

# OVERVIEW OF THE ADULT CRIMINAL JUSTICE SYSTEM

PRODUCED IN COLLABORATION BY THE DEPARTMENT OF JUSTICE CANADA AND STATISTICS CANADA

**Alternative measures**

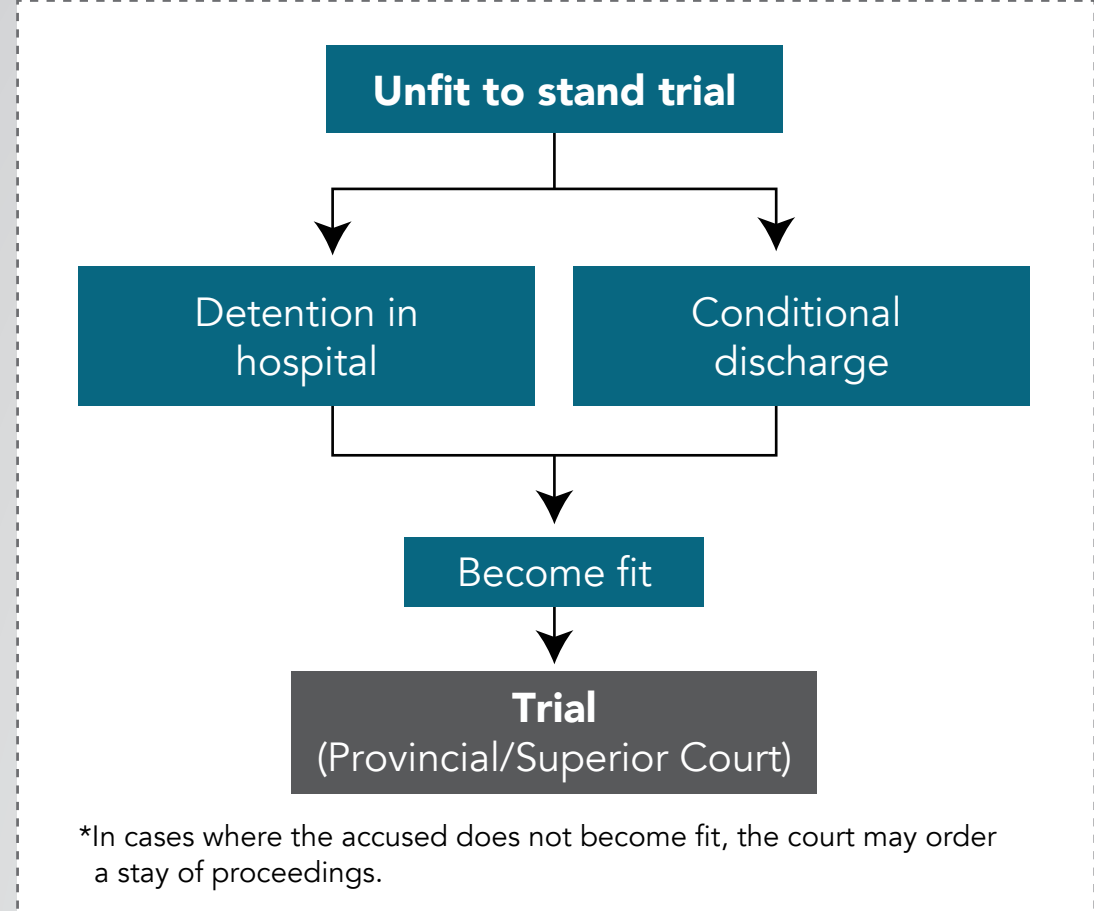
**A. Compliance:** Crown may withdraw charges or enter a stay of proceedings. A court may also dismiss the charges

**B. Non-compliance:** continuation of proceedings

Charges are usually laid by police (except in BC/NB/QC where the Crown needs to approve them), before the first appearance/bail hearing.

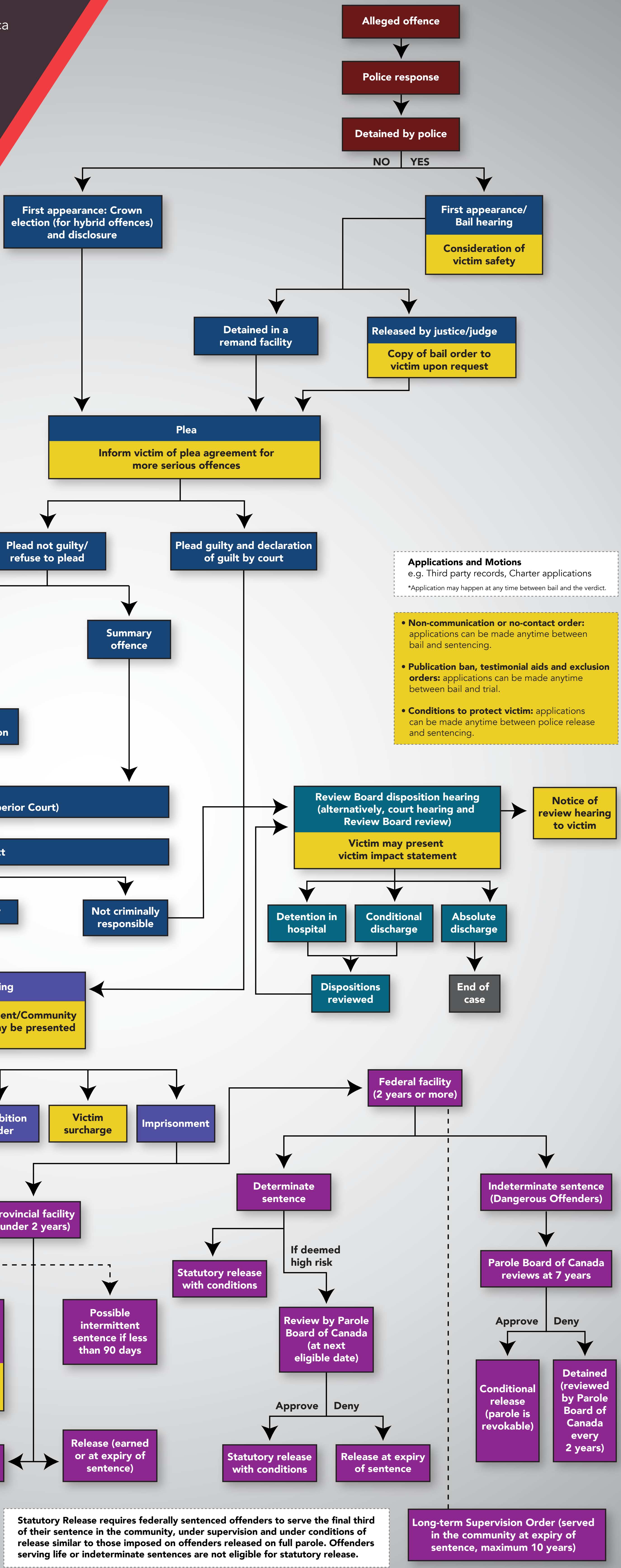
Crown may stay or withdraw charges for: insufficient evidence; where it is not in the public's interest to proceed; or where alternative measures are recommended.

\*If Crown stays, possible recommencement of proceedings.



Pre-sentence reports containing information on the offender (i.e., describing among other things the offender's background, family, education, employment record, physical and mental health, social activities, potential and motivation) may be used by the sentencing judge to assess the offender's character and relate the sentencing to the individual.

Appeal process: An offender may file an appeal against the conviction and/or the sentence. The Crown may also appeal against an acquittal or a sentence but, generally speaking, the Crown's right to appeal is much more restricted than the offender's.



**Applications and Motions**  
e.g. Third party records, Charter applications

\*Application may happen at any time between bail and the verdict.

- Non-communication or no-contact order:** applications can be made anytime between bail and sentencing.
- Publication ban, testimonial aids and exclusion orders:** applications can be made anytime between bail and trial.
- Conditions to protect victim:** applications can be made anytime between police release and sentencing.

## LEGEND

Police (Red box)

Court (Blue box)

Not criminally responsible review board process (Light blue box)

Victim (Yellow box)

Sentencing (Purple box)

Corrections (Dark purple box)

Statutory Release requires federally sentenced offenders to serve the final third of their sentence in the community, under supervision and under conditions of release similar to those imposed on offenders released on full parole. Offenders serving life or indeterminate sentences are not eligible for statutory release.

Long-term Supervision Order (served in the community at expiry of sentence, maximum 10 years)