



Just Facts

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Research and Statistics Division

Criminal Court Case Processing Time

This fact sheet is based on publicly available data¹ from the Canadian Centre for Justice Statistics (CCJS) between 2005/2006 and the most recent reporting year 2014/2015.² Data is also presented from Justice Canada's Justice Effectiveness 2008 (JE) project. This study collected data to specifically analyze case processing time and factors that were affiliated with case processing delays. The JE dataset includes 3,093 criminal cases³ from five courts in four jurisdictions.⁴ The majority (90%) of these cases closed in 2008.

Case⁵ completion time declined slightly between 2005/2006 and 2014/2015

In 2005/2006 half of all adult criminal court cases were completed within 124 days. In 2014/2015, half of all cases were completed in 121 days. This represents a 2.4% decrease from 2005/2006.

¹ Data include all federal statute offences including all *Criminal Code* and *Criminal Code* traffic offences. Information from superior courts in Prince Edward Island, Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec was not available for extraction from their electronic reporting systems and was therefore not reported. The absence of these courts may result in an underestimation in case time in the four jurisdictions missing superior court data. The median length of case completion in Quebec may be over-estimated given that data from municipal courts, which tend to handle the least serious matters, are unavailable. Source: Statistics Canada. *Table 252-0055 - Adult criminal courts, cases by median elapsed time in days, annual (number unless otherwise noted)*, CANSIM (database).

² The statistic used by CCJS for case processing time is the median time to criminal case completion, herein referred to as the median case time. The median is the half-way point in a distribution of counted figures: half of all counted figures lie above the median and half of all counted figures lie below the median.

³ A case started with a law enforcement agency's arrest of an individual and was considered 'completed' or 'closed' if it recorded a disposition date and, where necessary, a sentencing date.

⁴ For confidentially reasons, the jurisdictions included in this study are not publically divulged.

⁵ As defined by Statistics Canada, a case is one or more charges against an accused person or company, which were processed by the courts at the same time (date of offence, date of initiation, date of first appearance, or date of decision), and received a final decision.





Crimes against the person take the longest time to complete in adult criminal court

Cases involving crimes against the person (e.g. assault, sexual assault, manslaughter) typically take the longest to complete. Between 2005/2006 and 2014/2015, the median case time for crimes against the person cases increased 14%, from 154 to 176 days.

There were some provinces and territories that reported median case times for these cases were shorter than the national median case time. For example, Prince Edward Island reported the shortest case lengths for crimes against the person (45 days in 2005/2006 and 48 days in 2014/2015). Similarly, the Northwest Territories recorded shorter median case times for crimes against the person (44 days in 2005/2006 and 65 days in 2014/2015).

Administration of justice offences and property crime cases take the shortest time to complete in adult criminal court

The shortest median case times were for administration of justice offence (AOJO) cases (e.g. breach of probation, fail to appear, unlawfully at large) and property crime cases (e.g. fraud, theft, break and enter). The case lengths for these types of cases have generally decreased over time. In 2005/2006, the median case time for AOJO cases was 78 days; by 2014/2015, these cases had a median number of 73 days (-6%). Crimes against property cases were completed in a median number of 111 days in 2005/2006 and 104 days in 2014/2015 (-6%).

Quebec reports the longest and Prince Edward Island reports the shortest case processing time in adult criminal court

Quebec reported the longest median case time. In 2005/2006, the median case time for Quebec was 182 days; by 2014/2015, the median case time was 239 days (+31%). The next highest median case times were reported in Nova Scotia. In 2005/2006, the median case time for Nova Scotia was 125 days; by 2014/2015, the median case time was 163 days (+30%). Manitoba was the province with the third highest median case times. In 2005/2006, the median case time for Manitoba was 121 days; by 2014/2015, the median case time was 151 days (+25%).

Prince Edward Island (PEI) had the lowest median case times. In 2005/2006, the median case time for PEI was 33 days; by 2014/2015, the median case time was 47 days (+42%). The Northwest Territories had the second lowest median case times. In 2005/2006, the median case time for the Northwest Territories was 23 days; by 2013/2014, the median case time was 61 days (+165%).



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Legal representation shown to impact case processing time

Data from Justice Canada's Justice Effectiveness (JE) study⁶ indicate that legal representation was shown to be a factor associated with case processing time, with cases having intermittent legal representation requiring, on average⁷, 298 days to reach conclusion. In comparison, cases with total representation took an average of 160 days and those with no representation took an average of 189 days to completion.

⁶ Refer to first paragraph for details on study timeframes and sample.

⁷ Note the JE study presents average case processing time, in comparison to CCJS, which refers to median case processing time.

