

# **COST OF CRIMINAL JUSTICE**

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## EXECUTIVE SUMMARY

In 1994-95, the administration and operation costs of criminal justice services in Canada totalled almost \$10 billion, broken down as follows:

<b>Service</b>	<b>Total</b>	<b>Per Capita</b>
Police	\$5,783,656,000	\$198
Courts	\$ 835,404,000	\$ 29
Adult Corrections	\$1,893,530,000	\$ 65
Youth Corrections	\$ 525,545,000	\$ 18
Legal Aid	\$ 646,433,000	\$ 22
Prosecutions	\$ 257,855,000	\$ 9
<b>Total</b>	<b>\$9,942,423,000</b>	<b>\$340</b>

Source: Canadian Centre for Justice Statistics (1997, January, p. 9)

The above presents only the economic costs associated with maintaining the criminal justice system. However, there are other costs associated with crime and delinquency that impact greatly upon society. Physical injury, psychological trauma, feelings of mistrust, vulnerability and fear are social costs that damage the individual victim and society. The subjective nature of social costs of crime makes it very difficult to assess the damage inflicted on a crime victim.

The incredible costs of crime, both economic and social, suggest the need for a more pro-active, rather than re-active, stance toward crime fighting. This would significantly reduce crime levels and current justice expenditures by preventing crimes from ever occurring. Crime prevention through social development (CPSD) is an approach committed to reducing the future risk of crime by alleviating both the social and economic problems associated with criminal behaviour.

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## INTRODUCTION

The cost of criminal justice in Canada is astronomical. In 1994-95, the administration and operation costs of criminal justice services in Canada totalled almost \$10 billion (Canadian Centre for Justice Statistics (CCJS), 1997, January, p. 1). This amounts to a cost to each Canadian of about \$340 a year.

Each level of government in Canada has a different mandate and, therefore, each have their own responsibilities within the criminal justice system. The federal government is comprised of two justice-related departments: the Ministry of the Solicitor General and the Department of Justice. These departments further divide into specific sectors responsible for various operations within the justice system. The Ministry of the Solicitor General is responsible for policing, corrections and parole. The Ministry of the Solicitor General includes the Royal Canadian Mounted Police (RCMP), the Correctional Service of Canada (CSC), a Secretariat, the National Parole Board and the Canadian Security Intelligence Agency. The federal Department of Justice is responsible for policy making (Canadian Criminal Code) and the administration of justice at the federal level. The federal government, or more correctly the Correctional Service of Canada, is responsible for providing custodial services for offenders sentenced to imprisonment of two years or more.

Provincial governments are responsible for creating and enforcing “quasi criminal” laws. Examples include the Highway Traffic Act and the Liquor Control Act. Each province is also responsible for providing custodial services to those offenders sentenced to prison terms of less than two years. Only three provinces (Ontario, Quebec and Newfoundland) operate independent provincial police forces. In the remaining provinces and territories, the RCMP have exclusive authority.

At the municipal level, all laws relating to the Criminal Code, provincial statutes and municipal by-laws are enforced. Policing services are carried out by independent municipal police forces or by the RCMP under contract.

This paper will examine the total costs of criminal justice in Canada, and will also show how the justice dollar is divided and spent by the provincial/territorial and federal government departments responsible for services such as policing, adult and youth corrections, courts, legal aid and prosecutions. Most figures are for 1994-95; otherwise, the most current figures available are provided.

## THE COST OF CRIMINAL JUSTICE - AN OVERVIEW

The administration of justice by the federal, provincial and municipal governments in Canada makes up one of the more significant government expenditures. The 1994-95 total annual cost of almost \$10 billion for policing, adult and youth corrections, courts, legal aid and prosecutions accounted for approximately 3% of the total annual expenditures by all levels of government combined (CCJS, 1997, January, p. 1). After adjusting for inflation, this figure represents a 13% increase over 1988-89 expenditures (CCJS, 1997, January, p. 1). This increase is comparable to increases in government

spending on all other services. A breakdown of the justice dollar by sector reveals that policing services use the majority of justice dollars (58%), followed by adult corrections (19%), courts (8%), legal aid (7%), youth corrections (5%) and prosecutions (3%) (CCJS, 1997, January, p. 1).

## **POLICING**

The largest share of the justice dollar in 1994-95 went for policing services, which showed operating and per capita costs of \$5.8 billion and \$198 respectively (CCJS, 1997, January, p. 5). From 1985-86 to 1990-91, the increase in policing expenditures, after adjusting for inflation, was 18%. However, since 1990-91, policing costs have shown average annual increases of less than 1% (CCJS, 1997, January, p. 5).

Police staffing levels have also been in decline in recent years. Between 1975 and 1992, police personnel increases kept pace with increases in the Canadian population. From 1992 to 1994, however, the total Canadian population continued to increase at an average annual rate of 2.5%, while police personnel declined 2.2% during the same period (CCJS, 1996, January, p. 3). In an effort to combat the effects of personnel and budget declines, there has been a shift toward amalgamating police forces and reducing the number of ranks above constable. Maintaining constable ranks allows police agencies to remain in the public eye and effectively maintain the same level of service as provided in the past. Combining or regionalizing police agencies, as with both Ottawa and Halifax, has proven effective in reducing administrative bureaucracy and improving communication between regions.

Policing responsibilities in Canada are divided between the federal, provincial and municipal governments. The following details policing expenditures by jurisdiction.

### **Municipal**

In 1994 there were 578 municipal police forces operating in Canada (CCJS, 1996, January, p. 13). Independent municipal police forces accounted for the largest portion (364) of the total, while the RCMP (201) and the Ontario Provincial Police (13) comprised the remainder. Overall, municipal policing accounted for 55% of all Canadian policing expenditures in 1994-95 (CCJS, 1997, January, p. 5).

### **Provincial**

Provincial policing, consisting of the RCMP, Royal Newfoundland Constabulary, Surete du Quebec and the Ontario Provincial Police accounted for 24% of all policing expenditures in 1994-95 (CCJS, 1997, January, p. 5).

### **Federal**

Canada's federal police force, the RCMP, is responsible for the enforcement of federal statutes, executive orders, protective services and airport policing. The RCMP operate in all provinces and territories and may provide provincial and municipal policing services under contract. The total expenditures for federal policing accounted for 21% of all policing costs in 1994-95 (CCJS, 1997, January, p. 5).

## ADULT CORRECTIONS

The second largest portion of justice spending in 1994-95 went to the operation of correctional facilities and community supervision programs for adult offenders. At a total cost of \$1.9 billion or \$65 per Canadian, adult correctional expenditures amounted to just under one-third the total cost of policing services (CCJS, 1997, January, p. 6). After adjusting for inflation, adult correctional expenditures in 1994-95 were 2% lower than in 1990-91 (CCJS, 1996, March, p. 1).

Adult correctional services in Canada fall under the jurisdiction of both the federal and provincial/territorial governments. All offenders serving a sentence of less than two years fall under the jurisdiction of the provincial/territorial governments. In 1994-95, the total provincial/territorial cost for adult corrections was \$980 million (CCJS, 1996, March, p. 1). On an interesting note, 76% of the total provincial/territorial operating expenditures went toward employee salaries and benefits (CCJS, 1996, March, p. 12).

All offenders serving sentences of two years or more fall under the jurisdiction of the federal government. In 1994-95, the total cost to the federal government for adult corrections was \$913 million (CCJS, 1996, March, p. 1). Most of the total operating costs (75%) went toward custodial services. The remainder was divided between the National Parole Board (3%), community supervision (7%) and maintaining administrative headquarters (15%) (CCJS, 1996, March, p. 4).

### Cost by Security Level

Inmates require different kinds of accommodation depending on the risk they pose to the public. To meet these needs, the Correctional Service of Canada has categorized its institutions into three security or custody levels - minimum, medium and maximum security. In 1993-94, the average annual cost to house one inmate in a minimum security facility was \$39,171 (Correctional Service of Canada, 1994, p. 48). The average annual costs for housing medium and maximum security inmates was \$40,008 and \$65,371 respectively. Daily, these figures work out to a national average of about \$114 per inmate. Provincially, this cost averages about \$110 per day per offender, while federally the daily cost averages about \$120.

## **Offender-Staff Ratio**

Between 1990-91 and 1994-95, the number of federal offenders in custody increased 24%. However, during the same period, the number of staff increased by only 2.5%. Provincially, the average number of offenders in custody increased 11% while the number of staff increased by only 5%. However, the largest discrepancy between the number of offenders versus custodial staff is in community supervision programs. Between 1990-91 and 1994-95, the average number of offenders under community supervision increased 22% while the number of community supervision staff decreased 3% (CCJS, 1996, March, p. 12).

## **YOUTH CORRECTIONS**

Correctional services for youths who have committed federal offenses cost governments an estimated \$526 million in 1994-95 (CCJS, 1997, January, p. 6). After adjusting for inflation, this represents a 23% increase over the 1988-89 cost of \$356 million. Federal youth corrections expenditures refer to the total shareable costs under federal-provincial/territorial cost-sharing agreements involving such activities as alternative measures programs, custodial services, medical and psychological reports, post-adjudication detention, pre-disposition reports and screening services.

In 1994-95, Alberta's per diem cost to house a young offender in both open and secure custody was approximately \$78. During this period, Alberta had the lowest per diem cost in Canada (Personal communication, Alberta Justice staff member, 1995).

## **COURTS**

The administration of Canada's criminal, civil and family courts cost \$835 million in 1994-95 (CCJS, 1997, January, p. 5). After adjusting for inflation, court expenditures have increased 9% over 1988-89 expenditures of \$639 million.

Canada's court system consists of three tiers: the provincial/territorial courts, the provincial/territorial courts of appeal and the federal Supreme Court of Canada. According to 1992-93 data, most of the total court expenditures occur within the provincial and territorial court jurisdictions (93%), with the remainder spent on federal court (CCJS, 1994, p. 9). In the provincial/territorial courts, salaries account for the greatest portion of expenditures (71%) and exceed operational costs by an astounding 307%. For the Supreme Court, salaries account for 56% of costs and exceed operational costs by 23%.

## **LEGAL AID**

Legal aid is the fastest growing expenditure in justice services. Between 1988-89 and 1994-95, criminal and civil legal aid expenditures have more than doubled from \$300 million to \$646 million (Personal communication, Legal Aid Society of Alberta staff member, 1996). In constant dollars, the

cost of legal aid increased 80% between 1988-89 and 1994-95 (CCJS, 1996, July, p. 18). Legal aid presents a per capita cost to Canadians of approximately \$22 (CCJS, 1997, January, p. 7). In 1994-95 the total number of applications for service reached 1.1 million. Of these, approximately 770,000 or 70% were approved. Legal aid services were provided by staff lawyers, private lawyers and paralegals at an average cost of \$600 per case (CCJS, 1994, p. 10).

According to the Legal Aid Society of Alberta (1996), the cost per case has remained stable over the past few years. Although the number of applications has increased, the number approved has remained relatively constant, averaging between 65% and 75%. Overall, it appears that Canadians' access to legal representation has remained at a constant level over the years (Personal communication, Legal Aid Society of Alberta staff member, 1996).

## PROSECUTIONS

The cost of prosecutions was \$258 million in 1994-95, representing a per capita cost of \$9 per Canadian (CCJS, 1997, January, p. 7). Of note, the cost of prosecutions was only 40% of the total cost of legal aid in 1994-95.

## DISCUSSION

The cost of criminal justice in Canada, while not the largest government expenditure, is a significant one. At both the federal and provincial/territorial levels, policing and corrections expenditures consistently top the justice spending list, while legal aid continues to be the fastest growing expenditure. In an economic climate of restraint, costs connected with the policing and corrections sectors of criminal justice services are the focus of increasing attention. The public, legislators and criminal justice administrators recognize a need to implement changes that will produce a balance between future expenditures and services.

This paper has focussed solely on the economic costs needed to maintain the criminal justice system and control crime. However, there are other costs, namely social costs, associated with crime and delinquency that impact greatly upon society. Social costs of crime take the form of physical injury, psychological trauma, feelings of mistrust, vulnerability and fear. The subjective nature of social costs makes it very difficult to assess the damage inflicted on a crime victim. However, this does not reduce the importance of recognizing and caring for those who have been victims of crimes.

The incredible costs of crime, both economic and social, suggest the need for a more pro-active, rather than re-active, stance toward crime fighting. This would significantly reduce crime levels and current justice expenditures by preventing crimes from ever occurring. Crime prevention through social development (CPSD) is an example of a long term approach committed to reducing the future risk of crime. CPSD is based on partnerships and collaboration among agencies responsible for planning and development, the family, health, education, social services, employment, the police and other relevant organizations. CPSD uses long term programs specifically designed to alleviate the



social and economic problems associated with increasing the risk of criminal behaviour. The CPSD model is a good example of a pro-active initiative because it aims to keep a crime from happening in the first place, rather than dealing with the consequences of a crime after it has occurred.

## REFERENCES

- Canadian Centre for Justice Statistics. (1996, March). Government spending on adult correctional services. Juristat, 16(3).
- Canadian Centre for Justice Statistics. (1996, July). The justice data factfinder. Juristat, 16(9).
- Canadian Centre for Justice Statistics. (1997, January). Justice spending in Canada. Juristat, 17(3).
- Canadian Centre for Justice Statistics. (1996, January). Police personnel and expenditures in Canada - 1994. Juristat, 16(1).
- Canadian Centre for Justice Statistics. (1994). Trends in justice spending - 1988/89 to 1992/93. Juristat, 14(16).
- Correctional Service of Canada. (1994). Basic facts about... Corrections in Canada. Ottawa: Ministry of Supply and Services.