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Subject: **CCJA- News, July 22, 2008**
Date: July 22, 2008 12:11:25 PM PDT (CA)
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CCJA- News, July 22, 2008

Nouvelles-ACJP, le 22 juillet, 2008

1. StatsCanada- Crime statistics 2007

Canada's national crime rate, based on data reported by police, declined for the third consecutive year in 2007, continuing the downward trend in police-reported crime since the rate peaked in 1991.

The 7% drop in the national crime rate was driven mainly by decreases in counterfeiting and high-volume property offences such as theft \$5,000 and under, break-ins and motor vehicle thefts.

Following two years of increases in most serious violent offences, police reported fewer homicides, attempted murders, sexual assaults and robberies in 2007.

Police-reported crime rates were down in all provinces and territories, except Newfoundland and Labrador, the Northwest Territories and the Yukon.

After rising in 2006, the overall crime rate among youth aged 12 to 17 declined slightly in 2007. While non-violent offences committed by youth fell, youth violent crime remained stable.

Crime rates continue to be highest in Western Canada and the territories. Among the provinces, Saskatchewan once again reported the highest overall crime rate as well as the highest violent crime rate.

2. Poursuite de 445 000 \$ - Mort en prison plutôt que soigné à l'Institut Pinel

La famille de Justin-Scott Saint-Aubin réclame justice

La famille d'un jeune homme mort à la prison de Rivière-des-Prairies, alors qu'il aurait été admis en psychiatrie, a intenté hier une poursuite de près d'un demi-million contre l'Institut Philippe-Pinel, deux médecins et le Procureur général du Québec.

3. "Restoring Community in a Disconnected World", Toronto, Ontario, Canada - October 22-24, 2008

The 11th World Conference of the International Institute for Restorative Practices

4. StatsCanada- Youth custody and community services 2005/2006

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According to data from 11 reporting jurisdictions, 63% fewer youth were admitted to sentenced custody in 2005/2006 than in 2001/2002, the earliest comparable trend year prior to the enactment of the YCJA.

In 2005/2006, the number of youth placed in remand, which is detention while awaiting trial or sentencing, was 27% lower than in 2001/2002. Over three-quarters of youth admitted to custody in 2005/2006 were admitted to remand.

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Violent crime: Decline in most serious offences

Police reported 594 homicides, down slightly from 606 in 2006. The homicide rate fell for the second year in a row, continuing a long-term decline that began in the mid-1970s.

In 2007, there were almost 30,000 robberies. While the robbery rate declined 5% from 2006, it has remained relatively stable since 2000. Robbery committed with a firearm declined 12% from the previous year to its lowest point in more than 30 years.

The two most serious forms of assault, aggravated assault and assault with a weapon, remained virtually unchanged in 2007. Prior to 2007, the offence of assault with a weapon had increased in each of the previous seven years, reaching an all-time high in 2006.

Property crime: Decline in break-ins and motor vehicle theft

Police reported just over 230,000 break-ins, of which about 6 in 10 were residential. The rate of residential break-ins fell 9% in 2007 and break-ins to businesses dropped 8%.

The rate of break-ins has been steadily declining since peaking in 1991, reaching its lowest level in over 40 years. According to Statistics Canada's General Social Survey, Canadians increased their use of home security devices, such as burglar alarms and motion detectors, between 1999 and 2004.

On average, there were about 400 motor vehicle thefts per day in 2007, totalling over 145,000 incidents. The rate of motor vehicle theft has been declining since its peak in 1996, including a 9% drop in 2007.

Research suggests that factors such as anti-theft devices built into newer model vehicles, as well as specialized police enforcement teams have contributed to the decrease.

Youth crime: Slight decline in the youth crime rate

About 176,000 youth aged 12 to 17 were accused of a criminal offence last year. This includes youth who were either formally charged by police or dealt with by other means such as a warning, caution, or referral to a diversionary program.

The youth crime rate, which has remained relatively stable over the past decade, declined 1.5% in 2007 following a 3.3% increase in 2006. The 2007 drop was due to a decrease in non-violent crimes.

The youth violent crime rate remained stable in 2007 after increasing steadily over the past two decades. The 2007 rate was more than double the rate reported in the mid-1980s.

The provinces: Crime rates highest in Western Canada

Among the provinces, the highest crime rates were in Western Canada, continuing a pattern observed over the past 30 years.

Despite a 3.5% decline, Saskatchewan continued to report the highest overall crime rate, as well as the highest rate of violent crime. British Columbia had the highest property crime rate, primarily the result of a large number of thefts \$5,000 and under.

For the fourth year in a row, the lowest provincial rates occurred in Ontario and Quebec.

Police reported declines in homicide in every province except Manitoba, Ontario and New Brunswick. The homicide rates in British Columbia and Quebec were at their lowest in over 40 years.

Manitoba reported 62 homicides, 23 more than in 2006, giving it the highest rate among the provinces and its highest homicide rate since recording began in 1961. Most of the increase occurred in small urban and rural areas. The province also reported a large increase in attempted murder, up 53%.

Metropolitan areas: Declines seen in most cities

Crime rates fell in most census metropolitan areas last year, including the nine largest. The biggest declines occurred in Kitchener, Montréal and Winnipeg.

The highest overall crime rates occurred in the western metropolitan centres of Regina, Saskatoon, Abbotsford, Winnipeg, Edmonton, Victoria and Vancouver. Toronto reported the second lowest overall crime rate among all 27 metropolitan areas.

Violent crime rates also tended to be highest in Western Canada. The census metropolitan areas of Saint John, Thunder Bay and Halifax were exceptions to the general pattern, with each reporting violent crime rates similar to or higher than those in the West.

One in five homicides in Canada occurred in Toronto in 2007. However, taking population differences into account, homicide rates were highest in Saskatoon, Winnipeg, Edmonton and Calgary.

For the first time since recording began in 1981, Québec reported no homicides, the only metropolitan area to do so in 2007.

Impaired driving and drug offences: Among the few offences to increase in 2007

Impaired driving and drug offences were among the few police-reported crimes to increase in 2007. More so than other crimes, these offences tend to be influenced by local police enforcement practices.

The impaired driving rate rose 3% in 2007, mainly due to a 19% increase in Alberta. Despite this recent increase, impaired driving rates have generally been declining over the past 25 years in Canada.

The rate of drug offences rose 4% last year, driven by an increase in cannabis possession offences, which accounted for about half of all drug offences.

Table: Crime rates for selected offences by census metropolitan area

	Total Criminal Code offences (excluding traffic)	Total Criminal Code offences (excluding traffic)	Total violent offences
	rate	% change in rate 2006 to 2007	rate
	-----	-----	-----
500,000 and over population			
Winnipeg	9,644	-12.9	1,082
Edmonton	9,572	-5.4	1,031
Vancouver	9,136	-11.3	989
Calgary	6,202	-8.4	712
Montréal	5,958	-13.8	777
Hamilton	5,511	-2.2	776
Ottawa (1)	5,457	-5.1	599
Québec	4,524	-8.0	645
Toronto	4,461	-11.0	709
100,000 to less than 500,000 population (2)			
Regina	11,827	-5.5	1,478
Saskatoon	11,560	-5.2	1,612
Abbotsford	10,341	-8.2	944
Victoria	9,335	-8.5	911
Thunder Bay	8,819	-2.8	1,335
Saint John	8,292	5.4	1,431
Halifax	7,954	-8.5	1,145
St. John's	7,325	8.6	926
London	7,296	-10.2	730
Windsor	6,138	-9.3	644
Kingston	5,970	-11.7	689
Gatineau (3)	5,718	1.0	796
St. Catharines-Niagara	5,711	-4.6	571
Greater Sudbury	5,627	-9.3	888
Kitchener	4,906	-16.8	565
Sherbrooke	4,831	-10.0	503
Trois-Rivières	4,478	-8.2	599
Saguenay	4,398	8.1	720
Canada	6,984	-7.4	930

	Homicide	Robbery	Total property offences	Break and enter
	rate	rate	rate	rate
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500,000 and over population				
Winnipeg	3.6	268	5,090	1,022
Edmonton	3.3	157	5,166	817
Vancouver	2.4	155	5,100	995
Calgary	3.1	106	3,825	602
Montréal	1.6	133	3,282	755
Hamilton	1.6	116	2,985	594
Ottawa(1)	1.6	80	2,915	451
Québec	0.0	54	2,579	716
Toronto	2.0	113	2,307	362
100,000 to less than 500,000 population(2)				
Regina	2.5	225	5,703	1,618
Saskatoon	3.6	272	4,520	899
Abbotsford	1.2	103	5,868	1,263
Victoria	1.2	72	4,941	801
Thunder Bay	1.6	142	3,942	878
Saint John	2.0	59	3,441	649
Halifax	1.8	119	3,774	670
St. John's	0.5	62	3,689	1,028
London	1.3	61	3,867	667
Windsor	1.2	57	3,321	730
Kingston	0.7	37	3,001	546
Gatineau(3)	0.7	44	2,902	852
St. Catharines-Niagara	0.7	65	3,206	722
Greater Sudbury	2.5	72	2,691	580
Kitchener	1.4	54	2,721	487
Sherbrooke	1.3	60	2,512	694
Trois-Rivières	2.7	33	2,391	636
Saguenay	0.7	41	2,107	629
Canada	1.8	90	3,320	700

	Motor vehicle theft	Total other Criminal Code
	rate	rate
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500,000 and over population		
Winnipeg	1,714	3,471
Edmonton	832	3,375
Vancouver	630	3,047
Calgary	639	1,665
Montréal	601	1,899
Hamilton	481	1,750
Ottawa(1)	264	1,943
Québec	216	1,301
Toronto	279	1,445
100,000 to less than 500,000 population(2)		
Regina	735	4,646
Saskatoon	616	5,428
Abbotsford	1,001	3,529
Victoria	355	3,483
Thunder Bay	233	3,542
Saint John	168	3,420
Halifax	269	3,035
St. John's	210	2,710
London	489	2,699
Windsor	231	2,174
Kingston	176	2,280
Gatineau(3)	294	2,020
St. Catharines-Niagara	253	1,934
Greater Sudbury	226	2,048
Kitchener	239	1,620
Sherbrooke	350	1,816
Trois-Rivières	363	1,488
Saguenay	265	1,572
Canada	443	2,734

1. Ottawa refers to the Ontario part of the Ottawa-Gatineau census metropolitan area.
2. Oshawa is excluded due to incongruity between the police agency jurisdictional boundaries and the census metropolitan area boundaries.
3. Gatineau refers to the Quebec part of the Ottawa-Gatineau census metropolitan area.

Note: Rates are calculated per 100,000 population.

Table: Crime rates by province and territory

	Violent crime	Violent crime	Violent crime
	number	rate	% change in rate 2006 to 2007

Newfoundland and Labrador	4,806	949	11.1
Prince Edward Island	920	664	-5.8
Nova Scotia	9,948	1,065	-6.3
New Brunswick	6,384	851	-0.1
Quebec	56,538	734	-2.8
Ontario	94,029	734	-3.5
Manitoba	17,952	1,513	-5.0
Saskatchewan	20,130	2,019	-0.5
Alberta	38,369	1,104	-0.7
British Columbia	51,333	1,172	-3.6
Yukon	906	2,924	-2.7
Northwest Territories	3,015	7,071	10.4
Nunavut	2,229	7,164	4.6
Canada	306,559	930	-2.5

	Property crime number	Property crime rate	Property crime % change in rate 2006 to 2007
Newfoundland and Labrador	11,557	2,283	-3.4
Prince Edward Island	3,687	2,660	-12.0
Nova Scotia	28,700	3,072	-12.5
New Brunswick	17,284	2,305	-9.7
Quebec	220,934	2,869	-7.9
Ontario	337,432	2,635	-6.9
Manitoba	52,293	4,407	-11.0
Saskatchewan	43,002	4,314	-9.5
Alberta	147,953	4,259	-5.4
British Columbia	226,750	5,177	-8.8
Yukon	1,354	4,369	-14.5
Northwest Territories	2,471	5,795	-8.3
Nunavut	1,286	4,133	-4.2
Canada	1,094,703	3,320	-7.7

	Total Criminal Code (excluding traffic)	Total Criminal Code (excluding traffic)	Total Criminal Code (excluding traffic) % change in rate 2006 to 2007
Newfoundland and Labrador	32,129	6,346	3.2

Prince Edward Island	8,293	5,982	-12.1
Nova Scotia	69,646	7,456	-7.7
New Brunswick	41,250	5,502	-8.2
Quebec	409,436	5,317	-10.1
Ontario	669,339	5,228	-8.6
Manitoba	128,510	10,829	-7.2
Saskatchewan	131,838	13,225	-3.5
Alberta	320,878	9,237	-3.8
British Columbia	457,008	10,433	-8.4
Yukon	6,606	21,317	3.4
Northwest Territories	18,659	43,762	6.2
Nunavut	9,308	29,917	-5.3
Canada	2,302,900	6,984	-7.4

Note: Rates are calculated per 100,000 population.

Table: Crime rates for selected offences

Type of offence	2007	2007	2006 to 2007	1998 to 2007
	number	rate	% rate change	% rate change
Total Criminal Code (excluding traffic), crime rate	2,302,900	6,984	-7.4	-14.4
Violent crime	306,559	930	-2.5	-5.3
Homicide	594	2	-3.0	-2.6
Attempted murder	802	2	-5.1	-1.6
Robbery	29,600	90	-4.7	-6.5
Sexual assault (levels 1,2,3)	21,449	65	-4.5	-23.2
Other sexual offences	2,784	8	-0.1	-26.1
Assault level 1	179,586	545	-3.3	-10.7
Assault level 2, weapon/causing bodily harm	53,945	164	0.1	32.3
Assault level 3, aggravated	3,403	10	0.5	18.6
Other assaults	13,917	42	5.4	4.8
Abduction	479	1	-8.3	-47.2
Property crime	1,094,703	3,320	-7.7	-27.3
Breaking and entering	230,920	700	-9.0	-39.8
Motor vehicle theft	146,142	443	-8.8	-19.4
Theft over \$5,000	17,369	53	0.6	-32.7
Theft \$5,000 and under	579,211	1,756	-7.2	-25.8
Possession of stolen goods	32,775	99	-9.8	2.8

Fraud	88,286	268	-6.2	-14.8
Other Criminal Code incidents	901,638	2,734	-8.6	4.8
Mischief	375,816	1,140	-1.8	5.1
Counterfeiting currency	55,517	168	-54.0	27.5
Bail violations	110,115	334	0.2	37.9
Disturbing the peace	116,978	355	-1.1	63.3
Offensive weapons	18,709	57	-4.2	2.0
Prostitution	4,724	14	-17.6	-27.6
Arson	13,202	40	-3.8	-6.7
Forcible confinement/kidnapping	4,595	14	0.9	121.5
Other Criminal Code (not listed above)	201,982	613	-4.6	-24.4

Note: Rates are calculated per 100,000 population.

2.Poursuite de 445 000 \$ - Mort en prison plutôt que soigné à l'Institut Pinel

[BRIAN MYLES](#), le Devoir

La famille de Justin-Scott Saint-Aubin réclame justice

La famille d'un jeune homme mort à la prison de Rivière-des-Prairies, alors qu'il aurait été admis en psychiatrie, a intenté hier une poursuite de près d'un demi-million contre l'Institut Philippe-Pinel, deux médecins et le Procureur général du Québec.

La poursuite braque de nouveau les projecteurs sur l'incurie bureaucratique aux conséquences funestes. Justin-Scott Saint-Aubin n'aurait jamais dû se retrouver à la prison de Rivière-des-Prairies, où il est mort d'une arythmie cardiaque, le 28 novembre 2007, après avoir été maîtrisé au moyen de techniques inappropriées.

En avril 2000, un prévenu éprouvant lui aussi des problèmes de santé mentale, Brian Bédard, a trouvé la mort dans des circonstances similaires à la prison de Rivière-des-Prairies. Un sous-comité ministériel a été mis en place pour pallier les lacunes, mais il a cessé ses travaux pour des raisons obscures. Les recommandations formulées par le coroner à la suite du décès de M. Bédard n'ont jamais été appliquées. Si elles l'avaient été, Justin-Scott Saint-Aubin serait encore de ce monde, estime l'avocat de la famille Saint-Aubin, Jean-Pierre Ménard.

Me Ménard parle en connaissance de cause. Il représentait aussi la famille Bédard dans une poursuite civile qui a été réglée hors tribunal récemment. Les termes de l'entente sont restés confidentiels. Pour Me Ménard, l'histoire se répète. «Ils n'ont rien fait, et là il y a une deuxième mort liée à la prestation de soins inadéquats à la prison de Rivière-des-Prairies», déplore-t-il.

Arrêté dans la soirée du 23 novembre 2007 pour avoir agressé sa mère, Justin-Scott Saint-Aubin a vu le médecin Éric Delage, visé par la poursuite, à l'hôpital Maisonneuve-Rosemont. Le Dr Delage a prescrit une surveillance constante et une consultation en psychiatrie, flairant que M. Saint-Aubin était en psychose. Le médecin a cependant autorisé le congé et annulé le rendez-vous en psychiatrie après avoir discuté avec les policiers qui accompagnaient l'accusé.

À la suite de sa comparution par vidéoconférence, le jeune de 25 ans a passé quatre jours à délirer dans une cellule, faute de place à Pinel, alors qu'il était placé en isolement et sous contention partielle. Le matin du 27 novembre, Saint-Aubin a finalement été évalué par le psychiatre Jacques Talbot, le deuxième médecin visé par la poursuite. Le Dr Talbot a recommandé l'admission d'urgence de Saint-Aubin à Pinel, ce qui était prévu pour le lendemain. Dans l'intervalle, Saint-Aubin est demeuré à Rivière-des-Prairies, sans médication de surcroît, car le Dr Talbot voulait être en mesure de mieux observer son comportement.

Le 28 novembre, Saint-Aubin est entré dans un état d'agitation extrême. Il criait et frappait dans la porte de sa cellule, qu'il a finalement inondée. Les gardiens sont entrés et s'y sont pris à trois pour l'immobiliser, notamment en plaçant un genou contre sa mâchoire et en appliquant des points de pression derrière son oreille et sur ses côtes. M. Saint-Aubin a cessé de respirer et n'a pu être ranimé.

Le cas de Justin-Scott Saint-Aubin «n'aurait jamais dû être judiciairisé», estime Me Ménard, qui réclame 445 000 \$ au nom des parents, de la tante et des deux demi-frères et des trois cousines de Saint-Aubin.

Selon le texte de la poursuite, le personnel du Centre de détention de Rivière-des-Prairies «n'avait pas le personnel qualifié approprié» pour accueillir une personne ayant des troubles de santé mentale comme ceux de M. Saint-Aubin. Quant à l'Institut Pinel, il aurait manqué à son obligation légale de lui trouver un lit.

L'affaire démontre encore une fois l'incapacité du système carcéral à prendre en charge des patients psychiatriques, estime Me Ménard. «La pauvreté des soins en milieu carcéral, c'est abominable», lance-t-il. Plus inquiétant encore pour ce spécialiste des causes en responsabilité médicale, c'est la première fois que l'Institut Pinel est incapable de répondre à une situation d'urgence, avec les conséquences funestes que l'on sait. «La loi est très claire. Quand il y a une urgence, ça oblige les hôpitaux à agir tout de suite, peu importe les ressources», explique Me Ménard.

Dans son rapport sur la mort de Justin-Scott Saint-Aubin, le coroner Paul G. Dionne en arrivait à des conclusions similaires. Au-delà des «belles promesses» des discussions sur «les problématiques», le système carcéral «avance à pas de tortue», déplorait-il. La prison de Rivière-des-Prairies «a continué à éprouver plusieurs problèmes avec la psychiatrie et très peu s'est fait pour améliorer la situation», a constaté le coroner.

3. "Restoring Community in a Disconnected World", Toronto, Ontario, Canada - October 22-24, 2008

The 11th World Conference of the International Institute for Restorative Practices

This interdisciplinary conference will provide an international perspective on restorative practices theory and practice in a variety of settings, from education to social welfare to criminal justice. Restorative practitioners from around the world are coming to share their knowledge and achievements and to find encouragement, support and advice from others doing similar work.

The whole continuum of restorative practices will be discussed, including family group decision making and family group conferencing, restorative conferencing and circles, and restorative cautions and reprimands. All of these practices share the same underlying purpose: to build community, more effectively address wrongdoing and conflict, and empower people to make decisions about issues that affect them.

Plenary speakers:

Cathy Ashley, chief executive of Family Rights Group, UK, on family group conferencing (also known as family group decision making)

A panel of Canadian educators, on restorative practices in Canada schools:

Bruce Schenk
Helen Fox
Rusty Hick
Lynn Zammit

Judge Leoberto Brancher and Dominic Barter, on restorative practices in Brazil's youth justice and public school systems

Partial lists of "breakout" session titles and organizations attending are now online.

For more information, please go to:
<http://www.iirp.org/on08>

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4.StatsCanada- Youth custody and community services 2005/2006

Fewer young people aged 12 to 17 are being admitted to youth corrections since the enactment of the Youth Criminal Justice Act (YCJA), and the characteristics of those being admitted to sentenced custody have changed.

According to data from 11 reporting jurisdictions, 63% fewer youth were admitted to sentenced custody in 2005/2006 than in 2001/2002, the earliest comparable trend year prior to the enactment of the YCJA.

In 2005/2006, the number of youth placed in remand, which is detention while awaiting trial or sentencing, was 27% lower than in 2001/2002. Over three-quarters of youth admitted to custody in 2005/2006 were admitted to remand.

Decreased admissions are consistent with the objectives of the YCJA, which was designed to respond to concerns about the over-use of custody, and to divert youth who have committed minor offences away from the formal criminal justice system.

Decreases also coincide with declines in the number of youth formally charged by police, and the number appearing in youth court.

The mix of the youth being admitted to sentenced custody also changed over the five-year period.

Older youth made up a greater proportion of those admitted to sentenced custody in 2005/2006 than in 2001/2002. In 2005/2006, 16- and 17-year-olds accounted for 69% of youth admissions compared with 53% in 2001/2002. Studies have shown that older youth tend to commit more serious crimes and generally have more previous contacts with the criminal justice system than younger youth.

Young offenders convicted of property offences no longer account for the largest share of admissions to sentenced custody, according to data from six jurisdictions. These youth accounted for 26% of admissions in 2005/2006, compared with 36% in 2001/2002.

The proportion of youth admitted to sentenced custody for violent offences has changed little between 2001/2002 and 2005/2006, accounting for about one in five youth admissions. Youth admitted for other Criminal Code offences, such as mischief and offences against the administration of justice, has grown from 13% to 20%.

Note: Not all jurisdictions were able to provide all data points over time. As a result, the analysis controls for reporting jurisdictions which may vary depending on the data element being examined. For full information on coverage, please refer to the most recent edition of Juristat.

Table: Number of admissions of youth to sentenced custody, pre-trial detention and probation, 2001/2002 and 2005/2006

	Sentenced	Sentenced	Pre-trial	Pre-trial
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5. The International Institute on Special Needs Offenders and Policy Research (Canada)

4th International Conference on Special Needs Offenders

Innovative Leadership through Best Practices

September 14-17, 2008

Sheraton on the Falls ~ Niagara Falls, Canada

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Registration:

If you wish to register for the 2008 Conference taking place in Niagara Falls this September, please click on the following link to download a current copy of the 2008 Conference Registration Form:

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Irving Kulik
Executive Director/Directeur general
CCJA/ACJP