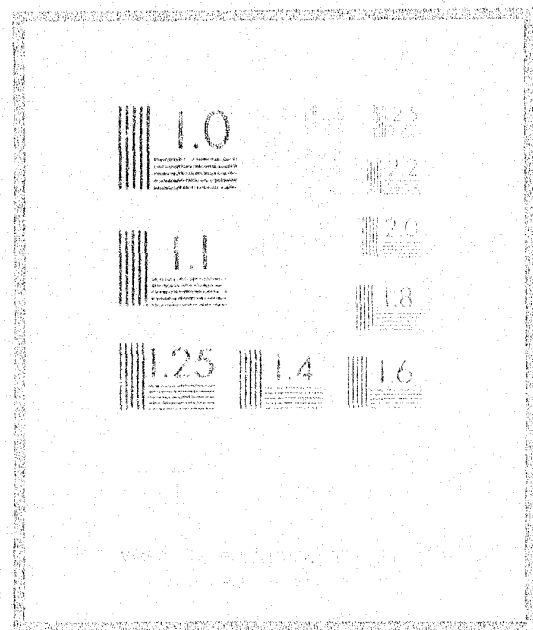# NCJRS

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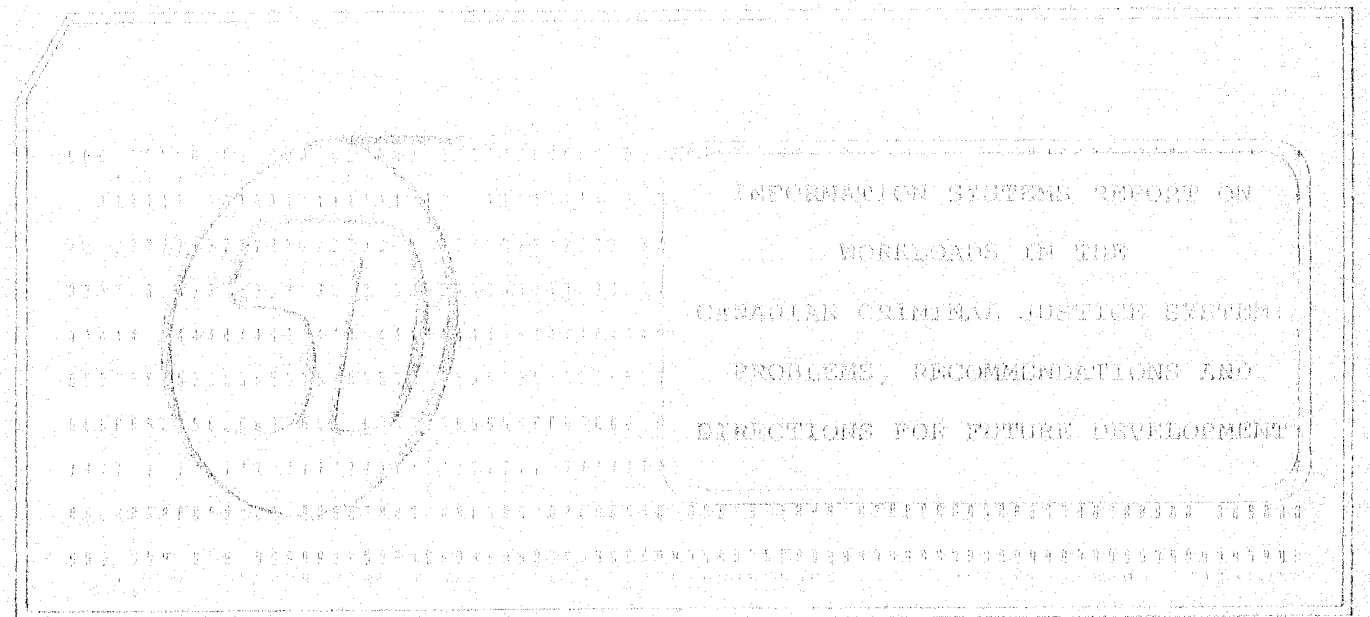Solicitor General
Canada

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Statistics Division

56904

INFORMATION SYSTEMS REPORT ON

WORKLOADS IN THE

CANADIAN CRIMINAL JUSTICE SYSTEM:

PROBLEMS, RECOMMENDATIONS AND

DIRECTIONS FOR FUTURE DEVELOPMENT

STATISTICS DIVISION
Report #9/73

MINISTRY OF THE SOLICITOR GENERAL
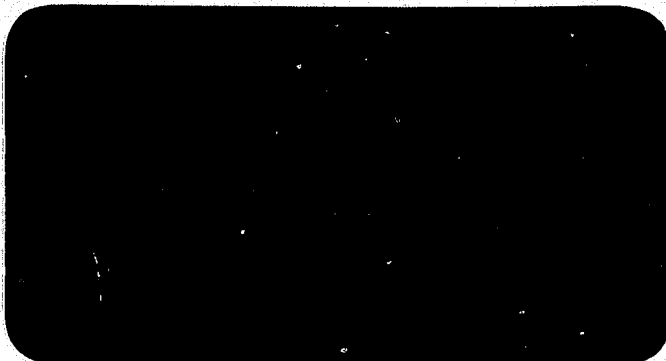
and

SECRETARIAT OF TREASURY BOARD

December 31, 1973

A CANJUS PROJECT REPORT
#6

INFORMATION SYSTEMS REPORT ON

WORKLOADS IN THE

CANADIAN CRIMINAL JUSTICE SYSTEM:

PROBLEMS, RECOMMENDATIONS AND

DIRECTIONS FOR FUTURE DEVELOPMENT

by

R. George Hopkinson

with

CANJUS Project Team

CANJUS PROJECT

The CANJUS project is a project being undertaken by the Statistics Division of the Ministry of the Solicitor General with the assistance of the Planning Branch of the Treasury Board Secretariat. The objective of the project is to develop a comprehensive simulation model of the Canadian Criminal Justice system to 1) develop a basic quantitative description of that system, 2) assist in the planning of policy and program changes by agencies involved in the administration of that system, and 3) serve as the foundation for future analyses and research on the system. The project team at the present time consists of (alphabetically) Neil Carroll, Gordon Cassidy, Elizabeth Cole, Carolyn Fuller, George Hopkinson, Brian Johnson, Lynda Peach, and John Townesend. Not all persons have been committed to the project full-time, but all have made a contribution, without which, some of the many CANJUS publications would not have been possible.

DISCLAIMER

The views expressed are those of the authors and do not
necessarily represent those of the Ministry of the
Solicitor General or the Secretariat of Treasury Board.

ACKNOWLEDGEMENT

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full co-operation of the Judicial Division of Statistics
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local, involved in the administration of criminal justice
in Canada. In particular, Ms Francine Bertrand,
Ms Jane Angus, Ms Sharon Card, and Mr. Marvin Ross of
Statistics Canada, and their staff were most helpful in
explaining tables and obtaining extra information where
necessary. Responsibility for the manuscript, including
any errors or omissions, must, however, remain with the
authors.

I.   INTRODUCTION

During the last decade we have seen an
increasing interest on the part of the public not only
in the phenomena of crime in our society because of
such factors as increasing crime rates and overcrowding
in our prisons, but also in increasing interest on the
part of the public in the administration of criminal
justice. More and more, public administrators are
coming to question allocations of monies between
different parts of the criminal justice system and to
ask very relevant questions about the administration of
that system.

Before we are able to provide answers to
these questions as to what kinds of policies and programs
should be instituted to reduce the number of persons
incarcerated or to provide better protection for society,
we must first of all know what is really happening in the
system. Perhaps the criminal justice system is not
unique among social systems because of our lack of know-
ledge of its operation, but it is certainly one of the
ones about which we know the least. Both Canada and the
United States, within the last decade, have been plagued

with a lack of comprehensive information about the
operation of the criminal justice system. Reports have been
produced on various parts of the system which either
do not take into account other parts of assume the effect
is negligible. Anyone familiar with the operation of the
criminal justice system realize that it is a highly
inter-related system and that the effects on one sub-
system, such as an increased crime rate, while it may
have a major effect on police, may have an even more major
effect on the crowding in our penitentiaries or the over-
crowding and long delays within the court subsystem.

For all of these reasons and others, the
CANJUS project was instituted as a method of providing
a description of the Canadian criminal justice system,
including the flow of offenders from the initial report
of the offence to the final sentencing of the charged
individual or his acquittal and his progress through
the correction institutions and parole or probation
systems. The CANJUS model contains not only information
on the flows of offenders but also information on the resources
which are applied at different parts of the criminal
justice process, auch as judges, policemen, correctional
officers, and the costs of these resources.

A schematic of the simulation model is shown in Figure 1.
The model itself is an interactive model allowing policy
planners and analysts to make changes in the criminal
justice process either in flows of individuals, the
costs, or the manpower and to observe the impact of
these changes, not only in the subsystem where they are
changed but also in other parts of the criminal justice
process.

Naturally, the development of this model has
consisted, initially, of a large effort in data agg-
regation and in collecting data, not from one source
(which one might expect might exist on statistics on the
criminal justice system) but from many sources. A
primary source for the flow information has been the
Statistics Canada reports dealing with flow of individuals
through the criminal justice system. However, the cost
and workload information has been obtained from many
agencies, including provincial and local agencies who
actually administer parts of the criminal justice system.
Although costs are normally contained in some form in
line budget items and public accounts, such is not the
case for workloads. In fact, workload information in
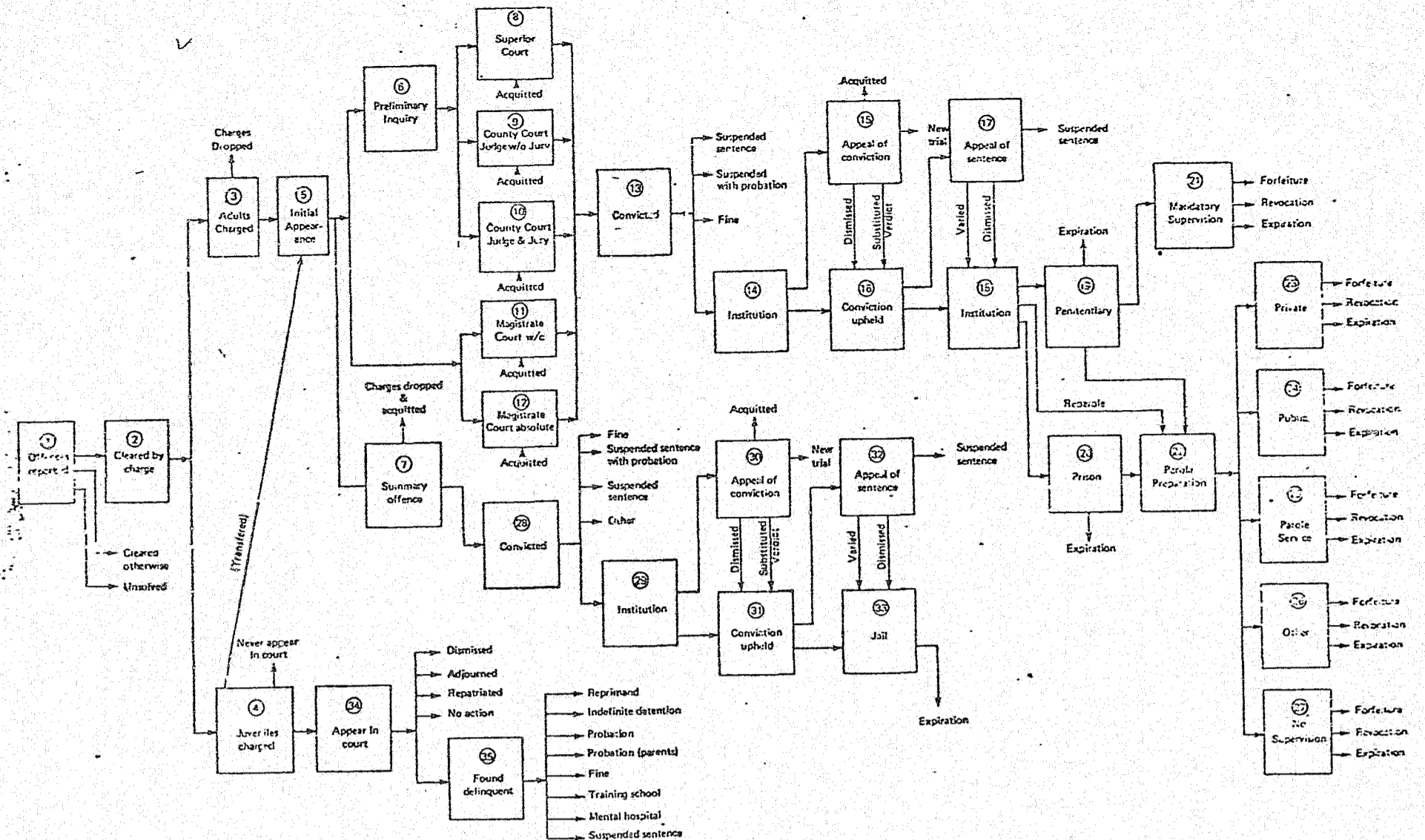many cases, such as the court system, has only recently

Figure 1.
Flow diagram: Canadian Criminal Justice System

begun to be recorded in terms of the number of hours per case by crime type. For parts of the system there are actually workloads, such as the penitentiary system where the sentence [1] is a reasonable proxy for the amount of time the individual will spend in the institution. Of course, this too has been changed, since most sentences are only served for two-thirds of the original time and then the prisoner is released, partially because of the automatic remission which a prisoner earns while he is in an institution.

Therefore, in beginning to obtain workloads for the CANJUS model description, it has become clear that the first priority is to define what is meant by the workloads in the various parts of the criminal justice system and then to obtain these common workloads within the definitions required.

The following section of the paper then, will provide a set of consistent definitions of workloads for the different subsystems of the criminal justice system which will help make clear exactly the data which is being incorporated into the CANJUS model. The third

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1/ This is sentence actually served; not nominal sentence.

section of the paper then describes the set of workloads
(particularly for the penitentiary system) which have
been obtained to date and the assumptions and diff-
iculties in obtaining these workloads. Together with
these descriptions of present workloads obtained, there
will be a set of recommendations, for the future collec-
tion of these workloads in the police, court and peniten-
tiary systems, made at a later time. The last section
of the paper also describes the future developments
which are planned for obtaining more workloads for the
basic CANJUS description of the Canadian Criminal
Justice System.

II.   DEFINITIONS OF WORKLOADS

This section of the paper devotes itself to
definitions of resources within the Canadian criminal
justice system, and to discussion of the manner in which
these resources are applied within the system.

For our purposes, criminal justice resources
have been classified into thirteen different categories,
each representative of a particular part of the adminis-
tration of the Canadian criminal justice process,
examples of which are "police" and "magistrate's court".
These unit resources (hereafter referred to as
"resources") are listed fully in Table 1. Each resource
performs a different function within the system, and
applies itself in a specific way to the processing of
offenders. The application of a resource to one offender
of a particular crime type, termed the "unit workload",
is defined as the average time required by that resource
to process one offender through a specific stage in the
criminal justice system. The unit workloads associated
with each resource are listed in the second column of
Table 1. Figure 2 shows how these unit workloads have
been assumed to be applied to the specific stages in the

TABLE 1 - WORKLOADS

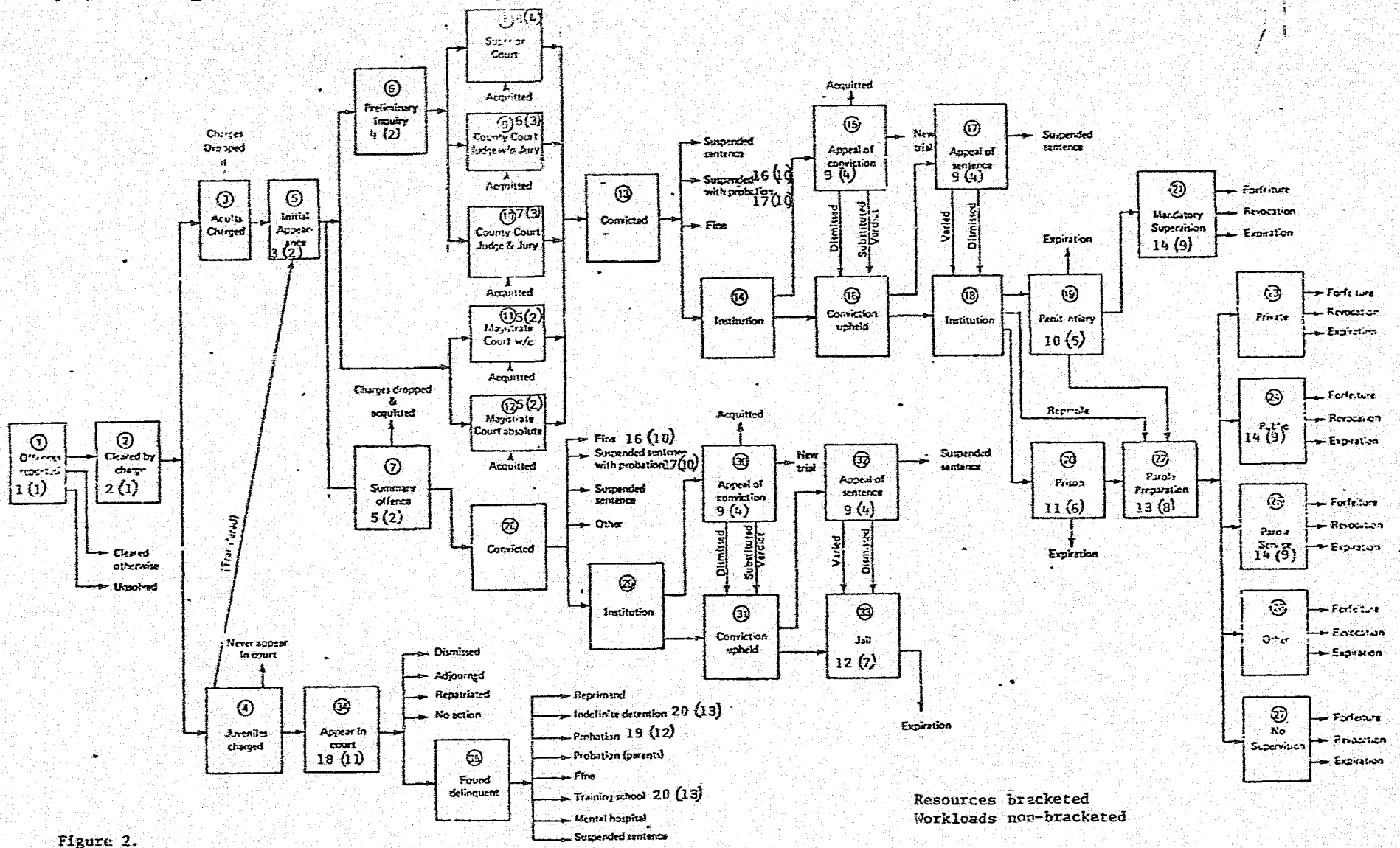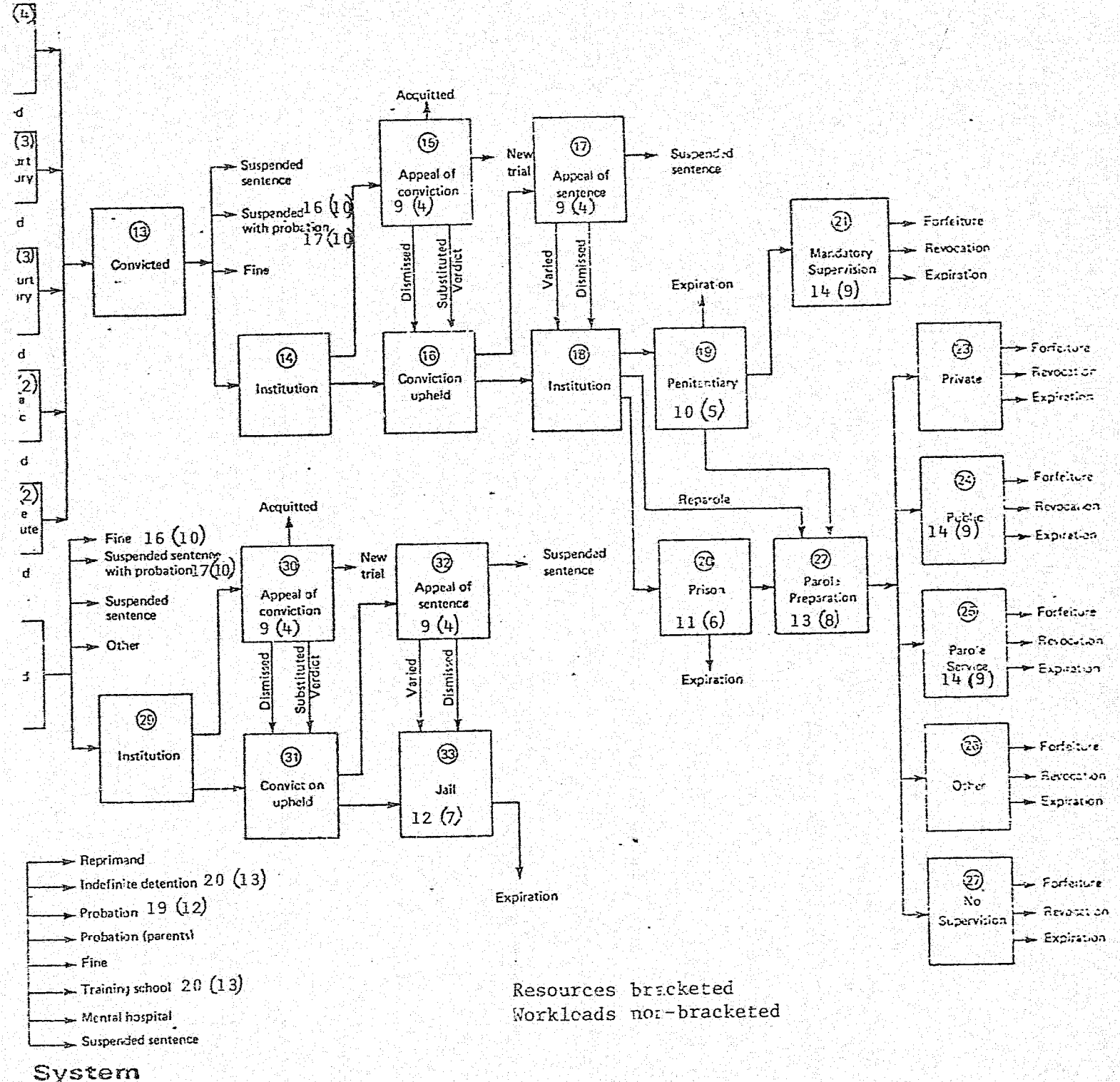| Workload Number	Name	Unit of Time	Associated Resource
1	Police Report	Hour	(1) Police
2	Police Arrest	Hour	(1) Police
3	Magistrate: Initial Appearance	Day	(2) Magistrate Court
4	Magistrate: Preliminary Inquiry	Day	(2) Magistrate Court
5	Magistrate: Trial	Day	(2) Magistrate Court
6	Judge: Bench Trial	Day	(3) County Court
7	Judge: Jury Trial	Day	(3) County Court
8	Superior Court: Trial	Day	(4) Superior Court
9	Superior Court: Appeal	Day	(4) Superior Court
10	Penitentiary	Year	(5) Penitentiary
11	Prison	Year	(6) Prison
12	Jail	Year	(7) Jail
13	Parole Preparation	Case	(8) Parole Preparation
14	Parole	Case	(9) Parole
15	Mandatory Supervision	Case	(9) Parole
16	Probation Preparation	Case	(9) Probation Preparation
17	Probation	Case	(10) Probation
18	Juvenile Court	Day	(11) Juvenile Court
19	Juvenile Probation	Case	(12) Juvenile Probation
20	Juvenile Training School	Year	(13) Juvenile Training School

Figure 2.
Flow diagram: Canadian Criminal Justice System

Resources bracketed
Workloads non-bracketed

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13 Convicted

→ Suspended sentence
→ Suspended with probation 16 (10)
17 (10)
→ Fine

14 Institution

Acquitted

15 Appeal of conviction 9 (4)

New trial

17 Appeal of sentence 9 (4)

→ Suspended sentence

Dismissed / Substituted Verdict

16 Conviction upheld

Varied / Dismissed

18 Institution

Expiration

19 Penitentiary 10 (5)

21 Mandatory Supervision 14 (9)

→ Forfeiture
→ Revocation
→ Expiration

Reparole

20 Prison 11 (6)

Expiration

22 Parole Preparation 13 (8)

23 Private
→ Forfeiture
→ Revocation
→ Expiration

24 Public 14 (9)
→ Forfeiture
→ Revocation
→ Expiration

25 Parole Service 14 (9)
→ Forfeiture
→ Revocation
→ Expiration

26 Other
→ Forfeiture
→ Revocation
→ Expiration

27 No Supervision
→ Forfeiture
→ Revocation
→ Expiration

→ Fine 16 (10)
→ Suspended sentence with probation 17 (10)
→ Suspended sentence
→ Other

Acquitted

30 Appeal of conviction 9 (4)

New trial

32 Appeal of sentence 9 (4)

→ Suspended sentence

Dismissed / Substituted Verdict

29 Institution

31 Conviction upheld

Varied / Dismissed

33 Jail 12 (7)

Expiration

→ Reprimand
→ Indefinite detention 20 (13)
→ Probation 19 (12)
→ Probation (parents)
→ Fine
→ Training school 20 (13)
→ Mental hospital
→ Suspended sentence

Resources bracketed
Workloads non-bracketed

System

Canadian Criminal Justice System flow model (CANJUS).
It should be noted that the unit workload varies with
the particular crime type -- for example, the sentence
period for a serious offence such as murder may exceed
that for a less serious offence such as auto theft.

Now that the unit workload has been defined
in a general manner, it remains to define more specifically
each of the nineteen unit workloads as it is applied to
the system, beginning at the top of the list in Table 1.

1.   Police Report per man hour

This workload is applied to stage 1 in the
flow model. The Police Report workload is defined as
the time between a Police officer receiving a call
or complaint and the time when the suspect has been
apprehended. This processing time takes into account
investigation of the crime. It is easy to see that the
Police Report workload for the "murder" crime type could
be quite high. On the other hand, in instances where the
police find an offender in the act of committing the crime,
the workload might be quite close to zero, depending on the
circumstances. The resource associated with this workload
is Police.

2.   Police Arrest per man hour.

The Police Arrest workload is defined as the processing time from the moment the suspect is apprehended until the time a formal charge has been laid. For example, the Police Arrest workload for a traffic offence such as speeding would be the time it takes the officer to write out the ticket. In instances where a summons is issued the workload would be zero. The Police Arrest workload is applied to stage 2 in the system. The resource associated with the Police Arrest workload is, Police.

3.   Magistrate Court: Initial Appearance per day.

This workload is applied to stage 5 in the flow system. The Magistrate Court: Initial Appearance workload is defined as the average time it takes to process one individual through the initial court appearance. This process time only takes into account the period in which the case is being heard in the court room. For traffic offences where there are no initial appearances, the workload would be zero. The resource associated with this workload is Magistrate Court (resource 2).

4.   Magistrate Court: Preliminary Inquiry per

day.

The workloads applied to stage 6 are
associated with the preliminary inquiry proceedings.
Thus, the workload Magistrate Court: Preliminary Inquiry
per day (workload 4) is applied to this stage. This
workload is defined as the time that the magistrate
court is in process presiding over the preliminary
inquiry. The associated resource is Magistrate Court
(resource 3).

5.   Magistrate Court: Trial per day.

This workload is defined as the average time
it takes to process one person. Again, the only time
that is taken into consideration here is that time in
the court setting. This workload includes three different
types of trials: magistrate absolute; magistrate with
consent and the summary conviction court magistrate trial.
All persons who have been accused of an indictable offence
as specified under Criminal Code Section 483 go through
this type of trial. In the second type of trial, the
accused has been charged with an indictable offence and,
having an election of trial, he has entered the magistrate
court by his election or consent. The third type of trial

covers persons who have been charged on a summary offence, or an offence in which the prosecution can elect to prosecute by summary conviction court or indictable court, and has chosen the summary mode of trial. With these different types of magistrate trial this Magistrate Court: Trial workload is applied to stages 7, 11, and 12. The resource associated with this workload is the Magistrate Court (resource 2).

6.   Judge: Bench Trial per day.

This workload pertains to trials that go through the County Court and are heard by a Judge without a Jury. The court workload is defined as the time in which the court is in session. This workload, with the associated resource, County Court, is applied to stage 9 of the system.

7..   Judge: Jury Trial per day.

For stage 10, the workload, County Court: Jury Trial per day is applied. Again, the definition for the court workload is the time in which the court is in session. The resource associated to the County Court: Trial (workload 7) is the County Court (resource 3).

8. Superior Court: Trial per day.

The workload for stage 8, Superior Court, is Superior Court: Trial per day (workload 8). The Superior Court: Trial workload is defined as the time spent on the case for court proceedings. Therefore, it is only the time in which the judge presides over the trial. The resource associated with this workload is the Superior Court (resource 4).

9. Superior Court: Appeal per day.

This workload is defined as the time that the Superior Court is in session. The Superior Courts here include all the provincial Supreme Courts plus the Supreme Court of Canada. This workload is applied to stages 15, 17, 30 and 32 in the model. The resource associated with this workload is Superior Court (resource 4).

10. Penitentiary per year.

The Penitentiary workload is defined as the average length of a sentence served, that is, from the time an individual enters the penitentiary until the time he is released by one of the following methods: expiration of sentence, mandatory supervision or parole supervision.

For example, if an individual obtained release under
mandatory supervision after serving three and one half
years, the workload would be 3.5. This workload is
applied to stage 19 of the system and the resource
associated with it is Penitentiary (resource 5).

11.   Prison per year.

The Prison workload is defined as the average
length of time each inmate remains in the prison. For
example, if the person convicted of assault offences has
an average prison term of 18 months, the Prison workload
would be 1.5 years. The resource associated with Prison
workload (11) per year is the Prison (resource 6). The
Prison workload is applied to stage 20.

12.   Jail per year.

The Jail workload is defined as the average
length of time served per inmate in a provincial jail. In
the present model, persons sentenced upon summary con-
viction to an institution are sent to jail (stage 33). A
jail is generally defined as an institution holding people
for a relatively short period of time, and although persons
other than those convicted of a summary offence may appear

in jail, this is the only breakdown of flow data currently available. The resource associated with Jail workload (12) is Jail (7).

13.   Parole Preparation per case.

The Parole Preparation workload is defined as the time taken by one parole officer to prepare the written documentation on a case. There is a great deal of preparation time involved in cases where the person never successfully attains parole, but in the present model, this time has been factored into the successful cases. Since we have specified that each parole officer can prepare 35 cases per year, (see 14 below), the workload for these persons flowing through the National Parole Board Preparation stage becomes 35 cases per year. The workload Parole Preparation case is applied to stage 22 and the associated resource is Parole Preparation (8).

14.   Parole Supervision per case.

The Parole Supervision workload is defined as the average length of parole supervision per year for each case. For example, if a person comes out of prison on six months parole, the Parole workload would be .5 years.

This workload is applied at two stages in the model --
Public Parole (stage 24) and Parole Service (stage 25).
The resource associated with Parole Supervision is Parole
(9).

15. Mandatory Supervision per case.

The Mandatory Supervision workload is defined
as the average length of time that each person is under
the supervision of a parole officer while on mandatory
supervision. (The Parole Act specifies that these persons
are to be supervised by parole officers.) If a person
comes out of a penitentiary on mandatory supervision for
a period of 30 months, the workload in this case would be
2.5 years. The workload Mandatory Supervision is applied
to stage 21 of the model and the associated resource is a
Parole Officer (9).

16. Probation Preparation per case.

Probation Preparation is defined as the
average time spent by a probation officer in preparing a
pre-sentence report. Pre-sentence reports are only
necessary when the judge or magistrate is considering
putting a convicted individual on probation. In the

present model, the workload is applied to the exit flow
path "suspended sentence with probation", and we have
assumed that only those persons whose disposition of
sentence is probation have a pre-sentence report and thus
require Probation Preparation. The resource associated
with Probation Preparation per case (16) is Probation
Preparation (10).

17.   Probation Supervision per case.

The Probation Supervision workload is defined
as the average length of time that a probation officer
supervises a probation case. For example, if a person
spent one and a half years on probation, the workload
would be 1.5 years. The Probation Supervision workload
is applied to the exit flow "suspended sentence with
probation" at both the exits from stage 13 and that from
stage 28. The resource associated with the workload
Probation Supervision (17) is Probation (10).

18.   Juvenile Court per day.

The workload Juvenile Court is defined as the
time spent in court to hear the juvenile's case. The only
time taken into consideration here is that expended when

the court is actually sitting. The workload Juvenile
Court is applied to stage 34 and the resource associated
with it is Juvenile Court (11).

19.   Juvenile Probation per case.

The workload Juvenile Probation is applied to
the exit flow path "Probation" out of stage 35. It is
defined as the average length of supervision required per
case by a juvenile probation officer. If a juvenile is
found delinquent and placed on probation for 18 months,
the Juvenile Probation workload would be 1.5. The resource
associated with the workload Juvenile Probation per case
(19) is Juvenile Probation (12).

20.   Juvenile Training School per year.

Again, the workload is not applied to a
particular stage but to an exit flow path from a stage.
In this case, the workload "Juvenile Training School" is
applied to two exit flow paths "Detention" and "Training
School" out of stage 35. The workload Juvenile Training
School is defined as the term that a juvenile spends in a
juvenile correctional institution. The resource associated
with the Juvenile Training School workload (20) is
Juvenile Training School (13).

These then are the basic definitions of workloads as they are used in the present CANJUS model (December, 1973).

III.   WORKLOADS

As can be seen from the above definitions,
the workloads that we have specified do not necessarily
cover all the time that is spent by each resource. For
example, in a study of the Los Angeles Police Department
(see (8)), it was estimated that only 5 to 10% of the
total police time was spent on investigating criminal
activities. Therefore, when we apply these workloads to
the Canadian Criminal Justice System we must be aware
that they may represent only a portion of the resources'
total application of time.

Although we can fairly specifically define
workloads in the Canadian criminal justice system, it
seems to be quite another matter to retrieve data on
these workloads. The reason for this is that the
different agencies involved do not appear to be collecting
this type of management information. As a result, we
know of very little published information, available from
the agencies involved, that is readily formatted for input
to the CANJUS model. Therefore, in order to obtain this
workload information, further research and data collecting
will be required. This may involve direct contact with

provinces and line agencies, or special samples. In
the following sections we discuss the information that
is presently available, the information that may be
available and how we plan to retrieve it, and finally,
some of the isolated problems which have been encountered.
This description is presented by subsystem.

Police:

The R.C.M.P. and the Ontario Provincial Police
do collect data on time spent by policemen on various
activities. Unfortunately, their classification of
activities does not include a breakdown by the crime
types we would prefer. For example, the data collection
form includes categories for "criminal code personal
offences", and "criminal code property offences", but
there is no inclusion for individual crimes such as
"murder" or "auto theft". There may indeed exist more
detailed information within these police departments, but
this, of course, will require further direct contact with
them.

It should be noted that these two police
agencies do collect data on police time spent in
activities other than crime investigation. This might

prove useful should we wish, at some future date, to
provide some more complete coverage of police time
within the model structure.

Courts:

No workload data is as yet available for the
court subsystem. There are three courses open to us for
retrieving it, all of which will probably be followed.
First, a direct sample of Ottawa courts (superior, county
and magistrate) will be undertaken to obtain preliminary
information. This information must serve for all
Canadian data until such time as the other two methods
under contemplation produce better data. Second, contact
could be made with persons doing independent research to
determine whether some court workload data has been
collected. Studies such as Hann's in Toronto (see
reference (9)) may have gathered useful information and it
may be useful. Third, contact with provincial Attorneys-
General may provide some "in-house" data. It is hoped
that this will prove true in the case of Ontario.

Corrections:

Federal penitentiary and National Parole
Board parole supervision workloads for male offenders
appear in Tables II and III. Since the National Parole
Board handles all provincial cases except some of those
in Ontario and British Columbia, the federal parole work-
loads also serve for provincial workloads in other
provinces. A problem with the information presented in
Tables II and III, however, is that after the fifth year,
it is aggregated in five-year time intervals. This means,
for instance, that if a murderer is reported released after
"5-10 years", we have implicitly assumed that he has
actually served 7.5 years. For crime types where there
are few offenders per year, this reporting system will
probably make the data less reliable.

Statistics Canada is able to provide a monthly
breakdown of penitentiary sentence lengths and time on
parole by crime type.

Prospects for obtaining provincial correctional
workload data appear less hopeful. Further direct contact
with the provinces will be required to retrieve data on
prisons and length of terms served as well as

probation supervision periods, for all provinces, and
parole supervision periods for Ontario and British
Columbia.

TABLE II - PENITENTIARY WORKLOADS

MEAN TIME SERVED IN YEARS, 1970 & 1971 COMBINED

OFFENCE	EXPIRATION	PAROLE
Murder	—	10.51
Attempted Murder	5.07	4.97
Manslaughter	4.39	2.50
Rape	3.69	1.79
Other Sexual Offences	2.53	1.44
Wounding	2.42	1.98
Assaults	2.07	1.03
Robbery	3.02	1.93
Breaking & Entering	2.13	1.21
Theft	1.77	1.06
Have Stolen Goods	1.88	1.27
Frauds	1.92	1.07
Prostitution & Procuring	1.99	1.83
Offensive Weapons	2.23	1.08
Other Criminal Code	2.13	1.77
Narcotic Control Act	2.33	1.42
Other Federal Statutes	1.83	1.50

TABLE III

MEAN TIME SERVED ON PAROLE (IN YEARS)

OFFENCE	1970	1971	1972
Murder	2.62	2.16	4.21
Attempted Murder	2.45	2.14	3.71
Manslaughter	2.30	2.42	3.16
Rape	1.18	1.78	1.65
Other Sexual Offences	0.90	1.19	1.19
Wounding	1.38	0.98	1.45
Assaults (not indecent)	0.51	0.64	0.96
Robbery	1.24	1.36	0.84
Breaking & Entering	0.80	0.80	0.84
Theft	0.61	0.68	0.84
Have Stolen Goods	0.67	0.59	0.82
Frauds	0.70	0.83	1.01
Prostitution & Procuring	0.43	1.38	1.20
Offensive Weapons	1.61	0.66	1.21
Other Criminal Code	0.77	0.84	0.98
Narcotic Control Act	1.03	0.91	0.94
Other Federal Statutes	0.56	0.52	0.73

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LIST OF REPORTS

STATISTICS DIVISION Working Papers	TITLE	CANJUS PROJECT REPORTS
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2/73	A Preliminary Description of the Canadian Criminal Justice System Volume I	
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