

Just Facts

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Research and Statistics Division

Recidivism in the Criminal Justice System

Recidivism is the act of committing another crime or coming into conflict with the criminal justice system (CJS) again. It is an important measure of the effectiveness of CJS efforts to promote rehabilitation, reintegration, and public safety. Recidivism rates are not available at a national level¹ since there is no national consensus on the operational definition of recidivism and there are significant variations in how recidivism is defined and counted (e.g., re-contact, re-arrest, re-incarceration, or reconviction) in different jurisdictions. For this reason, comparisons between studies and jurisdictions should not be made.

This fact sheet is based on publicly available data from the provincial governments of Ontario and Québec, the Correctional Service of Canada (CSC), Public Safety Canada (PSC), and Statistics Canada. The data were collected from 2001 to 2016.

Summary

The prevalence of recidivism varies from 9% to 90% in the studies presented below. This is largely due to differences in how recidivism is defined. The narrower the scope of the definition, the lower the prevalence of recidivism. The findings also suggest that how a person progresses through the CJS has an impact on the likelihood they will re-offend. A person whose pathway through the CJS includes police, courts and corrections is at particular risk of re-offending. Other variables such as age, sex, and Indigenous identity also influence the likelihood of re-offending. Given that chronic offenders (five or more re-contacts) account for a large proportion of criminal incidents, understanding the factors related to recidivism could have an important impact on crime in Canada.

Recidivism of federal offenders is declining and new offences are less severe

According to a 2019 CSC study,² 23% of a 2011/2012 cohort of federal offenders re-offended,³ compared to 32% of offenders from a 2007/2008 cohort. Of Indigenous male offenders in the 2011/2012 cohort, 38% re-offended compared to 21% of non-Indigenous male offenders. For Indigenous women, 20% re-offended compared to 9% of non-Indigenous women offenders. In addition, 12% of the 2011/2012 cohort re-offended with a violent offence,⁴ compared to 18% from the 2007/2008 cohort. Of those who re-offended, 60% were charged with a new offence of a lesser severity.



Nova Scotia: youth re-contact is most common among those who went to court for their initial criminal incident

A 2019 study by Statistics Canada⁵ examined youth (aged 12 to 17)⁶ re-contact and pathways⁷ through the Nova Scotia CJS.⁸ The study found that of the 2,838 youths accused of a criminal incident in 2012/2013, half (50%) had at least one re-contact with police within a two-year follow-up period. The study also found that a small proportion of youth were responsible for a high proportion of CJS contact. Chronic offenders (five or more re-contacts; 12% of total youths accused of a criminal incidents) were responsible for 45% of the total youth contacts with Nova Scotia police over two years (N=8,117).

Re-contact with police was most common among youth who went to court in their initial criminal incident (N=412). Just over three-quarters (77%) of youth who went through the courts had re-contact with Nova Scotia police within two years of their initial contact.

Saskatchewan: prevalence of re-contact with police higher after correctional involvement, especially among Indigenous people and youth

A 2016 study by Statistics Canada⁹ examined re-contact¹⁰ with the Saskatchewan CJS. The study used a population of 37,054 individuals who came into contact at least once with the police because they were accused of a crime in 2009/2010. The study found that the prevalence of re-contact varied based on a person's pathway through the CJS.¹¹ Specifically, those whose first contact took them through the full justice system into correctional supervision—in custody or in the community—were found to be particularly at risk of re-contact; just under three-quarters (73%) had re-contact with police for a new offence. In comparison, close to two-thirds (64%) of those whose first contact involved the police only and approximately half (51%) of those whose first contact ended in the court system, had a re-contact with police for a new offence.

For youth whose first contact only involved the police, re-contact was proportionally lower when compared to adults (58% versus 66%). However, over six in ten (61%) youth whose first pathway ended in the court system, had at least one re-contact with police, compared to adults (50%). Re-contact was even more pronounced among youth whose first contact took them through correctional services, where 84% had at least one subsequent contact with police following their correctional involvement, compared to 70% for adults.

Results also showed that Indigenous adults had significantly higher prevalence of re-contact with police following their correctional involvement (80%) than non-Indigenous adults (57%). This was even more pronounced for Indigenous youth with 90% having re-contact following their correctional involvement (compared to 79% of non-Indigenous youth).

Similar to the Nova Scotia findings noted above, this study also found that a smaller proportion of offenders, specifically chronic offenders (21%; n=7,800), were responsible for a high proportion of CJS contact (57%) in Saskatchewan over three years.

Ontario: prevalence of re-contact with police higher after correctional involvement, particularly among youth

A 2019 study by Statistics Canada¹² examined re-contact¹³ with the Ontario CJS. The study used a population of 53,003 individuals who came into contact at least once with the police because they were accused of a crime in 2008/2009. The study found that of the 53,003 individuals, 46% had at least one re-contact with the police, proportionally higher among men (48%) than women (39%). Of those that came in contact with police, 10% were chronic offenders.

Similar to the Saskatchewan study described above, this study also found that the prevalence of re-contact varied based on a person's pathway through the CJS.¹⁴ Close to two-thirds (62%) of individuals who went through the full justice system into correctional supervision had re-contact with



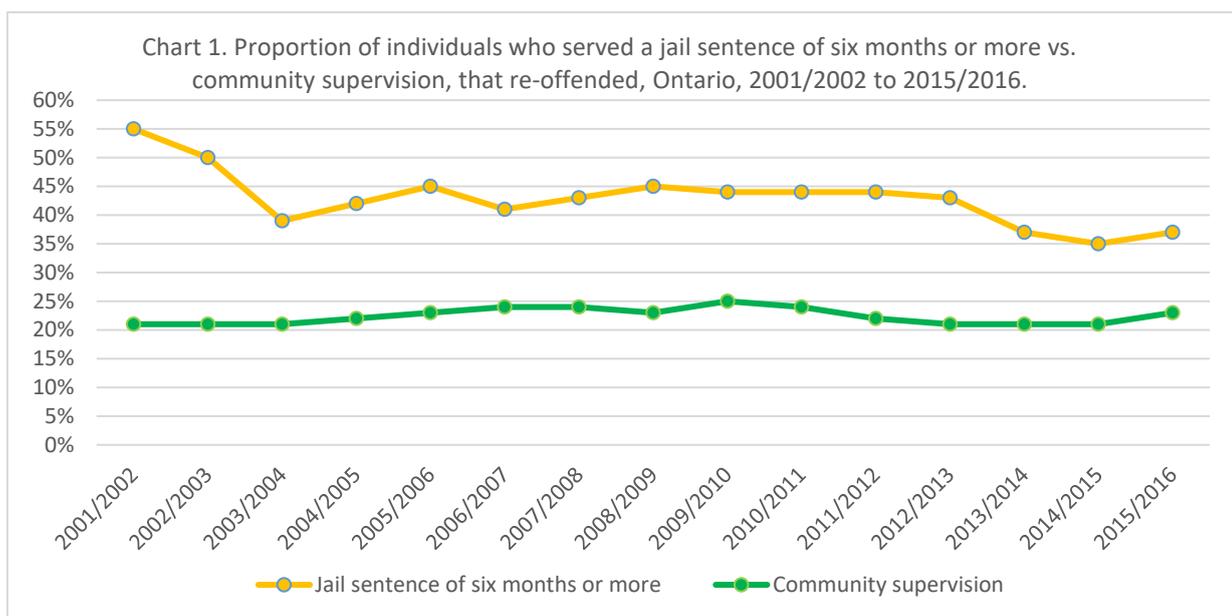
police for a new offence. In comparison, 43% of those whose first contact involved the police only and 37% of those whose first contact ended in the court system, had a re-contact with police for a new offence.

The study also found the prevalence of re-contact was higher among youth compared to adults. A little over half (51%) of youth whose first contact only involved the police had at least one re-contact with police, compared to 38% for adults. Sixty percent of youth whose first pathway ended in the court system, had at least one re-contact with police, compared to 34% for adults. Among youth whose first contact took them through correctional services, a little over three quarters (77%) had at least one subsequent contact with police following their correctional involvement, compared to 60% for adults.

Ontario: recidivism is declining for offenders who served a jail sentence of 6 months or more

In 2019, the Ministry of the Solicitor General of the Government of Ontario¹⁵ published a study on recidivism¹⁶ among offenders sentenced to provincial custody. From 2001/2002 to 2015/2016, the proportion of offenders who served a jail sentence¹⁷ of six months or more that re-offended decreased from 55% to 37%. The proportion of offenders under community supervision that re-offended was stable between 21% and 23% (see Chart 1^{18, 19}).

The study also found that the proportion of offenders who re-offend has been consistently lower for individuals in community supervision than those who served a jail sentence of six months or more (Chart 1).



Québec: recidivism/re-contact higher among young offenders and Indigenous offenders than non-Indigenous adults

A study by Sécurité Publique du Québec (2015)²⁰ examined recidivism/re-contact²¹ of provincially sentenced offenders²² released in 2007/2008. The study found that 55% of provincially sentenced offenders had re-offended. More specifically, of the sentenced offenders released in 2007/2008, 43% committed a new offence that resulted in a provincial or federal custodial sentence and 12% committed a new offence that resulted in a community sentence. Fifty-nine percent of female offenders had re-offended, a proportion slightly higher than male offenders (54%). Two-thirds (67%) of Indigenous adult offenders had re-offended, a proportion higher than that of non-Indigenous adult offenders (54%).

The study also found age to be a factor. A little over two-thirds (68%) of younger offenders (18 years old) had re-offended, compared to a little over a quarter (26%) of older offenders (45 years and over).

¹ Department of Justice Canada. (2019). *State of the Criminal Justice System 2019 Report* (Cat. No. J2-491/2019E-PDF). Ottawa, Ontario: Department of Justice Canada.

² Correctional Services of Canada. (2019). *A comprehensive study of recidivism rates among federal offenders* (Research Report R-426). Ottawa, Ontario: Correctional Service of Canada.

³ The study used Canadian Police Information Centre (CPIC) records combined with data from the Offender Management System (OMS) to measure the two years post-release reoffending proportions with or without a violent offence of offenders under federal jurisdiction (i.e., sentence of two years or more). Recidivism proportions are based on reconvications that resulted in returns to federal custody or provincial or territorial sanctions.

⁴ For contextual purposes, violent offences are defined by Public Safety Canada as offences that include first and second degree murder and Schedule 1 offences (which include sexual offences and other violent crimes).

⁵ Ibrahim, D. (2019). *Youth re-contact with the Nova Scotia justice system, 2012/2013 to 2014/2015* (Juristats Catalogue no. 85-002-X). Ottawa, Ontario: Statistics Canada.

⁶ In this study, a re-contact is defined as a subsequent contact with police in Nova Scotia (i.e., a new charge/cleared otherwise) in the two years following the individual's first contact with police between April 2012 and March 2013. It is possible that a re-contact may have occurred after this period or with other police services outside Nova Scotia, but those instances are not captured in the study.

⁷ For this study, the CJS pathway included: individuals only having contact with police, individuals having contact with police and courts, and individuals having contact with a restorative justice program.

⁸ The study used data from the Uniform Crime Reporting (UCR) Survey, the Integrated Criminal Courts Survey (ICCS) and restorative justice data provided by the Nova Scotia Department of Justice. The study used a cohort of youth who came into contact with Nova Scotia police between April 1, 2012 and March 31, 2013.

⁹ Brennan, S., & Matarazzo, Anthony. (2016). *Re-contact with the Saskatchewan justice system* (Juristats Catalogue no. 85-002-X). Ottawa, Ontario: Statistics Canada.

¹⁰ The study used integrated data from police, courts and corrections to look at individuals' contact with the CJS. A contact with the CJS is defined as an official intervention (i.e., the date that the accused was charged by police in relation to a reported incident or the date the charge was cleared otherwise). In this study, a re-contact is defined as a subsequent contact with police in Saskatchewan (i.e., new charge/charge cleared otherwise) following the individual's first completed pathway through the system, signifying a new official intervention. The study used a three-year follow-up period (2009/2010 to 2011/2012). It is possible that a re-contact may have occurred after this period or with other police services outside Saskatchewan but those instances are not captured in the study.

¹¹ For this study, a completed pathway included: individuals only having contact with police, individuals having contact with police and courts, where the completion of the pathway was the initiation of the case, and; those who moved from policing through to corrections, where the completion of the pathway was the date the individual was released from custody or started a community sentence.

¹² Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, Integrated Criminal Court Survey, Canadian Correctional Services Survey linked database 2008/2009 to 2012/2013.

¹³ The study used integrated data from police, courts and corrections to look at individuals' contact with the CJS. A contact with the CJS is defined as an official intervention (i.e., the date that the accused was charged by police in relation to a reported incident or the date the charge was cleared otherwise). In this study, a re-contact is defined as a subsequent contact with police in Ontario (i.e., new charge/charge cleared otherwise) following the individual's first completed pathway through the system, signifying a new official intervention. The study used a five-year follow-up period (2008/2009 to 2012/2013). It is possible that a re-contact may have occurred after this period or with other police services outside Ontario but those instances are not captured in the study.

¹⁴ For this study, a completed pathway included: individuals only having contact with police, individuals having contact with police and courts, where the completion of the pathway was the initiation of the case, and; those who moved from policing through to corrections, where the completion of the pathway was the date the individual was released from custody or started a community sentence.

¹⁵ Ministry of the Solicitor General of Ontario. (2019). *Rates of recidivism (re-conviction) in Ontario*. Retrieved from <https://www.mcscs.jus.gov.on.ca/english/Corrections/RatesRecidivism.html>

¹⁶ Defined as a return to provincial correctional supervision on a new conviction within two years of completing either probation, parole or conditional sentence or a provincial jail sentence of six months or more.

¹⁷ Provincial jail sentences are any sentences that are no more than two years minus one day.

¹⁸ Source: Ministry of the Solicitor General of Ontario. Custom chart prepared by the Research and Statistics Division, Department of Justice Canada.

¹⁹ The data used in the Chart are for Ontario only and do not include those in the federal correctional system.

²⁰ Ministère de la Sécurité Publique du Québec. (2015). *Rapport synthèse 1 : La récidive et la reprise des sortants de prison de 2007-2008 en fin de peine continue*. Retrieved from https://www.securitepublique.gouv.qc.ca/fileadmin/Documents/services_correctionnels/publications/enquete-recidive-reprise/rapport-recidive-1-synthese.pdf

²¹ The study used the term "recidivism/re-contact", which is defined as a new conviction for a new crime (may include those who are sentenced to a new provincial or federal custodial sentence) committed within a two-year follow-up period. Breaches of conditions for parole or conditional sentences are not included as they are not new offences. This includes: re-contact (a subsequent contact with correctional services), any new conviction (after the original sentencing), any new conviction concerning a jail sentence (after the original sentencing), and any new conviction concerning a prison sentence of 2 years or more (after the original sentencing). For more information on the methodology used for this study, please refer to the full report (see endnote 13).

²² Includes those who did not have a follow-up on a temporary absence, parole, probation or suspended sentence following the detention period.