

## **Adult criminal court processing times, Canada, 2015/2016**

by Ashley Maxwell  
Canadian Centre for Justice Statistics

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## Adult criminal court processing times, Canada, 2015/2016: Highlights

- In 2015/2016, the majority of charges (over 1.1 million charges) completed in adult criminal courts in Canada were heard in provincial courts. The median amount of time it took to complete a charge in provincial court (from first appearance to final decision) was 112 days. This median did not vary much throughout the last ten years.
- Of all charges completed in provincial court in 2015/2016, 6% took longer to process than the presumptive ceiling established by the *R. v. Jordan* Supreme Court of Canada decision (18 months when there was no preliminary inquiry, and 30 months when a preliminary inquiry was held). This proportion has remained consistent over the past decade. It is important to note that the Integrated Criminal Court Survey (ICCS) is unable to determine if the time exceeding the presumptive ceiling is attributable to the Crown or the defence.
- Impaired driving offences accounted for 13% of all provincial court charges that exceeded the presumptive ceiling in 2015/2016. Offences against the administration of justice also accounted for a large number of these charges, such as failure to comply with a court order charges (8%).
- Throughout the last ten years, the proportion of provincial court charges that exceeded the presumptive ceiling has remained fairly stable in most provinces and territories. However in Quebec, the proportion increased from 11% of charges in 2006/2007, to 17% of charges in 2015/2016. While in British Columbia, the proportion decreased over time (4% of charges in 2006/2007, compared with 2% of charges in 2015/2016).
- According to the ICCS, there were 13,105 charges completed in superior court in 2015/2016, in provinces/territories where superior court data were available. These charges took a median of 419 days to reach a final decision in court, which was 18 days longer than 2014/2015.
- The *R. v. Jordan* decision also established a specific presumptive ceiling for charges heard in superior courts – 30 months, with or without a preliminary inquiry. The available data from 2015/2016 indicate that 15% of all charges exceeded the presumptive ceiling. This proportion has generally been increasing since 2007/2008.
- Weapons offences accounted for 12% of the superior court charges that exceeded the presumptive ceiling in 2015/2016, followed by major assault and sexual assault offences (both at 7%).
- In addition to the seriousness of offences heard, certain factors can impact the time it takes to complete a charge in both provincial and superior court. For instance, an increasing number of court appearances, more days between appearances, if there are multiple accused or an increasing number of charges in the same case can increase the time it takes a charge to reach a final decision in court. Furthermore, charges with a preliminary inquiry or trial take longer to reach a final decision.
- Charges that exceeded the presumptive ceiling in both provincial and superior court in 2015/2016 were generally more likely to result in a guilty decision.

## Adult criminal court processing times, Canada, 2015/2016

by Ashley Maxwell

The timely resolution of criminal court matters is not only a fundamental right of accused persons, which is entrenched in section 11(b) of the *Canadian Charter of Rights and Freedoms*,<sup>1</sup> but also an essential element of public confidence in the criminal justice system.

Over the years, a number of court rulings have emphasized the importance of avoiding court delays, and have reiterated that there must be a balance between meeting the needs of the accused, victim(s), and society as a whole. The courts have stated that the justice system must ensure that those who break the law are held accountable for their actions, that those accused of committing crimes have their court proceedings completed in a timely manner, and that these individuals have the opportunity to make full answer and defence to their charges (Senate Canada 2017).

The timely resolution of criminal matters is also important for witnesses, victims, and their families. It not only assists with the accurate recollection of information related to the crime, but it also allows for emotional and psychological closure. Lengthy criminal proceedings may result in feelings of re-victimization (Senate Canada 2017). Furthermore, completing cases within a reasonable time helps maintain the public's sense of confidence in the efficiency and effectiveness of the criminal justice system. Some have argued that delaying justice is essentially the same as having no justice at all, and have frequently used the legal maxim "justice delayed is justice denied" in relation to court delays (Senate Canada 2017).

In July 2016, the Supreme Court of Canada (SCC) released the *R. v. Jordan* decision, which set out a new framework and timelines for processing criminal court cases in Canada, which had not existed under previous case law.<sup>2</sup> Under this new SCC framework, there is a 'presumptive ceiling' for completing criminal court cases (i.e., 18 months for cases tried in provincial court; and 30 months for cases tried in superior court or in provincial court after a preliminary inquiry). Anything beyond these time periods is presumptively (or deemed) unreasonable. They noted however, that if a delay is attributable to or waived by the defence (e.g., requesting unnecessary adjournments, or a lack of sufficient effort to accommodate the scheduling of court appearances) that it does not count towards the presumptive ceiling. Once the presumptive ceiling has been exceeded, the burden is on the Crown to justify the delay on the basis of exceptional circumstances. According to the SCC, exceptional circumstances lie outside the Crown's control in that (1) they are reasonably unforeseen or reasonably unavoidable, and (2) they cannot reasonably be remedied (*R. v. Jordan* 2016).<sup>3</sup>

Using data from the Integrated Criminal Court Survey (ICCS), this *Juristat* article examines the time it takes for a charge to proceed through the adult criminal court system in Canada (from an individual's first court appearance to when a final decision is reached on the charge), and presents court processing time trends over the last decade. This report provides an analysis of the characteristics associated with charge length for both provincial and superior court charges, including the number of appearances, the number of days between appearances, the types of offences, and the presence of a preliminary inquiry or trial. This report will also outline the number and types of charges that have exceeded the presumptive limits and will present some jurisdictional trends related to time processing.

### Text box 1

#### Definitions and concepts

**Completed case:** One or more charges against an accused person or company that were processed by the courts at the same time and received a final decision.

**Completed charge:** A formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

**Charge length/processing time:** Calculated based on the number of days it takes to complete a charge, from first appearance to final decision.

**Court delay:** Refers to periods of time that inhibit the court process from moving forward. Currently cannot be captured by the ICCS.

**Final decision:** According to the ICCS, the following decision types are considered final decisions: guilty (including guilty pleas and absolute or conditional discharges), acquitted, stayed, withdrawn, dismissed, discharged, and other decisions (not criminally responsible, waived out of province or territory, any order where a conviction was not recorded, the court's acceptance of a special plea, cases that raise *Charter* arguments, and cases where the accused was found unfit to stand trial).

## Text box 1 — end

### Definitions and concepts

**Median charge length:** The point at which half of all charges had longer charge lengths and half had shorter charge lengths.

**Presumptive ceiling:** In provincial court, refers to charges completed in more than 18 months (without a preliminary inquiry) or more than 30 months (with a preliminary inquiry). In superior court, refers to charges completed in more than 30 months (with or without a preliminary inquiry).<sup>4, 5</sup>

While the *Jordan* decision specified that the presumptive ceiling begins the moment a charge is laid, and that it lasts until the actual or anticipated end of the trial (*R. v. Jordan* 2016), this paper utilizes the first appearance date as the starting point, and counts the time up until the moment a final decision is reached on a charge. The charge date (or sworn date) is not currently collected by the ICCS.

In addition, it is important to note that the ICCS is unable to determine if the time exceeding the presumptive ceiling is attributable to the Crown or the defence. Therefore, the proportion of completed charges exceeding the ceiling generally does not represent the true proportion of charges that may have been eligible for a stay because of a potential section 11(b) *Charter* violation. As such, the proportion of completed charges exceeding the presumptive ceiling that has been outlined in this report is likely an overestimation.

## Text box 2

### Factors that can impact court processing times

The criminal justice system is complex and includes a number of different steps, involving a variety of different stakeholders and groups, such as the police, Crown prosecutors, defence/private lawyers, judges, correctional officers, parole officers, victims or complainants, etc. While this report focuses on criminal court charge processing times, that is, the amount of time it takes from an individual's first court appearance to when a final decision is reached on the charge, it is important to be mindful that there are many steps in the criminal justice process. Several steps occur before an individual appears in court, during the court process, and after the completion of a criminal charge. The court process also differs substantially when an accused is involved who is between the ages of 12 and 17,<sup>6</sup> and can also vary throughout the country.

The amount of time it takes to complete a given charge in criminal court can be influenced by a number of different factors, including the overall volume of charges laid by the police that proceed to court, the number of charges moving through the system at the same time, the capacity of the court system (e.g., number of/availability of court rooms) to process such charges, as well as the available court resources (e.g., number of judges, Crown lawyers, court personnel, etc.).<sup>7</sup> Charge processing times can also be influenced by other factors such as the number of accused (and their characteristics), the number of charges (including the nature of the offence(s)), the number of court appearances (including the time between appearances), whether there is a guilty plea, and certain court processes such the presence of a preliminary inquiry or trial (Department of Justice Canada 2006; Department of Justice Canada 2015b).

Other factors that can influence processing times include the availability of legal aid, the increase of 'mega-trials',<sup>8</sup> and certain initiatives that could have a positive impact on improving the efficiency of the criminal court system, such as restorative justice, alternative measures and case management practices.

Furthermore, legislative reform, changes in criminal law, and Supreme Court of Canada rulings can also impact the volume and pace of charges moving through the court system.

The effect of all of these factors can also differ by province/territory. The nature of crime is not the same throughout the country, and the way that criminal justice is administered can vary by jurisdiction (e.g., Crown and police charging practices such as pre-charge screening, Crown election, plea bargaining, the varying role of municipal courts, etc.).

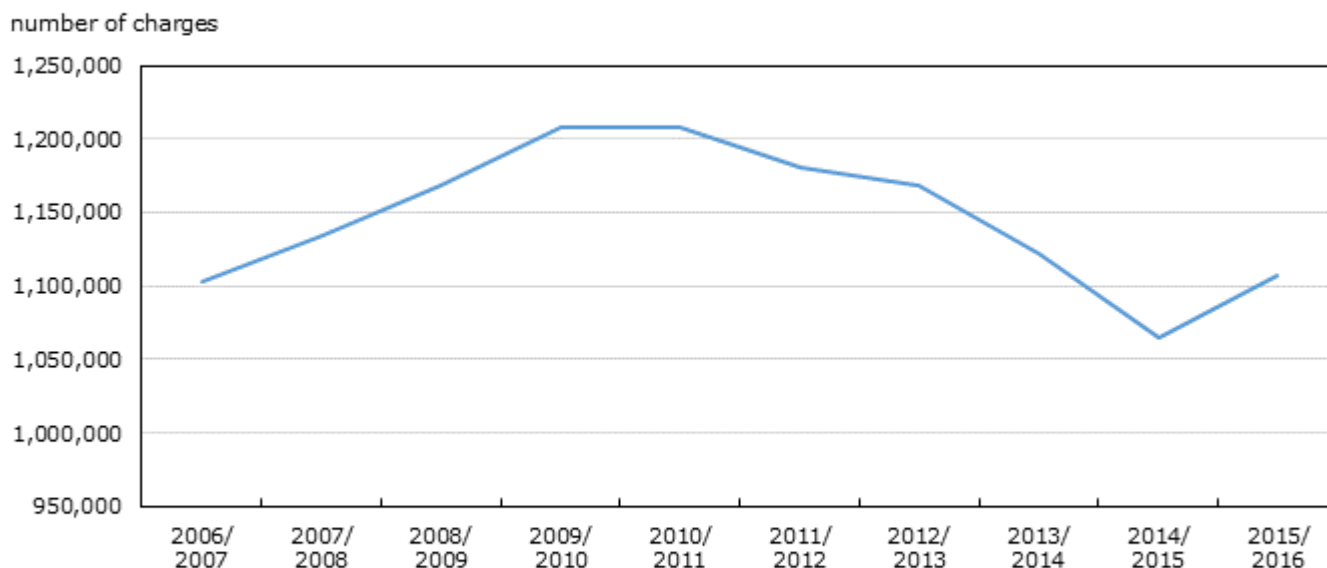
It is important to note that the statistical trends presented in this report reflect the impact of all of these factors (some of which cannot yet be accounted for with available data). It is difficult to identify the precise impact of one factor or initiative which could improve the efficiency of the criminal justice system; rather, the trends reflect the cumulative results of these elements.

## Trends in processing times in provincial courts

Within a given year, most of the charges completed in adult criminal courts in Canada are heard in provincial/territorial courts. These courts hear summary offence violations, as well as some indictable offences.<sup>9, 10</sup>

In 2015/2016, there were 1,107,554 charges completed in provincial courts in Canada, a 4% increase in the number of completed charges from the previous year (Chart 1; Table 1). Provincial court charges represented 99% of all charges reported to the Integrated Criminal Court Survey (ICCS) in 2015/2016.

**Chart 1**  
**Number of charges completed in adult criminal provincial court, Canada, 2006/2007 to 2015/2016**



**Note:** A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from municipal courts in Quebec due to the unavailability of data. Also excludes charges in which the charge length was unknown.

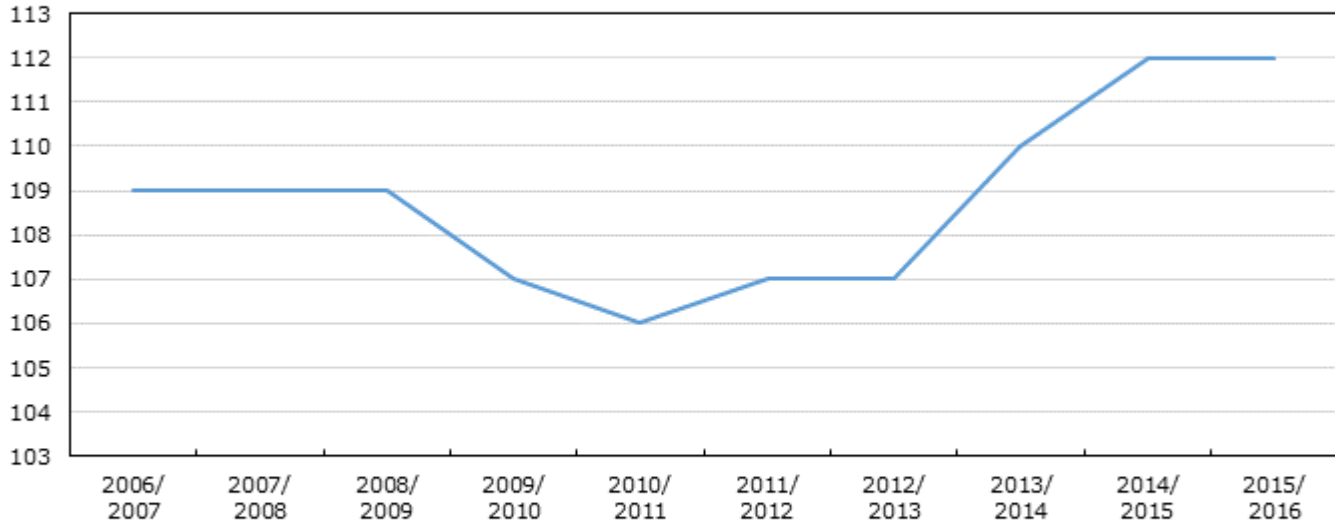
**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

### Elapsed time to process charges in provincial courts changed little over the last decade

It took a median elapsed time of 112 days to complete provincial court charges in Canada in 2015/2016 (Chart 2). Despite a declining volume of charges being heard in provincial courts throughout the second half of the last decade, the median elapsed time to complete a charge has generally remained stable, ranging from a low of 106 days in 2010/2011, to a high of 112 days in 2014/2015 and 2015/2016.

**Chart 2****Median length of charges completed in adult criminal provincial court, Canada, 2006/2007 to 2015/2016**

median length of charges (days)



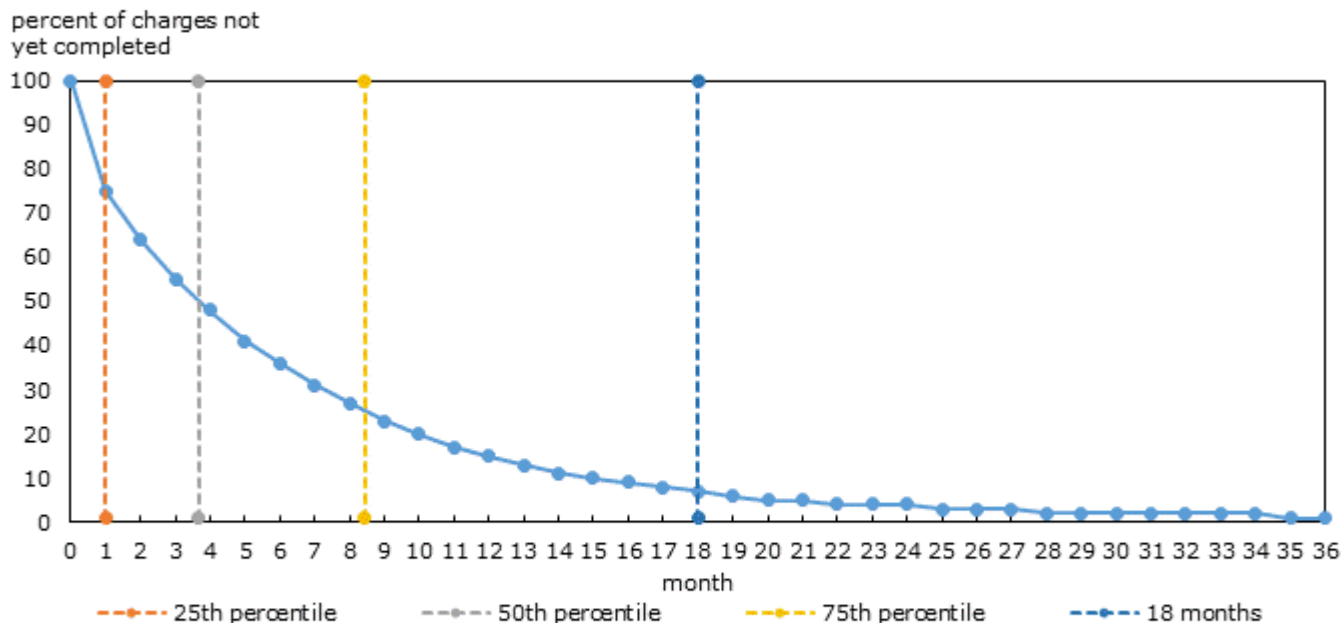
**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths. Excludes charges in which the charge length was unknown. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**One quarter of provincial court charges completed within one month**

In 2015/2016, one quarter (25%) of provincial court charges took one month (30 days) or less to reach a final decision in court (Chart 3). Over three-quarters (77%) of all provincial court charges were completed within 9 months. A relatively small proportion (6%) of provincial court charges took longer than the presumptive ceiling to reach a final decision in court (taking into account whether or not a given charge had a preliminary inquiry) (Table 2). Of those charges that exceeded the presumptive ceiling, almost one-third (30%) took more than 30 months to reach a final decision. It is important to note that the ICCS is unable to determine if the time exceeding the presumptive ceiling is attributable to the Crown or the defence.

**Chart 3**  
**Charges remaining to be completed in adult criminal provincial court, by month, Canada, 2015/2016**



**Note:** Represents the proportion of charges completed in 2015/2016 that have not yet reached a final decision at a given time interval (month). Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Text box 3**  
**Legal representation and court processing**

One particular factor which can play a role in the amount of time it takes to complete a charge in adult criminal courts in Canada is legal representation (Senate Canada 2017). On the one hand, a lack of legal representation may slow down the court process because individuals may need to have court procedures explained to them by the court (Currie 2013; Hashimoto 2006; Landsman 2012). Individuals may not have legal representation for a variety of reasons including by choice, or because they cannot afford counsel and do not qualify for legal aid. On the other hand, a lack of legal representation has also been said to speed up court proceedings, if an unrepresented accused decides to enter a guilty plea early on in the court process (Department of Justice Canada 2002). This argument has also led some to question whether unrepresented accused have sufficient access to justice, in order to make informed decisions regarding the legal process (Cromwell and Anstis 2016).

In 2015/2016, over three-quarters (76%) of the charges completed in adult criminal provincial courts in Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan and British Columbia had some form of legal representation during the first court appearance, while 24% of charges had an unrepresented accused.<sup>11, 12</sup> Of those charges with legal representation, 12% reached a final decision in court in 7 days or less. In contrast, nearly double the proportion (21%) of charges with an unrepresented accused were resolved within the same amount of time.



**Text box 4****How much time passes between the police laying a charge and the first court appearance?**

The time taken to process a charge once it reaches the courts is just one possible way of measuring the efficiency of the justice system. Another measure is the time taken to lay a charge after an incident takes place, and still another is the time taken between a charge being laid and the accused first appearing in court. Although these two additional time intervals are generally not taken into account when measuring court processing times, examining them provides some more insight into the overall processing of criminal matters by the justice system. According to the *Jordan* decision, the calculation of the presumptive ceiling begins the moment a charge is laid and it lasts until the actual or anticipated end of the trial (*R. v. Jordan* 2016). The time before the laying of a charge does not count towards the ceiling.

The police are responsible for investigating incidents and determining if criminal offences took place. They also must identify the accused in order to lay charges. Many factors can influence the time taken to lay a charge including the complexity of the incident(s), finding the accused, and delays in reporting. Incidents do not always come to the attention of the police right away, which can create a delay in reporting. Different types of offences, especially those involving a victim of violence such as sexual assault, may be more likely to have delays in reporting (Perreault 2015; Rotenberg 2017b).

The time that passes between the police laying a charge and the first appearance in court can also be influenced by several factors such as the need for additional investigations into the incident, administrative reasons, and the availability of court resources. Court availability can impact the scheduling of an individual's first court appearance.

Three linked datasets containing data from 2010/2011 to 2014/2015 from the police-reported Uniform Crime Reporting Survey (UCR) and the Integrated Criminal Court Survey (ICCS) allow for some analysis of these time intervals at different steps of the criminal justice process. These datasets were used to specifically look at sexual assault, physical assault (includes major and common assault) and impaired driving cases, in order to examine the elapsed time from an incident occurring and a charge being laid by the police, and the elapsed time from a charge being laid to the first appearance in court.<sup>13, 14, 15</sup> While the precise reasons underlying the elapsed times are difficult to identify, the time intervals provide important information about the justice system.

The time between the offence date and the date the police laid a charge was slightly longer for sexual assault cases completed between 2010/2011 and 2014/2015 (median of 2 days), compared with physical assault and impaired driving cases (median of 0 days) (Chart 4). The median amount of time between the police charge date and the first appearance date in court was highest for impaired driving cases (35 days, compared with 21 days for sexual assault cases, and 13 days for physical assault cases). In addition, the amount of time it took from an individual's first appearance in court to when the final decision was reached on their charge was higher for sexual assault cases (median of 250 days), compared with physical assault (median of 129 days) and impaired driving (median of 97 days) cases.

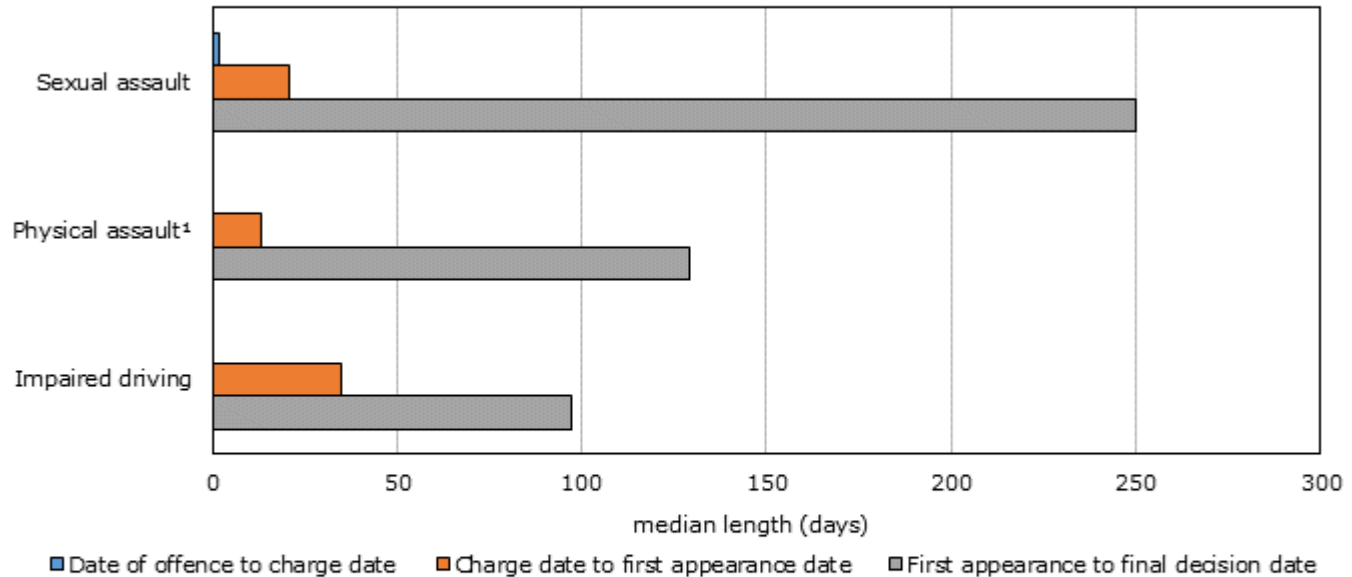
For these three types of offences, sexual assault cases tended to take the longest to be reported to the police, and for the police to subsequently lay a charge.<sup>16</sup> However, impaired driving cases took longer to get to court after a charge had been laid, compared with sexual assault and physical assault cases. Sexual assault cases also tended to take longer to reach a final decision in court.

**Text box 4 — end**

**How much time passes between the police laying a charge and the first court appearance?**

**Chart 4**

**Median number of days between date of offence, charge date, first appearance date and date of final decision, for selected offences in adult criminal court, Canada, 2010/2011 to 2014/2015**



1. Physical assault, also referred to as common or major assault, includes level 1 assault, level 2 assault with a weapon or causing bodily harm and level 3 aggravated assault.  
**Note:** Lengths are calculated based on the number of days it takes to reach each of the specified time intervals. The median is the point at which half of all cases had longer lengths and half had shorter lengths. A case is one or more charges against an accused person or company that has been processed by the courts at the same time and received a final decision. Excludes data from Quebec and Prince Edward Island, due to missing personal identifiers required to link to court data. Also excludes information from superior courts in Ontario, Manitoba and Saskatchewan due to the unavailability of data.  
**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey and Integrated Criminal Court Survey (combined file).

Since this analysis shows that some of these cases have delays between the time the police lay a charge and the time an accused person first appears in court, it is not surprising that case lengths overall get longer when this time period is taken into account and is used to calculate the total length of a case. Consequently, for each of these select offence types, a somewhat larger proportion of cases exceeded the presumptive ceiling, when this time was considered. For instance, when compared with processing time calculations starting at the date of first appearance, there were 36% more sexual assault cases and 42% more physical assault cases that took longer than the presumptive ceiling to reach a final decision in court. The proportion of cases over the presumptive limit went from 9% to 12% for sexual assault cases, and from 2% to 3% for physical assault cases. The number of impaired driving cases that were over the presumptive ceiling increased by 30%, while the proportion of these cases over the ceiling rose from 7% to 10%, when taking into account the police charge date.

**Factors affecting the processing time of charges in provincial court**

Differences in charge processing times can be attributed to a number of different factors, but can be broadly grouped into two categories: 1) those which relate to the different steps of the court process; and 2) those which relate to the characteristics of the case itself. Included among the factors related to the court process are the number of court appearances, court processes such as preliminary inquiries or trials, and court outcomes such as whether an accused decides to plead guilty early on in the court process. Case-related factors include the type of charge, and the characteristics of the case against an accused person.

**Provincial court charges with more appearances take longer to reach final decision**

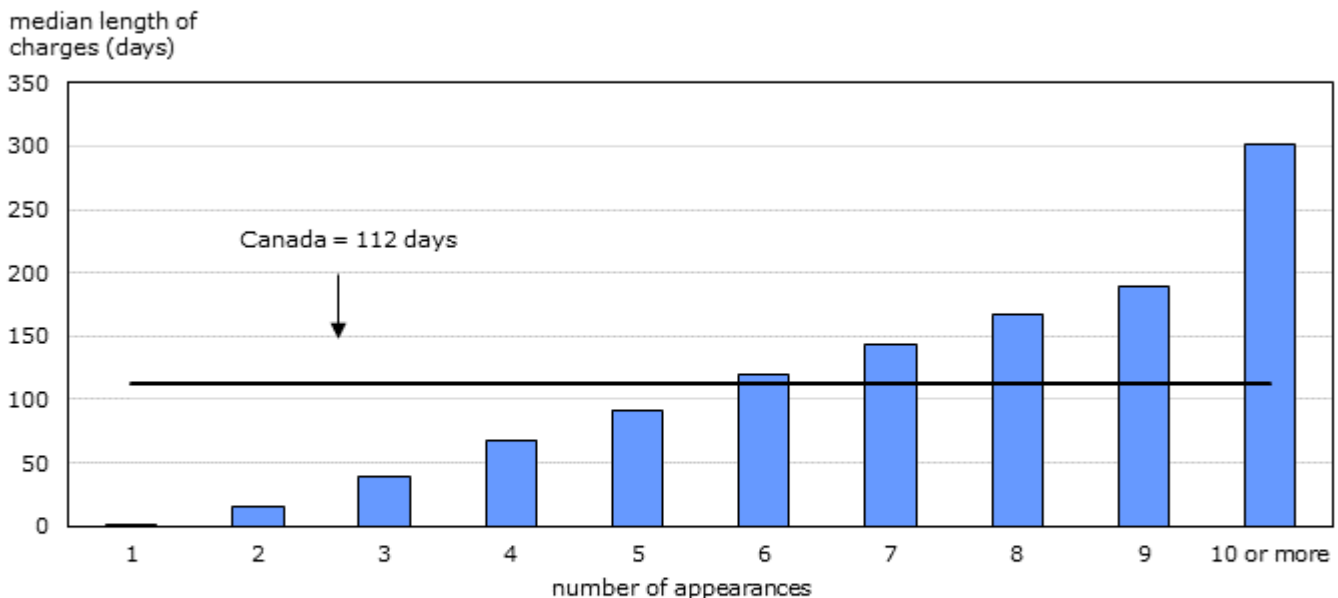
When a criminal charge is brought against a person, they can be required to appear in court numerous times before a final decision is reached on their charge(s). These appearances are often related to the various steps in the court process

(e.g., bail hearing, preliminary inquiry, trial, etc.), while others may be a way for the accused to periodically ‘check in’ with the court and move the court process further along (e.g., obtain disclosure from the Crown, schedule a judicial pre-trial conference).

In 2015/2016, there were over 8.4 million court appearances related to charges completed in adult criminal provincial courts in Canada (Table 1; Table 3). This was a 6% increase in court appearances from the previous year, and an 8% increase from 2006/2007. It took a median of 6 appearances to complete a provincial court charge in adult criminal court in 2015/2016, a number which has generally remained unchanged over the last decade.

Similar to previous years, charges with more appearances tended to take longer to reach a final decision than those with fewer appearances. For example, charges with 2 appearances took a median of 15 days to reach a final decision, compared with charges with 10 or more appearances, which took a median of 301 days (Chart 5).

**Chart 5**  
**Median length of charges completed in adult criminal provincial court, by number of appearances, Canada, 2015/2016**



**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths. An appearance refers to the act of attending court, either in person or as represented by legal counsel, in response to a criminal charge(s). One appearance is counted for each unique date associated with a charge (e.g., appearances on three different days equals three charge appearances). A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

### Time between appearances can also impact provincial court processing times

It is not only the number of appearances that can impact the total amount of time it takes a given charge to reach a final decision in court, but also the time between each of these appearances.

In 2015/2016, on average, there were 28 days between each court appearance for charges completed in adult criminal provincial courts in Canada, a decrease of one day compared with 2014/2015 (Table 3). The average number of days between appearances has generally been stable for the last ten years, despite yearly fluctuations in both the number of completed charges, and the number of court appearances associated with those charges. Charges that take longer to reach a final decision in court often have a higher average number of days between court appearances than charges that take less time, which tend to have a lower average.

In addition, data shows that more court appearances or ‘court activity’ tends to occur within the early stages of the court process, when court appearances take place closer together. As time goes on in the court process, court appearances gradually become more spread apart. Charges that take less time to complete generally have court appearances which occur closer together.

## Text box 5

### Shorter processing times in youth courts

Accused persons between the ages of 12 and 17 are processed through youth courts in Canada, which operate separately from adult criminal courts, under the provisions of the *Youth Criminal Justice Act* (YCJA). The youth justice system is based on the principle of diminished moral blameworthiness and culpability. The YCJA provides fairer and more proportionate accountability for young persons, through age-appropriate sentences and responses to youth crime. The Act aims to divert youth accused of less serious crimes through extrajudicial measures, while also ensuring consequences for serious, violent crime, as well as repeat offenders (YCJA 2002).

In 2015/2016, youth courts in Canada completed 120,094 charges (31,363 cases), which was a 4% decrease in charges from the previous year, and a 35% decrease from a decade prior. There were 767,642 court appearances related to these charges. Over the past ten years, both the number of completed youth court charges and the number of appearances associated with those charges have generally decreased. A decline in police-reported youth crime over this period has also been documented (Keighley 2017).

It took a median of 99 days to complete a youth court charge in 2015/2016. This was a 4% (+4 days) increase from the median elapsed time in 2014/2015 (95 days). The median youth court charge time has fluctuated slightly year-over-year throughout the last decade, from a low of 92 days in 2009/2010 and 2010/2011, to a high of 99 days in 2015/2016, while the number of completed charges has decreased consecutively for the last six years. The median elapsed time in youth court has always been lower than the median in adult criminal court.

Nearly 9 in 10 (87%) youth court charges were completed within 9 months in 2015/2016, a trend which has remained stable over the last ten years. Less than 2% of all youth court charges took more than 18 months to reach a final decision in court, fewer than 20% of which took more than 30 months.<sup>17</sup> Violent offences (e.g., other sexual offences, sexual assault, etc.) accounted for over 40% of the charges that took more than 18 months to complete.

It took a median of 5 appearances to complete a charge in youth court in 2015/2016. On average, there were 24 days between each youth court appearance.

While it is difficult to determine the exact reasons why charges take the amount of time they do to reach a final decision in both adult criminal and youth courts, the differences in the way that the courts handle these charges could be a possible explanation for the differences observed in the elapsed processing times, as well as the proportion of completed charges taking more than 18 months to reach a final decision. Similarly, varying sentencing principles, differences in the composition of charges (including the number and type of charges), as well as different offender characteristics, such as whether an accused is a first time offender (as may be the case for many youth), may also play a role in the paths that these charges take in the criminal justice system.

### Charges with a preliminary inquiry take longer to complete

Particular court processes such as a preliminary inquiry can also influence the amount of time it takes to complete a criminal charge in court. A preliminary inquiry is a judicial hearing which is used in serious (indictable) criminal court cases to determine whether the evidence assembled by the Crown against an accused person is sufficient to proceed with a trial. Preliminary inquiries can be seen as a benefit for the criminal justice system, by saving time, money and resources which go into lengthy criminal trials for the most serious (indictable) offences (Webster 2005). However, some have argued that preliminary inquiries can in fact increase the amount of time it takes to process criminal court charges, and that their use has led to an overall increase in court processing times (Senate Canada 2017).

In 2015/2016, there were 34,698 (3%) completed provincial court charges that had a preliminary inquiry, a proportion that has slowly decreased over the last 10 years (Table 4).<sup>18, 19, 20</sup> This represented 8,047 (2%) provincial court cases. Around 3 in 10 (29%) of the charges with a preliminary inquiry were related to serious violent offences, such as major assault (7%) and other sexual offences (5%). Charges with a preliminary inquiry took more time to reach a final decision (median of 433 days) than charges that did not have a preliminary inquiry (median of 106 days). These charges also required more court appearances to reach a final decision (median of 13 appearances, versus 6 appearances for charges without a preliminary inquiry), and had a higher average number of days between court appearances (average of 38 days between appearances for charges with a preliminary inquiry, versus 27 days for charges without a preliminary inquiry). Charges with a preliminary inquiry did not account for a large number (7%, or 4,610 charges) of all the charges that were over the presumptive ceiling in 2015/2016.

### Charges with a trial also take longer to reach a final decision

Criminal trials require the scheduling and availability of particular court resources such as judges, lawyers, and court rooms, which can also influence the amount of time it takes a charge to reach a final decision in court.

In 2015/2016, about 3 in 10 (318,736 charges, or 29%) charges completed in provincial court had at least one trial appearance (Table 5), a proportion which has generally been stable over the last ten years. This represented 111,620 (33%) provincial court cases. Around half (49%) of the trial charges had more than one trial appearance scheduled. Provincial court charges with a trial took longer to reach a final decision than those without a trial (median of 262 days to complete trial charges, compared with a median of 66 days for charges with no trial). Like preliminary inquiries, trial charges also required more court appearances to reach a final decision (median of 8 appearances for charges with a trial, and 5 appearances for charges with no trial).

Seven in ten (70%) provincial court charges that were over the presumptive ceiling in 2015/2016 had a trial. In contrast, around one quarter (26%) of the charges under the presumptive ceiling had a trial. This trend was also more pronounced for particular offence types. For example, over three-quarters (78%) of the impaired driving charges over the presumptive ceiling in 2015/2016 had a trial.

### Charges that result in an acquittal take longer to process

The court outcomes of charges that take more time to reach a final decision is a relevant factor to look at when analyzing overall court processing times. Even though the ICCS does not collect the reasons behind court decisions, it is noteworthy to look at decision outcomes by the length of the court process.

In 2015/2016, it took longer to complete provincial court charges that were acquitted (296 days) than those in the other decision categories (e.g., 95 days for guilty decisions (includes guilty pleas)) (Table 6).<sup>21</sup> Close to 8 in 10 (79%) guilty charges were completed within 9 months in 2015/2016, compared with less than half (46%) of the acquitted charges. Charges that resulted in a guilty decision also had a lower average number of days between appearances, compared with acquitted charges (28 days for guilty charges, versus 63 days for acquitted charges). However, when interpreting these findings, it is important to keep in mind that an accused can only be acquitted through a trial, after it reaches the end of the court process. In contrast, a guilty decision can be entered at any stage of the court process (e.g., guilty plea after any court appearance, someone can be found guilty by the court after a trial, etc.).

Of all the provincial court charges that exceeded the presumptive ceiling in 2015/2016, around 1 in 10 (11%) resulted in an acquittal. Most charges that exceeded the presumptive ceiling resulted in a guilty decision (44%), or were withdrawn (27%). Around 1 in 6 (16%) of these charges were stayed,<sup>22</sup> while around 2% resulted in another decision type, such as the accused being found not criminally responsible on account of mental disorder.

### Charge characteristics and processing time

Thus far, the relationship between different parts of the court process and the impact on charge processing times has been explored. The following analysis will focus on the factors related to the case itself, such as the type of offence (including the seriousness), and case complexity (including the number of charges, and the number of accused), which can also impact the length of time required to complete a charge in adult criminal court.

### Provincial court processing times highest for sexual offences

In 2015/2016, the median elapsed time of charges completed in provincial court varied considerably by type of offence. Of all completed provincial court charges, sexual assault and other sexual offences charges (e.g., sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation) took the longest median number of days to reach a final decision in court, at 255 and 270 days respectively (Table 7). Since 2006/2007, these two offence groups have consistently had a median time that was among the highest of all provincial court charges on an annual basis. However, each of these charge types generally represent only a small proportion (around 1%) of the overall charge volume in provincial courts within a given year.

In contrast, administration of justice charges have consistently had the lowest median elapsed times over the last decade, meaning they take some of the shortest amounts of time to reach a final decision in provincial court. In 2015/2016, these charges, namely breach of probation, failure to appear in court and unlawfully at large charges, took a median of 61, 59 and 9 days respectively to reach a final decision. Breach of probation charges, however, were one of the highest volume charge types in adult criminal courts in 2015/2016, representing 11% of all completed provincial court charges.

The median elapsed time of prostitution charges also stands out from other offence types, having increased the most over the last decade. The median amount of time it took to complete a prostitution charge nearly doubled from 119 days in 2006/2007 to 231 days in 2015/2016, a 94% increase. More specifically, the median increased the most over the last two years, climbing 40 days (+21%). This recent trend may reflect the practices adopted and the progress made in implementing a legislative change that occurred in December 2014, which made it a criminal offence to purchase sexual services.<sup>23</sup>

### **Around 1 in 7 sexual offences charges completed in provincial court exceed the presumptive ceiling**

In provincial courts, the most frequent charges to be completed above the presumptive ceiling were impaired driving (13%), failure to comply with a court order (8%), fraud (7%), common assault (6%), and weapons offences (5%) – making up 39% of the volume of such charges in 2015/2016 (Table 8).

Within offence categories, other sexual offences (15%), and sexual assault (13%) charges had some of the highest proportions of charges that exceeded the presumptive ceiling in 2015/2016. Impaired driving (11%) and fraud (10%) charges were also proportionally more likely to exceed the presumptive ceiling. In contrast, a small proportion of all failure to comply with a court order (3%) and failure to appear in court (2%) charges exceeded the presumptive ceiling.

### **Serious violent offences take more court appearances to reach a final decision**

The number of appearances it takes for provincial court charges to reach a final decision can also differ by offence type, which can be related to the seriousness of the charge. In 2015/2016, the serious, violent offences of attempted murder, robbery, and other sexual offences took the highest median number of appearances to complete a charge (10 appearances) (Table 3). In contrast, it took a median of 3 appearances to complete unlawfully at large charges in 2015/2016, which is an offence against the administration of justice.

The median number of appearances it took to complete a charge also varied for high-volume provincial court charges. For example, impaired driving charges had one of the lowest median number of appearances, at 4 appearances, while fraud charges had one of the highest, at 8 appearances.

### **Impaired driving charges have one of the highest average number of days between court appearances**

Like the number of appearances, the average number of days between appearances can also differ by offence type. In 2015/2016, many charge types completed in provincial courts in Canada had an average of over three and a half weeks (25 days) between each court appearance. However, impaired driving charges had one of the highest average number of days between appearances, at 49 days (Table 3). In contrast, the administration of justice offences of breach of probation and failure to comply with an order, which were two high-volume offence types, had an average of around three weeks (21 and 22 days, respectively) between court appearances. These were some of the lowest averages of all offence types in 2015/2016. Appearances related to an impaired driving charge generally occurred less often and more spread apart than those related to administration of justice offences.

While this report does not focus on repeat offenders and the concept of 're-contact' with the justice system, previous research has shown that many impaired driving cases involve offenders who have been previously charged with impaired driving (16% of cases handled by the criminal courts in 2014/2015 involved an offender who had been charged with impaired driving within the past 10 years) (Perreault 2016). Cases involving repeat offenders generally require more court appearances and take longer to be processed by the courts than cases involving first-time offenders. In addition, cases involving more than one previous contact with the court system also tend to take longer. For instance, in 2014/2015, impaired driving cases involving a first-time offender required a median of 4 appearances and 78 days to reach a final decision in court, while cases involving an accused with at least two prior contacts required a median of 7 appearances and 216 days to complete (Perreault 2016).

#### **Text box 6**

##### **Mandatory minimum penalties and court processing times**

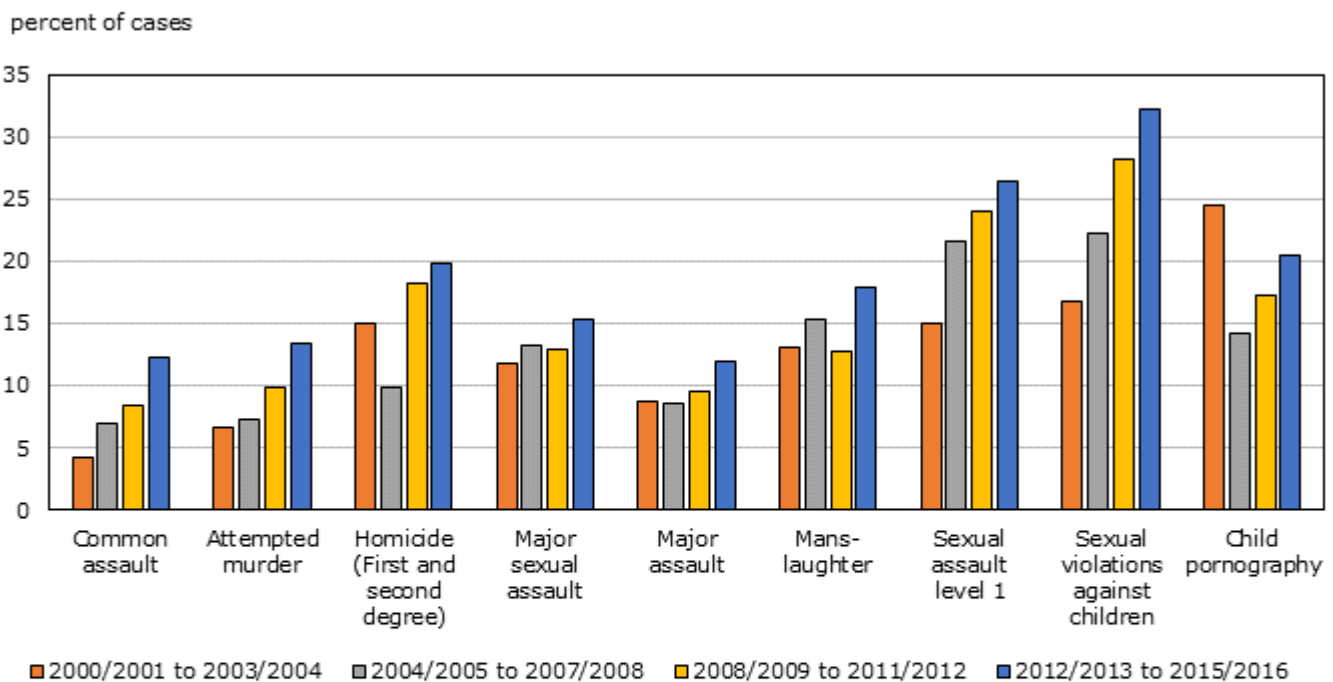
In recent years, changes have been made to the *Criminal Code* regarding mandatory minimum penalties (MMPs). These changes have laid out new and more severe penalties for individuals who are found guilty of committing particular criminal offences, such as certain drug offences, firearms offences, and particular sexual offences against children, among others (Allen 2017).<sup>24</sup> While the primary purpose of these sentences is to deter individuals from committing these crimes, due to their associated MMP upon conviction, some opponents have argued that the introduction of MMPs has had negative effects on the overall timeliness of the criminal court system, by lengthening the time that charges/cases are taking to reach a final decision in court (Senate Canada 2017). More specifically, they have argued that for indictable offences, MMPs discourage the practice of plea-bargaining, since the accused has less incentive to plead guilty because they are unable to negotiate a lesser sentence (Raaflaub 2006).<sup>25</sup> This could prolong the completion of their charge(s) in court. However, for hybrid offences, mandatory minimum penalties may also encourage individuals to plead guilty, if the Crown elects to proceed by summary.

Mandatory minimum penalties are only applicable if the offence occurred after the MMP came into force. Since many of these MMP introductions/changes are relatively recent, and because it takes time for charges to be laid by the police and then move through the court system, analyzing the impact of the introduction (or modification) of a MMP on court processing using the ICCS data is challenging. However, it is possible to examine overall trends in case completion times for specific offences (common assault, attempted murder, homicide, major sexual assault, manslaughter, sexual assault level 1, sexual violations against children and child pornography) with recently introduced or amended MMPs. Nevertheless, it is important to note that because this analysis examines only selected offences, the results should not be interpreted as reflecting the impact of MMPs more generally.

**Text box 6 — end**  
**Mandatory minimum penalties and court processing times**

When looking at the proportion of cases that took more than 18 months to reach a final decision for the selected offences (excluding historical offences in which the date of offence occurred four years or more before the date the charge first appeared in court), there was no discernible trend over the last sixteen years which would indicate that the introduction or modification of MMPs explains the increased completion times in court for these particular offences. Rather, completion times generally increased over time for these particular offences, regardless of whether or not there was an introduction or change in the MMP. For example, the proportion of sexual violations against children cases that were completed in more than 18 months over the last sixteen years has been increasing over time (from 17% to 32% of these cases) (Chart 6). However, a similar trend was also evident for other offence types which have not had any recent changes or introductions to MMPs, such as homicide (15% to 20%), attempted murder (7% to 13%) and common assault (4% to 12%). While this analysis generally does not take into account the offence date, which is pertinent to the application of a MMP, it demonstrates that recent MMP introductions/modifications do not appear to have had a substantial impact on the amount of time it takes certain types of offences to reach a final decision in court.

**Chart 6**  
**Proportion of indictable adult criminal court cases taking more than 18 months to complete in court, for selected offences (with and without a mandatory minimum penalty), Canada, 2000/2001 to 2015/2016**



**Note:** The offences in this chart with mandatory minimum penalties (MMPs) are homicide (*Criminal Code* s. 229, 230, 231, 235 - no recent amendments), sexual assault level 1 (s. 271 - MMPs were amended in 2012 and 2015), sexual violations against children (s. 151, 152, 153 - subject to MMPs as of 2005, amended in 2012 and 2015) and child pornography (s. 163.1 - subject to MMPs as of 2005, amended in 2012 and 2015), and certain instances of manslaughter (s. 232, 234, 236 - only where a firearm was used), attempted murder (s. 239 - only where a firearm was used), and major sexual assault (s. 272, 273 - where victim under age 16 or a firearm used). In the case of attempted murder and major sexual assaults, the MMPs were amended in 2008, 2012, or 2015 depending on the aggravating circumstance. Offences without a MMP are common assault (s. 265, 266) and major assault (s. 267, 268). The presented data includes pure indictable offences, and hybrid offences where the Crown has elected to proceed by indictment. Case lengths are calculated based on the number of days it takes to complete the most serious offence charge in a case, from first appearance to final decision. A case is one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision. Data excludes information from Manitoba, Northwest Territories and Nunavut, as well as information from superior courts in Prince Edward Island, Ontario and Saskatchewan due to the unavailability of data. Also excludes historical offences in which the date of offence occurred four years or more before the date the charge first appeared in court.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

## Processing times longer when there are multiple accused and more than one charge in a case

The number of people accused of committing a particular criminal offence can also impact the amount of time it takes to reach a final decision in court, since increasing the number of accused persons can add a layer of complexity to a charge. Over the last decade, about 10% of provincial court charges within a given year involved more than one accused,<sup>26</sup> findings which are in line with previous police-reported research on co-offending (Carrington et. al. 2013).

In 2015/2016, multiple-accused charges tended to take longer (median of 142 days and 8 appearances) to reach a final decision in court than charges involving a single accused (median of 98 days and 6 appearances), a trend which has been stable over the last ten years. However, most charges that took longer than the presumptive ceiling to reach a final decision were single-accused charges. Only around 1 in 10 (13%) charges that exceeded the presumptive ceiling had more than one accused. These multiple-accused charges that exceeded the presumptive ceiling were also more likely to involve certain types of offences, such as other drug offences (includes drug trafficking, production, importing and exporting) (17%), weapons (13%), and possession of stolen property offences (11%).

While most of the analysis in this report focuses on the amount of time it takes to complete adult criminal court charges, it is important to look at the relationship between charges and court cases when analyzing processing time trends, since a charge often moves through the court system in conjunction with other charges. According to the ICCS, a case is defined as one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision.

In 2015/2016, 38% of cases completed in adult criminal provincial court were single-charge cases, while 62% of cases were multiple-charge cases. For most types of cases, an increasing number of charges in the same case tended to increase the time it took to reach a final decision in court, as well as the number of court appearances. For instance, single-charge cases had a median number of 4 appearances and a median elapsed time of 92 days, while cases with multiple charges had a median number of 7 appearances and a median elapsed time of 151 days. These findings suggest that an increasing number of charges may signal a more complicated case, which in turn can result in longer processing times as well as more appearances in court.

## Court processing times differ throughout the country

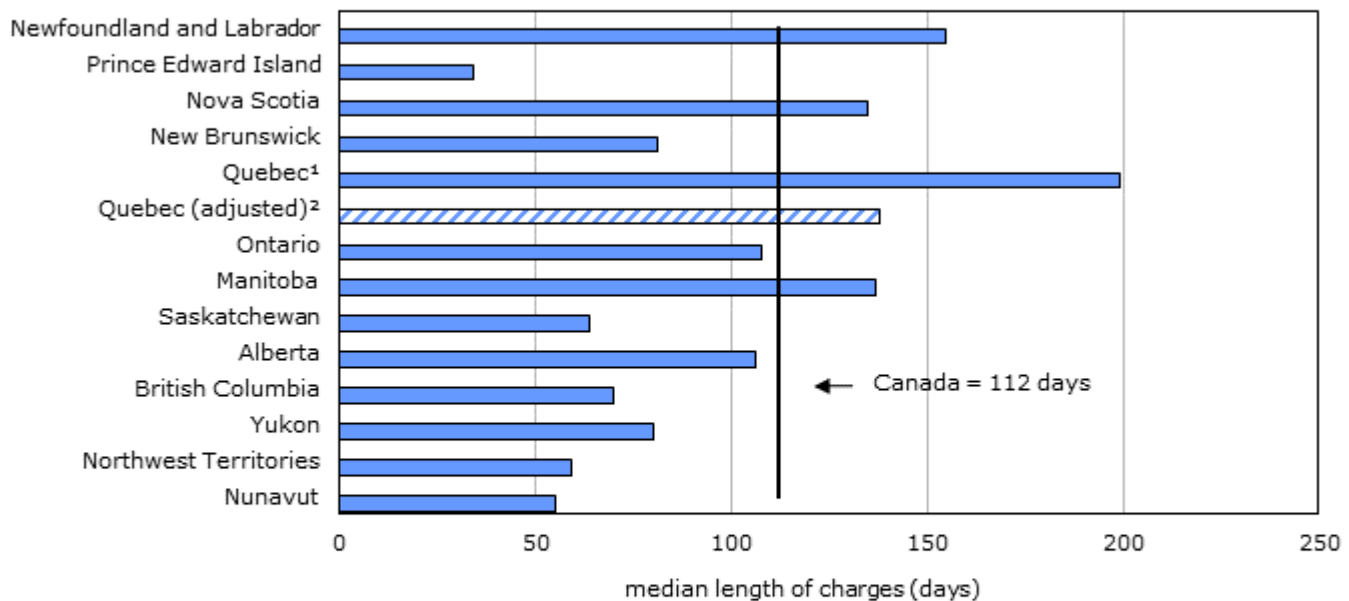
The amount of time it takes to complete adult criminal court charges varies considerably across the country. These differences may be due to a variety of factors, including but not limited to varying charge characteristics (e.g., number and types of charges, number of accused persons), different case management practices, different court structures and operating procedures (e.g., Crown and police charging practices such as pre-charge screening, Crown election, plea bargaining, the varying role of municipal courts, etc.) as well as differences in the number and availability of court resources (e.g., number of court rooms/judges/Crown lawyers, availability/access to legal aid). Even though some of these factors cannot be measured using the ICCS, they are important to keep in mind when interpreting all findings at the provincial/territorial level. Moreover, comparisons between provinces/territories should also be made with caution, since many different factors can influence variations between jurisdictions. It is generally more suitable to compare variation within a province/territory over time.

Compared with the previous year, as well as ten years ago, there was an increase in the median elapsed time it took to complete provincial court charges in most provinces and territories in 2015/2016. Most notably, in Newfoundland and Labrador, the provincial court median increased by 18 days compared with 2014/2015 (+13%), and by 56 days (+57%) compared with 2006/2007, to reach a high of 155 days in 2015/2016 (Chart 7). The median elapsed time to process a charge in Quebec also increased for most of the last decade, from a low of 151 days in 2007/2008, to a high of 203 days in 2014/2015. In contrast, the median elapsed time generally decreased in Saskatchewan, and remained more or less stable in Alberta, to reach 64 and 106 days respectively in 2015/2016.



**Chart 7****Median length of charges completed in adult criminal provincial court, by province and territory, 2015/2016**

Province and territory



1. The median length of charge completion in Quebec may be over-estimated given that data from municipal courts, which tend to handle the least serious matters, are unavailable.

2. The adjusted median in Quebec represents the estimated provincial court median in the province, if municipal court data was reported to the survey.

**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. There are many factors that may influence variations between jurisdictions, therefore, comparisons should be made with caution.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

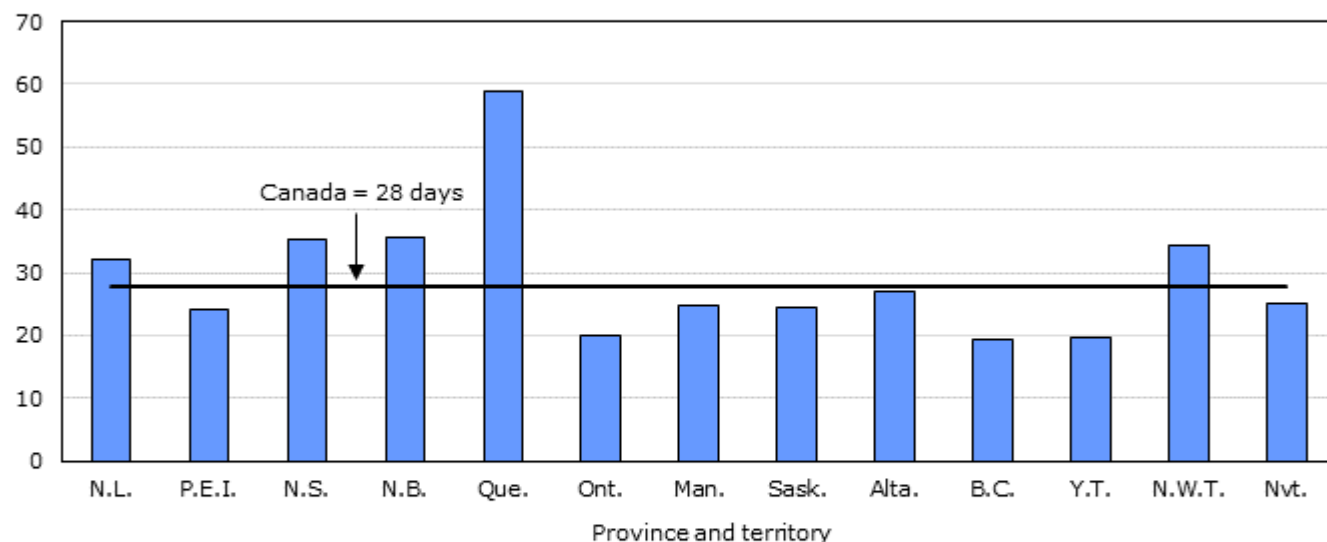
The proportion of charges over the provincial court presumptive ceiling has not changed much throughout the last decade in most provinces/territories. However, charge processing times have generally been getting longer in Quebec, and shorter in British Columbia. Over 30,000 charges took more than the presumptive ceiling to reach a final decision in Quebec in 2015/2016, which represented 17% of the provincial court charge-load in the province (Table 9), compared with around 21,000 (11%) charges in 2006/2007. In contrast, around 2,400 (2%) provincial court charges in British Columbia were above the presumptive ceiling in 2015/2016, compared with over 4,500 (4%) charges a decade prior.

The median number of appearances it took to complete a charge in provincial court has generally remained stable over the past decade, and does not vary much by jurisdiction. Most provinces and territories reported a median of 4, 5 or 6 court appearances in 2015/2016. In contrast, the average number of days between appearances fluctuated substantially throughout the country. In 2015/2016, on average, there were around 2 months (59 days) between appearances for charges completed in provincial courts in Quebec, which was 3 days longer (+5%) than the average ten years prior (Chart 8). On average there were around two and a half weeks (19 days) between appearances in British Columbia, a number which has generally been decreasing over the past decade. While Ontario recorded one of the highest median number of appearances to complete a charge (7 appearances) in 2015/2016, it reported an average of just under 3 weeks (20 days) between appearances, which was one of the lowest averages in the country.

### Chart 8

#### Average number of days between appearances of charges completed in adult criminal provincial court, by province and territory, 2015/2016

average number of days between appearances



**Note:** An appearance refers to the act of attending court, either in person or as represented by legal counsel, in response to a criminal charge(s). One appearance is counted for each unique date associated with a charge (e.g., appearances on three different days equals three charge appearances). The average number of days between appearances is calculated by subtracting one appearance date from the date of the previous appearance. The average is based on all of these calculated differences. Excludes charges with only one court appearance. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from municipal courts in Quebec due to the unavailability of data. There are many factors that may influence variations between jurisdictions, therefore, comparisons should be made with caution.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

### Charge processing in Quebec

Over the last decade, Quebec has consistently recorded the highest median elapsed time to process a charge of all the provinces and territories in the country. In 2015/2016, the median elapsed time to process a charge in Quebec provincial courts was 199 days, which was 37 days (+23%) longer than 2006/2007 (Table 10). The unavailability of municipal court data in Quebec has been identified as a likely source of this discrepancy. The Ministère de la Justice of Quebec estimates that around 14% of cases in Quebec are heard in municipal courts in the province. Therefore, in order to attempt to account for this missing data, a calculation was done to estimate what Quebec’s provincial court median elapsed time might be if municipal court data were reported to the ICCS. This was done by adding additional charges to Quebec’s completed charge counts, providing each of these charges with a length of 1 day, and then re-calculating the median.

This adjustment has the effect of significantly reducing the elapsed processing time of charges in Quebec (by 31%, to reach 138 days in 2015/2016), and presents a picture of processing times that is more complete for the province.<sup>27</sup> However, the findings after the adjustment still indicate that the elapsed time to process charges in Quebec generally still remains longer than in the other provinces and territories. It is also important to note that the reduced charge processing times in Quebec would also result in a lower national median. In 2015/2016, it is estimated that the national median would be 6% lower, at 105 days.

### Charge processing in superior courts

Superior courts in Canada hear indictable offences, related to the most serious violations such as first and second degree murder, and terrorism offences.<sup>28, 29, 30</sup> According to the provinces and territories that report superior court data to the ICCS, there were 13,105 charges completed in superior courts in 2015/2016 (+8% from the year prior) (Table 11).<sup>31</sup> These charges represented 1% of all charges reported to the Integrated Criminal Court Survey (ICCS) in 2015/2016.

Although superior court charges represent a very small proportion of the charges before the criminal courts in Canada, the characteristics of these charges are quite distinct from provincial court charges. Superior court charges represent the most

serious charges, and often receive a significant amount of media attention, and as a result, may have a greater impact on the public's opinion and sense of confidence in the efficiency of the criminal justice system. The following sections of this report analyze some of the time processing trends of superior court charges over the past decade, for those provinces and territories that report this data to the ICCS.<sup>32</sup>

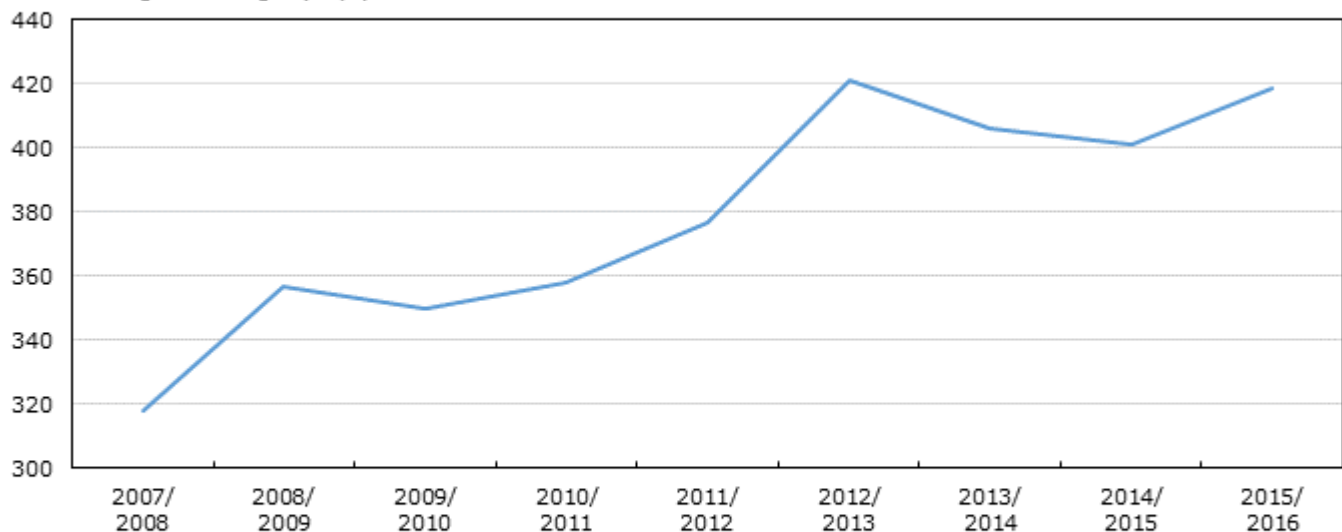
### Elapsed time increases for superior court charges, despite decline in the number of charges in 2015/2016

In 2015/2016, it took a median of 419 days to complete a charge in superior court in Canada, which was 18 days (+4%) longer than the year prior (Chart 9; Chart 10).<sup>33</sup> The median elapsed time to process charges in superior court has generally increased each year over the last nine years, and increased by 101 days (+32%) since 2007/2008.<sup>34</sup> However, for most of this time period the number of completed superior court charges generally decreased. In 2015/2016, there were 23% fewer charges completed in superior court, compared with 2007/2008.

#### Chart 9

#### Median length of charges completed in adult criminal superior court, Canada, 2007/2008 to 2015/2016

median length of charges (days)

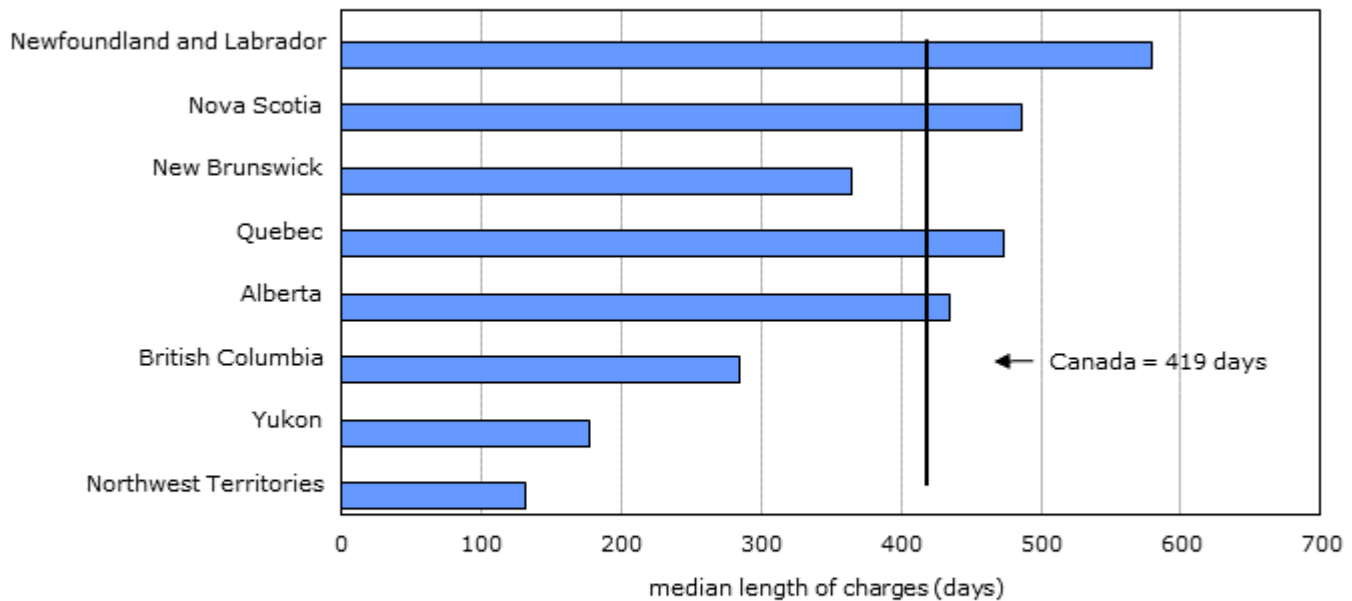


**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths. Excludes charges in which the charge length was unknown. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Chart 10**  
**Median length of charges completed in adult criminal superior court,**  
**by select province and territory, 2015/2016**

Province and territory



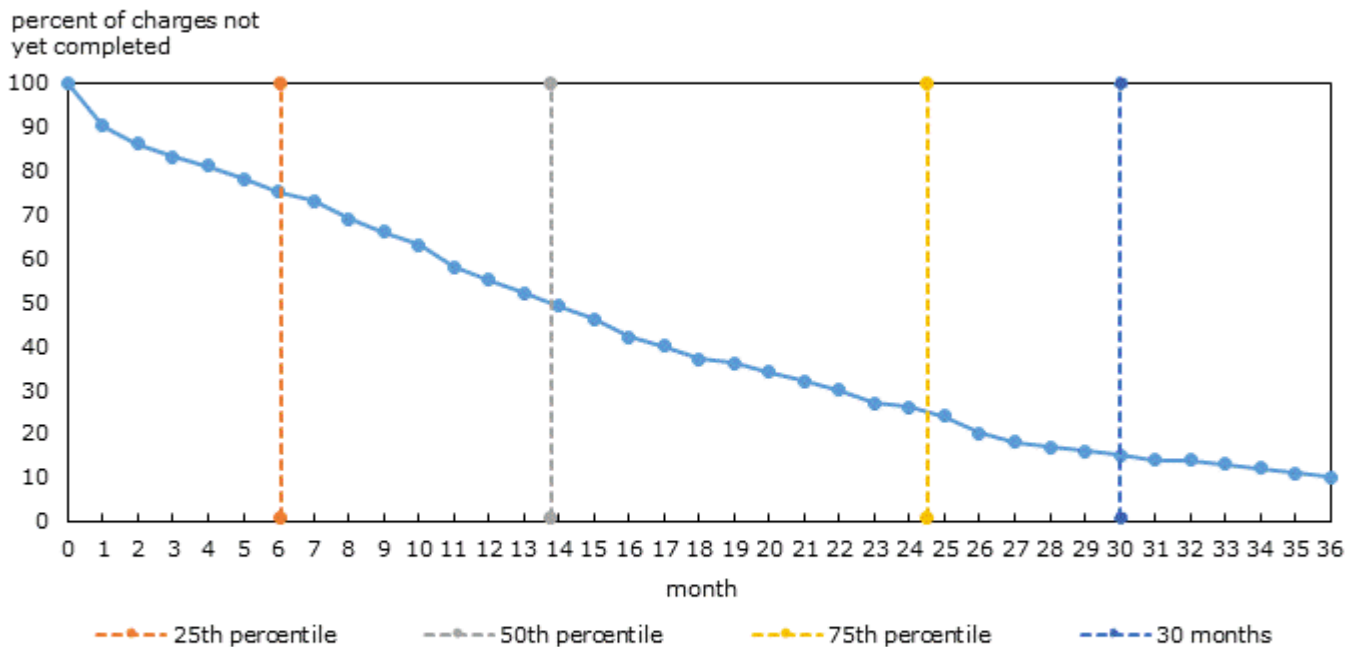
**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters. There are many factors that may influence variations between jurisdictions, therefore, comparisons should be made with caution.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**About 1 in 7 superior court charges take longer than 30 months to reach a final decision**

In 2015/2016, one-quarter (25%) of all superior court charges reported to the survey were completed within 6 months (Chart 11). There were 1,945 (15%) superior court charges that took more than the 30 month presumptive ceiling to reach a final decision in court (Table 2; Table 12). Compared with 2014/2015, there were fewer charges over the presumptive ceiling in 2015/2016 (15% compared with 17%). However, over the past nine years, superior court charges overall have generally been getting longer. In 2007/2008, 10% of all superior court charges reported to the ICCS were above the presumptive ceiling. It is important to note that the ICCS is unable to determine if the time exceeding the presumptive ceiling is attributable to the Crown or the defence.

**Chart 11**  
**Charges remaining to be completed in adult criminal superior court, by month, Canada, 2015/2016**



**Note:** Represents the proportion of charges completed in 2015/2016 that have not yet reached a final decision at a given time interval (month). Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

### Increase in the amount of time between each superior court appearance compared with 2014/2015

It took a median of 9 appearances to complete charges in superior court in 2015/2016, a number which has generally remained unchanged over the last nine years (Table 13).<sup>35</sup> On average, there were 48 days between each court appearance for charges completed in superior court in 2015/2016, which was 5 days longer than the previous year, and 3 days longer than 2007/2008.

In 2015/2016, court appearances related to completed superior court charges also occurred more frequently within the beginning stages of the court process, similar to the trend in provincial courts. Likewise, as time progressed, court appearances occurred less frequently and were more spread apart.

### Three-quarters of the superior court charges that took longer than 30 months to complete had a preliminary inquiry

In 2015/2016, there were 6,467 superior court charges with a preliminary inquiry, representing almost half (49%) of all completed superior court charges.<sup>36</sup> This represented 1,674 (54%) superior court cases. As was the case in provincial court, charges with a preliminary inquiry took more time (576 days) to reach a final decision in superior court than charges without a preliminary inquiry (290 days). Furthermore, it took more appearances to complete a superior court charge with a preliminary inquiry (11 with a preliminary inquiry, versus 7 without a preliminary inquiry), and these charges had a larger average number of days between each appearance (58 days for preliminary inquiry charges, compared with 35 days for charges without a preliminary inquiry).

Three-quarters (75%) of the charges in superior court that took more than 30 months to reach a final decision had a preliminary inquiry. However, close to half (45%) of the superior court charges that were below the presumptive ceiling also had a preliminary inquiry.

## More than 8 in 10 superior court charges that exceed the presumptive ceiling have a trial

Around half (53%) of the charges heard in superior court in 2015/2016 had at least one trial appearance scheduled (6,884 charges). This represented 1,896 (61%) superior court cases. Over three-quarters (77%) of these trial charges had more than one trial appearance. Like preliminary inquiries, charges with a trial took longer (median of 599 days) to reach a final decision than charges without a trial (median of 253 days).

More than 8 in 10 (81%) of the superior court charges that exceeded the presumptive ceiling in 2015/2016 had a trial, compared with around half (47%) of the charges that did not exceed the presumptive ceiling. This trend was also more pronounced for particular offence types. For example, 88% of the sexual assault charges completed in superior court that exceeded the presumptive ceiling had a trial.

## Superior court charges that exceed the presumptive ceiling often result in a guilty decision

In 2015/2016, superior court charges that resulted in an acquittal took longer to complete than those resulting in other types of decisions. These charges took a median of 507 days to reach a final decision, which was the longest median of all decision types. In contrast, superior court charges that resulted in a stayed decision took a median of 437 days, while guilty charges took a median of 479 days.

However, acquitted charges did not represent the largest proportion of superior court charges over the presumptive ceiling in 2015/2016. Around one in five (21%) of the superior court charges that were above the presumptive ceiling were acquitted, while guilty charges accounted for the largest proportion (40%) of these charges of all decision types. Other decisions accounted for 5% of the superior court charges that took more than 30 months to reach a final decision.

## Sexual offences take some of the longest times to complete in superior court

In 2015/2016, the high volume superior court offences of sexual assault and other sexual offences had two of the highest median elapsed times of all charges completed in superior court, at 567 and 551 days, respectively (Table 14). In contrast, other drug offences charges, which was another one of the largest contributors to the overall charge-volume in superior court, had a much lower median elapsed time to completion, at 382 days.

Weapons offences charges had one of the largest increases in processing times in 2015/2016 compared with 2014/2015. It took a median of 421 days to complete a weapons charge in superior court in 2015/2016, which was an increase of 98 days (+30%) from the previous year.

## Around 3 in 10 impaired driving and fraud charges exceed the presumptive ceiling

Five offence types accounted for over one third (39%) of all superior court charges over the presumptive ceiling in 2015/2016 – weapons (12%), major assault (7%), sexual assault (7%), other sexual offences (7%) and fraud charges (5%) (Table 15).

However, certain offence categories were proportionally more likely to exceed the presumptive ceiling. Around 3 in 10 impaired driving (28%) and fraud (29%) charges completed in superior court took more than 30 months to reach a final decision in 2015/2016. This was followed by around 1 in 5 theft (21%), sexual assault (20%) and prostitution (20%) charges. In contrast, 15% of all major assault charges completed in superior court were above the presumptive ceiling.

## Summary

This *Juristat* article looked at trends in adult criminal court processing times over the past decade, and the amount of time it takes to complete a charge, from an individual's first appearance in court to when a final decision is reached on the charge.

Most charges completed in both provincial and superior court take less time to reach a final decision than the presumptive ceiling set out in the Supreme Court of Canada *R. v. Jordan* decision. In 2015/2016, around 1 in 15 (6%) provincial court charges took longer than the presumptive ceiling to reach a final decision. One in four (25%) provincial court charges reached a final decision during the first month in court (in 30 days or less). This trend has remained fairly stable over the past decade.

The largest contributors to the group of charges above the presumptive ceiling in provincial court were impaired driving, failure to comply with a court order, fraud, common assault and weapons charges.

In 2015/2016, around 1 in 7 (15%) superior court charges took more time than the presumptive ceiling to reach a final decision. One quarter (25%) of superior court charges reached a final decision in about 6 months. Many of the superior court charges above the presumptive ceiling involved weapons, major assault, sexual assault, other sexual offences and fraud offences.

More court appearances were generally associated with longer charge completion times, and court appearances occurred more frequently at the beginning of the court process. More time between each court appearance tended to increase charge processing times. Charges also generally took longer if a preliminary inquiry or trial was involved, if there was more than one accused person, and if there were multiple charges being processed together as part of the same court case.

This article discussed some of the many factors which can impact court processing time trends, and outlined how many of them are interrelated, while others are difficult to measure using existing data sources. Improved data on many of these factors (e.g., court resources – the number of/availability of court rooms, the number of judges/Crown lawyers/court personnel, etc.) is needed in order further expand this research and more fully understand the different elements that can influence court processing times in Canadian criminal courts.

## Survey description

The Integrated Criminal Court Survey (ICCS) is administered by the Canadian Centre for Justice Statistics (Statistics Canada) in collaboration with provincial and territorial government departments responsible for criminal courts in Canada. The survey collects statistical information on adult and youth court cases involving *Criminal Code* and other federal statute offences. Data contained in this article represent the adult criminal court portion of the survey, namely, individuals who were 18 years of age or older at the time of the offence.

In 2015/2016, ICCS coverage reflected all charges completed in adult Canadian criminal courts, with the exception of superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec. These data were not available for extraction from the provinces' electronic reporting systems and therefore, were not reported to the survey.

The absence of data from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan may have resulted in an underestimation of charge elapsed times, as more serious charges generally require more court appearances and take more time to complete. In 2015/2016, superior court data reported to the survey represented around 1% of all charges completed in adult criminal court.

In addition, in Quebec, some municipal courts hear cases under Part XXVII of the *Criminal Code*, that is, summary convictions. Such cases, which correspond to an accused in an incident, are excluded from the information that Quebec transmits to Statistics Canada. According to the Ministère de la Justice of Quebec, cases heard by municipal courts account for approximately 14% of all criminal cases opened in Quebec. As a result, the median processing time for charges in Quebec may be overestimated since the data from municipal courts, which normally hear less serious charges, are not taken into account.

Charges are counted in the fiscal year in which they are completed. Every year, the Integrated Criminal Court Survey (ICCS) database is considered final at the end of March for the production of court statistics for the previous fiscal year. These counts do not include charges pending an outcome at the end of the reference period. If an outcome is reached in the next fiscal year, these charges are included in the completed counts for that fiscal year. However, charges that are inactive for one year are deemed complete and the originally published counts for the previous fiscal year are updated and reported in the next fiscal year's data release. This approach is difficult to apply in Quebec where information from the Court of Quebec and the Superior Court is reported using the Adult Criminal Court Survey national data requirements (NDR) rather than the ICCS NDR. In as much as possible, the data are converted to ICCS format during data processing; however, the conversion seems to have a negative impact on the number of annual updates. The methods that Quebec uses to send data, in contrast with the other provinces, may lead to overestimation of the median length of charges completed by Quebec courts.

## References

- Allen, Mary. 2017. "Mandatory minimum penalties: An analysis of criminal justice system outcomes for selected offences." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Carrington, P., S. Brennan, A. Matarazzo and M. Radulescu. 2013. "Co-offending in Canada, 2011." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Cromwell, T.A. and S. Anstis. 2016. "The legal services gap: Access to justice as a regulatory issue." *Queen's Law Journal*, 42:1 (accessed December 18, 2017).

- Currie, A. 2013. "A burden on the court? Self-representing accused in Canadian criminal courts." JustResearch, edition no. 11. (accessed June 30, 2017).
- Department of Justice Canada. 2015a. Canada's Court System. Catalogue no. J2-128/2015E. (accessed July 5, 2017).
- Department of Justice Canada. 2015b. Canada's System of Justice. Catalogue no. J2-128/2015. (accessed July 31, 2017).
- Department of Justice Canada. 2006. "The final report on early case consideration of the steering committee on justice efficiencies and access to the justice system". (accessed April 19, 2017).
- Department of Justice Canada. 2002. "Court site study of adult unrepresented accused in the provincial criminal courts." Legal Aid Research Series. (accessed December 18, 2017).
- Hashimoto, E.J. 2006. "Defending the right to self-representation: An empirical look at the Pro Se felony defendant." Popular Media, volume 10, pp. 8-11.
- Keighley, Kathryn. 2017. "Police-reported crime statistics in Canada, 2016." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Landsman, S. 2012. Pro Se litigation. *Annual Review of Law and Social Science*, 8: 231-253.
- MacKay, R. 2011. "Bill C-2: Fair and Efficient Criminal Trials Act." Legislative Summary. Publication no. 41-1-C2-E. Library of Parliament.
- Nunavut Courts. 2017. "Welcome." ([www.nunavutcourts.ca](http://www.nunavutcourts.ca)) (accessed September 5, 2017).
- Perreault, Samuel. 2016. "Impaired driving in Canada, 2015." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Perreault, Samuel. 2015. "Criminal victimization in Canada, 2014." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Raaflaub, W.R. 2006. "Mandatory Minimum Sentences." In Brief. Publication No. PRB 05-53E. Library of Parliament.
- Rotenberg, Cristine. 2017a. "From arrest to conviction: Court outcomes of police-reported sexual assaults in Canada, 2009 to 2014." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Rotenberg, Cristine. 2017b. "Police-reported sexual assaults in Canada, 2009 to 2014: A statistical profile." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- Rotenberg, Cristine. 2016. "Prostitution offences in Canada: Statistical trends." *Juristat*. Statistics Canada Catalogue no. 85-002-X.
- R. v. Askov*. 1990. 2 S.C.R. 1199.
- R. v. Cody*. 2017. SCC 31.
- R. v. JM*. 2017. ONCJ 4.
- R. v. Jordan*. 2016. SCC 27, [2016] 1 S.C.R. 631.
- R. v. Morin*. 1992. 71 C.C.C. (3d) 193 (S.C.C.).
- Senate Canada. 2017. "Delaying justice is denying justice: An urgent need to address lengthy court delays in Canada." *Final Report of the Standing Senate Committee on Legal and Constitutional Affairs*. (accessed July 5, 2017).
- Verdun-Jones, S. 2012. "Plea bargaining." *Criminal Justice in Canada*. 4th edition. Julian V. Roberts and Michelle G. Grossman (eds). Toronto, Ontario.
- Webster, Cheryl M. 2005. "A preliminary inquiry into the preliminary inquiry." Department of Justice Canada. (accessed January 9, 2018).
- Youth Criminal Justice Act*, S.C. 2002, c.1, s. 3 (1)(b)(ii).

## Notes

1. See *Constitution Act*, 1982. Part 1. *The Charter of Rights and Freedoms*, s. 11.
2. Such as *R. v. Askov* [1990] and *R. v. Morin* [1992].
3. The *Jordan* decision was further reaffirmed by the Supreme Court of Canada *Cody* ruling, which was released in June 2017. The court unanimously upheld the *Jordan* decision, and provided more clarity regarding exceptional circumstances, as well as how to assess the delay for those cases that were in the court system prior to the *Jordan* decision (*R. v. Cody* 2017).



4. A preliminary inquiry is a judicial hearing which is used in serious (indictable) criminal cases to determine whether the evidence assembled by the Crown against an accused person is sufficient to proceed with a trial. The preliminary inquiry is not a trial in the strict sense, although evidence is given under oath and the accused or the accused's counsel is entitled to cross examine any witnesses summoned by the Crown. Either the accused or the Crown can request a preliminary inquiry, and either party can also waive their right to a preliminary inquiry and ask the court to proceed directly to trial. A judge is responsible for weighing the evidence against an accused which is heard during the preliminary inquiry, and at the end of it, either commits them to stand trial, or dismisses the charge(s). See Department of Justice Canada 2015a.
5. ICCS data are currently not able to distinguish between preliminary inquiries which are scheduled and held, as opposed to those which may be scheduled, but are not held. For example, an accused's court appearance may have initially been for a preliminary inquiry, however the accused decides to plead guilty before the preliminary inquiry takes place.
6. Youth courts operate under the provisions of the *Youth Criminal Justice Act (YCJA)*.
7. Not all criminal incidents that are reported to the police result in a criminal charge. Similarly, not all criminal charges that are laid by the police proceed to court. According to the Uniform Crime Reporting Survey, in 2015, 26% of *Criminal Code* incidents (excluding traffic) reported to the police were cleared by charge.
8. A mega trial often involves extensive and complex evidence, multiple charges for many different accused, and many witnesses (MacKay 2011). These types of trials often occur for certain criminal matters such as organized crime, gang-related activity, and terrorism offences.
9. Quebec also has municipal courts that hear summary offences which fall under Part XXVII of the *Criminal Code*. Cases heard by municipal courts account for approximately 14% of all criminal cases opened in the province within a given year. At the present time, municipal court data from Quebec are not collected by the Integrated Criminal Court Survey (ICCS).
10. Offences which fall under s. 553 of the *Criminal Code* are heard exclusively in provincial court.
11. This analysis is based on those jurisdictions that report relatively complete legal representation data to the ICCS.
12. Legal representation includes legal aid, duty counsel, court appointed counsel, retained private counsel and other legal representation. No legal representation includes self-representation.
13. Three datasets were utilized in the analysis presented in this text box. The first dataset contained adult criminal court cases completed between 2010/2011 and 2014/2015, in which the most serious offence in the case was impaired driving. The other two datasets contained a police-charged sexual assault or physical assault incident that occurred between 2010 and 2014 and had proceeded to court. For further information on the details of these datasets, see Perreault 2016 and Rotenberg 2017a.
14. The unit of count for the analysis in this text box is a case. A case is defined as one or more charges against an accused person that were processed by the courts at the same time and received a final decision. Cases with more than one charge are represented by the most serious offence.
15. Time calculations are based on the length of the specific charge that was selected as the most serious offence (MSO) in the case. In most instances, the length of the MSO charge was equal to the length of all the combined charges within a case.
16. These findings exclude incidents that the police did not clear by charge. For instance, if the police deem a sexual assault 'unfounded', the incident will not result with the laying of a charge, and consequently, the accused will not end up in court.
17. The *Jordan* decision did not explicitly set out a presumptive ceiling for youth court cases. However, an Ontario lawyer representing a youth accused in *R. v. J.M.* [2017] argued that the ceiling should be lower for youth, and that the *Jordan* guidelines should be applied differently in youth court cases. The judge ruling on the 11(b) application ultimately agreed with this argument, and upon assessing the delay in the case, stayed three of the four charges because of unreasonable delay.
18. It is important to note that the statistical trends that are presented in this report remained consistent when using a case, as opposed to a charge, as the analytical unit of count.
19. Charges with a preliminary inquiry are counted at the court level where the final decision was rendered. There may be an underestimation of the number of preliminary inquiries in those jurisdictions that do not report superior court data to the survey, because the final decision generally occurs in superior court. However, if for example, the accused is discharged after a preliminary inquiry in provincial court, or if the Crown withdraws the charge in provincial court, then the charge is still included in the completed provincial court charge counts.
20. Summary offences are not eligible for a preliminary inquiry. At the present time, the ICCS is unable to determine the total number of indictable offences (either pure indictable, or hybrids in which the Crown has elected to proceed by indictment) which are eligible for a preliminary inquiry. This limitation has an inevitable impact on the interpretation of the results in provincial court, since all offence types are not eligible for a preliminary inquiry, and within an offence category, only charges that have proceeded by indictment are eligible.

21. Guilty findings include a finding of guilt imposed by the court, as well as guilty pleas, and cases where an absolute or conditional discharge has been imposed.
22. The ICCS is currently unable to distinguish between permanent judicial stays, and prosecutorial stays, in which the charge(s) may be reinitiated within one year. The ICCS is also unable to determine the reasons for staying a charge, such as a section 11(b) *Charter* violation.
23. For further information on prostitution, see Rotenberg 2016.
24. For further information on mandatory minimum penalties, see Allen 2017.
25. A plea bargain is an agreement between the accused and the prosecutor, wherein the accused pleads guilty in exchange for the prosecutor agreeing to take a particular course of action (Verdun-Jones 2012).
26. Counts related to the number of accused persons exclude data from Prince Edward Island and Quebec, due to the unavailability of data. These counts also exclude charges in which the number of accused was unknown or not available.
27. It is estimated that 15% of provincial court charges in Quebec would be over the presumptive ceiling if municipal court data was reported to the survey.
28. In Nunavut, there is one single level of court (unified trial court) in which judges hear all matters from territorial and superior courts. For more information, see Nunavut Courts 2017.
29. Superior court refers to the Supreme Court in Newfoundland and Labrador, Prince Edward Island, Nova Scotia, British Columbia, Yukon and the Northwest Territories; the Court of Queen's Bench in Alberta, New Brunswick, Manitoba and Saskatchewan; the Superior Court in Quebec; and the Superior Court of Justice in Ontario.
30. The most serious indictable offences fall under s. 469 of the *Criminal Code*, and are under exclusive jurisdiction of superior courts, meaning that superior court judges are the only ones that have authority to hear these charges. Examples of *Criminal Code* s. 469 offences include murder (s. 235), treason (s. 47), and piracy (s. 74), among others.
31. Superior court counts do not include data from Prince Edward Island, Ontario, Manitoba and Saskatchewan. At the present time, these data are not available for extraction from the provinces' electronic reporting systems and therefore, are not reported to the survey. It is estimated that this missing data represented approximately 14,162 completed charges in 2015/2016. If these charges were taken into account, superior court charges would represent approximately 2.4% of all completed charges in that year.
32. Comparisons between time processing trends in provincial and superior court should be made with caution, since certain provinces currently do not report superior court data to the ICCS. Furthermore, different offence compositions in each level of court, as well as other factors such as the availability of court resources, make comparability difficult.
33. To reiterate, this excludes superior court data from Prince Edward Island, Ontario, Manitoba and Saskatchewan, which are currently not reported to the survey. Nunavut is also excluded, because there is one, single, unified level of court in the territory.
34. A nine year trend was utilized for the analysis of superior court charges, due to reporting limitations related to the number of superior court charges completed in Quebec in 2006/2007. This limitation underestimates the number of superior court charges in the province, which has an inevitable impact on the national and Quebec superior court medians in that particular year.
35. Most superior court charges start in provincial court before being transferred to superior court. However, for the analytical purposes of this report, the number of appearances for superior court charges represents a sum of all appearances which were associated with a charge completed in superior court, regardless of whether the initial appearances occurred in provincial court.
36. Comparisons between the proportions of superior and provincial court charges with a preliminary inquiry should be made with caution, since only indictable offences are eligible for a preliminary inquiry. Superior court does not hear summary offences, while provincial court hears both types of offences.

## Detailed data tables

**Table 1**  
**Appearances, charges and cases completed in adult criminal provincial court, Canada, 2006/2007 to 2015/2016**

Year	Total appearances <sup>1</sup>		Total charges <sup>2</sup>		Total cases <sup>3</sup>	
	number	percent change from previous year	number	percent change from previous year	number	percent change from previous year
2006/2007	7,823,625	...	1,103,511	...	378,742	...
2007/2008	8,187,715	4.7	1,134,482	2.8	388,744	2.6
2008/2009	8,604,029	5.1	1,168,775	3.0	394,088	1.4
2009/2010	8,606,133	0.0	1,207,735	3.3	405,921	3.0
2010/2011	8,543,374	-0.7	1,208,282	0.0	406,153	0.1
2011/2012	8,508,124	-0.4	1,180,831	-2.3	390,601	-3.8
2012/2013	8,461,511	-0.5	1,167,709	-1.1	383,836	-1.7
2013/2014	8,176,073	-3.4	1,121,542	-4.0	375,648	-2.1
2014/2015	7,962,608	-2.6	1,064,335	-5.1	348,802	-7.1
2015/2016	8,448,483	6.1	1,107,554	4.1	339,175	-2.8

... not applicable

1. An appearance refers to the act of attending court, either in person or as represented by legal counsel, in response to a criminal charge(s). One appearance is counted for each unique date associated with a charge (e.g., appearances on three different days equals three charge appearances).

2. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

3. A case is one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data. Also excludes charges/cases in which the length was unknown.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 2**  
**Charges completed in adult criminal court, under and over presumptive ceiling, by court level, Canada, 2006/2007 to 2015/2016**

Year	Provincial court				Superior court			
	Under presumptive ceiling		Over presumptive ceiling <sup>1</sup>		Under presumptive ceiling		Over presumptive ceiling <sup>1</sup>	
	number	percent	number	percent	number	percent	number	percent
2006/2007	1,038,419	94.1	65,092	5.9	5,600	92.2	476	7.8
2007/2008	1,064,291	93.8	70,191	6.2	15,327	90.0	1,700	10.0
2008/2009	1,101,478	94.2	67,297	5.8	16,261	87.7	2,288	12.3
2009/2010	1,135,064	94.0	72,671	6.0	14,762	89.7	1,694	10.3
2010/2011	1,137,255	94.1	71,027	5.9	14,731	89.3	1,774	10.7
2011/2012	1,106,000	93.7	74,831	6.3	13,599	88.7	1,734	11.3
2012/2013	1,093,578	93.7	74,131	6.3	12,107	82.9	2,502	17.1
2013/2014	1,045,977	93.3	75,565	6.7	10,910	84.3	2,028	15.7
2014/2015	993,622	93.4	70,713	6.6	10,084	82.8	2,092	17.2
2015/2016	1,039,852	93.9	67,702	6.1	11,160	85.2	1,945	14.8

1. In provincial court, charges completed in more than 18 months (without a preliminary inquiry) or more than 30 months (with a preliminary inquiry) are over the presumptive ceiling. In superior court, charges completed in more than 30 months (with or without a preliminary inquiry) are over the presumptive ceiling.

**Note:** In 2006/2007, the number of superior court charges is underestimated and the number of provincial court charges is overestimated, due to data reporting limitations in Quebec. This has an inevitable impact on the proportion of charges under/over the presumptive ceiling in that particular year. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec due to the unavailability of data. Also excludes charges in which the length was unknown.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 3**  
**Number of appearances, median number of appearances, and average number of days between appearances for charges completed in adult criminal provincial court, Canada, 2014/2015 and 2015/2016**

Type of offence <sup>1</sup>	2014/2015			2015/2016			Percent change in number of appearances	Difference in median number of appearances	Difference in average number of days between appearances
	number of appearances <sup>2</sup>	median number of appearances <sup>3</sup>	average number of days between appearances <sup>4</sup>	number of appearances <sup>2</sup>	median number of appearances <sup>3</sup>	average number of days between appearances <sup>4</sup>			
<b>Violent offences</b>	<b>1,702,932</b>	<b>7</b>	<b>31</b>	<b>1,774,478</b>	<b>7</b>	<b>30</b>	<b>4</b>	<b>0</b>	<b>-1</b>
Homicide	3,500	8	26	2,461	9	26	-30	1	0
Attempted murder	5,625	10	21	6,160	10	22	10	0	1
Robbery	89,607	10	24	88,494	10	23	-1	0	-1
Sexual assault	81,978	9	33	87,484	9	32	7	0	-1
Other sexual offences <sup>5</sup>	121,787	9	32	130,809	10	31	7	1	-1
Major assault <sup>6</sup>	371,397	7	30	393,723	7	29	6	0	-1
Common assault	579,423	6	31	595,121	6	30	3	0	-1
Uttering threats	309,130	6	32	315,678	6	31	2	0	-1
Criminal harassment	61,775	6	33	69,035	6	32	12	0	-1
Other violent offences	78,710	7	29	85,513	7	28	9	0	-1
<b>Property offences</b>	<b>1,972,891</b>	<b>6</b>	<b>27</b>	<b>2,109,688</b>	<b>6</b>	<b>26</b>	<b>7</b>	<b>0</b>	<b>-1</b>
Theft <sup>7</sup>	504,871	5	27	534,601	5	25	6	0	-2
Break and enter	230,494	8	25	245,875	7	24	7	-1	-1
Fraud	472,006	8	31	492,322	8	29	4	0	-2
Mischief	271,850	6	28	292,731	6	27	8	0	-1
Possess stolen property	412,111	7	23	460,819	7	23	12	0	0
Other property offences	81,559	8	24	83,340	8	23	2	0	-1
<b>Administration of justice offences</b>	<b>2,138,889</b>	<b>5</b>	<b>23</b>	<b>2,320,457</b>	<b>5</b>	<b>22</b>	<b>8</b>	<b>0</b>	<b>-1</b>
Fail to appear	108,752	4	22	127,999	4	21	18	0	-1
Breach of probation	744,440	5	22	802,931	5	21	8	0	-1
Unlawfully at large	33,293	3	32	40,393	3	29	21	0	-3
Fail to comply with order	1,088,508	5	22	1,167,843	5	22	7	0	0
Other administration of justice offences	163,896	5	30	181,291	5	28	11	0	-2
<b>Other Criminal Code offences</b>	<b>587,725</b>	<b>8</b>	<b>27</b>	<b>665,834</b>	<b>8</b>	<b>27</b>	<b>13</b>	<b>0</b>	<b>0</b>
Weapons	439,703	8	25	515,342	8	26	17	0	1
Prostitution	11,005	8	32	10,863	10	25	-1	2	-7
Disturbing the peace	25,392	4	26	25,619	4	25	1	0	-1
Residual <i>Criminal Code</i> offences	111,625	7	32	114,010	7	30	2	0	-2
<b><i>Criminal Code</i> (excluding traffic)</b>	<b>6,402,437</b>	<b>6</b>	<b>27</b>	<b>6,870,457</b>	<b>6</b>	<b>26</b>	<b>7</b>	<b>0</b>	<b>-1</b>
<b><i>Criminal Code</i> traffic offences</b>	<b>616,110</b>	<b>4</b>	<b>46</b>	<b>617,448</b>	<b>4</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>-2</b>
Impaired driving	460,467	4	51	446,477	4	49	-3	0	-2
Other <i>Criminal Code</i> traffic offences	155,643	6	32	170,971	6	30	10	0	-2
<b>Total <i>Criminal Code</i> offences</b>	<b>7,018,547</b>	<b>6</b>	<b>28</b>	<b>7,487,905</b>	<b>6</b>	<b>27</b>	<b>7</b>	<b>0</b>	<b>-1</b>
<b>Other federal statute offences</b>	<b>944,061</b>	<b>6</b>	<b>35</b>	<b>960,578</b>	<b>6</b>	<b>34</b>	<b>2</b>	<b>0</b>	<b>-1</b>
Drug possession	277,998	5	24	298,597	6	23	7	1	-1
Other drug offences <sup>8</sup>	273,266	9	25	278,344	9	25	2	0	0
<i>Youth Criminal Justice Act</i>	40,052	5	19	38,119	5	19	-5	0	0
Residual federal statute offences	352,745	5	55	345,518	5	53	-2	0	-2
<b>Total offences</b>	<b>7,962,608</b>	<b>6</b>	<b>29</b>	<b>8,448,483</b>	<b>6</b>	<b>28</b>	<b>6</b>	<b>0</b>	<b>-1</b>

1. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

2. An appearance refers to the act of attending court, either in person or as represented by legal counsel, in response to a criminal charge(s). One appearance is counted for each unique date associated with a charge (e.g., appearances on three different days equals three charge appearances).

3. The median is the point at which half of all charges had more court appearances and half had fewer court appearances.

4. The average number of days between appearances is calculated by subtracting one appearance date from the date of the previous appearance. The average is based on all of these calculated differences. Excludes charges with only one court appearance.

5. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

6. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

7. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

8. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 4**  
**Charges completed in adult criminal provincial court, by preliminary inquiry, type of offence, Canada, 2015/2016**

Type of offence	No preliminary inquiry		Preliminary inquiry <sup>1, 2</sup>	
	number <sup>3</sup>	median length of charge (days) <sup>4</sup>	number <sup>3</sup>	median length of charge (days) <sup>4</sup>
<b>Violent offences</b>	<b>203,670</b>	<b>154</b>	<b>10,226</b>	<b>375</b>
Homicide	186	130	56	396
Attempted murder	395	142	111	317
Robbery	6,462	155	970	397
Sexual assault	6,783	223	1,305	400
Other sexual offences <sup>5</sup>	9,931	246	1,567	463
Major assault <sup>6</sup>	42,714	161	2,285	369
Common assault	80,459	141	1,448	348
Uttering threats	40,369	142	1,290	316
Criminal harassment	8,151	161	287	355
Other violent offences	8,220	158	907	336
<b>Property offences</b>	<b>247,540</b>	<b>113</b>	<b>6,532</b>	<b>466</b>
Theft <sup>7</sup>	77,682	83	754	468
Break and enter	23,724	130	1,191	356
Fraud	48,437	162	1,916	624
Mischief	39,396	116	505	365
Possess stolen property	50,232	112	1,753	432
Other property offences	8,069	120	413	436
<b>Administration of justice offences</b>	<b>348,217</b>	<b>64</b>	<b>2,784</b>	<b>303</b>
Fail to appear	21,658	59	34	330
Breach of probation	118,010	60	819	274
Unlawfully at large	9,784	9	32	202
Fail to comply with order	173,722	66	1,448	309
Other administration of justice offences	25,043	99	451	420
<b>Other Criminal Code offences</b>	<b>62,034</b>	<b>139</b>	<b>6,903</b>	<b>454</b>
Weapons	46,482	147	5,399	427
Prostitution	581	196	281	464
Disturbing the peace	4,363	66	13	319
Residual <i>Criminal Code</i> offences	10,608	128	1,210	545
<b><i>Criminal Code</i> (excluding traffic)</b>	<b>861,461</b>	<b>101</b>	<b>26,445</b>	<b>407</b>
<b><i>Criminal Code</i> traffic offences</b>	<b>101,078</b>	<b>117</b>	<b>875</b>	<b>479</b>
Impaired driving	80,009	108	419	540
Other <i>Criminal Code</i> traffic offences	21,069	137	456	433
<b>Total <i>Criminal Code</i> offences</b>	<b>962,539</b>	<b>102</b>	<b>27,320</b>	<b>408</b>
<b>Other federal statute offences</b>	<b>110,317</b>	<b>130</b>	<b>7,378</b>	<b>532</b>
Drug possession	37,796	101	1,013	402
Other drug offences <sup>8</sup>	21,900	179	2,561	429
<i>Youth Criminal Justice Act</i>	5,456	67	40	433
Residual federal statute offences	45,165	159	3,764	729
<b>Total offences</b>	<b>1,072,856</b>	<b>106</b>	<b>34,698</b>	<b>433</b>

1. A preliminary inquiry is a judicial hearing which is used in serious criminal cases to determine whether the evidence assembled by the Crown against an accused person is sufficient to proceed with a trial. The preliminary inquiry is not a trial in the strict sense, although evidence is given upon oath and the accused or the accused's counsel is entitled to cross examine any witnesses summoned by the Crown.

2. ICCS data is currently not able to distinguish between preliminary inquiries which are scheduled and held, as opposed to those which may be scheduled, but are not held. For example, an accused's court appearance may have initially been for a preliminary inquiry, however the accused decides to plead guilty before the preliminary inquiry takes place.

3. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

4. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths.

5. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

6. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

7. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

8. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 5**  
**Charges completed in adult criminal provincial court, by trial, type of offence, Canada, 2015/2016**

Type of offence	No trial		Trial <sup>1</sup>	
	number <sup>2</sup>	median length of charge (days) <sup>3</sup>	number <sup>2</sup>	median length of charge (days) <sup>3</sup>
<b>Violent offences</b>	<b>128,555</b>	<b>99</b>	<b>85,341</b>	<b>263</b>
Homicide	201	151	41	363
Attempted murder	356	146	150	295
Robbery	5,153	134	2,279	297
Sexual assault	4,592	167	3,496	368
Other sexual offences <sup>4</sup>	6,949	196	4,549	409
Major assault <sup>5</sup>	26,899	104	18,100	268
Common assault	50,312	87	31,595	240
Uttering threats	24,100	81	17,559	246
Criminal harassment	4,548	92	3,890	277
Other violent offences	5,445	108	3,682	266
<b>Property offences</b>	<b>191,048</b>	<b>81</b>	<b>63,024</b>	<b>263</b>
Theft <sup>6</sup>	63,320	60	15,116	244
Break and enter	17,371	98	7,544	252
Fraud	35,725	116	14,628	325
Mischief	28,606	78	11,295	236
Possess stolen property	39,743	85	12,242	259
Other property offences	6,283	85	2,199	267
<b>Administration of justice offences</b>	<b>282,889</b>	<b>44</b>	<b>68,112</b>	<b>204</b>
Fail to appear	19,646	49	2,046	210
Breach of probation	92,278	38	26,551	189
Unlawfully at large	8,414	6	1,402	163
Fail to comply with order	144,234	48	30,936	205
Other administration of justice offences	18,317	59	7,177	261
<b>Other Criminal Code offences</b>	<b>47,382</b>	<b>107</b>	<b>21,555</b>	<b>294</b>
Weapons	35,246	118	16,635	286
Prostitution	509	169	353	461
Disturbing the peace	3,526	45	850	225
Residual <i>Criminal Code</i> offences	8,101	101	3,717	338
<b><i>Criminal Code</i> (excluding traffic)</b>	<b>649,874</b>	<b>68</b>	<b>238,032</b>	<b>247</b>
<b><i>Criminal Code</i> traffic offences</b>	<b>63,276</b>	<b>46</b>	<b>38,677</b>	<b>310</b>
Impaired driving	48,904	36	31,524	318
Other <i>Criminal Code</i> traffic offences	14,372	87	7,153	281
<b>Total <i>Criminal Code</i> offences</b>	<b>713,150</b>	<b>65</b>	<b>276,709</b>	<b>255</b>
<b>Other federal statute offences</b>	<b>75,668</b>	<b>80</b>	<b>42,027</b>	<b>315</b>
Drug possession	31,059	78	7,750	273
Other drug offences <sup>7</sup>	17,162	151	7,299	329
<i>Youth Criminal Justice Act</i>	4,930	56	566	201
Residual federal statute offences	22,517	29	26,412	337
<b>Total offences</b>	<b>788,818</b>	<b>66</b>	<b>318,736</b>	<b>262</b>

1. The number of trials is based on charges that had at least one trial appearance that was scheduled and/or held.

2. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

3. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths.

4. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

5. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

6. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

7. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 6**  
**Charges completed in adult criminal provincial court, by type of offence and decision,**  
**Canada, 2015/2016**

Type of offence	Guilty <sup>1</sup>		Stayed <sup>2</sup>		Withdrawn <sup>3</sup>		Acquitted		Other decisions <sup>4</sup>		Total charges	
	number <sup>5</sup>	median length of charge (days) <sup>6</sup>	number <sup>5</sup>	median length of charge (days) <sup>6</sup>	number <sup>5</sup>	median length of charge (days) <sup>6</sup>	number <sup>5</sup>	median length of charge (days) <sup>6</sup>	number <sup>5</sup>	median length of charge (days) <sup>6</sup>	number <sup>5</sup>	median length of charge (days) <sup>6</sup>
<b>Violent offences</b>	<b>72,607</b>	<b>142</b>	<b>37,423</b>	<b>164</b>	<b>84,473</b>	<b>157</b>	<b>15,844</b>	<b>283</b>	<b>3,549</b>	<b>95</b>	<b>213,896</b>	<b>162</b>
Homicide	52	235	48	371	132	174	1	251	9	1	242	196
Attempted murder	34	290	92	168	329	193	17	305	34	234	506	201
Robbery	2,780	200	1,187	200	3,134	160	217	316	114	6	7,432	183
Sexual assault	1,644	301	1,750	268	4,023	213	513	412	158	196	8,088	255
Other sexual offences <sup>7</sup>	3,544	304	1,976	271	5,373	237	447	485	158	101	11,498	270
Major assault <sup>8</sup>	14,726	154	8,896	180	17,607	157	3,023	288	747	102	44,999	169
Common assault	31,789	125	13,443	141	30,024	148	5,559	262	1,092	77	81,907	144
Uttering threats	13,798	117	7,370	147	15,471	143	4,301	277	719	106	41,659	148
Criminal harassment	2,546	152	884	162	3,664	146	1,038	303	306	99	8,438	166
Other violent offences	1,694	183	1,777	178	4,716	156	728	285	212	99	9,127	174
<b>Property offences</b>	<b>98,874</b>	<b>101</b>	<b>38,704</b>	<b>113</b>	<b>108,444</b>	<b>129</b>	<b>4,628</b>	<b>335</b>	<b>3,422</b>	<b>69</b>	<b>254,072</b>	<b>118</b>
Theft <sup>9</sup>	42,245	78	11,790	90	22,654	90	951	316	796	64	78,436	85
Break and enter	11,151	140	3,472	132	9,192	133	827	309	273	35	24,915	140
Fraud	15,034	160	6,858	156	26,573	176	705	543	1,183	83	50,353	169
Mischief	15,884	99	6,099	120	16,041	125	1,325	283	552	74	39,901	118
Possess stolen property	12,012	102	8,829	106	30,067	126	603	380	474	54	51,985	118
Other property offences	2,548	131	1,656	105	3,917	129	217	428	144	127	8,482	129
<b>Administration of justice offences</b>	<b>160,643</b>	<b>60</b>	<b>60,767</b>	<b>65</b>	<b>121,159</b>	<b>69</b>	<b>5,412</b>	<b>191</b>	<b>3,020</b>	<b>39</b>	<b>351,001</b>	<b>65</b>
Fail to appear	9,944	57	2,571	50	8,851	64	68	159	258	22	21,692	59
Breach of probation	56,469	58	19,065	59	40,687	62	1,772	189	836	30	118,829	61
Unlawfully at large	4,952	11	3,159	4	1,411	41	263	105	31	17	9,816	9
Fail to comply with order	76,912	60	31,700	72	62,436	72	2,746	191	1,376	60	175,170	68
Other administration of justice offences	12,366	93	4,272	113	7,774	106	563	309	519	24	25,494	101
<b>Other Criminal Code offences</b>	<b>17,711</b>	<b>138</b>	<b>13,527</b>	<b>184</b>	<b>34,921</b>	<b>152</b>	<b>1,858</b>	<b>375</b>	<b>920</b>	<b>104</b>	<b>68,937</b>	<b>158</b>
Weapons	11,829	148	10,996	196	27,178	158	1,353	371	525	94	51,881	168
Prostitution	120	235	88	365	611	209	29	487	14	143	862	231
Disturbing the peace	1,926	50	768	92	1,590	78	46	182	46	85	4,376	66
Residual <i>Criminal Code</i> offences	3,836	157	1,675	151	5,542	139	430	408	335	114	11,818	152
<b>Criminal Code (excluding traffic)</b>	<b>349,835</b>	<b>89</b>	<b>150,421</b>	<b>108</b>	<b>348,997</b>	<b>114</b>	<b>27,742</b>	<b>280</b>	<b>10,911</b>	<b>68</b>	<b>887,906</b>	<b>106</b>
<b>Criminal Code traffic offences</b>	<b>46,879</b>	<b>101</b>	<b>15,237</b>	<b>141</b>	<b>34,068</b>	<b>106</b>	<b>4,732</b>	<b>387</b>	<b>1,037</b>	<b>123</b>	<b>101,953</b>	<b>119</b>
Impaired driving	35,712	85	12,945	137	26,832	99	4,173	393	766	142	80,428	109
Other <i>Criminal Code</i> traffic offences	11,167	139	2,292	155	7,236	134	559	343	271	97	21,525	141
<b>Total Criminal Code offences</b>	<b>396,714</b>	<b>91</b>	<b>165,658</b>	<b>111</b>	<b>383,065</b>	<b>114</b>	<b>32,474</b>	<b>292</b>	<b>11,948</b>	<b>72</b>	<b>989,859</b>	<b>107</b>
<b>Other federal statute offences</b>	<b>55,476</b>	<b>143</b>	<b>15,158</b>	<b>153</b>	<b>39,348</b>	<b>133</b>	<b>3,769</b>	<b>339</b>	<b>3,944</b>	<b>136</b>	<b>117,695</b>	<b>146</b>
Drug possession	15,230	94	5,670	113	17,569	113	103	294	237	29	38,809	106
Other drug offences <sup>10</sup>	5,748	253	3,851	212	14,459	177	161	434	242	29	24,461	202
<i>Youth Criminal Justice Act</i>	2,037	64	1,410	64	2,000	71	21	285	28	44	5,496	68
Residual federal statute offences	32,461	170	4,227	255	5,320	142	3,484	342	3,437	169	48,929	185
<b>Total offences</b>	<b>452,190</b>	<b>95</b>	<b>180,816</b>	<b>114</b>	<b>422,413</b>	<b>115</b>	<b>36,243</b>	<b>296</b>	<b>15,892</b>	<b>83</b>	<b>1,107,554</b>	<b>112</b>

1. Guilty findings include guilty of the offence, of an included offence, of an attempt of the offence, or of an attempt of an included offence. Also includes guilty pleas, and cases where an absolute or conditional discharge has been imposed.

2. Includes stays as well as court referrals to alternative or extrajudicial measures and restorative justice programs.

3. Includes withdrawals, dismissals and discharges at preliminary inquiry.

4. Includes final decisions of found not criminally responsible and waived out of province or territory. Also includes any order where a conviction was not recorded, the court's acceptance of a special plea, cases that raise *Charter* arguments and cases where the accused was found unfit to stand trial.

5. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

6. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths.

7. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

8. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

9. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

10. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 7**  
**Charges completed in adult criminal provincial court, by type of offence, Canada,**  
**2014/2015 to 2015/2016**

Type of offence	2014/2015		2015/2016		Percent change in number of charges	Difference in median length of charges
	number <sup>1</sup>	median length of charge (days) <sup>2</sup>	number <sup>1</sup>	median length of charge (days) <sup>2</sup>		
<b>Violent offences</b>	<b>209,284</b>	<b>162</b>	<b>213,896</b>	<b>162</b>	<b>2</b>	<b>0</b>
Homicide	322	192	242	196	-25	4
Attempted murder	431	197	506	201	17	4
Robbery	7,515	196	7,432	183	-1	-13
Sexual assault	7,527	264	8,088	255	7	-9
Other sexual offences <sup>3</sup>	10,836	260	11,498	270	6	10
Major assault <sup>4</sup>	43,168	168	44,999	169	4	1
Common assault	81,489	142	81,907	144	1	2
Uttering threats	41,433	148	41,659	148	1	0
Criminal harassment	8,049	161	8,438	166	5	5
Other violent offences	8,514	171	9,127	174	7	3
<b>Property offences</b>	<b>243,108</b>	<b>118</b>	<b>254,072</b>	<b>118</b>	<b>5</b>	<b>0</b>
Theft <sup>5</sup>	76,486	81	78,436	85	3	4
Break and enter	24,270	142	24,915	140	3	-2
Fraud	50,138	172	50,353	169	0	-3
Mischief	37,998	116	39,901	118	5	2
Possess stolen property	46,514	121	51,985	118	12	-3
Other property offences	7,702	155	8,482	129	10	-26
<b>Administration of justice offences</b>	<b>328,781</b>	<b>63</b>	<b>351,001</b>	<b>65</b>	<b>7</b>	<b>2</b>
Fail to appear	18,577	53	21,692	59	17	6
Breach of probation	113,449	58	118,829	61	5	3
Unlawfully at large	8,451	13	9,816	9	16	-4
Fail to comply with order	164,553	65	175,170	68	6	3
Other administration of justice offences	23,751	100	25,494	101	7	1
<b>Other Criminal Code offences</b>	<b>60,594</b>	<b>165</b>	<b>68,937</b>	<b>158</b>	<b>14</b>	<b>-7</b>
Weapons	43,559	175	51,881	168	19	-7
Prostitution	1,140	191	862	231	-24	40
Disturbing the peace	4,506	71	4,376	66	-3	-5
Residual <i>Criminal Code</i> offences	11,389	174	11,818	152	4	-22
<b><i>Criminal Code</i> (excluding traffic)</b>	<b>841,767</b>	<b>107</b>	<b>887,906</b>	<b>106</b>	<b>5</b>	<b>-1</b>
<b><i>Criminal Code</i> traffic offences</b>	<b>102,180</b>	<b>121</b>	<b>101,953</b>	<b>119</b>	<b>0</b>	<b>-2</b>
Impaired driving	81,887	113	80,428	109	-2	-4
Other <i>Criminal Code</i> traffic offences	20,293	143	21,525	141	6	-2
<b>Total <i>Criminal Code</i> offences</b>	<b>943,947</b>	<b>107</b>	<b>989,859</b>	<b>107</b>	<b>5</b>	<b>0</b>
<b>Other federal statute offences</b>	<b>120,388</b>	<b>148</b>	<b>117,695</b>	<b>146</b>	<b>-2</b>	<b>-2</b>
Drug possession	37,639	99	38,809	106	3	7
Other drug offences <sup>6</sup>	24,688	202	24,461	202	-1	0
<i>Youth Criminal Justice Act</i>	5,519	70	5,496	68	0	-2
Residual federal statute offences	52,542	191	48,929	185	-7	-6
<b>Total offences</b>	<b>1,064,335</b>	<b>112</b>	<b>1,107,554</b>	<b>112</b>	<b>4</b>	<b>0</b>

1. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

2. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths.

3. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

4. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

5. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

6. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.



**Table 8**  
**Charges completed in adult criminal provincial court, under and over presumptive ceiling, by type of offence, Canada, 2014/2015 to 2015/2016**

Type of offence	2014/2015		2015/2016		Percent change in number of under presumptive ceiling charges	Percent change in number of over presumptive ceiling charges
	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup> number <sup>2,3</sup>	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>		
<b>Violent offences</b>	<b>194,744</b>	<b>14,540</b>	<b>199,495</b>	<b>14,401</b>	<b>2</b>	<b>-1</b>
Homicide	298	24	231	11	-22	-54
Attempted murder	403	28	465	41	15	46
Robbery	6,955	560	6,853	579	-1	3
Sexual assault	6,523	1,004	7,008	1,080	7	8
Other sexual offences <sup>4</sup>	9,261	1,575	9,822	1,676	6	6
Major assault <sup>5</sup>	39,764	3,404	41,661	3,338	5	-2
Common assault	77,412	4,077	78,000	3,907	1	-4
Uttering threats	38,812	2,621	39,166	2,493	1	-5
Criminal harassment	7,424	625	7,808	630	5	1
Other violent offences	7,892	622	8,481	646	7	4
<b>Property offences</b>	<b>226,917</b>	<b>16,191</b>	<b>239,047</b>	<b>15,025</b>	<b>5</b>	<b>-7</b>
Theft <sup>6</sup>	73,052	3,434	75,218	3,218	3	-6
Break and enter	22,633	1,637	23,183	1,732	2	6
Fraud	44,030	6,108	45,333	5,020	3	-18
Mischief	36,142	1,856	38,219	1,682	6	-9
Possess stolen property	43,951	2,563	49,176	2,809	12	10
Other property offences	7,109	593	7,918	564	11	-5
<b>Administration of justice offences</b>	<b>317,945</b>	<b>10,836</b>	<b>340,351</b>	<b>10,650</b>	<b>7</b>	<b>-2</b>
Fail to appear	18,096	481	21,226	466	17	-3
Breach of probation	109,903	3,546	115,470	3,359	5	-5
Unlawfully at large	8,271	180	9,531	285	15	58
Fail to comply with order	159,329	5,224	170,019	5,151	7	-1
Other administration of justice offences	22,346	1,405	24,105	1,389	8	-1
<b>Other Criminal Code offences</b>	<b>55,832</b>	<b>4,762</b>	<b>64,059</b>	<b>4,878</b>	<b>15</b>	<b>2</b>
Weapons	40,375	3,184	48,432	3,449	20	8
Prostitution	1,011	129	751	111	-26	-14
Disturbing the peace	4,403	103	4,263	113	-3	10
Residual <i>Criminal Code</i> offences	10,043	1,346	10,613	1,205	6	-10
<b>Criminal Code (excluding traffic)</b>	<b>795,438</b>	<b>46,329</b>	<b>842,952</b>	<b>44,954</b>	<b>6</b>	<b>-3</b>
<b>Criminal Code traffic offences</b>	<b>90,230</b>	<b>11,950</b>	<b>91,729</b>	<b>10,224</b>	<b>2</b>	<b>-14</b>
Impaired driving	71,568	10,319	71,742	8,686	0	-16
Other <i>Criminal Code</i> traffic offences	18,662	1,631	19,987	1,538	7	-6
<b>Total Criminal Code offences</b>	<b>885,668</b>	<b>58,279</b>	<b>934,681</b>	<b>55,178</b>	<b>6</b>	<b>-5</b>
<b>Other federal statute offences</b>	<b>107,954</b>	<b>12,434</b>	<b>105,171</b>	<b>12,524</b>	<b>-3</b>	<b>1</b>
Drug possession	36,406	1,233	37,536	1,273	3	3
Other drug offences <sup>7</sup>	22,640	2,048	22,280	2,181	-2	6
<i>Youth Criminal Justice Act</i>	5,404	115	5,382	114	0	-1
Residual federal statute offences	43,504	9,038	39,973	8,956	-8	-1
<b>Total offences</b>	<b>993,622</b>	<b>70,713</b>	<b>1,039,852</b>	<b>67,702</b>	<b>5</b>	<b>-4</b>

1. In provincial court, charges completed in more than 18 months (without a preliminary inquiry) or more than 30 months (with a preliminary inquiry) are over the presumptive ceiling.

2. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

3. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision.

4. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

5. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

6. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

7. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from municipal courts in Quebec due to the unavailability of data.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 9**  
**Charges completed in adult criminal provincial court, under and over presumptive ceiling, by province and territory, 2014/2015 and 2015/2016**

Province/Territory	2014/2015		2015/2016		Percent change in number of under presumptive ceiling charges	Percent change in number of over presumptive ceiling charges
	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>		
	number					
Canada	993,622	70,713	1,039,852	67,702	5	-4
Newfoundland and Labrador	17,366	1,162	15,882	1,174	-9	1
Prince Edward Island	3,254	5	2,886	5	-11	0
Nova Scotia	35,361	3,105	35,679	2,666	1	-14
New Brunswick	17,071	620	17,313	713	1	15
Quebec	159,498	34,051	155,191	31,793	-3	-7
Ontario	378,677	15,738	375,338	16,108	-1	2
Manitoba	65,275	4,554	63,000	4,418	-3	-3
Saskatchewan	72,588	2,936	75,357	2,181	4	-26
Alberta	141,091	5,805	189,315	5,958	34	3
British Columbia	91,299	2,393	98,354	2,407	8	1
Yukon	3,290	101	3,479	78	6	-23
Northwest Territories	4,067	196	3,330	106	-18	-46
Nunavut	4,785	47	4,728	95	-1	102

1. In provincial court, charges completed in more than 18 months (without a preliminary inquiry) or more than 30 months (with a preliminary inquiry) are over the presumptive ceiling.

**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from municipal courts in Quebec due to the unavailability of data. There are many factors that may influence variations between jurisdictions, therefore, comparisons should be made with caution.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 10**  
**Charges completed in adult criminal provincial court, original and adjusted, Canada and Quebec, 2006/2007 to 2015/2016**

Year	Canada				Quebec			
	Original	Adjusted <sup>1</sup>	Original	Adjusted <sup>1</sup>	Original	Adjusted <sup>1</sup>	Original	Adjusted <sup>1</sup>
	number	number	number	number	number	number	number	number
	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>	median length of charge (days) <sup>2</sup>
2006/2007	1,103,511	109	1,137,328	103	206,747	162	240,564	117
2007/2008	1,134,482	109	1,167,501	103	191,688	151	224,707	106
2008/2009	1,168,775	109	1,203,894	103	202,755	155	237,874	107
2009/2010	1,207,735	107	1,244,180	100	212,473	159	248,918	111
2010/2011	1,208,282	106	1,244,142	100	209,305	158	245,165	109
2011/2012	1,180,831	107	1,217,320	100	214,110	171	250,599	116
2012/2013	1,167,709	107	1,206,194	100	227,220	180	265,705	123
2013/2014	1,121,542	110	1,157,162	103	211,690	196	247,310	134
2014/2015	1,064,335	112	1,096,891	106	193,549	203	226,105	143
2015/2016	1,107,554	112	1,139,234	105	186,984	199	218,664	138

1. The adjusted counts represent the estimated total number of charges and the estimated median elapsed time if Quebec municipal court data was reported to the ICCS.

2. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter charge lengths. Excludes charges in which the length was unknown.

**Note:** A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 11**  
**Appearances, charges and cases completed in adult criminal superior court, Canada, 2007/2008 to 2015/2016**

Year	Total appearances <sup>1</sup>		Total charges <sup>2</sup>		Total cases <sup>3</sup>	
	number	percent change from previous year	number	percent change from previous year	number	percent change from previous year
2007/2008	171,532	...	17,027	...	4,449	...
2008/2009	191,433	11.6	18,549	8.9	4,609	3.6
2009/2010	175,612	-8.3	16,456	-11.3	4,130	-10.4
2010/2011	199,420	13.6	16,505	0.3	3,804	-7.9
2011/2012	184,026	-7.7	15,333	-7.1	3,513	-7.6
2012/2013	168,369	-8.5	14,609	-4.7	3,772	7.4
2013/2014	150,662	-10.5	12,938	-11.4	3,409	-9.6
2014/2015	157,961	4.8	12,176	-5.9	3,217	-5.6
2015/2016	147,732	-6.5	13,105	7.6	3,099	-3.7

... not applicable

1. An appearance refers to the act of attending court, either in person or as represented by legal counsel, in response to a criminal charge(s). One appearance is counted for each unique date associated with a charge (e.g., appearances on three different days equals three charge appearances).

2. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

3. A case is one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision.

**Note:** Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters. Also excludes charges/cases in which the length was unknown.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 12**  
**Charges completed in adult criminal superior court, under and over presumptive ceiling, by province and territory, 2014/2015 and 2015/2016**

Province/Territory	2014/2015		2015/2016		Percent change in number of under presumptive ceiling charges	Percent change in number of over presumptive ceiling charges
	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>		
	number					
<b>Canada</b>	<b>10,084</b>	<b>2,092</b>	<b>11,160</b>	<b>1,945</b>	<b>11</b>	<b>-7</b>
Newfoundland and Labrador	148	9	71	39	-52	333
Prince Edward Island	...	...	...	...	...	...
Nova Scotia	468	72	245	39	-48	-46
New Brunswick	84	1	71	0	-15	-100
Quebec	4,631	1,811	6,030	1,597	30	-12
Ontario	...	...	...	...	...	...
Manitoba	...	...	...	...	...	...
Saskatchewan	...	...	...	...	...	...
Alberta	1,805	124	2,340	169	30	36
British Columbia	2,867	75	2,295	101	-20	35
Yukon	21	0	40	0	90	...
Northwest Territories	60	0	68	0	13	...
Nunavut	...	...	...	...	...	...

... not applicable

1. In superior court, charges completed in more than 30 months (with or without a preliminary inquiry) are over the presumptive ceiling.

**Note:** Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision. Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters. There are many factors that may influence variations between jurisdictions, therefore, comparisons should be made with caution.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 13**  
**Number of appearances, median number of appearances, and average number of days between appearances for charges completed in adult criminal superior court, Canada, 2014/2015 and 2015/2016**

Type of offence <sup>1</sup>	2014/2015			2015/2016			Percent change in number of appearances	Difference in median number of appearances	Difference in average days between appearances
	number of appearances <sup>2</sup>	median number of appearances <sup>3</sup>	average number of days between appearances <sup>4</sup>	number of appearances <sup>2</sup>	median number of appearances <sup>3</sup>	average number of days between appearances <sup>4</sup>			
<b>Violent offences</b>	<b>58,629</b>	<b>9</b>	<b>43</b>	<b>53,489</b>	<b>9</b>	<b>48</b>	<b>-9</b>	<b>0</b>	<b>5</b>
Homicide	5,802	15	12	1,629	13	28	-72	-2	16
Attempted murder	1,474	10	20	555	13	36	-62	3	16
Robbery	5,725	10	36	3,677	9	54	-36	-1	18
Sexual assault	7,345	10	51	9,568	12	47	30	2	-4
Other sexual offences <sup>5</sup>	7,697	10	54	8,537	11	52	11	1	-2
Major assault <sup>6</sup>	11,609	9	44	11,429	9	46	-2	0	2
Common assault	6,875	8	55	5,418	8	53	-21	0	-2
Uttering threats	6,052	7	52	5,942	8	49	-2	1	-3
Criminal harassment	1,650	8	53	1,327	8	58	-20	0	5
Other violent offences	4,400	10	38	5,407	10	38	23	0	0
<b>Property offences</b>	<b>31,704</b>	<b>9</b>	<b>43</b>	<b>19,366</b>	<b>9</b>	<b>50</b>	<b>-39</b>	<b>0</b>	<b>7</b>
Theft <sup>7</sup>	3,517	9	49	2,380	10	59	-32	1	10
Break and enter	4,598	7	50	4,777	8	48	4	1	-2
Fraud	14,756	13	39	6,132	12	53	-58	-1	14
Mischief	1,505	7	55	1,204	7	54	-20	0	-1
Possess stolen property	4,203	9	46	3,415	8	44	-19	-1	-2
Other property offences	3,125	13	38	1,458	10	47	-53	-3	9
<b>Administration of justice offences</b>	<b>9,143</b>	<b>9</b>	<b>37</b>	<b>6,865</b>	<b>9</b>	<b>38</b>	<b>-25</b>	<b>0</b>	<b>1</b>
Fail to appear	49	5	25	15	8	35	-69	3	10
Breach of probation	1,238	9	32	1,089	7	40	-12	-2	8
Unlawfully at large	66	5	52	60	7	33	-9	2	-19
Fail to comply with order	4,987	9	36	3,507	9	35	-30	0	-1
Other administration of justice offences	2,803	9	42	2,194	10	43	-22	1	1
<b>Other Criminal Code offences</b>	<b>23,447</b>	<b>11</b>	<b>38</b>	<b>25,551</b>	<b>10</b>	<b>43</b>	<b>9</b>	<b>-1</b>	<b>5</b>
<b>Weapons</b>	<b>16,582</b>	<b>11</b>	<b>37</b>	<b>19,043</b>	<b>10</b>	<b>42</b>	<b>15</b>	<b>-1</b>	<b>5</b>
<b>Prostitution</b>	<b>1,472</b>	<b>18</b>	<b>37</b>	<b>438</b>	<b>16</b>	<b>47</b>	<b>-70</b>	<b>-2</b>	<b>10</b>
<b>Disturbing the peace</b>	<b>35</b>	<b>12</b>	<b>42</b>	<b>0</b>	<b>...</b>	<b>...</b>	<b>-100</b>	<b>...</b>	<b>...</b>
<b>Residual Criminal Code offences</b>	<b>5,358</b>	<b>11</b>	<b>40</b>	<b>6,070</b>	<b>12</b>	<b>47</b>	<b>13</b>	<b>1</b>	<b>7</b>
<b>Criminal Code (excluding traffic)</b>	<b>122,923</b>	<b>9</b>	<b>42</b>	<b>105,271</b>	<b>9</b>	<b>46</b>	<b>-14</b>	<b>0</b>	<b>4</b>
<b>Criminal Code traffic offences</b>	<b>5,325</b>	<b>10</b>	<b>57</b>	<b>4,762</b>	<b>12</b>	<b>59</b>	<b>-11</b>	<b>2</b>	<b>2</b>
Impaired driving	2,677	11	65	2,690	12	61	0	1	-4
Other Criminal Code traffic offences	2,648	9	50	2,072	12	56	-22	3	6
<b>Total Criminal Code offences</b>	<b>128,248</b>	<b>9</b>	<b>42</b>	<b>110,033</b>	<b>10</b>	<b>47</b>	<b>-14</b>	<b>1</b>	<b>5</b>
<b>Other federal statute offences</b>	<b>29,713</b>	<b>9</b>	<b>47</b>	<b>37,699</b>	<b>7</b>	<b>51</b>	<b>27</b>	<b>-2</b>	<b>4</b>
Drug possession	1,363	7	37	1,495	7	43	10	0	6
Other drug offences <sup>8</sup>	9,459	9	37	9,625	9	39	2	0	2
Youth Criminal Justice Act	39	13	46	16	8	14	-59	-5	-32
Residual federal statute offences	18,852	9	53	26,563	6	56	41	-3	3
<b>Total offences</b>	<b>157,961</b>	<b>9</b>	<b>43</b>	<b>147,732</b>	<b>9</b>	<b>48</b>	<b>-6</b>	<b>0</b>	<b>5</b>

... not applicable

1. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

2. An appearance refers to the act of attending court, either in person or as represented by legal counsel, in response to a criminal charge(s). One appearance is counted for each unique date associated with a charge (e.g., appearances on three different days equals three charge appearances).

3. The median is the point at which half of all charges had more court appearances and half had fewer court appearances.

4. The average number of days between appearances is calculated by subtracting one appearance date from the date of the previous appearance. The average is based on all of these calculated differences. Excludes charges with only one court appearance.

5. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

6. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

7. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

8. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 14**  
**Charges completed in adult criminal superior court, by type of offence, Canada,**  
**2014/2015 to 2015/2016**

Type of offence	2014/2015		2015/2016		Percent change in number of charges	Difference in median length of charges
	number <sup>1</sup>	median length of charge (days) <sup>2</sup>	number <sup>1</sup>	median length of charge (days) <sup>2</sup>		
<b>Violent offences</b>	<b>4,582</b>	<b>409</b>	<b>4,412</b>	<b>461</b>	<b>-4</b>	<b>52</b>
Homicide	151	403	94	471	-38	68
Attempted murder	71	266	37	465	-48	199
Robbery	396	389	336	362	-15	-27
Sexual assault	578	477	660	567	14	90
Other sexual offences <sup>3</sup>	635	472	674	551	6	79
Major assault <sup>4</sup>	1,011	371	932	420	-8	49
Common assault	659	423	566	381	-14	-42
Uttering threats	607	355	565	383	-7	28
Criminal harassment	165	399	149	364	-10	-35
Other violent offences	309	429	399	435	29	6
<b>Property offences</b>	<b>2,090</b>	<b>423</b>	<b>1,652</b>	<b>390</b>	<b>-21</b>	<b>-33</b>
Theft <sup>5</sup>	297	430	207	503	-30	73
Break and enter	502	326	485	308	-3	-18
Fraud	538	838	354	471	-34	-367
Mischief	172	330	138	354	-20	24
Possess stolen property	396	421	346	360	-13	-61
Other property offences	185	473	122	373	-34	-100
<b>Administration of justice offences</b>	<b>845</b>	<b>343</b>	<b>659</b>	<b>334</b>	<b>-22</b>	<b>-9</b>
Fail to appear	5	88	2	376	-60	288
Breach of probation	127	243	125	307	-2	64
Unlawfully at large	5	640	7	176	40	-464
Fail to comply with order	461	355	344	317	-25	-38
Other administration of justice offences	247	401	181	367	-27	-34
<b>Other Criminal Code offences</b>	<b>1,615</b>	<b>386</b>	<b>1,844</b>	<b>474</b>	<b>14</b>	<b>88</b>
Weapons	1,271	323	1,456	421	15	98
Prostitution	70	767	30	682	-57	-85
Disturbing the peace	3	81	0	...	-100	...
Residual <i>Criminal Code</i> offences	271	655	358	683	32	28
<b><i>Criminal Code</i> (excluding traffic)</b>	<b>9,132</b>	<b>401</b>	<b>8,567</b>	<b>437</b>	<b>-6</b>	<b>36</b>
<b><i>Criminal Code</i> traffic offences</b>	<b>433</b>	<b>492</b>	<b>368</b>	<b>540</b>	<b>-15</b>	<b>48</b>
Impaired driving	215	569	202	591	-6	22
Other <i>Criminal Code</i> traffic offences	218	436	166	481	-24	45
<b>Total <i>Criminal Code</i> offences</b>	<b>9,565</b>	<b>406</b>	<b>8,935</b>	<b>443</b>	<b>-7</b>	<b>37</b>
<b>Other federal statute offences</b>	<b>2,611</b>	<b>382</b>	<b>4,170</b>	<b>328</b>	<b>60</b>	<b>-54</b>
Drug possession	162	322	181	394	12	72
Other drug offences <sup>6</sup>	891	336	955	382	7	46
<i>Youth Criminal Justice Act</i>	4	483	2	99	-50	-384
Residual federal statute offences	1,554	445	3,032	246	95	-199
<b>Total offences</b>	<b>12,176</b>	<b>401</b>	<b>13,105</b>	<b>419</b>	<b>8</b>	<b>18</b>

... not applicable

1. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

2. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision. The median is the point at which half of all charges had longer charge lengths and half had shorter case lengths.

3. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

4. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

5. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

6. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

**Table 15**  
**Charges completed in adult criminal superior court, under and over presumptive ceiling, by type of offence, Canada, 2014/2015 to 2015/2016**

Type of offence	2014/2015		2015/2016		Percent change in number of under presumptive ceiling charges	Percent change in number of over presumptive ceiling charges
	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>	Under presumptive ceiling	Over presumptive ceiling <sup>1</sup>		
		number <sup>2, 3</sup>				
<b>Violent offences</b>	<b>3,802</b>	<b>780</b>	<b>3,719</b>	<b>693</b>	<b>-2</b>	<b>-11</b>
Homicide	130	21	83	11	-36	-48
Attempted murder	62	9	33	4	-47	-56
Robbery	324	72	296	40	-9	-44
Sexual assault	443	135	528	132	19	-2
Other sexual offences <sup>4</sup>	478	157	543	131	14	-17
Major assault <sup>5</sup>	870	141	788	144	-9	2
Common assault	552	107	486	80	-12	-25
Uttering threats	540	67	491	74	-9	10
Criminal harassment	146	19	131	18	-10	-5
Other violent offences	257	52	340	59	32	13
<b>Property offences</b>	<b>1,590</b>	<b>500</b>	<b>1,398</b>	<b>254</b>	<b>-12</b>	<b>-49</b>
Theft <sup>6</sup>	242	55	163	44	-33	-20
Break and enter	455	47	445	40	-2	-15
Fraud	279	259	251	103	-10	-60
Mischief	157	15	123	15	-22	0
Possess stolen property	323	73	308	38	-5	-48
Other property offences	134	51	108	14	-19	-73
<b>Administration of justice offences</b>	<b>783</b>	<b>62</b>	<b>621</b>	<b>38</b>	<b>-21</b>	<b>-39</b>
Fail to appear	5	0	2	0	-60	...
Breach of probation	125	2	118	7	-6	250
Unlawfully at large	3	2	7	0	133	-100
Fail to comply with order	432	29	333	11	-23	-62
Other administration of justice offences	218	29	161	20	-26	-31
<b>Other Criminal Code offences</b>	<b>1,331</b>	<b>284</b>	<b>1,523</b>	<b>321</b>	<b>14</b>	<b>13</b>
Weapons	1,103	168	1,217	239	10	42
Prostitution	48	22	24	6	-50	-73
Disturbing the peace	2	1	0	0	-100	-100
Residual <i>Criminal Code</i> offences	178	93	282	76	58	-18
<b>Criminal Code (excluding traffic)</b>	<b>7,506</b>	<b>1,626</b>	<b>7,261</b>	<b>1,306</b>	<b>-3</b>	<b>-20</b>
<b>Criminal Code traffic offences</b>	<b>344</b>	<b>89</b>	<b>264</b>	<b>104</b>	<b>-23</b>	<b>17</b>
Impaired driving	162	53	145	57	-10	8
Other <i>Criminal Code</i> traffic offences	182	36	119	47	-35	31
<b>Total Criminal Code offences</b>	<b>7,850</b>	<b>1,715</b>	<b>7,525</b>	<b>1,410</b>	<b>-4</b>	<b>-18</b>
<b>Other federal statute offences</b>	<b>2,234</b>	<b>377</b>	<b>3,635</b>	<b>535</b>	<b>63</b>	<b>42</b>
Drug possession	156	6	175	6	12	0
Other drug offences <sup>7</sup>	852	39	881	74	3	90
<i>Youth Criminal Justice Act</i>	4	0	2	0	-50	...
Residual federal statute offences	1,222	332	2,577	455	111	37
<b>Total offences</b>	<b>10,084</b>	<b>2,092</b>	<b>11,160</b>	<b>1,945</b>	<b>11</b>	<b>-7</b>

... not applicable

1. In superior court, charges completed in more than 30 months (with or without a preliminary inquiry) are over the presumptive ceiling.

2. A charge refers to a formal accusation against an accused person or company involving a federal statute offence that has been processed by the courts and received a final decision.

3. Charge lengths are calculated based on the number of days it takes to complete a charge, from first appearance to final decision.

4. Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

5. Includes, for example, assault with a weapon (level 2) and aggravated assault (level 3).

6. Includes, for example, theft over \$5,000, theft \$5,000 or under, as well as motor vehicle theft.

7. Includes drug trafficking, production, importing and exporting.

**Note:** Data excludes information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan due to the unavailability of data. Also excludes data from Nunavut, where there is one single level of court in which judges hear all matters.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.