



Table 252-0053 1, 2, 3, 44

Adult criminal courts, number of cases and charges by type of decision
annual (number)

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The data below is a part of CANSIM table 252-0053. Use the [Add/Remove data](#) tab to customize your table.

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Offences [26](#), [27](#) = Prostitution

Age of accused [35](#) = Total, age of accused

Sex of accused [13](#), [16](#) = Total, sex of accused

Charge and case = Total cases [2](#), [27](#)

Geography ⁴	Type of decision ³⁹	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012
Canada ⁵	Total decisions	1,811	1,632	1,719	1,584	1,030
	Guilty ⁴⁰	627	532	559	423	313
	Percentage guilty	35	33	33	27	30
	Acquitted ⁷ , ⁴¹	18	14	9	19	16
	Stayed or withdrawn ⁴²	1,159	1,076	1,148	1,137	698
	Other decisions ⁴³	7	10	3	5	3
Newfoundland and Labrador ⁶ , ⁷	Total decisions	0	1	10	2	2
	Guilty ⁴⁰	0	1	9	2	2
	Percentage guilty	0	100	90	100	100
	Acquitted ⁷ , ⁴¹	0	0	0	0	0
	Stayed or withdrawn ⁴²	0	0	1	0	0
	Other decisions ⁴³	0	0	0	0	0
Prince Edward Island ⁸	Total decisions	0	0	0	0	1
	Guilty ⁴⁰	0	0	0	0	1
	Percentage guilty	0	0	0	0	100
	7 , 41					

	Acquitted	0	0	0	0	0
	Stayed or withdrawn 42	0	0	0	0	0
	Other decisions 43	0	0	0	0	0
Nova Scotia 9	Total decisions	16	17	21	25	15
	Guilty 40	14	7	16	14	5
	Percentage guilty	88	41	76	56	33
	Acquitted 7, 41	1	0	0	1	0
	Stayed or withdrawn 42	1	8	5	10	10
	Other decisions 43	0	2	0	0	0
New Brunswick 10	Total decisions	39	27	30	21	10
	Guilty 40	38	23	29	17	10
	Percentage guilty	97	85	97	81	100
	Acquitted 7, 41	0	1	0	0	0
	Stayed or withdrawn 42	1	2	1	3	0
	Other decisions 43	0	1	0	1	0
Quebec 11, 12, 13	Total decisions	134	116	123	138	120
	Guilty 40	113	90	113	112	88
	Percentage guilty	84	78	92	81	73
	Acquitted 7, 41	12	8	6	16	12
	Stayed or withdrawn 42	8	16	4	7	17
	Other decisions 43	1	2	0	3	3
Ontario 14	Total decisions	1,166	912	967	871	419
	Guilty 40	267	229	244	117	79
	Percentage guilty	23	25	25	13	19
	Acquitted 7, 41	2	0	1	0	0
	Stayed or withdrawn 42	891	679	721	754	340
	Other decisions 43	6	4	1	0	0
Manitoba 15, 16	Total decisions	22	11	45	35	37
	Guilty 40	14	4	5	7	4
	Percentage guilty	64	36	11	20	11
	Acquitted 7, 41	0	0	0	0	0

	Stayed or withdrawn 42	8	7	40	28	33
	Other decisions 43	0	0	0	0	0
Saskatchewan 17	Total decisions	66	120	136	100	100
	Guilty 40	14	34	19	20	19
	Percentage guilty	21	28	14	20	19
	Acquitted 7, 41	0	2	0	0	2
	Stayed or withdrawn 42	52	84	117	80	79
	Other decisions 43	0	0	0	0	0
Alberta 18	Total decisions	182	318	295	317	230
	Guilty 40	47	73	69	82	44
	Percentage guilty	26	23	23	26	19
	Acquitted 7, 41	1	0	0	2	1
	Stayed or withdrawn 42	134	244	224	232	185
	Other decisions 43	0	1	2	1	0
British Columbia 19	Total decisions	185	109	91	74	96
	Guilty 40	119	71	55	52	61
	Percentage guilty	64	65	60	70	64
	Acquitted 7, 41	2	3	2	0	1
	Stayed or withdrawn 42	64	35	34	22	34
	Other decisions 43	0	0	0	0	0
Yukon 20	Total decisions	0	0	0	0	0
	Guilty 40	0	0	0	0	0
	Percentage guilty	0	0	0	0	0
	Acquitted 7, 41	0	0	0	0	0
	Stayed or withdrawn 42	0	0	0	0	0
	Other decisions 43	0	0	0	0	0
Northwest Territories including Nunavut 21, 22 (Terminated)	Total decisions	(T)	(T)	(T)	(T)	(T)
	Guilty 40	(T)	(T)	(T)	(T)	(T)
	Percentage guilty	(T)	(T)	(T)	(T)	(T)
	Acquitted 7, 41	(T)	(T)	(T)	(T)	(T)
		(T)	(T)	(T)	(T)	(T)

	Stayed or withdrawn ⁴²					
	Other decisions ⁴³	(T)	(T)	(T)	(T)	(T)
Northwest Territories ^{21, 22}	Total decisions	1	1	0	1	0
	Guilty ⁴⁰	1	0	0	0	0
	Percentage guilty	100	0	0	0	0
	Acquitted ^{7, 41}	0	0	0	0	0
	Stayed or withdrawn ⁴²	0	1	0	1	0
	Other decisions ⁴³	0	0	0	0	0
Nunavut ^{21, 23}	Total decisions	0	0	1	0	0
	Guilty ⁴⁰	0	0	0	0	0
	Percentage guilty	0	0	0	0	0
	Acquitted ^{7, 41}	0	0	0	0	0
	Stayed or withdrawn ⁴²	0	0	1	0	0
	Other decisions ⁴³	0	0	0	0	0

Symbol legend:

■ (T) Series is Terminated

Footnotes:

1. This product is based on data from the adult component of the Integrated Criminal Court Survey (ICCS). The 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 table 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. Data are based on a fiscal year (April 1 through March 31).
2. 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, date of decision, or date of sentencing), and received a final decision. The definition attempts to reflect court processing. All data have been processed using this case definition. The case definition changed for the 2006/2007 release of data. The former definition (used in releases prior to October 2007) combined all charges against the same person disposed of in court on the same day into a case. Consequently, comparisons should not be made with data tables and reports released before that time.
3. Cases are counted according to the fiscal year in which they are completed. Each year, the ICCS database is "frozen" at the end of March for the production of court statistics pertaining to the preceding fiscal year. However, these counts do not include cases that were pending an outcome at the end of the reference period. If a pending outcome is reached in the next fiscal year, then these cases are included in the completed case counts for that fiscal year. However, if a one-year period of inactivity elapses, then these cases are deemed complete and the originally published counts for the previous fiscal year are subsequently updated and reported in the next year's release of the data. For example, upon the release of 2011/2012 data, the 2010/2011 data are updated with revisions for cases that were originally pending an outcome in 2010/2011 but have since been deemed complete due to a one-year period of inactivity. Data are revised once and are then permanently "frozen". Historically, updates to a previous year's counts have resulted in an increase of about 2%.
4. There are many factors that influence variations between jurisdictions. These may include Crown and police charging practices, offence distributions, and various forms of diversion programs. Therefore, comparisons between jurisdictions should be interpreted with caution.
5. As of 2005/2006, all provincial and territorial courts in 10 provinces and 3 territories reported to the survey. Information from superior courts in Prince Edward Island, Quebec, Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec could not

be extracted from their electronic reporting systems and was therefore unavailable. The absence of data from superior courts in these five jurisdictions may have resulted in a slight underestimation of the severity of sentences since some of the most serious cases, which are likely to result in the most severe sanctions, are processed in superior courts. There may also be a slight underestimation of case elapsed times as more serious cases generally require more court appearances and take more time to complete.

6. Provincial court data are available from Newfoundland and Labrador beginning in 1994/1995. Superior court data are available from Newfoundland and Labrador beginning in 2004/2005. It is important to note that there was partial coverage from the provincial courts in the first year that data were available: the first 3 quarters of fiscal 1994/1995 include the St. John's and Clarenville court locations only (with an estimated coverage of 45% of federal statute cases).
7. In Newfoundland and Labrador, the terms "acquittal" and "dismissed" are used interchangeably, resulting in an under-count of the number of acquittals in that province.
8. Provincial court data are available from Prince Edward Island beginning in 1994/1995. Information from Prince Edward Island's superior courts is not available. During 1999/2000, Prince Edward Island was in the process of changing its justice information system, and some court information was not entered prior to the extraction of data for the survey. The level of under-coverage resulting from late data capture is not known.
9. Provincial court data are available from Nova Scotia beginning in 1994/1995. Superior court data are available from Nova Scotia beginning in 2001/2002. Halifax Municipal Court data are not included in tables for fiscal year 1994/1995.
10. Provincial and superior court data are available from New Brunswick beginning in 2000/2001.
11. Provincial court data are available from Quebec beginning in 1994/1995. Information from Quebec's superior courts, as well as municipal courts is not available. The information from Quebec's provincial courts is reported using the Adult Criminal Court Survey National Data Requirements (NDR), rather than the Integrated Criminal Court Survey (ICCS) NDR. The data are converted to the ICCS format, to the extent possible, during data processing activities. This reporting limitation results in a lack of data on conditional sentences, Controlled Drugs and Substances Act (CDSA) offences and has an impact on measures of case elapsed time.
12. Information on offences against the Controlled Drugs and Substances Act (CDSA) is not available from Quebec. With the introduction of new drug legislation (Controlled Drugs and Substances Act - CDSA), some drug offences have been coded to the "other federal statutes" category. This inflates the other federal statutes group and undercounts drug offences.
13. Sex is determined on the basis of the accused's name in Quebec, producing a relatively higher rate of sex unknown.
14. Provincial court data are available from Ontario beginning in 1994/1995. Information from Ontario's superior courts is not available. Provincial court data from Ontario for 1996/1997 undercounts charges by approximately 5 percent.
15. Provincial court data are available from Manitoba beginning in 2005/2006. Information from Manitoba's superior courts is not available.
16. Information on the sex of the accused is not available from Manitoba.
17. Provincial court data are available from Saskatchewan beginning in 1994/1995. Information from Saskatchewan's superior courts is not available.
18. Provincial court data are available from Alberta beginning in 1994/1995. Superior court data are available from Alberta beginning in 1998/1999.
19. Provincial and superior court data are available from British Columbia beginning in 2000/2001. There is slight under-coverage (less than 5%) of completed cases in British Columbia for 2000/2001.
20. Territorial court data are available from Yukon beginning in 1994/1995. Superior court data are available from Yukon beginning in 1995/1996.
21. Due to the creation of Nunavut from the Northwest Territories, data collected prior to 1999/2000 cannot be compared to data collected after that date for these jurisdictions.
22. Territorial court data are available from Northwest Territories beginning in 1994/1995. Superior court data are available from Northwest Territories beginning in 2004/2005. It is important to note that there is partial coverage from the territorial courts as follows: data from these courts represent two quarters of data for fiscal 1994/1995 and three quarters of data for fiscal 1999/2000. In addition, territorial court data were not available for 1996/1997, 2000/2001, 2001/2002, 2002/2003, 2003/2004.
23. Territorial and superior court data are available from Nunavut beginning in 2002/2003.
24. The ten jurisdictions are: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan, Alberta, British Columbia and Yukon. These ten provinces and territories have reported to the adult component of the Integrated Criminal Court Survey (ICCS) since 2000/2001.
25. The eight jurisdictions are: Newfoundland and Labrador, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, and Yukon. These eight provinces and territories have reported to the adult component of the Integrated Criminal Court Survey (ICCS) since 1994/1995.
26. The Common Offence Classification (COC) is a standard grouping of offences (for example, major assault, impaired driving) involving 32 offence categories. This offence framework permits users to compare analytical results across the different databases, and to examine data from different sectors of the justice system using a single set of offence categories. Each common offence category is constructed by aggregating individual Uniform Crime Reporting offence categories into the larger common categories.
27. A case that has more than one charge is represented by the charge with the "most serious offence" (MSO). The most serious offence is selected using the following rules. First, court decisions are considered and the charge with the "most serious decision" (MSD) is selected. Court decisions for each charge in a case are ranked from most to least serious as follows: (1) guilty, (2) guilty of a lesser offence, (3) acquitted, (4) stay of proceeding, (5) withdrawn, dismissed or discharged, (6) not criminally responsible, (7) other, and (8) transfer of court jurisdiction. Second, in cases where two or more charges result in the same MSD (for example, guilty), Criminal Code sanctions are considered. The charge with the most serious offence type is selected according to an offence seriousness scale, based on actual sentences handed down by courts in Canada (The offence seriousness scale is calculated using data from both the adult and youth components of the Integrated Criminal Court Survey from 2002/2003 to 2006/2007). Each offence type is ranked by

looking at (1) the proportion of guilty charges where custody was imposed and (2) the average (mean) length of custody for the specific type of offence. These values are multiplied together to arrive at the final seriousness ranking for each type of offence. If, after looking at the offence seriousness scale, two or more charges remain tied then information about the sentence type and duration of the sentence are considered (for example, custody and length of custody, then probation and length of probation, etcetera).

28. Homicide includes first-degree murder, second-degree murder, manslaughter and infanticide.
29. Other sexual offences includes, for example, sexual interference, invitation to sexual touching, luring a child via a computer and sexual exploitation.
30. Major assault is an offence category that includes assault with a weapon (Level 2, Criminal Code of Canada, section 267), aggravated assault (Level 3, Criminal Code of Canada, section 268) and other assaults (assaults against police officers, and unlawfully causing bodily harm).
31. Common assault (Level 1 Assault, Criminal Code of Canada, section 266) is the least serious of the three types. A common assault has been committed when an individual intentionally applies force or threatens to apply force to another person, without that person's consent. The seriousness of physical injury is what distinguishes this type of assault from other, more serious assaults.
32. Theft includes theft over and under \$5,000 as well as motor vehicle theft.
33. Other federal statute offences refer to offences against Canadian federal statutes, such as Customs Act, Employment Insurance Act, Firearms Act, Food and Drugs Act (FDA), Income Tax Act, Controlled Drugs and Substances Act (CDSA) and Narcotic Control Act (NCA). This offence category excludes Criminal Code of Canada offences.
34. Youth Criminal Justice Act (YCJA) offences include the offences of inducing a young person, failure to comply with a sentence or disposition, publishing the identity of offenders, victims or witnesses and failure to comply with a designated temporary place of detention. The YCJA came into effect on April 1, 2003.
35. Age is the age of the accused at the time of the offence.
36. Other ages includes cases where the accused was under the age of 18 at the time of offence, was age 90 and over at the time of offence, or the age was unknown.
37. 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. A charge is considered to be disposed of under any of the following conditions: the accused is acquitted or found guilty and sentenced (if applicable); the accused is found unfit to stand trial; the charge is stayed, withdrawn, dismissed, or discharged at preliminary hearing; the charge has been waived out of the province or territory.
38. Multiple charge cases include all charges in the case, regardless of whether or not there was a guilty decision.
39. A decision is a judgment made by the court. The decision categories are as follows: Guilty; Acquittal; Stay, Withdrawn, Dismissed; and Other decisions.
40. Guilty findings include guilty of the charged offence, of an included offence, of an attempt of the charged offence, or of an attempt of an included offence. This category also includes cases where an absolute or conditional discharge has been imposed.
41. Acquittal means that the accused has been found not guilty of the charges presented before the court.
42. This category includes stays, withdrawals, dismissals and discharges at preliminary inquiry as well as court referrals to alternative or extrajudicial measures and restorative justice programs. These decisions all refer to the court stopping criminal proceedings against the accused.
43. Other decisions include final decisions of found not criminally responsible and waived out of province or territory. This category also includes any order where a conviction was not recorded, the court's acceptance of a special plea, cases which raise Charter arguments and cases where the accused was found unfit to stand trial.
44. CANSIM table 252-0053 replaces tables [252-0043](#), [252-0044](#), and [252-0045](#) which have been terminated.
45. Includes drug trafficking, production, importing and exporting.

Source: Statistics Canada. *Table 252-0053 - Adult criminal courts, number of cases and charges by type of decision, annual (number)*, CANSIM (database). (accessed: 2013-11-08)

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