * = p<.05; **=p<.01; ***=p<.001

4.10   Most Serious Sentence After 2001

Table 11 presents data on the most serious sentence received for the reconviction by court type. Offenders who appeared in a DVC were more likely than offenders who appeared in other Ontario courts to be sentenced to prison for the reconviction (81% versus 77%) and less likely to be sentenced to probation (9% versus 13%). These differences are not statistically significant.

TABLE 11
Most Serious Sentence for Reconviction by Court Type, 2001

	Domestic Violence Courts N (column %)	Other Ontario Courts N (column %)	Total N (column %)
Most Serious Sentence			
Prison	127 (81%)	123 (77%)	250 (79%)
Conditional Sentence	4 (3%)	4 (3%)	8 (3%)
Probation	14 (9%)	21 (13%)	35 (11%)
Fine	12 (8%)	12 (8%)	24 (8%)
Total	**157 (100%)**	**160 (100%)**	**317 (100%)**

1. Total may not equal 100% due to rounding.

4.11   Duration between 2001 Conviction and Reconviction

Table 12 presents data on the time elapsed between the index domestic violence conviction and the reconviction by court type. Offenders who appeared in a DVC were slightly less likely than offenders who appeared before other Ontario courts to be reconvicted within 6

to 12 months (29% versus 31%) but slightly more likely to be reconvicted between 1 and 2 years after the index domestic violence conviction (38% versus 36%). However, the median time elapsed was slightly shorter for offenders who appeared in a DVC compared to offenders who appeared in other Ontario courts (306 versus 316.5 days).

TABLE 12 Time Elapsed between Index Domestic Violence Conviction and Reconviction by Court Type, 2001			
	Domestic Violence Courts **N (column %)**	**Other Ontario Courts** **N (column %)**	**Total** **N (column %)**
Number of Months			
< 6 months	48 (31%)	48 (30%)	96 (30%)
6−12 months	45 (29%)	50 (31%)	95 (30%)
1−2 years	59 (38%)	58 (36%)	117 (37%)
2−3 years	5 (3%)	4 (3%)	9 (3%)
Total	**157 (100%)**	**160 (100%)**	**317 (100%)**
Median	**306 days**	**316.5 days**	**314 days**

1. Total may not equal 100% due to rounding.

5.   Recidivism in Domestic Violence

A nalysis was also undertaken to examine what factors may influence recidivism for the sample of 1,000 offenders who were convicted of a domestic violence offence in 2001. Further analysis was also done to compare those factors between the two court types. In this section, overall variables that influence recidivism will be presented. As mentioned earlier, one-in-three (32%) offenders (N=317) were reconvicted of a criminal offence following the index domestic violence conviction.

5.1   Offender Characteristics

Table 13 shows that gender and age appeared to play a statistically significant role in recidivism. Male offenders were more likely than female offenders to be reconvicted following the index domestic violence conviction (34% versus 19%). Younger offenders (i.e., those aged 18 to 34 years old) were more likely than any other age group to be reconvicted of a criminal offence following the index domestic violence conviction. This was also reflected in the lower median age for reconvicted offenders (33 years) compared to those who were not reconvicted (36 years).

TABLE 13
Gender and Age by Reconviction Status, 2001

	Reconviction N (% row)	No Reconviction N (% row)	Total (% column)
*Gender***			
Male	298 (34%)	590 (66%)	888 (92%)
Female	15 (19%)	64 (81%)	79 (8%)
Total	**313 (32%)**	**654 (68%)**	**967 (100%)**
*Age****			
18−34	175 (37%)	293 (63%)	468 (47%)
35−54	137 (28%)	350 (72%)	487 (49%)
55+	4 (9%)	39 (91%)	43 (4%)
Total	**316 (32%)**	**682 (68%)**	**998 (100%)**
Median	**33 years**	**36 years**	**35 years**

1. Gender was unknown for 33 accused.
2. Age was unknown for 2 accused.
3. * = p<.05; **=p<.01; ***=p<.001
4. Total may not equal 100% due to rounding.

5.2 Criminal History and Recidivism

Table 14 presents data on the relationship between criminal history and recidivism. All variables related to the offender's criminal history appear to be statistically significant in relation to recidivism. Offenders who were convicted of a criminal offence prior to the index domestic violence conviction were almost four times more likely than offenders who had no prior conviction to be reconvicted following the index domestic violence conviction (41% versus 11% respectively).

In terms of seriousness of prior conviction, the more serious the prior conviction, the more likely offenders were to be reconvicted following the index domestic violence conviction. For example, offenders convicted of a prior offence involving no violence offence were less likely than offenders convicted of serious violence to be reconvicted following the index domestic violence conviction (34% versus 51% respectively).

Similarly, also as shown in Table 14, the more serious the prior sentence, the more likely offenders were to be reconvicted following the index domestic violence conviction. Offenders who received a prison sentence for a prior conviction were twice as likely as offenders sentenced to probation to be reconvicted following the index domestic violence conviction (48% versus 24% respectively).

TABLE 14
Prior Conviction Status, Seriousness Index, Most Serious Prior Conviction and Most Serious Sentence by Reconviction Status, 2001

	Reconviction N (% row)	No Reconviction N (% row)	Total N (% column)
Prior Conviction***			
Yes	282 (41%)	410 (59%)	692 (69%)
No	35 (11%)	273 (89%)	308 (31%)
Total	**317 (32%)**	**683 (68%)**	**1000 (100%)**
Seriousness Index**			
Serious Violence	99 (51%)	95 (49%)	194 (28%)
Violence	92 (39%)	144 (61%)	236 (34%)
Threat of Violence	11 (46%)	13 (54%)	24 (4%)
No Violence	80 (34%)	158 (66%)	238 (34%)
Total	**282 (41%)**	**410 (59%)**	**692 (100%)**
Most Serious Prior Conviction***			
Spousal Violence	33 (58%)	24 (42%)	57 (8%)
Other Violent	169 (59%)	228 (56%)	397 (57%)
Administrative Offences	34 (41%)	48 (59%)	82 (12%)
Property Offences	32 (40%)	48 (60%)	80 (12%)
Other CC	11 (17%)	54 (83%)	65 (9%)
Drugs and Other Federal Statutes	3 (27%)	8 (73%)	11 (2%)
Total	**282 (41%)**	**410 (59%)**	**692 (100%)**
Most Serious Sentence***			
Prison	225 (48%)	241 (52%)	466 (67%)
Conditional Sentence	3 (25%)	9 (75%)	12 (2%)
Probation	35 (24%)	108 (76%)	143 (21%)
Suspended Sentence	1 (100%)	0 (0%)	1 (0%)
Fine	18 (26%)	52 (74%)	70 (10%)
Total	**282 (41%)**	**410 (59%)**	**692 (100%)**

1. Total may not equal 100% due to rounding.
2. $* = p<.05; ** = p<.01; *** = p<.001$

5.3   Index Domestic Violence Conviction and Recidivism

Table 15 presents data on the relationship between the index domestic violence conviction and recidivism. Interestingly, the relationship between these variables is not as significant as the relationship between criminal history and recidivism. The seriousness of the index domestic violence conviction does not appear to play a statistically significant role in the likelihood of recidivism when isolating the Seriousness Index variable. However, individuals convicted of serious violence were more likely than individuals convicted of threatening violence to be reconvicted following the index domestic violence conviction (33% versus 25%).

The sentence received for the index domestic violence conviction, however, does appear to play a statistically significant role in the likelihood of recidivism. As shown in Table 15, individuals who received a prison sentence were twice as likely as individuals who were sentenced to probation to be reconvicted following the index domestic violence conviction (45% versus 19% respectively).

TABLE 15
Seriousness Index, Most Serious Index Domestic Violence Conviction and Most Serious Sentence by Reconviction Status, 2001

	Reconviction N (% row)	No Reconviction N (% row)	Total N (% column)
Seriousness Index			
Serious Violence	42 (33%)	86 (67%)	128 (13%)
Violence	251 (32%)	525 (68%)	776 (78%)
Threat of Violence	24 (25%)	71 (75%)	95 (10%)
No Violence	0 (0%)	1 (100%)	1 (0%)
Total	**317 (32%)**	**683 (68%)**	**1000 (100%)**
Most Serious Index Domestic Violence Conviction			
Second Degree Murder	0 (0%)	1 (100%)	1 (0%)
Aggravated Sexual Assault	0 (0%)	3 (100%)	3 (0%)
Kidnapping/Forcible confinement	2 (25%)	6 (75%)	8 (1%)
Aggravated Assault	0 (0%)	3 (100%)	3 (0%)
Sexual Interference	0 (0%)	1 (100%)	1 (0%)
Sexual Assault	0 (0%)	9 (100%)	9 (1%)
Assault with Weapon/Causing Bodily Harm	40 (39%)	63 (61%)	103 (10%)
Assault	251 (32%)	525 (68%)	776 (78%)
Uttering Threats	19 (26%)	54 (74%)	73 (7%)
Criminal Harassment	5 (23%)	17 (77%)	22 (2%)
Disturbing the Peace	0 (0%)	1 (100%)	1 (0%)
Total	**317 (32%)**	**683 (68%)**	**1000 (100%)**
Most Serious Sentence***			
Prison	218 (45%)	264 (55%)	482 (48%)
Conditional Sentence	7 (19%)	30 (81%)	37 (4%)
Probation	90 (19%)	381 (81%)	471 (47%)
Fine	2 (22%)	7 (78%)	9 (1%)
Absolute Discharge	0 (0%)	1 (100%)	1 (0%)
Total	**317 (32%)**	**683 (68%)**	**1000 (100%)**

1. Total may not equal 100% due to rounding.
2. * = p<.05; **=p<.01; ***=p<.001

5.4   Sentence Length and Recidivism

Table 16 presents data on prison and probation sentence length and its relationship with recidivism. Prison sentence length appears to play a statistically significant role in the likelihood of recidivism. However, the data shows that the shorter the sentence, the more likely an offender is to be reconvicted: if the prison sentence was shorter than 3 months, the offender was more likely to be reconvicted following the index domestic violence conviction. For example, offenders who received a prison sentence of 1 to 3 months were more likely than offenders who received a prison sentence of 6 to 12 months to be reconvicted following the index domestic violence conviction (59% versus 46% respectively).

The trend for probation sentence length was the opposite: the longer the probation sentence, the more likely offenders were to be reconvicted following the index domestic violence conviction. For instance, offenders who received a probation sentence of over 24 months were almost twice as likely as offenders who received a probation sentence of 6 to 12 months to be reconvicted following the index domestic violence (33% versus 19%

respectively). Probation sentence length, however, does not appear to play a statistically significant role in the likelihood of recidivism.

<table>
<tr><td colspan="4">TABLE 16
Prison/Probation Sentence Length by Reconviction Status, 2001</td></tr>
<tr><td></td><td>Reconviction
N (% row)</td><td>No Reconviction
N (% row)</td><td>Total
N (% column)</td></tr>
<tr><td colspan="4">Prison Sentence Length***</td></tr>
<tr><td>< 1 month</td><td>73 (36%)</td><td>132 (64%)</td><td>205 (43%)</td></tr>
<tr><td>1−3 months</td><td>95 (59%)</td><td>66 (41%)</td><td>161 (33%)</td></tr>
<tr><td>3−6 months</td><td>32 (45%)</td><td>39 (55%)</td><td>71 (15%)</td></tr>
<tr><td>6−12 months</td><td>11 (46%)</td><td>13 (54%)</td><td>24 (5%)</td></tr>
<tr><td>1−2 years</td><td>5 (38%)</td><td>8 (62%)</td><td>13 (3%)</td></tr>
<tr><td>2+ years</td><td>2 (25%)</td><td>6 (75%)</td><td>8 (2%)</td></tr>
<tr><td>Total</td><td>218 (45%)</td><td>264 (55%)</td><td>482 (100%)</td></tr>
<tr><td colspan="4">Probation Sentence Length</td></tr>
<tr><td>< 6 months</td><td>3 (13%)</td><td>21 (88%)</td><td>24 (5%)</td></tr>
<tr><td>6−12 months</td><td>53 (19%)</td><td>226 (81%)</td><td>279 (59%)</td></tr>
<tr><td>12−24 months</td><td>29 (19%)</td><td>124 (81%)</td><td>153 (33%)</td></tr>
<tr><td>24+ months</td><td>5 (33%)</td><td>10 (67%)</td><td>15 (3%)</td></tr>
<tr><td>Total</td><td>90 (19%)</td><td>381 (81%)</td><td>471 (100%)</td></tr>
</table>

1. Total may not equal 100% due to rounding.
2. * = p<.05; **=p<.01; ***=p<.001

5.5 History of Convictions and Charges without Convictions and Recidivism

Table 17 presents data on offender's convictions history and charging history. Both variables appear to play a statistically significant role in the likelihood of recidivism. In sum, the more convictions offenders received throughout their lifetime, the more likely they were to be reconvicted following the index domestic violence conviction. For example, offenders who had over 10 lifetime convictions were five times more likely than offenders who only had 2 lifetime convictions to be reconvicted following the index domestic violence offence (64% versus 12% respectively).

Similarly, the more charges laid (without convictions) on offenders throughout their lifetime, the more likely they were to be reconvicted following the index domestic violence conviction. For example, offenders who had over 10 charges laid in their lifetime (without convictions) were almost four times more likely than offenders who had no charges laid in their lifetime (without convictions) to be reconvicted following the index domestic violence offence (65% versus 17% respectively).

TABLE 17
Total Number of Lifetime Convictions and Total Number of Charges Laid in Lifetime Without Convictions by Reconviction Status, 2001

	Reconviction N (% row)	No Reconviction N (% row)	Total N (% column)
*Total Number of Lifetime Convictions****			
One	0 (0%)	219 (100%)	219 (22%)
Two	12 (12%)	91 (82%)	103 (10%)
Three	20 (20%)	82 (80%)	102 (10%)
Four	18 (31%)	40 (69%)	58 (6%)
Five to nine	75 (34%)	145 (66%)	220 (22%)
More than ten	192 (64%)	106 (36%)	298 (30%)
Total	**317 (32%)**	**683 (68%)**	**1000 (100%)**
*Total Number of Charges Laid in Lifetime without Convictions****			
None	49 (17%)	235 (83%)	284 (28%)
One	61 (29%)	149 (71%)	210 (21%)
Two	30 (24%)	97 (76%)	127 (13%)
Three	30 (34%)	58 (66%)	88 (9%)
Four	34 (46%)	40 (54%)	74 (7%)
Five to nine	67 (46%)	79 (54%)	146 (15%)
More than ten	46 (65%)	25 (35%)	71 (7%)
Total	**317 (32%)**	**683 (68%)**	**1000 (100%)**

1. Total may not equal 100% due to rounding.
2. $* = p<.05$; $** = p<.01$; $*** = p<.001$

6.   Domestic Violence Recidivism by Court Type

This section examines the variables that most influence recidivism between offenders who appeared in a DVC and offenders who appeared in other Ontario courts.

6.1   Offender Characteristics by Court Type

Table 18 shows the relationship between gender and age and recidivism by court type. Male offenders were more likely than female offenders in both court types to be reconvicted following the index domestic violence conviction (34% versus 21% for DVC and 34% versus 17% for other Ontario courts).

Offenders aged 18 to 34 years old were more likely than any other age group to be reconvicted of a criminal offence following the index domestic violence conviction in both court types.

Table 23 presents chi square results for selected variables presented in this section. According to these results, gender appeared to play a statistically significant role in the likelihood of recidivism in DVC (p<0.05) while age appeared to play a significant role in the likelihood of recidivism in both court types (p<0.05 in DVC and p<0.01 in other Ontario courts).

TABLE 18
Gender and Age by Reconviction Status and Court Type, 2001

	Domestic Violence Courts			Other Ontario Courts		
	Reconviction	No Reconviction	Total	Reconviction	No Reconviction	Total
	N (% row)	N (% row)	N (% column)	N (% row)	N (% row)	N (% column)
Gender						
Male	147 (34%)	291 (66%)	438 (92%)	151 (34%)	299 (66%)	450 (92%)
Female[4]	8 (21%)	30 (79%)	38 (8%)	7 (17%)	34 (83%)	41 (8%)
Total	**155 (33%)**	**321 (67%)**	**476 (100%)**	**158 (32%)**	**333 (68%)**	**491 (100%)**
Age						
18−34	83 (38%)	138 (62%)	221 (44%)	92 (37%)	155 (63%)	247 (49%)
35−54	69 (28%)	181 (72%)	250 (50%)	68 (29%)	169 (71%)	237 (47%)
55+[4]	4 (15%)	23 (85%)	27 (5%)	0 (0%)	16 (100%)	16 (3%)
Total	**156 (31%)**	**342 (69%)**	**498 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**

1. Gender was unknown for 33 accused.
2. Age was unknown for 2 accused.
3. Total may not equal 100% due to rounding.
4. Use totals with caution.

6.2 Criminal History and Recidivism by Court Type

Table 19 presents data on the relationship between criminal history and recidivism by court type. Offenders who were convicted of a criminal offence prior to the index domestic violence conviction were almost four times more likely than offenders who had no prior conviction to be reconvicted following the index domestic violence conviction, whether they appeared in a DVC (41% versus 10%) or other Ontario courts (40% versus 13%).

In terms of seriousness of prior convictions, the more serious the prior conviction, the more likely offenders were to be reconvicted following the index domestic violence conviction, in both court types. One-half (52% in DVC and 50% in other Ontario courts) of the offenders convicted of serious violence prior to the index domestic violence conviction were reconvicted following the index domestic violence conviction, compared to about 40% of offenders convicted of violence (37% in DVC and 41% in other Ontario courts).

Similarly, the more serious the previous sentence, the more likely offenders were to re-offend following the index domestic violence conviction. Almost one-in-two offenders who received a prison sentence (48% in DVC and 49% in other Ontario courts) were reconvicted of a criminal offence following the index domestic violence conviction compared to offenders who received a probation sentence (26% in DVC and 23% in other Ontario courts).

All variables related to the offender's criminal history appear to be significantly related to recidivism, whatever the court type may be, as shown in Table 23.

TABLE 19
Prior Conviction, Seriousness Index, Most Serious Prior Conviction and Most Serious Sentence by Reconviction Status and Court Type, 2001

	Domestic Violence Courts			Other Ontario Courts		
	Reconviction N (% row)	No Reconviction N (% row)	Total N (% column)	Reconviction N (% row)	No Reconviction N (% row)	Total N (% column)
Prior Conviction						
Yes	142 (41%)	205 (59%)	347 (69%)	140 (40%)	205 (60%)	345 (69%)
No	15 (10%)	138 (90%)	153 (31%)	20 (13%)	135 (83%)	155 (31%)
Total	**157 (31%)**	**343 (69%)**	**500 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**
Seriousness Index						
Serious Violence	52 (52%)	48 (48%)	100 (29%)	47 (50%)	47 (50%)	94 (27%)
Violence	44 (37%)	75 (63%)	119 (34%)	48 (41%)	69 (59%)	117 (34%)
Threat of Violence	8 (50%)	8 (50%)	16 (5%)	3 (38%)	5 (62%)	8 (2%)
No Violence	38 (34%)	74 (66%)	112 (32%)	42 (33%)	84 (67%)	126 (37%)
Total	**142 (41%)**	**205 (59%)**	**347 (100%)**	**140 (41%)**	**205 (59%)**	**345 (100%)**
Most Serious Prior Conviction						
Spousal Violence	12 (67%)	6 (33%)	18 (5%)	21 (54%)	18 (46%)	39 (11%)
Other Violent	92 (42%)	125 (58%)	217 (63%)	77 (43%)	103 (57%)	180 (52%)
Administrative Offences	17 (43%)	23 (57%)	40 (12%)	17 (40%)	25 (60%)	42 (12%)
Property Offences	16 (41%)	23 (59%)	39 (11%)	16 (39%)	25 (61%)	41 (12%)
Other CC	5 (18%)	23 (82%)	28 (8%)	6 (16%)	31 (84%)	37 (11%)
Drugs and Other Federal Statutes	0 (0%)	5 (100%)	5 (1%)	3 (50%)	3 (50%)	6 (2%)
Total	**142 (41%)**	**205 (59%)**	**347 (100%)**	**140 (41%)**	**205 (59%)**	**345 (100%)**
Most Serious Sentence						
Prison	116 (48%)	128 (52%)	244 (70%)	109 (49%)	113 (51%)	222 (64%)
Conditional Sentence	0 (0%)	3 (100%)	3 (1%)	3 (33%)	6 (67%)	9 (3%)
Probation	18 (26%)	50 (74%)	68 (20%)	17 (23%)	58 (77%)	75 (22%)
Suspended Sentence	1 (100%)	0 (0%)	1 (0%)	0 (0%)	0 (0%)	0 (0%)
Fine	7 (23%)	24 (77%)	31 (9%)	11 (28%)	28 (72%)	39 (11%)
Total	**142 (41%)**	**205 (59%)**	**347 (100%)**	**140 (41%)**	**205 (59%)**	**345 (100%)**

1. Total may not equal 100% due to rounding.

6.3 Index Domestic Violence Conviction and Recidivism by Court Type

Table 20 presents data on the relationship between the index domestic violence conviction and recidivism by court type. As presented in the previous section, the relationship between these variables is not as significant as the relationship between criminal history and recidivism. The seriousness of the index domestic violence conviction does not play a statistically significant role in the likelihood of recidivism (p=0.0648 for DVC and p=0.2939 for other Ontario courts). However, it does seem that the more serious the index domestic violence conviction, the more likely offenders were to be reconvicted following the index domestic violence conviction, if they appeared in a DVC. For instance, DVC offenders convicted of serious violence were more likely than offenders convicted of threatening violence to be reconvicted following the index domestic violence conviction (32% versus 18% respectively). In comparison, in other Ontario courts, the opposite trend was recorded: offenders convicted of threatening violence were more likely than offenders convicted of serious violence to be reconvicted following the index domestic violence conviction (46% versus 34% respectively).

The sentence received for the index domestic violence conviction, however, does appear to play a statistically significant role in the likelihood of recidivism (p<0.0001 for both court types). Again, almost one-in-two (45% in each court type) offenders who were sentenced to prison were reconvicted following the index domestic violence conviction compared to probation sentence (17% in DVC and 21% in other Ontario courts).

TABLE 20
Seriousness Index, Most Serious Index Domestic Violence Conviction and Most Serious Sentence by Reconviction Status and Court Type, 2001

	Domestic Violence Courts			Other Ontario Courts		
	Reconviction	No Reconviction	Total	Reconviction	No Reconviction	Total
	N (% row)	N (% row)	N (% column)	N (% row)	N (% row)	N (% column)
Seriousness Index						
Serious Violence	19 (32%)	41 (68%)	60 (12%)	23 (34%)	45 (66%)	68 (14%)
Violence	125 (34%)	243 (66%)	368 (74%)	126 (31%)	282 (69%)	408 (82%)
Threat of Violence	13 (18%)	58 (82%)	71 (14%)	11 (46%)	13 (54%)	24 (5%)
No Violence	0 (0%)	1 (100%)	1 (0%)	0 (0%)	0 (100%)	0 (0%)
Total	**157 (31%)**	**343 (69%)**	**500 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**
Most Serious Index Domestic Violence Conviction						
Second Degree Murder	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0%)	1 (0%)
Aggravated Sexual Assault	0 (0%)	1 (100%)	1 (0%)	0 (0%)	2 (100%)	2 (0%)
Kidnapping/Forcible confinement	2 (40%)	3 (60%)	5 (1%)	0 (0%)	3 (100%)	3 (1%)
Aggravated Assault	0 (0%)	3 (100%)	3 (1%)	0 (0%)	0 (0%)	0 (0%)
Sexual Interference	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	1 (0%)
Sexual Assault	0 (0%)	3 (100%)	3 (1%)	0 (0%)	6 (100%)	6 (1%)
Assault with Weapon/CBH	17 (35%)	31 (65%)	48 (10%)	23 (42%)	32 (58%)	55 (11%)
Assault	125 (34%)	243 (66%)	368 (74%)	126 (31%)	282 (69%)	408 (82%)
Uttering Threats	10 (19%)	42 (81%)	52 (10%)	9 (43%)	12 (57%)	21 (4%)
Criminal Harassment	3 (16%)	16 (84%)	19 (4%)	2 (67%)	1 (33%)	3 (1%)
Disturbing the Peace	0 (0%)	1 (100%)	1 (0%)	0 (0%)	0 (0%)	0 (0%)
Total	**157 (31%)**	**343 (69%)**	**500 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**
Most Serious Sentence						
Prison	117 (45%)	142 (55%)	259 (52%)	101 (45%)	122 (55%)	223 (45%)
Conditional Sentence	1 (7%)	14 (93%)	15 (3%)	6 (27%)	16 (73%)	22 (4%)
Probation	39 (17%)	184 (83%)	223 (45%)	51 (21%)	197 (79%)	248 (50%)
Fine	0 (0%)	2 (100%)	2 (0%)	2 (29%)	5 (71%)	7 (1%)
Absolute Discharge	0 (0%)	1 (100%)	1 (0%)	0 (0%)	0 (0%)	0 (0%)
Total	**157 (31%)**	**343 (69%)**	**500 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**

1. Total may not equal 100% due to rounding.

6.4   Sentence Length and Recidivism

Table 21 presents data on prison and probation sentence length and its relationship with recidivism by court type. Prison sentence length appears to be play a statistically significant role in the likelihood of recidivism (p<0.0001) whether offenders appeared in a DVC or other Ontario courts: the shorter the prison sentence, the more likely offenders were to be reconvicted. Data shows that, for both court types, if the prison sentence was between 1 to 3 months, the offender was more likely to be reconvicted following the index domestic violence conviction compared to a prison sentence of any other length.

Even though probation sentence length does not appear to play a significant role in recidivism, the longer the probation sentence for the index domestic violence conviction, the more likely an offender was to be reconvicted. For example, DVC offenders who received a probation sentence of over 24 months were twice as likely as offenders who received a probation sentence of 6 to 12 months to be reconvicted after the index domestic violence conviction (36% versus 17%). The difference was not as significant for offenders who appeared in other Ontario courts, although the trend was similar (25% versus 21%).

TABLE 21
Prison/Probation Sentence Length by Reconviction Status and Court Type, 2001

	Domestic Violence Courts			Other Ontario Courts		
	Reconviction	**No Reconviction**	**Total**	**Reconviction**	**No Reconviction**	**Total**
	N (% row)	**N (% row)**	**N (% column)**	**N (% row)**	**N (% row)**	**N (% column)**
Prison Sentence Length						
< 1 month	40 (35%)	73 (65%)	113 (44%)	33 (36%)	59 (64%)	92 (41%)
1−3 months	49 (60%)	33 (40%)	82 (32%)	46 (58%)	33 (42%)	79 (35%)
3−6 months	18 (46%)	21 (54%)	39 (15%)	14 (44%)	18 (56%)	32 (14%)
6−12 months	8 (53%)	7 (47%)	15 (6%)	3 (33%)	6 (67%)	9 (4%)
1−2 years	1 (20%)	4 (80%)	5 (2%)	4 (50%)	4 (50%)	8 (4%)
2+ years	1 (20%)	4 (80%)	5 (2%)	1 (50%)	2 (50%)	3 (1%)
Total	**117 (45%)**	**142 (55%)**	**259 (100%)**	**101 (45%)**	**122 (55%)**	**223 (100%)**
Probation Sentence Length						
< 6 months	0 (0%)	11 (100%)	11 (5%)	3 (23%)	10 (77%)	13 (5%)
6−12 months	23 (17%)	115 (83%)	138 (62%)	30 (21%)	111 (78%)	141 (57%)
12−24 months	12 (19%)	51 (81%)	63 (28%)	17 (19%)	73 (81%)	90 (36%)
24+ months	4 (36%)	7 (64%)	11 (5%)	1 (25%)	3 (75%)	4 (2%)
Total	**39 (18%)**	**184 (83%)**	**223 (100%)**	**51 (21%)**	**197 (79%)**	**248 (100%)**

1. Total may not equal 100% due to rounding.

6.5 History of Convictions and Charges without Convictions and Recidivism by Court Type

Table 22 presents data on offenders' conviction history and charging history by court types. Both variables appear to play a significant role in the likelihood of recidivism for both court types (p<0.0001). As presented earlier, the more convictions offenders received throughout their lifetime, the more likely they were to be reconvicted following the index domestic violence conviction, whatever the court type. For example, DVC offenders who had over 10 lifetime convictions were six times more likely than offenders who only had 2 lifetime convictions to be reconvicted following the index domestic violence offence (63% versus 10% respectively). The proportions for offenders who appeared in other Ontario courts were similar (66% versus 14% respectively).

Similarly, the more charges laid (without convictions) against offenders throughout their lifetime, the more likely they were to be reconvicted following the index domestic violence conviction. For example, DVC offenders who had over 10 charges laid in their lifetime (without convictions) were four times more likely than offenders who had no charges laid in their lifetime (without convictions) to be reconvicted following the index domestic

violence offence (65% versus 15% respectively). The proportions for offenders who appeared in other Ontario courts were similar (64% versus 19%).

TABLE 22
Total Number of Lifetime Convictions and Number of Charges Laid in Lifetime without Convictions by Reconviction Status and Court Type, 2001

	Domestic Violence Courts			Other Ontario Courts		
	Reconviction	No Reconviction	Total	Reconviction	No Reconviction	Total
	N (% row)	N (% row)	N (% column)	N (% row)	N (% row)	N (% column)
Total Number of Lifetime Convictions						
One	0 (0%)	110 (100%)	110 (22%)	0 (0%)	109 (100%)	109 (22%)
Two	6 (10%)	53 (90%)	59 (12%)	6 (14%)	38 (86%)	44 (9%)
Three	9 (23%)	31 (77%)	40 (8%)	11 (18%)	51 (82%)	62 (12%)
Four	11 (34%)	21 (66%)	32 (6%)	7 (27%)	19 (73%)	26 (5%)
Five to nine	31 (31%)	70 (69%)	101 (20%)	44 (37%)	75 (63%)	119 (24%)
More than ten	100 (63%)	58 (37%)	158 (32%)	92 (66%)	48 (34%)	140 (28%)
Total	**157 (31%)**	**343 (69%)**	**500 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**
Total Number of Charges Laid in Lifetime without Convictions						
None	19 (15%)	106 (85%)	125 (25%)	30 (19%)	129 (81%)	159 (32%)
One	24 (24%)	76 (76%)	100 (20%)	37 (34%)	73 (66%)	110 (22%)
Two	13 (22%)	47 (78%)	60 (12%)	17 (25%)	50 (75%)	67 (13%)
Three	17 (36%)	30 (64%)	47 (9%)	13 (32%)	28 (68%)	41 (8%)
Four	15 (45%)	18 (55%)	33 (7%)	19 (46%)	22 (54%)	41 (8%)
Five to nine	37 (43%)	49 (57%)	86 (17%)	30 (50%)	30 (50%)	60 (12%)
More than ten	32 (65%)	17 (35%)	49 (10%)	14 (64%)	8 (36%)	22 (4%)
Total	**157 (31%)**	**343 (69%)**	**500 (100%)**	**160 (32%)**	**340 (68%)**	**500 (100%)**

1. Total may not equal 100% due to rounding.

6.6 Statistical Significance by Court Type

Table 23 presents chi square results on the variables discussed above by court type. As mentioned earlier, mostly all variables related to the offender's criminal history appear to play a statistically significant role in the likelihood of recidivism as well as the sentence received for the index domestic violence conviction. Lifetime convictions and lifetime charges without convictions also appear to have a statistically significant relationship with recidivism.

TABLE 23
Chi Square Results for Selected Variables Influencing Reconvictions, by Court Type, 2001

	Domestic Violence Courts	Other Ontario Courts
Gender	0.0125	0.0783
Age	0.0110	0.0027
Prior Criminal Record	<0.0001	<0.0001
Seriousness Index for Prior Conviction	0.0343	0.1003
Most Serious Prior Conviction	0.0113	0.0277
Most Serious Sentence for Prior Conviction	0.0012	0.0002
Seriousness Index for Index Domestic Violence Conviction	0.0648	0.2939
Most Serious Index Domestic Violence Conviction	0.1992	0.1708
Most Serious Sentence for Index Domestic Violence Conviction	<0.0001	<0.0001
Prison Sentence Length for Index Domestic Violence Conviction	0.0134	0.0932
Probation Sentence Length for Index Domestic Violence Conviction	0.1565	0.9606
Total Number of Lifetime Convictions	<0.0001	<0.0001
Total Number of Lifetime Charges without Conviction	<0.0001	<0.0001

7.   Correlation Analysis of Variables Influencing Recidivism

Table 24 presents Pearson correlation coefficients for variables selected following the results presented in the earlier sections of this report. While most of the correlation coefficients are statistically significant ($p<0.001$), more than one-half of them are actually closer to zero, indicating that the relationship between those variables and recidivism is weak. There were, however, a few notable exceptions. The strongest relationship was found between the offender's total number of lifetime convictions where the overall coefficient was 0.44. The offender's total number of previous convictions (0.34) also has a strong relationship with recidivism followed by total number of lifetime charges without convictions (0.27).

TABLE 24
Pearson Correlation Coefficients for Selected Variables Influencing Recidivism, 2001

Selected Variables	reconv	ymso	ymss	fmss	ynumber	fnumber	totconv	nonconv	offage	fprison	fprob	f3prob	gender	pserious
Reconviction (reconv)	1.00	-0.16 ***	-0.20***	-0.27***	0.34***	0.18***	0.44***	0.27***	-0.17***	0.26***	-0.18***	-0.18***	0.11***	0.24***
Most Serious Prior Conviction (ymso)		1.00	0.51***	0.31***	-0.34***	-0.14***	-0.34***	-0.22***	0.09*	-0.25***	0.25***	0.21***	-0.06	-0.81***
Most Serious Sentence for Prior Conviction (ymss)			1.00	0.26***	-0.41***	-0.14***	-0.42***	-0.26***	0.09*	-0.20***	0.22***	0.18***	-0.09*	-0.40***
Most Serious Sentence for Index Domestic Violence Conviction (fmss)				1.00	-0.36***	-0.41***	-0.40***	-0.28***	0.04	-0.68***	0.74***	0.68***	-0.16***	-0.37***
Total Number of Prior Convictions (ynumber)					1.00	0.22***	0.98***	0.71***	-0.00	0.35***	-0.32***	-0.28***	0.15***	0.49***
Total Number of Convictions, Concurrent to Index Domestic Violence Conviction (fnumber)						1.00	0.32***	0.17***	-0.11***	0.70***	-0.24***	-0.27***	0.12***	0.21***
Total Number of Convictions - Lifetime (totconv)							1.00	0.71***	-0.04	0.41***	-0.34***	-0.30***	0.16***	0.49***
Total Number of Charges without Convictions - Lifetime (nonconv)								1.00	0.11***	0.22***	-0.24***	-0.20***	0.11***	0.37***
Offender Age (offage)									1.00	-0.10**	0.05	0.05	0.02	-0.04
Prison Sentence - Index Domestic Violence Conviction (fprison)										1.00	-0.55***	-0.51***	0.15***	0.31***
Probation Sentence – Index Domestic Violence Conviction (fprob)											1.00	0.84***	-0.14***	-0.32***
Probation Sentence Length - Index Domestic Violence Conviction (f3probation)												1.00	-0.12***	-0.26***
Offender Gender (gender)													1.00	0.17***
Seriousness of Prior Conviction (pserious)														1.00

1.   * = p<.05; **=p<.01; ***=p<.001

Table 25 presents correlation coefficients for the same variables by court type. The same four variables (total number of convictions – lifetime, number of prior convictions and total number of charges without convictions – lifetime) appear to play a statistically significant role in recidivism for offenders who either appeared in a DVC or in other Ontario courts. It is interesting to note that the seriousness of the index domestic violence conviction does not appear to be statistically significant in relation to recidivism in both court types.

	Domestic Violence Court	Other Ontario Courts
TABLE 25		
Pearson Correlation Coefficients for Selected Variables Influencing Recidivism, by Court Type, 2001		
Most Serious Prior Conviction	-0.17**	-0.15*
Most Serious Sentence for Prior Conviction	-0.19***	-0.20***
Seriousness of Prior Conviction	0.24***	0.24***
Number of Prior Convictions	0.32***	0.36***
Most Serious Index Domestic Violence Conviction	-0.05	0.07
Most Serious Sentence for Index Domestic Violence Conviction	-0.29***	-0.25***
Total Number of Convictions, Concurrent to Index Domestic Violence Conviction	0.16***	0.20***
Prison Sentence − Index Domestic Violence Conviction	0.25***	0.27***
Probation Sentence – Index Domestic Violence Conviction	-0.17***	-0.20***
Total Number of Convictions – Lifetime	0.42***	0.47***
Total Number of Charges without Convictions – Lifetime	0.32***	0.21***
Probation Sentence Length – Index Domestic Violence Conviction	-0.16***	-0.21***
Offender Age	-0.17***	-0.16***
Gender	-0.12**	0.10*

1. * = $p<.05$; **=$p<.01$; ***=$p<.001$

Table 26 presents the correlation coefficients for all the criminal history variables by court type. As mentioned earlier, the existence of criminal history for offenders who appeared either in a DVC or other Ontario courts appears to play a statistically significant role in the likelihood of recidivism. However, different variables have stronger coefficients depending on the court type. For instance, existence of prior convictions (0.31), total number of prior convictions for administrative offences (0.30), total number of prior convictions for property and violent offences (0.27 each), and existence of prior convictions for violent offences (0.26) correlate positively with recidivism for offenders who appeared in a DVC. In contrast, total number of prior convictions for administrative offences (0.35), existence of prior prison sentence (0.33), total number of prior convictions for other violent offences (0.31), existence of prior convictions, and total number of prior convictions for administrative offences (0.27 each) are the strongest variables for offenders who appeared in other Ontario courts.

	Domestic Violence Court	Other Ontario Courts
TABLE 26 **Pearson Correlation Coefficients for Criminal History Variables Influencing Recidivism, by Court Type, 2001**		
Existence of Prior Convictions	0.31***	0.27***
Seriousness of Prior Convictions	0.24***	0.24***
Most Serious Prior Conviction	-0.17**	-0.15*
Most Serious Sentence for Prior Conviction	-0.19***	-0.20***
Total Number of Prior Convictions for Spousal Offences	0.15***	0.15**
Total Number of Prior Convictions for Other Violent Offences	0.27***	0.31***
Total Number of Prior Convictions for Administrative Offences	0.30***	0.35***
Total Number of Prior Convictions for Property Offences	0.27***	0.25***
Total Number of Prior Convictions for Other CC Offences	0.22***	0.27***
Total Number of Prior Convictions for Drug Offences and Other Federal Statutes	0.12**	0.17***
Existence of Prior Prison Sentence	0.34***	0.33***
Existence of Prior Convictions for Spousal Offences	0.15***	0.14**
Existence of Prior Convictions for All Violent Offences	0.26***	0.24***

1. $* = p<.05; ** = p<.01; *** = p<.001$

8.   Logistic Regression Analysis of Variables Influencing Recidivism

Table 27 presents logistic regression coefficients for the strongest variables influencing recidivism as well as odds-ratio results. This analysis was undertaken to identify those variables that have the strongest relationship to the likelihood of recidivism after controlling for all other statistically significant variables at the same time. The variables highlighted in this table show the four variables that have the most influence in recidivism. In sum, odds-ratio results show that offenders who had at least one prior conviction were twice as likely as offenders who did not have a prior conviction to be reconvicted after the index domestic violence conviction (2.3). The results are similar for offenders who had previously been sentenced to prison (2.2) and offenders who received a prison sentence for the index domestic violence conviction (1.9). And finally, offenders aged 18−34 were 1.6 times more likely than offenders aged 35 and over to be reconvicted following the index domestic violence conviction. It is noteworthy that having appeared in a DVC for the index domestic violence conviction did not play a role in the likelihood of recidivism for the offenders in this sample.

TABLE 27		
Logistic Regression for Variables Influencing Recidivism, 2001		
	Pr > ChiSq	**Exp (Est)**
Number of Concurrent Convictions (Index Domestic Violence Conviction)	0.2997	1.070
Existence of Prior Convictions	0.0012	2.282
Existence of Prior Prison Sentences	<.0001	2.225
Existence of Prison Sentence for Index Domestic Violence Conviction	0.0003	1.901
Offender Age	0.0022	1.580
Existence of Prior Convictions for Spousal Offences	0.1211	1.588
Existence of Prior Convictions for Other Violent Offences	0.8434	0.963
Seriousness of Index Domestic Violence Conviction	0.8742	0.976
Gender	0.4665	1.233
Domestic Violence Court	0.6840	0.940
1. R-Square=0.1555; Max-rescaled R-Square=0.2180		

Table 28 presents logistic regression coefficients for the strongest variables influencing the severity[14] of the post-index domestic violence conviction as well as odds-ratio results. This final analysis was undertaken to identify those variables that have the strongest relationship to the severity of the reconviction after controlling for all other statistically significant variables at the same time. The variables highlighted in this table show the four variables that have the most influence on the severity of the reconviction. In sum, odds-ratio results show that offenders who had at least one prior conviction were 2.3 times more likely than offenders who did not have a prior conviction to be reconvicted of a violent offence after the index domestic violence conviction. As well, offenders who received a prison sentence for the index domestic violence conviction and offenders who received a prior prison sentence were almost twice as likely as offenders who did not receive such sentences to be reconvicted of a violent offence following the index domestic violence conviction (1.9 and 1.8 respectively). And finally, offenders aged 18−34 were 1.7 times more likely than offenders aged 35 and over to be reconvicted of a violent offence following the index domestic violence conviction. Again, it is noteworthy that having appeared in a DVC for the index domestic violence conviction did not play a role in the likelihood of violent recidivism for the offenders in this sample.

TABLE 28		
Logistic Regression for Variables Influencing Severity of Reconvictions, 2001		
	Pr > ChiSq	**Exp (Est)**
Number of Concurrent Convictions to Index Domestic Violence Conviction	0.1071	1.112
Existence of Prior Convictions	0.0018	2.322
Existence of Prior Prison Sentences	0.0026	1.837
Existence of Prison Sentence for Index Domestic Violence Conviction	0.0004	1.925
Offender Age	0.0009	1.674
Existence of Prior Convictions for Spousal Offences	0.7319	1.108
Existence of Prior Convictions for Other Violent Offences	0.8460	0.963
Seriousness of Index Domestic Violence Conviction	0.8502	1.031
Gender	0.5524	1.197
Domestic Violence Court	0.7539	1.051
1. R-Square=0.1250; Max-rescaled R-Square=0.1824		

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[14] Included in this analysis are Category 1 (Serious Violence) and Category 2 (Violence) offences in the seriousness index presented in the Methodology Section.

9.   Discussion and Limitations

The purpose of this study was to examine the difference between a sample of offenders convicted in Ontario of a domestic violence offence in a jurisdiction where there was a Domestic Violence Court (DVC) with a sample of offenders convicted in court jurisdictions without a DVC in terms of offence characteristics, criminal history, and recidivism. This study examined the influence of criminal history as well as spousal conviction and sentence characteristics on the likelihood of recidivism. The analysis brought to our attention some significant differences between the two court types, as well as information on recidivism that is of common knowledge in the field. It is important to note that the data presented in this report cannot be used to determine causal relationships between different variables. In some cases, this relationship was not found to be a strong one between selected variables and the likelihood of recidivism.

As far as differences in offence characteristics for offenders who appeared in DVCs and other Ontario courts, a few variables showed significant differences between offenders from the two court types. Offenders who appeared in a DVC were generally older than offenders who appeared in other Ontario courts. They were more likely to have been convicted, for the index domestic violence conviction, of less serious violence. Offenders who appeared in a DVC were more likely to be sentenced to prison, but the median prison sentence was shorter compared to offenders who appeared in other Ontario courts.

There were some differences between offenders from both court types when the offender's criminal history was examined. Although similar proportions of offenders from both court types had prior convictions on their criminal record and similar proportions of offenders had been convicted of serious violence or violent offences, offenders who appeared in a DVC were less likely to have a prior conviction for spousal violence compared to offenders who appeared in other Ontario courts. Moreover, they were also more likely than offenders who appeared in other Ontario courts to have received a prison term as the most serious sentence for prior convictions.

Differences between offenders from both court types were also found when controlled by the offender's reconviction record after the index domestic violence conviction. Although similar proportions were reconvicted following the index domestic violence conviction, offenders who appeared in a DVC were less likely to be reconvicted of a serious violent offence or of a spousal offence. They were, however, more likely to receive a prison sentence for the reconviction. Finally, the time elapsed between the index domestic violence conviction and the reconviction was slightly shorter for offenders who appeared in a DVC.

In terms of the influence of different variables on recidivism, the results were not surprising. Gender, age, existence of prior criminal record, seriousness of prior conviction, sentence for prior conviction, sentence for index domestic violence conviction, prison sentence length for index domestic violence conviction, total number of lifetime convictions and total number of charges without convictions all appear to play a statistically significant role in the likelihood of recidivism. However, the seriousness of the

index domestic violence conviction did not appear to play a statistically significant role in recidivism.

Correlation coefficients corroborated these findings such that the total number of lifetime convictions, total number of prior convictions, sentence for prior conviction, and total number of charges without convictions had the strongest relationship with recidivism, whatever the court type. Offenders' criminal history also obtained strong and significant coefficients in its relationship with recidivism. Finally, logistic regression further reinforced the finding that the existence of prior convictions, prior prison sentence, prison sentence for index domestic violence conviction, and age showed the strongest relationship with recidivism. These same variables influence significantly the severity of the post-2001 offence.

The findings presented in this report did not demonstrate the influence of a DVC on reducing the overall likelihood of recidivism. Based on these data, we were not able to find a strong positive relationship between appearing in DVC and recidivism. However, offenders who appeared in a DVC were less likely than offenders who appeared in other Ontario courts to be reconvicted of a spousal or other violent offence and were more likely to be reconvicted of an administrative offence. Also, offenders who appeared in a DVC were more likely to receive a prison sentence for the index domestic violence conviction than offenders who appeared in other Ontario courts, and they were also more likely to receive a prison sentence for the reconviction.

However, the objectives of the DVC program should be noted in terms of prosecuting and managing domestic violence cases, early intervention, victim support, awareness among criminal justice personnel of the nature and extent of spousal violence, and increase in offender accountability. These important objectives of the DVC program in Ontario cannot be measured in a study such as this, but will be examined in more thorough evaluations of the program.

This study has a few limitations. As the basis for the analysis was the offender's criminal record, the analysis presented in this report portrays only the influence of selected elements related to the offender's criminal record on the likelihood of recidivism. The influence of individual level variables such as marital status, relationship of the accused to the victim, education level, employment status, income, and urban/rural living should be considered in identifying the variables that most influence the likelihood of recidivism. These variables are not available on the criminal record for the sample of offenders and thus not included as explanatory variables. The analysis could also benefit from a country level analysis where the influence of variables such as economy, politics, democracy, social development could be found in the likelihood of recidivism.

Although all index domestic violence convictions were spousal offences, as this was the basis for this analysis, it was not possible to accurately identify all pre- and post-spousal offences due to the variability among police forces in filling out the RCMP's Volunteer Screening Initiative (VSI) of the Criminal Records Synopsis (CRS). This limitation posed constraints in identifying prior spousal offences or spousal reconvictions. The additional information would have allowed a more accurate portrayal of the realities behind

recidivism in domestic violence. It is possible that most reconvictions are of a spousal nature, whether it was an actual spousal violent incident or administrative offence related to the index domestic violence conviction, but it was impossible to definitely identify the true nature of those prior offences or reconvictions.

Although the present study cannot fully explain the incidence of recidivism in domestic violence cases, it does shed some light on the issue and provides information on one specialized court created by one province to address the issue of domestic violence. The information examined in this report may contribute to a better understanding of recidivism in domestic violence and may help shape future programs or services to address such recidivism.

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Appendix A :
Operational Domestic Violence Court Sites as of January 2005

The following court locations were fully operational as of January 2005, meaning that these court locations were running both the Early Intervention Program and Coordinated Prosecution components.

Barrie
Belleville
Brampton
Brockville
Cobourg
Cornwall
Gore Bay
Hamilton
Kenora
Kingston
Kitchener
Lindsay
London
L'Orignal
Milton
Napanee
Newmarket
North Bay
Orangeville
Ottawa

Owen Sound
Pembroke
Perth
Peterborough
Picton
Sarnia
Sault Ste. Marie
St. Catharines
Stratford
Sudbury
Thunder Bay
Timmins
Toronto (College Park, Old City Hall, Etobicoke, Scarborough and North York)
Walkerton
Welland
Whitby
Windsor
Woodstock

Appendix B :
Operational Domestic Violence Court Sites in 2001

The following court locations were fully operational in 2001, meaning that these court locations were running both the Early Intervention Program and Coordinated Prosecution components.

Old City Hall
Ottawa
Hamilton
London
North Bay
North York
Durham
Brampton
Etobicoke
Scarborough
Windsor
Sudbury
Barrie
Kitchener
College Park

Appendix C :
Canadian Centre for Justice Statistics
Seriousness Index
Revised UCR Violation Coding Structure

Violent Incidents

Violation Code	Description	Maximum Penalty
1110	Murder 1st Degree	25 years
1120	Murder 2nd Degree	
1130	Manslaughter	
1150	Criminal Negligence Causing Death	
1160	Other Related Offences Causing Death	
1210	Attempted Murder	
1220	Conspiracy to Commit Murder	
1310	Aggravated Sexual Assault	
1510	Kidnapping	
1520	Hostage-taking	
1610	Robbery	
1620	Extortion	
1628	Explosives Causing Death/Bodily Harm	
1629	Arson – Disregard for Human Live	
1630	Other Violent Violations	
1320	Sexual Assault with Weapon	14 years
1410	Aggravated Assault – Level 3	
1450	Discharge Firearm with Intent	
1330	Sexual Assault	10 years
1420	Assault with Weapon or Causing Bodily Harm – Level 2	
1440	Unlawfully Causing Bodily Harm	
1470	Criminal Negligence Causing Bodily Harm	
1530	Abduction Under 14, Not Parent/Guardian	
1550	Abduction Under 14, Contravening A Custody Order	
1560	Abduction Under 14, by Parent/Guardian	
1625	Criminal Harassment	
1140	Infanticide	5 years
1430	Assault – Level 1	
1460	Assault Against Peace-Public Officer	
1540	Abduction Under 16	
1545	Remove Children From Canada	
1340	Other Sexual Crimes	
1480	Other Assaults	
1627	Uttering Threats	

Property and Other *Criminal Code*, Federal Statutes, Provincial Statutes

Violation Code	Description	Maximum Penalty
2120	Break and Enter	
3310	Offensive Weapons – Explosives	
3715	Instruction/Commission of Act for Terrorism	
3840	Instruct Offence for Criminal Organization	
4210	Trafficking – Heroin	
4220	Trafficking – Cocaine	
4230	Trafficking – Other CDSA	25 years
4240	Trafficking – Cannabis	
4310	Importation and Production – Heroin	
4320	Importation and Production – Cocaine	
4330	Importation and Production – Other CDSA	
4340	Importation – Cannabis	
6560	National Defence Act	
2110	Arson	
2160	Fraud	
3115	Living off the avails of prostitution of a person under 18	
3360	Using Firearms/Using Imitation	
3420	Counterfeiting currency	14 years
3714	Facilitate Terrorist Activity	
3791	Intimidation Justice System Participant	
3820	Offences Related to Currency	
3841	Commit Offence for Criminal Organization (Part XII C.C.)	
2130	Theft over $5,000	
2131	Theft of a motor vehicle over $5,000	
2132	Theft over $5,000 from a motor vehicle	
2150	Possession of Stolen Goods	
2170	Mischief	
2172	Mischief Over $5,000	
3710	Offence Against Public Order (Part II C.C.)	
3120	Procuring	
3365	Weapons Trafficking	10 years
3370	Possession Contrary to Order	
3375	Possession of Weapons	
3380	Unauthorized Importing/Exporting Weapons	
3455	Distribution of Child Pornography	
3711	Property or Service for Terrorist Activity	
3712	Freezing of Property, Disclosure, Audit	
3713	Participate in Activity of Terrorist Group	
3716	Harbour or Conceal Terrorist	
3780	Offences Against Right of Property (Part IX C.C.)	
3825	Proceeds of Crime (CC)	
4825	Proceeds of Crime (CDSA)(expired 01-02-02)	
4110	Possession – Heroin	
4120	Possession – Cocaine	
4130	Possession – Other CDSA	7 years
4140	Possession – Cannabis	
4440	Production Cannabis	

Property and Other Criminal Code, Federal Statutes (continued)

Violation Code	Description	Maximum Penalty
3125	Obtains/Communicates with a Person Under 18 for the Purpose of Sex	
3320	Offensive Weapons – Prohibited (expired 01-12-98)	
3330	Offensive Weapons – Restricted (expired 01-12-98)	
3340	Offensive Weapons – Firearms Transfer/Serial Numbers (expired 01-12-98)	
3350	Offensive Weapons – Other (expired 01-12-98)	
3385	Dangerous Use of Firearms	
3390	Firearms Documentation and Administration	
3395	Unsafe Storage of Firearms	
3461	Luring of a child via Computer	
3730	Offences Against the Administration of Laws and Justice (Part IV C.C.)	
3790	Fraudulent Transactions Relating to Contracts and Trade (Part X C.C.)	5 years
3810	Wilful and Forbidden Acts in Respect of Certain Property (Part XI C.C.)	
3830	Attempts, Conspiracies, Accessories (Part XIII, C.C.)	
3842	Participate in Activities of Criminal Organization (Part XIII C.C.)	
6200	Canada Shipping Act	
6150	Income Tax Act	
6300	Customs Act	
6350	Competition Act	
6500	Immigration and Refugee Protection Act	
6550	Firearms Act	
6100	Bankruptcy Act	3 years
2140	Theft $5,000 or Under	
2141	Theft of a motor vehicle $5,000 or under	
2142	Theft $5,000 or under from a motor vehicle	
2174	Mischief $5,000 or Under	
3110	Prostitution – Bawdy House	
3230	Gaming and Betting – Other Gaming and Betting	
3410	Bail Violations	
3440	Escape Custody	
3460	Public Morals	
3470	Obstruct Public Peace Officer	
3480	Prisoner Unlawfully at Large	
3510	Fail to appear	2 years
3720	Firearms and Other Offensive Weapons	
3640	Sexual Offences, Public Morals and Disorderly Conduct (Part V C.C.)	
3750	Invasion of Privacy (Part VI C.C.)	
3770	Offences Against the Person and Reputation (Part VIII C.C.)	
6400	Excise Act	
6450	Youth Criminal Justice Act	

Violation Code	Description	Maximum Penalty
3130	Prostitution – Other Prostitution	
3210	Gaming and Betting – Betting Housing	
3220	Gaming and Betting – Gaming House	
3430	Disturb the Peace	
3450	Indecent Acts	
3490	Trespass at Night	0.5 years
3520	Breach of Probation	
3530	Threatening/Harassing Phone Calls	
3760	Disorderly Houses, Gaming and Betting (Part VII C.C.)	
3890	All Other Criminal Code (includes Part XII.2 C.C.)	
6250	Canada Health Act	
6900	Other Federal Statutes	

Provincial Statutes

7300	Other Provincial Statutes	
7200	Securities Act	Not available
7100	Liquor Act	

Traffic Violations

9131	Dangerous Operation Causing Death Evading Police	25 years
9210	Impaired Operation/Related Violations Causing Death	
9110	Dangerous Operation Causing Death	14 years
9210	Impaired Operation/Related Violations Causing Death	
9120	Dangerous Operation Causing Bodily Harm	10 years
9220	Impaired Operation/Relation Violations Causing Bodily Harm	
9130	Dangerous Operation of Motor Vehicle, Vessel or Aircraft	
9133	Dangerous Operation of Motor Vehicle Evading Police	
9230	Impaired Operation of Motor Vehicle, Vessel or Aircraft over 80MG	5 years
9240	Failure to Provide Breath Sample	
9250	Failure to Provide Blood Sample	
9330	Other Criminal Code	
9310	Fail to Stop or Remain	
9320	Driving While Prohibited	2 years

Provincial Statutes

9510	Fail to Stop or Remain	Not available
9520	Dangerous Driving without Due Care or Attention	
9530	Driving while Disqualified or License Suspended	

Appendix D :
Most Serious Charges List

This list was created using CCJS Seriousness Index (Appendix C).

1=1st degree murder
2=2nd degree murder
3=Manslaughter
4=Robbery
5=Sexual assault with weapon/Indecent assault
6=Aggravated sexual assault
7=Kidnapping, Forcible confinement
8=Aggravated assault
9=Sexual interference
10=Sexual assault
11=Abduction
12=Assault with weapon, Causing Bodily Harm
13=Infanticide
14=Assault
15=Uttering threats
16=Assault police/peace officer
17=Criminal harassment
18=Other sexual offences
19=Other assault
20=Other violent offences
21=Arson
22=Break and Enter
23=Possession of property obtained by crime
24=Drug trafficking
25=Drug importation and cultivation
26=Theft over and Motor Vehicle theft
27=Forgery and Fraud
28=Escape custody
29=Weapons offences
30=Drug possession
31=Bail violations and Unlawfully at Large
32=Other traffic − fail to stop, dangerous driving
33=Theft under
34=Administrative offences
35=Mischief
36=Obstruct peace officer
37=Trespass at night
38=Impaired driving
39=Disturbing the peace
40=Other Property
41=Other *Criminal Code*
42= Other Federal Statutes