**CODE BOOK FOR 2017**

**NATIONAL JUSTICE SURVEY -2**

1. Unique identifier: Uniqueid

2. In which of the following age categories do you belong? ager

1 <18

2 18-24

3 25-34

4 35-44

5 45-54

6 55-64

7 65 up

9 NR

3. What is the highest level of formal education that you have completed to date? QEDUC

1 Grade 8 or less

2 Some high school

3 High School diploma or equivalent

4 Registered Apprenticeship or other trades certificate or diploma

5 Some post-secondary (not completed)

6 College, CEGEP or other non-university certificate or diploma

7 University certificate or diploma below bachelor's level

8 Bachelor's degree

9 Post graduate degree above bachelor's level

99 Prefer not to answer

**PREQ1**

Sometimes the public interest may be better served if a criminal case is resolved outside of the traditional process (i.e., courts, prosecution etc.), using another way to hold the accused responsible for his or her actions instead of a criminal trial. This approach can be used when the accused accepts responsibility for his or her actions, and as long as there is no risk to public safety. It can include:

* Community service;
* Enrolment in specialized programs for counselling, treatment or education; or
* Referral to community or Indigenous justice committees, or restorative justice
* Programs, such as victim-offender reconciliation.

4. Which of the following do you think that diversion/alternative measures (as described above) should be the preferred response for, if any: Q1

1 All accused, unless specific elements of the case warrant more restrictive measures.

2 Anyone accused of non-violent crime, who has never previously been convicted.

3 Anyone accused of non-violent crime, unless specific elements of the case warrant more restrictive measures.

77 With other types of cases (specify)

98 Never/Almost never

99 Don't know

**PREQ5**

Now we will turn to different approaches to justice – restorative justice and problem solving justice.

5. How familiar are you with restorative justice? Q5

1 Not at all 1

2 2

3 Moderately familiar 3

4 4

5 Very familiar 5

99 Don't know

**PREQ6**

Restorative justice (RJ) provides supportive and safe opportunities for communication between those who are affected by an offence (victims, offenders, and/or community), in cases where an offender has accepted responsibility for the offence and both the victim and the offender voluntarily agree to participate. Restorative justice emphasizes repairing harm, healing in victims and meaningful accountability of offenders. There are many different RJ processes, including victim offender mediation.

6. Should victims of crime be able to meet with their offenders and tell them about the impact of the crime, if they wish to do so? Q6

1 Yes

2 No

9 Don't know

7. Should restorative justice be available to all victims and offenders, regardless of the type of crime committed, provided that both the victim and the offender want to take part in the process and the offender admits his/her guilt? Q7

1 Yes

2 No

9 Don't know

**PREQ8**

How likely is it that restorative justice would:

8. Help victims and families to heal and get closure in the aftermath of a crime? Q8

1 Not at all likely 1

2 2

3 Moderately likely 3

4 4

5 Very likely 5

99 Don't know

9. Enable the offender to demonstrate accountability for their behaviour and the harm they have caused to a victim. Q9

1 Not at all likely 1

2 2

3 Moderately likely 3

4 4

5 Very likely 5

99 Don't know

10. Do you believe that RJ would provide an experience for victims of crime that is more satisfying and meaningful, or less satisfying and meaningful than experienced in the mainstream justice system? Q10

1 Much less satisfying and meaningful than mainstream 1

2 2

3 About the same 3

4 4

5 Much more satisfying and meaningful than mainstream 5

99 Don't know

**PREQ11**

Problem-solving justice is an approach aimed at addressing the root causes of crime and conflict.

It holds offenders accountable through monitoring participation in community-based programs (e.g., drug treatment, mental health treatment), and tracking progress towards rehabilitation goals. It relies on partnerships between community-based resources, the criminal justice system and other systems such as social services, health and education. A key element is that offenders are supported to identify and address their needs.

This approach acknowledges that there are many vulnerable and marginalized persons caught up in the criminal justice system, including those with mental health and addictions issues and cognitive functioning issues, such as fetal alcohol spectrum disorder.

11. To what extent do you believe that the criminal justice system should promote problem solving approaches to crime in Canada, in appropriate cases? Q11

1 1 Not at all

2 2

3 3 Moderately believe

4 4

5 5 Strongly believe

99 Don't know

12. Do you think this problem solving approach to criminal justice could adequately hold people to account for their crime(s), in appropriate cases? Q12

1 Yes

2 No

9 Don't know

**PQ13**

How likely is it that this approach would result in:

13. Reduced rates of re-offending compared with more traditional ways of dealing with crime (e.g., jail). Q13

1 Not at all likely 1

2 2

3 Moderately likely 3

4 4

5 Very likely 5

99 Don't know

14. Better outcomes for offenders compared with more traditional ways of dealing with crime (e.g., jail). Q13A

1 Not at all likely 1

2 2

3 Moderately likely 3

4 4

5 Very likely 5

99 Don't know

**PREQ15**

If people released on bail or probation do not follow the conditions set out in their release order, they may be charged with a new criminal offence-an administration of justice offence or AOJO. This may involve an act that is not considered criminal itself but is considered as such because the accused was given an order not to engage in the behaviour as a condition of their release.

Examples could be missing a curfew, drinking alcohol, or not attending a prearranged meeting. There can be many reasons why people may not respect conditions such as these including addictions, mental health issues, homelessness, or have trouble learning, remembering and concentrating. There may also be practical issues (employer that doesn't give them time off, they have no transportation or a lack of money, etc.).

If people commit a crime while subject to a probation order or while on release, they are charged with the new crime (e.g., theft, assault, etc.) as well as an AOJO, for violating the general condition of keeping the peace and being of good behaviour.

Administration of Justice Offences account for one quarter of the cases in criminal courts in Canada. They cost taxpayers an estimated $807 million each year.

15. Do you think that the behaviours described above (missing a curfew, drinking alcohol, or not attending a prearranged meeting) should be dealt with by laying a new criminal charge (an administration of justice offence), or should they be dealt with in some other way, outside of the courts? Q15A

1 A new criminal charge should be laid and the accused should go to court to be prosecuted

2 There should be other ways to deal with these acts outside of the courts

9 Don't know

16. Do you have any ideas for how criminal justice system professionals (e.g., police, probation officers, judges) could address these behaviours (e.g., administration of justice offences such as missing a curfew, drinking alcohol, or not attending a prearranged meeting) outside of the courts? Q17B\_1

77 Yes, please specify:

98 No ideas

99 Don't know

17. Do you think that how CJS professionals respond to persons failing to respect conditions such as those previously noted should be determined based on: Q18

1 Taking individual circumstances into account

2 Responding in the same way to all

9 Don't know

Which of the following types of circumstances do you think are important to consider in deciding how to respond to breaches of conditions? Choose all that apply

18. Whether addictions, mental health problems or cognitive functioning issues affected the accused/offender's ability to comply with the order. Q19\_A1

1 Yes

0 No

19. The personal circumstances and history of the accused/offender. Q19\_A2

1 Yes

0 No

20. The number of past breaches. Q19\_A3

1 Yes

0 No

21. Whether the accused/offender intentionally breached the condition (i.e., did not respect their order). Q19\_A4

1 Yes

0 No

22. Whether the breach was due to practical issues or unforeseen issues such as work schedules, lack of transportation, unavoidable delays or unexpected situations that arose. Q19\_A5

1 Yes

0 No

23. Whether there was any risk to vulnerable people (children, victims). Q19\_A6

1 Yes

0 No

24. Other (please specify). Q19\_A7

1 Yes

0 No

25. Don't know. Q19\_ANK

1 Yes

0 No

**PREQ20**

The next questions are about your views on measuring how the criminal justice system performs.

The Department of Justice Canada is developing a State of the Criminal Justice System Report to measure and report on the performance of the system as a whole.

It will share the results with Canadians in an on-line dashboard.

26. How important do you think it is to Canadians to know how well the Criminal Justice System is performing? Q20

1 Not at all important 1

2 2

3 Moderately important 3

4 4

5 Very important 5

99 Don't know

**PQ22**

Which five aspects of the criminal justice system's performance are you most interested in knowing about? Rank the top five.

(Please select only 1 per column)

27. First (Pick 1 in this column) Q22A

1 Maintain public safety by preventing and responding to crime

2 Hold offenders accountable for their actions

3 Help offenders to rehabilitate and to reintegrate into their community

4 Help victims and meet their needs

5 Restore relationships between offenders and victims

6 Repair harm caused to the victims

7 Provide a system that is fair to all

8 Provide a system that is accessible to all

9 Operate effectively (i.e., operates in a way that achieves its expected outcomes)

10 Operate efficiently (i.e., operate in a way that uses resources to obtain an optimal level of outputs or outcomes; value for money)

11 Maintaining Canadians' confidence and respect toward the system

77 Other (state what else you would like to know):

28. Second (Pick 1 in this column) Q22B

1 Maintain public safety by preventing and responding to crime

2 Hold offenders accountable for their actions

3 Help offenders to rehabilitate and to reintegrate into their community

4 Help victims and meet their needs

5 Restore relationships between offenders and victims

6 Repair harm caused to the victims

7 Provide a system that is fair to all

8 Provide a system that is accessible to all

9 Operate effectively (i.e., operates in a way that achieves its expected outcomes)

10 Operate efficiently (i.e., operate in a way that uses resources to obtain an optimal level of outputs or outcomes; value for money)

11 Maintaining Canadians' confidence and respect toward the system

77 Other (state what else you would like to know) :

29. Third (Pick 1 in this column) Q22C

1 Maintain public safety by preventing and responding to crime

2 Hold offenders accountable for their actions

3 Help offenders to rehabilitate and to reintegrate into their community

4 Help victims and meet their needs

5 Restore relationships between offenders and victims

6 Repair harm caused to the victims

7 Provide a system that is fair to all

8 Provide a system that is accessible to all

9 Operate effectively (i.e., operates in a way that achieves its expected outcomes)

10 Operate efficiently (i.e., operate in a way that uses resources to obtain an optimal level of outputs or outcomes; value for money)

11 Maintaining Canadians' confidence and respect toward the system

77 Other (state what else you would like to know): Q22ABOX

30. Fourth (Pick 1 in this column) Q22D

1 Maintain public safety by preventing and responding to crime

2 Hold offenders accountable for their actions

3 Help offenders to rehabilitate and to reintegrate into their community

4 Help victims and meet their needs

5 Restore relationships between offenders and victims

6 Repair harm caused to the victims

7 Provide a system that is fair to all

8 Provide a system that is accessible to all

9 Operate effectively (i.e., operates in a way that achieves its expected outcomes)

10 Operate efficiently (i.e., operate in a way that uses resources to obtain an optimal level of outputs or outcomes; value for money)

11 Maintaining Canadians' confidence and respect toward the system

77 Other (state what else you would like to know): Q22ABOX

31. Fifth (Pick 1 in this column) Q22E

1 Maintain public safety by preventing and responding to crime

2 Hold offenders accountable for their actions

3 Help offenders to rehabilitate and to reintegrate into their community

4 Help victims and meet their needs

5 Restore relationships between offenders and victims

6 Repair harm caused to the victims

7 Provide a system that is fair to all

8 Provide a system that is accessible to all

9 Operate effectively (i.e., operates in a way that achieves its expected outcomes)

10 Operate efficiently (i.e., operate in a way that uses resources to obtain an optimal level of outputs or outcomes; value for money)

11 Maintaining Canadians' confidence and respect toward the system

77 Other (state what else you would like to know)

**PREQ23**

The next questions are about how you see the work of the criminal justice system as a whole – including

* criminal law,
* law enforcement,
* legal services and courts,
* victim services,
* alternative paths to justice, such as restorative justice, and
* remedies, such as correctional services (including jails/prisons, community supervision, and rehabilitation).

Access to the criminal justice system means having equal access to the information and assistance that is needed to help prevent legal issues and help resolve such issues efficiently, affordably, and fairly.

How confident are you that the Canadian criminal justice system is accessible to all people...

32. Who are accused and/or found guilty of a criminal offence? Q23

1 Not at all confident 1

2 2

3 Moderately confident 3

4 4

5 Very confident 5

99 Don't know

33. Who are victims of a criminal offence? Q24

1 Not at all confident 1

2 2

3 Moderately confident 3

4 4

5 Very confident 5

99 Don't know

**PREQ25**

Fairness means being treated according to the rule of law, without discrimination, while also having a person's individual characteristics considered throughout the process (e.g., considering past behaviours, history of victimization, mental health and substance abuse issues, etc.).

How confident are you that the Canadian criminal justice system is fair to all people...

34. Who are accused and/or found guilty of a criminal offence? Q25

1 Not at all confident 1

2 2

3 Moderately confident 3

4 4

5 Very confident 5

99 Don't know

35. Who are victims of a criminal offence? Q26

1 Not at all confident 1

2 2

3 Moderately confident 3

4 4

5 Very confident 5

99 Don't know

36. Overall, how much confidence do you have in the Canadian criminal justice system? Q27

1 No confidence at all 1

2 2

3 Moderate confidence 3

4 4

5 Very confident 5

99 Don't know

37. Can you describe what aspects of the criminal justice system make you less confident? Q28\_1

77 Please specify:

98 Prefer not to answer

99 Don't know

**DEMIN**

The following questions will be used for statistical purposes only. All responses are strictly confidential.

Have you ever been involved in the criminal justice system?

38. Testifying as a witness in criminal court. Q41\_A1

1 Yes

0 No

39. Jury member chosen to participate in a criminal trial. Q41\_A2

1 Yes

0 No

40. As the victim/survivor of a non-violent crime. Q41\_A3

1 Yes

0 No

41. As the victim/survivor of a violent crime. Q41\_A4

1 Yes

0 No

42. After being charged/convicted of a crime. Q41\_A5

1 Yes

0 No

43. As a family member of a victim/survivor. Q41\_A6

1 Yes

0 No

44. As a family member of an accused/convicted person. Q41\_A7

1 Yes

0 No

45. Know someone as victim/accused. Q41\_A8

1 Yes

0 No

46. By working in the criminal justice system/Working in a related field. Q41\_A9

1 Yes

0 No

47. Volunteering in the criminal justice or related area. Q41\_A10

1 Yes

0 No

48. Other (please specify) : Q41\_A11

1 Yes

0 No

49. I have not been involved in the CJS before. Q41\_A12

1 Yes

0 No

50. Prefer not to answer. Q41\_A13

1 Yes

0 No

51. Which of the following categories best describes your total household income? That is, the total income of all persons in your household, before taxes? QINC

1 Under $20,000

2 $20,000 to just under $40,000

3 $40,000 to just under $60,000

4 $60,000 to just under $80,000

5 $80,000 to just under $100,000

6 $100,000 to just under $120,000

7 $120,000 to just under $150,000

8 $150,000 and above

99 Prefer not to answer

52. Were you born in Canada? QBORN

1 Yes

2 No

99 Prefer not to answer

Do you consider yourself to belong to any of the following groups?

53. A member of a visible minority. Minority

1 Yes

0 No

54. An Aboriginal person. Aboriginal

1 Yes

0 No

55. A person with a disability. Disability

1 Yes

0 No

56. None of the above. none

1 Yes

0 No

57. Prefer not to answer. Pernotanswer

1 Yes

0 No

58. Which of the following categories best describes your current employment status? Are you...? QEMP

1 Working full-time, that is, 35 or more hours per week

2 Working part-time, that is, less than 35 hours per week

3 Self-employed

4 Unemployed, but looking for work

5 A student attending school full-time

6 Retired

7 Not in the workforce (disability, full-time homemaker, unemployed, not looking for work)

77 Other

99 Prefer not to answer

59. In what type of community do you live? QCOMM

1 Urban (town, city, suburb)

2 Rural (small or sparsely populated community, with fewer than 5,000 or so residents, usually with considerable open/farm land surrounding it)

3 Remote (at least 2 hours drive from an urban centre and lacks reliable transportation links)

4 On reserve

98 None of the above

99 Prefer not to answer

60. What is your gender? QGENDER

1 Male

2 Female

3 Transgender

4 Do not identify as male, female or transgender

99 Prefer not to answer

61. Province/Territory. PROVINCE PRESTRATE

1 British Columbia

2 Alberta

3 Saskatchewan

4 Manitoba

5 Ontario

6 Quebec

7 New Brunswick

8 Nova Scotia,

9 PEI

10 Newfoundland and Labrador

11. Yukon

12. Northwest Territories

13. Nunavut

62. Complete. QEND

1 Complete

63. Weight. WGT1