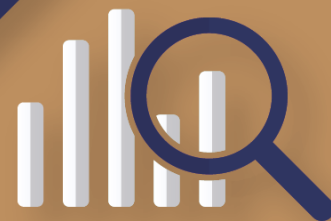


Research in Brief

Research and Statistics Division



Criminal court case indicators related to the *Jordan* timelines, 2016/2017 to 2023/2024

By Natacha Bourgon and Marwa Mansour, June 2026

Introduction

In 2016, the Supreme Court of Canada released its *R. v. Jordan* decision, establishing presumptive ceilings beyond which delays in criminal court cases are considered unreasonable. Under this framework, the timelines for completing criminal cases are set out as follows: 18 months for cases tried in provincial court; and 30 months for cases tried in superior court or in provincial court following a preliminary inquiry. The *Jordan* decision allows for delays exceeding the presumptive ceiling to be justified on the basis of exceptional circumstances. Exceptional circumstances are those that are reasonably unforeseen or unavoidable and cannot be reasonably remedied once they arise.

While no national data exist on the number of cases being stayed¹ **because** of *Jordan* delays, Statistics Canada reports on several case time indicators related to *Jordan* timelines.² It should be noted that these indicators present important limitations (see footnotes 6 and 7) and are therefore considered **proxy indicators** as they are not a specific measure of *Jordan* delays.

Methodology

This research in brief summarizes the latest available data on three case time proxy indicators related to *Jordan* timelines (thereafter referred to as “*Jordan* proxies”) from Statistics Canada’s Integrated Criminal Courts Survey (ICCS). The ICCS collects information on appearances and charges in youth courts and adult criminal courts in Canada.³ The three *Jordan* proxies⁴ examined in this Research in Brief pertain to adult criminal courts only, and include:

¹ A stay of proceedings is when a trial, or other legal proceedings, is stopped temporarily by the Crown or ended by a judge.

² Statistics Canada. [Table 35-10-0173-01 Key indicator results and absolute change for annual data, adult criminal court and youth court](#). Also see: [Integrated Criminal Court Survey: Interactive Dashboard on Annual Key Indicators](#)

³ The ICCS is intended to be a census of pending and completed federal statute charges heard in provincial-territorial and superior courts in Canada. Appeal courts, federal courts (e.g., Tax Court of Canada) and the Supreme Court of Canada are not covered by the survey.

⁴ See footnote 2.



- median case time, which is the median⁵ number of calendar days from first appearance to final decision for cases requiring more than seven days to resolve;
- percentage of total cases potentially at risk of exceeding the *Jordan* timelines, based on the elapsed time between the first appearance in court and the final decision for the most serious offence (MSO; see Textbox 1) in the case;⁶ and
- percentage of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn.⁷

Please note that offences classified under sex trade related offences—previously commonly referred to as “prostitution” offences (i.e. communicating to provide sexual services for consideration, stopping or impeding traffic for the purpose of offering, providing or obtaining sexual services for consideration)—were excluded from case time analyses.

When interpreting the findings presented below, it is important to consider the unprecedented challenges experienced by criminal courts in Canada in relation to the COVID-19 pandemic. The public health measures put in place to curb the spread of COVID-19 at the onset of the pandemic resulted in a substantial drop in the number of criminal cases completed in the courts.⁸ Although the courts adopted temporary practices and utilized new technologies to advance cases despite significant capacity restrictions for traditional in-person activities, the circumstances did result in further court delays.

Textbox 1. Most Serious Offence (MSO) methodology

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 ICCS).

A case is considered potentially at risk of exceeding the *Jordan* timelines if the MSO has exceeded the presumptive ceilings for trial delays. In multiple charge cases, it is possible that some of the non-MSO charges were completed before the timelines were exceeded. For example, adult criminal court cases between 2019/2020 and 2023/2024 showed approximately 35% of multi-charge cases where the time required to complete the MSO was greater than timelines established in *R. v. Jordan* had one or more charges that were completed within the presumptive timelines.

⁵ Median case time is based on the time to process a case from first to last appearance in court. All charges in the case are considered in the calculation of median case time. The median is the point at which half of all cases had longer case lengths and half had shorter case lengths. Excludes cases that were resolved within 7 days of being initiated in court and cases in which the case length was unknown.

⁶ Elapsed MSO charge times used to determine whether a case was potentially at risk of exceeding the timelines established in *R. v. Jordan* calculated based on the number of calendar days it takes to complete the MSO charge, from first appearance to final decision. This differs from the parameters set out in *R. v. Jordan*, where the clock starts at the **time of charge**.

⁷ It is not possible to determine the reason for which cases were potentially at risk of exceeding the timelines established in *R. v. Jordan* were stayed or withdrawn as this information is not currently reported to Statistics Canada by the courts. Therefore, ICCS data cannot be used to confirm the number of cases that were stayed or withdrawn as a result of *Jordan* timelines being exceeded.

⁸ <https://www.justice.gc.ca/eng/cj-jp/state-etat/2022rpt-rap2022/>

Findings

Median number of days to complete adult criminal cases

The median case time to complete adult criminal court cases increased by 28% following the *Jordan* decision from 5.5 months to 7.1 months

The median number of days required to complete adult criminal court cases increased 28% from 169 days (5.5 months)⁹ in 2016/2017, when the *Jordan* timelines came into effect, to 217 days (7.1 months) in 2023/2024.

Over this time period, the largest year-over-year increase was observed during the first year of the pandemic, rising 32% from 177 days (5.8 months) in 2019/2020 to 234 days (7.7 months) in 2020/2021. This remained as such (234 days) until decreasing 7% in 2023/2024 (217 days; 7.1 months). Nevertheless, the amount of time required to complete adult criminal cases in 2023/2024 remained greater than it was prior to the pandemic (217 days; 7.1 months in 2023/2024 vs. 177 days; 5.8 months in 2019/2020).

New Brunswick, the Northwest Territories and British Columbia recorded the biggest increases in median case time from 2016/2017 to 2023/2024¹⁰

Increases in median case time were observed in all jurisdictions when comparing 2016/2017 to 2023/2024, with the biggest increases occurring in New Brunswick (+61%, from 154 days to 248 days), British Columbia (+59%, from 140 days to 223 days), the Northwest Territories (+59%, from 116 days to 184 days), Nova Scotia (+53%, from 206 days to 315 days) and Ontario (+52%, from 151 days to 229 days).¹¹ Only the Northwest Territories, New Brunswick, Newfoundland and Labrador and British Columbia recorded increases in median case time from 2022/2023 to 2023/2024. All other jurisdictions recorded decreases. The breakdown by jurisdiction¹² is as follows:

(increases from 2022/2023 to 2023/2024)

- Northwest Territories (+13%, from 163 days to 184 days)
- New Brunswick (+7%, from 231 days to 248 days)
- Newfoundland and Labrador (+2%, from 304 days to 310 days)
- British Columbia (+2%, from 219 days to 223 days)

(decreases from 2022/2023 to 2023/2024)

- Yukon (-17%, from 237 days to 197 days)
- Nunavut (-11%, from 176 days to 157 days)
- Alberta (-14%, from 212 days to 183 days)
- Manitoba (-10%, from 259 days to 233 days)

⁹ Days to months conversion was calculated by dividing the number of days by 30.4.

¹⁰ There are many factors that influence variations between jurisdictions, including Crown and police charging practices, offence distributions, and various forms of diversion programs. Therefore, comparisons between jurisdictions should be interpreted with caution.

¹¹ For the remaining jurisdictions, Yukon recorded a 40% increase (from 141 days to 197 days, respectively), Nunavut a 37% increase (from 115 days to 157 days), Newfoundland and Labrador a 34% increase (from 231 days to 310 days), Manitoba a 27% increase (from 183 days to 233 days), Alberta a 22% increase (from 150 days to 183 days), Saskatchewan a 21% increase (from 134 days to 162 days) and lastly Prince Edward Island a 13% increase (from 63 days to 71 days).

¹² Data for Quebec were not available for 2021/2022, 2022/2023 and 2023/2024.

- PEI (-9%, from 78 days to 71 days)
- Ontario (-8%, from 250 days to 229 days)
- Saskatchewan (-8%, from 176 days to 162 days)
- Nova Scotia (-1% from 317 days to 315 days)

The longest median case times in 2023/2024 were in Nova Scotia (315 days or 10.4 months), Newfoundland and Labrador (310 days or 10.2 months), New Brunswick (248 days or 8.2 months) and Manitoba (233 days or 7.7 months). Conversely, Saskatchewan (162 days or 5.3 months), Nunavut (157 days or 5.2 months) and Prince Edward Island (71 days or 2.3 months) had the shortest median case times.

Homicide, sexual assault, other sexual offences, attempted murder and other drug offences recorded the longest median case times in 2023/2024

From 2016/2017 to 2023/2024, increases in median case time were observed for almost all¹³ offence types, notably sexual assault cases (+38%, from 328 days to 453 days), weapon offences cases (+37%, from 190 days to 261 days), other *Criminal Code* traffic offence cases (+35%, from 206 days to 279 days), and other sexual offence cases¹⁴ (+33%, from 338 days to 448 days).

In 2023/2024, the longest median case times were observed in homicide cases (516 days or 17 months), sexual assault cases (453 days or 14.9 months), other sexual offence cases (448 days or 14.7 months), attempted murder cases (390 days or 12.8 months) and other drug offence cases¹⁵ (342 days or 11.2 months). In comparison, theft cases (152 days or 5 months), disturbance of peace cases (144 days or 4.7 months), breach of probation cases (133 days or 4.4 months), *Youth Criminal Justice Act* cases (120 days or 3.9 months)¹⁶ and cases where the accused was unlawfully at large (90 days or 3 months) were among those with the lowest median case times. Similar results were observed leading up to the *Jordan* decision in 2015/2016.^{17,18}

Percentage of total cases potentially at risk of exceeding the timelines established in *R. v. Jordan*

The percentage of cases that were potentially at risk of exceeding the *Jordan* timelines increased 3 percentage-points from 6% in 2016/2017 to 9% in 2023/2024

¹³ Increases occurred for all types of cases except for those where a *Youth Criminal Justice Act* offence, or a residual federal statutes offence was the most serious offence in the case. Adults can be charged under certain offences in the *Youth Criminal Justice Act*, such as s. 136 for the offence of inducing a young person. Another example of an adult being charged under the *Youth Criminal Justice Act* is an instance where an accused is found guilty as a youth under the *Youth Criminal Justice Act* but breaches their sentence as an adult and are then charged under s. 137 for the failure to comply with sentence or disposition. Statistics Canada confirmed that almost all (>98%) of adults charged under the *Youth Criminal Justice Act* in the ICCS were 21 years old or younger. Adults can be charged under the *Youth Criminal Justice Act* (YCJA) if the charges involve administrative offences (YCJA sections 136–139) linked to conditions imposed during their youth. These cases often involve individuals aged 18 or 19 who may have other adult charges but are still accountable for youth-related offences.

¹⁴ Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

¹⁵ Includes drug trafficking, production, importing and exporting.

¹⁶ Adults can be charged under the *Youth Criminal Justice Act* (YCJA) if the charges involve administrative offences (YCJA sections 136–139) linked to conditions imposed during their youth. These cases often involve individuals aged 18 or 19 who may have other adult charges but are still accountable for youth-related offences.

¹⁷ Administration of justice cases are excluded.

¹⁸ The residual federal statutes category is made up of a variety of charges outlined in federal statutes other than the *Criminal Code of Canada*. The content in this offence category is likely to shift considerably when legislative changes are made. Such changes have an impact on the comparability of data over time.

The percentage of adult criminal court cases in Canada that were potentially at risk of exceeding the *Jordan* timelines increased 3 percentage-points,¹⁹ from 6% (20,619 cases) in 2016/2017 when the timelines came into effect to 9% (21,218 cases) in 2023/2024. From 2016/2017 to 2019/2020, there was a progressive decline in the percentage of adult cases potentially at risk of exceeding these timelines. In 2020/2021, however, the percentage of total adult cases potentially at risk of exceeding the timelines increased 3 percentage-points, going from 4% (11,966 cases) the prior year to 7% (16,642 cases). This figure increased to 10% (22,808 cases) in 2021/2022, then to 11% (23,819 cases) in 2022/2023, before decreasing to 9% (21,218 cases) in 2023/2024.²⁰

Newfoundland and Labrador, Nova Scotia, Ontario and Manitoba recorded the highest proportions of cases potentially at risk of exceeding the *Jordan* timelines in 2023/2024

From 2010/2011 to 2015/2016, Nova Scotia (+2 percentage points), Newfoundland and Labrador (+1 percentage point), the Northwest Territories (+1 percentage point) and New Brunswick (+1 percentage point) experienced minor increases in the percentage of cases potentially at risk of exceeding the timelines set out by *R. v. Jordan*. These increases continued in the years following the enactment of the *Jordan* timelines (2016/2017 to 2023/2024).

In 2023/2024, the proportions of cases potentially at risk of exceeding the *Jordan* timelines varied by jurisdictions, ranging from less than 1% to 18%. Newfoundland and Labrador (18%; 652 cases), Nova Scotia (16%; 1,353 cases), Ontario (12%; 13,216 cases) and Manitoba (11%; 1,655 cases) reported the highest proportions of cases potentially at risk of exceeding the timelines. From 2016/2017 to 2023/2024, the proportion of cases potentially at risk of exceeding the timelines increased by 10 percentage points in Newfoundland and Labrador, 9 percentage points in Nova Scotia, 8 percentage points in Ontario, and 6 percentage points in Manitoba.

Sexual assault, other sexual offences and offences related to sexual services recorded the highest percentage of cases potentially at risk of exceeding the *Jordan* timelines in 2023/2024

From 2016/2017 to 2023/2024, increases in the percentage of adult criminal court cases potentially at risk of exceeding the *Jordan* timelines were observed for all case types except those where a residual federal statute offence (-5 percentage points, from 11% to 6%), a homicide (-3 percentage points, from 13% to 10%), or an attempted murder (-1 percentage point, from 7% to 6%) was the most serious offence. During this time period, the case types that recorded the highest increases were sexual assault (+15 percentage points, from 15% to 30%), sexual service cases (+14 percentage points, from 1% to 15%) and other sexual offence cases (+13 percentage points, from 15% to 28%).

In 2023/2024, a few types of cases recorded notably higher percentages of cases potentially at risk of exceeding the *Jordan* timelines, such as sexual assault (30%), other sexual offence cases (28%) and cases related to sexual services (15%).

¹⁹ A percentage-point difference shows the absolute gap between two percentages, for example 6% to 9% is a 3 percentage-point increase (9% - 6% = +3 percentage-points). In comparison, a percent change or percentage difference shows how a value has changed relative to its original value, in this case, 20,645 cases to 21,244 cases is a 2.9% increase (21,244 - 20,645 = 599, 599 / 20,645 = 0.029, 0.029 * 100 = 2.9% increase).

²⁰ Prior to the *Jordan* decision, the national percentage of cases exceeding the *Jordan* limit peaked in 2013/2014 at 7%, followed by a gradual decrease to 5% by 2015/2016

Percentage of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn²¹

The percentage of cases that were potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn increased 17 percentage points from 2016/2017 to 2023/2024

In 2023/2024, 45% (9,532 cases) of cases that were potentially at risk of exceeding the *Jordan* timelines were also stayed or withdrawn, an increase of 17 percentage points compared to 2016/2017 (28%; 5,724 cases). The most substantial increase occurred in 2020/2021 where it increased 12 percentage points from 32% (3,884 cases) the previous year (2019/2020) to 44% (7,324 cases). This percentage increased slightly to 47% in 2021/2022 (10,760 cases), where it remained in 2022/2023 (11,100 cases), to then decrease slightly to 45% (9,532 cases) in 2023/2024.²²

The Northwest Territories, Ontario and Alberta recorded the highest percentages of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn in 2023/2024

After the *Jordan* timelines came into effect in 2016/2017, several provinces experienced significant increases in the percentage of cases potentially at risk of exceeding these timelines that were also stayed or withdrawn. From 2016/2017 to 2023/2024, the Northwest Territories (+36 percentage points)²³ and Ontario (+8 percentage points) saw the largest increases. By 2023/2024, the Northwest Territories (56%; 14 cases)²⁴, Ontario (48%; 6,402 cases), and Alberta (45%; 851 cases) had the highest percentages of cases that had been potentially at risk of exceeding the *Jordan* timelines when they were stayed or withdrawn.

Attempted murder recorded the highest percentage of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn in 2023/2024

From 2016/2017 to 2023/2024, the percentage of adult criminal court cases potentially at risk of exceeding the *Jordan* timelines when the case resulted in a stay of proceedings or was withdrawn increased across all case types. During this time period, the types of cases that recorded the highest increases were *Youth Criminal Justice Act* cases (+82 percentage points, from 18% to 100%)²⁵, attempted murder cases (+45 percentage points, from 33% to 78%)²⁶ and criminal harassment cases (+26 percentage points, from 25% to 51%).

In 2023/2024, a few types of cases recorded notably high percentages of cases potentially at risk of exceeding the *Jordan* timelines that also received a decision of stayed or withdrawn, such as *Youth Criminal Justice Act* (100%; 8 cases), attempted murder (78%; 7 cases) and interestingly, the administration of justice offence of failure to appear (71%; 89 cases).²⁷ However, these data should be interpreted with caution due to the limited number of cases classified under these types of offences. The offence types that recorded a notably higher number of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn

²¹ The percentages of cases that were potentially at risk of exceeding the *Jordan* timelines and were stayed or withdrawn are calculated based on the number of completed cases, either in each jurisdiction or by offence type. As the number of completed criminal court cases vary widely across jurisdiction and offence type, fluctuations in these percentages should be interpreted with caution.

²² Before the *Jordan* decision, the national percentage of cases exceeding the timelines established in *R. v. Jordan* that were also stayed or withdrawn was progressively decreasing, going from 34% in 2010/2011 to 24% in 2015/2016.

²³ Data should be interpreted with caution due to the limited number of cases in this jurisdiction.

²⁴ *Ibid.*

²⁵ Data should be interpreted with caution due to the limited number of cases for this offence.

²⁶ *Ibid.*

²⁷ Data should be interpreted with caution due to the limited number of cases.

include major assault cases (50%; 1,334 cases), common assault (46%; 1,024 cases), impaired driving offences (38%; 830 cases), sexual assault (43%; 526 cases) and the administration of justice offence of failure to comply with order (52%; 508 cases).

Conclusion

The Supreme Court of Canada's *R. v. Jordan* (2016) decision set out time timelines for the completion of criminal court cases, which reinforced the importance of tracking and monitoring statistics related to court processing times. According to three key criminal court indicators that measure case processing times—referred to as “*Jordan* proxies” due to important limitations²⁸—there have been increases in median case times and in the proportion of cases potentially at risk of exceeding the *Jordan* timelines with a stay of proceedings or withdrawn decision since 2016.

While all three *Jordan* proxies show increases in the years following the timelines coming into effect (2016/2017 to 2023/2024), the latest available year of data recorded a decrease from the previous year (2022/2023). For example, despite the overall increase (+28%) of median case time to process adult criminal court cases in the post-*Jordan* years, it decreased slightly (-7%) from 2022/2023 to 2023/2024. Similarly, despite the overall increase in the post-*Jordan* years (+3 percentage-points and +17 percentage-points from 2016/2017 to 2023/2024, respectively), the percentage of cases that were potentially at risk of exceeding the *Jordan* timelines and the percentage of cases that exceeded the *Jordan* timelines that were also stayed or withdrawn also decreased in the last year of available data (from 11% and 47% in 2022/2023 to 9% and 45% in 2023/2024, respectively).

Despite the decrease at the national level, *Jordan* proxy data suggest lengthier processing times may be of greater concern in the Atlantic region, specifically Newfoundland and Labrador, Nova Scotia, New Brunswick, and also in the Northwest Territories. However, Ontario and the West, specifically British Columbia, Alberta, and Manitoba, are also on an increasing trend for certain proxy indicators. Select violent offences such as homicide, attempted murder, sexual assault and other sexual offences continue to record negative *Jordan* proxy results.²⁹ Lastly, it is important to note that year-over-year trend analysis showed increases in case times can be partially attributed to the delays caused by the COVID-19 pandemic. Ongoing monitoring of trends is critical to ensuring timely processing of cases as a key indicator of the operation of the criminal justice system.

For more information, please contact:

Rsd-drs@justice.gc.ca

Criminal Court Case Indicators Related to the *Jordan* timelines, 2016/2017 to 2023/2024

J4-200/2026E-PDF

ISBN 978-0-662-32545-1

²⁸ For more information on these limitations, please see footnotes 6 and 7.

²⁹ Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

Annex I. Adult criminal court case indicators related to the *Jordan* limits, Canada, 2016/2017 to 2023/2024

The following table presents data pertaining to the three case processing time indicators related to the timelines established in *R. v. Jordan* (i.e., *Jordan* proxies) from 2016/2017 to 2023/2024 at the national level, namely 1) median number of days to complete adult criminal cases requiring more than seven days to resolve, 2) the percentage of total cases potentially at risk of exceeding the *Jordan* timelines, and 3) the percentage of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn.³⁰ The table also presents the total number of completed adult criminal court cases to contextualize the data. The last two columns are included to highlight the changes over the last 8 years since the timelines set out by *R. v. Jordan* came into effect, as well as the changes over the last year of available data (i.e., from 2022/2023 to 2023/2024).

Indicator	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	change from 2016/17 to 2023/24 (Post- <i>Jordan</i> years)	change from 2022/23 to 2023/24 (Last year of available data)
Total completed adult criminal court cases ³¹ (N)	355,951	349,275	315,203	317,367	237,364	221,317	219,154	228,425	-35.8%	+4.2%
Median case time (days)	169	169	169	177	234	234	233	217	+48 days	-16 days
Cases potentially at risk of exceeding the <i>Jordan</i> timelines % (n)	5.8 (20,619)	5.4 (18,995)	4.1 (12,963)	3.8 (11,966)	7.0 (16,642)	10.3 (22,808)	10.9 (23,819)	9.3 (21,218)	+3.5 percentage points	-1.6 percentage points
Cases potentially at risk of exceeding the <i>Jordan</i> timelines that were also stayed or withdrawn % (n)	27.8 (5,724)	31.5 (5,987)	30.9 (4,009)	32.5 (3,884)	44.0 (7,324)	47.2 (10,760)	46.6 (11,100)	44.9 (9,532)	+17.1 percentage points	-1.6 percentage points

Source: Statistics Canada. [Table 35-10-0173-01 Key indicator results and absolute change for annual data, adult criminal court and youth court.](#)

Note: A case that has more than one charge is represented by the charge with the "most serious offence" (MSO). As of 2005/2006, all provincial and territorial courts in 10 provinces and 3 territories report to the survey. Information from superior courts in Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec are not available for extraction from their electronic reporting systems and are therefore not reported to the survey. Superior court information for Prince Edward Island was also unavailable until 2018/2019. Data for Quebec were not available for 2021/2022, 2022/2023 and 2023/2024.

³⁰ These indicators present important limitations, please refer to footnotes 6 and 7.

³¹ Completed sex trade related offence cases are included.

Annex II. Adult criminal court case indicators related to the *Jordan* limits, changes pre- and post-COVID-19, 2016/2017 to 2023/2024

The following table presents changes over time pertaining to the three case processing time indicators related to the timelines established in *R. v. Jordan* (i.e., *Jordan* proxies) from 2016/2017 to 2023/2024 at the national level, according to three different time periods, all in the post-*Jordan* years currently available (2016/2017 to 2023/2024):

- **Pre-COVID-19 period**, which examines changes in the three *Jordan* proxies from 2016/2017—the year the *Jordan* timelines came into force—to 2018/2019—the year prior to the COVID-19 pandemic being declared—representing three years of Integrated Criminal Courts Survey (ICCS) data.
- **COVID-19 period**, which examines changes in the three *Jordan* proxies from 2019/2020—the year the COVID-19 was declared—to 2020/2021—the following year, which was the peak of COVID-19—representing an unprecedented two-year “COVID-19” period.
- **Post-COVID-19 period**, which examines changes in the three *Jordan* proxies from 2021/2022—the year following the peak COVID-19 year, although some of its impacts were still being experienced—to 2023/2024—the last year of available data—representing three years of ICCS data, matching a three-year pre-COVID-19 time period.

Indicator	Change from 2016/17 to 2018/19 (Pre-COVID-19 period)	Change from 2019/20 to 2020/21 (COVID-19 period)	Change from 2021/22 to 2023/24 (Post-COVID-19 period)
Total completed adult criminal court cases ³²	-11%	-25%	+3%
Median case time	-	+57 days	-17 days
Percentage of cases potentially at risk of exceeding the <i>Jordan</i> timelines	-1.7 percentage-points	+3.2 percentage-points	-1.0 percentage-point
Percentage of cases potentially at risk of exceeding the <i>Jordan</i> timelines that were also stayed or withdrawn	+3.2 percentage points	+11.6 percentage-points	-2.3 percentage-points

Source: Statistics Canada. [Table 35-10-0173-01 Key indicator results and absolute change for annual data, adult criminal court and youth court.](#)

Note: A case that has more than one charge is represented by the charge with the "most serious offence" (MSO). As of 2005/2006, all provincial and territorial courts in 10 provinces and 3 territories report to the survey. Information from superior courts in Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec are not available for extraction from their electronic reporting systems and are therefore not reported to the survey. Superior court information for Prince Edward Island was also unavailable until 2018/2019. Data for Quebec were not available for 2021/2022, 2022/2023 and 2023/2024.

³² Completed sex trade related offence cases are included.

Annex III. Infosheet: Adult criminal court case indicators related to the Jordan timelines, 2016-2017 to 2023-2024

Adult criminal court case indicators related to the *Jordan* timelines, 2016-2017 to 2023-2024



The timely completion of criminal court cases is important to ensure the criminal justice system works efficiently. In 2016, the Supreme Court of Canada decision in *R. v. Jordan* established timelines beyond which delays in criminal court cases are presumed to be unreasonable.^{33 34} Cases that exceed these limits may be stayed (that is, terminated) by the court without a final verdict.

Timelines for completing criminal cases:

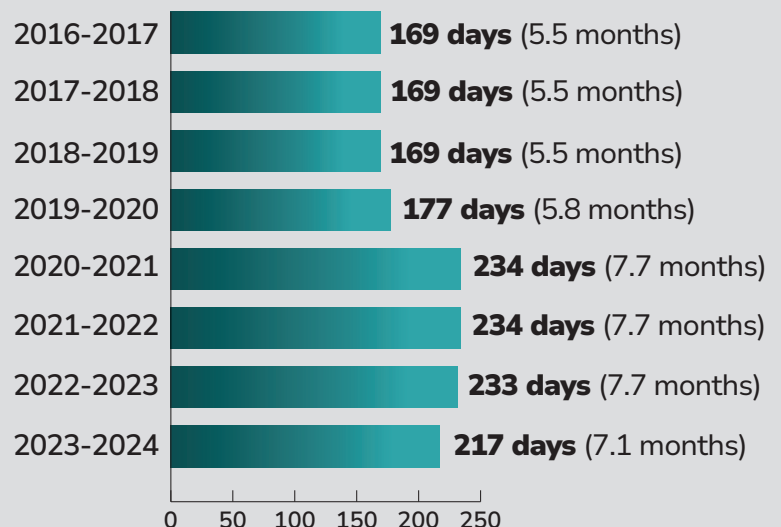
- 18 months for provincial court cases
- 30 months for superior court cases or provincial court cases following a preliminary inquiry

A case may proceed beyond these timelines if the Crown can prove the existence of exceptional circumstances, such as complex matters or unforeseeable delays (for example, due to a medical emergency).

» Median case processing time

The median case time increased **28%** from 5.5 months in 2016-2017 to 7.1 months in 2023-2024.³⁵

The median is the point at which **half of all cases had longer case lengths** and **half had shorter case lengths**.³⁶



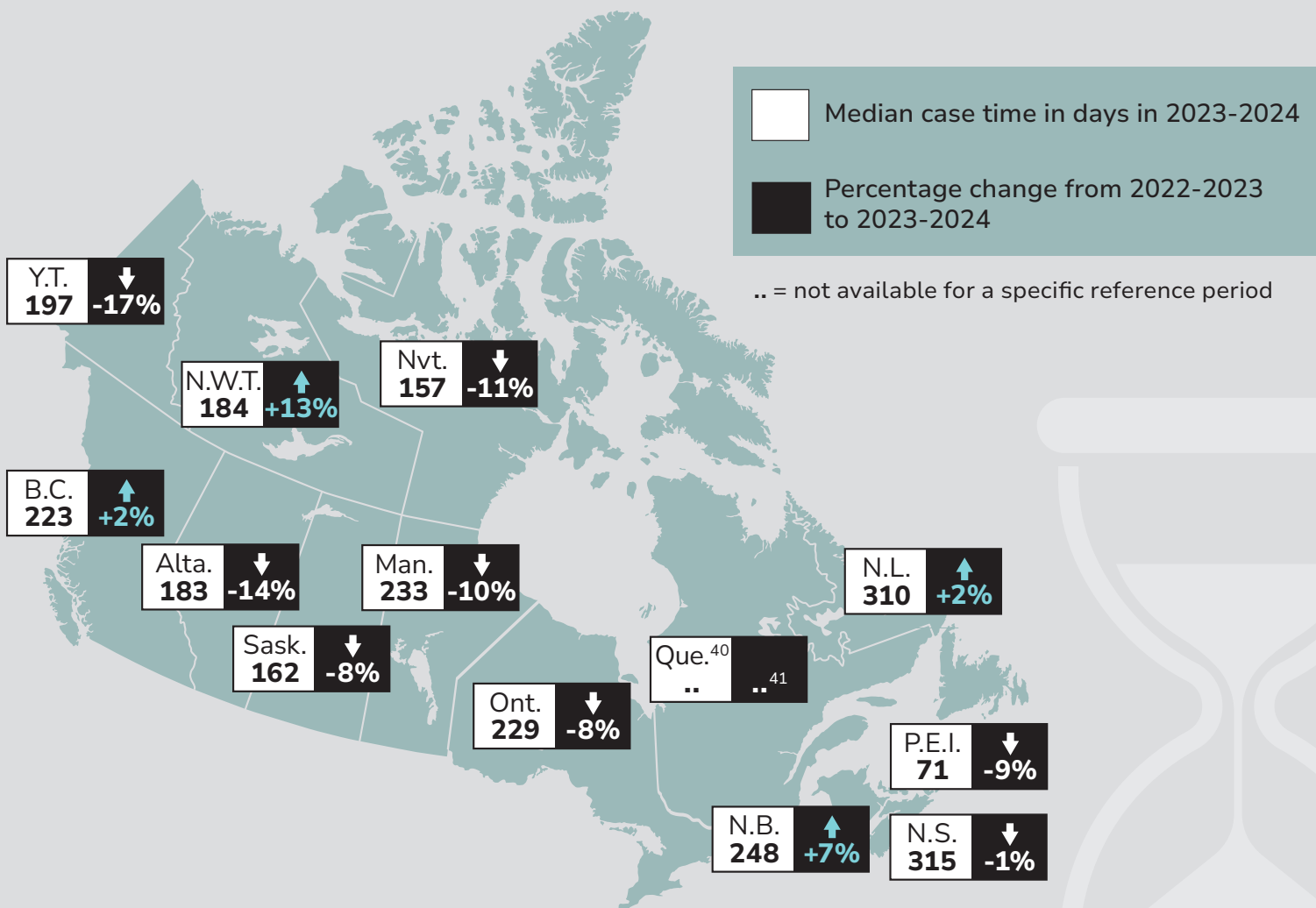
Biggest increases in median case time from 2016-2017 to 2023-2024 were found among the following types of cases:^{37 38}

- **Sexual assault: +38%**
(reaching 453 days in 2023-2024)
- **Weapon offences: +37%**
(reaching 261 days in 2023-2024)
- **Other Criminal Code traffic offences: +35%**
(reaching 279 days in 2023-2024)
- **Other sexual offences cases³⁹: +33%**
(reaching 448 days in 2023-2024)



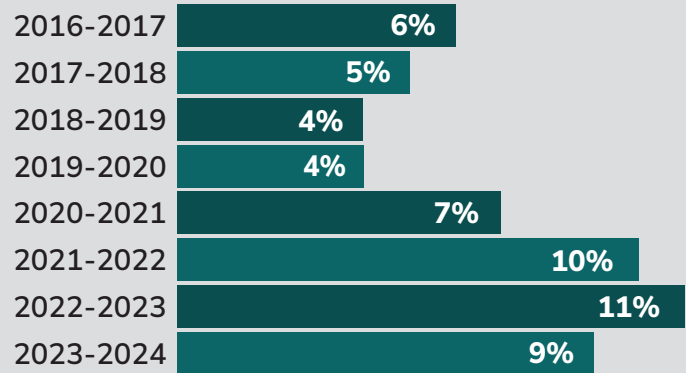
Homicide (516 days in 2023-2024), **attempted murder** (390 days), and **other drug offences** (342 days) remain among the types of cases that take longest to complete.

New Brunswick (+61%), British Columbia (+59%) and the Northwest Territories (+59%) have experienced larger increases since the *Jordan* timelines came into effect and continue to trend upward despite most jurisdictions showing a decrease in the most recent year of available data.



Percentage of total cases potentially⁴² at risk of exceeding the *Jordan* timelines

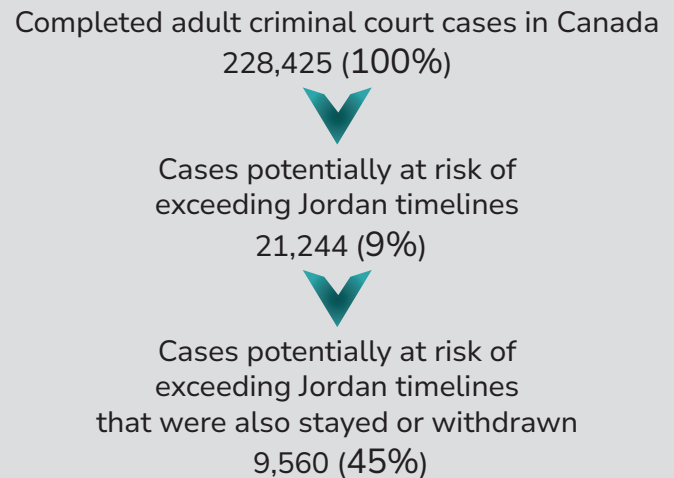
The percentage of completed adult criminal court cases that were potentially at risk of exceeding the *Jordan* timelines increased from 6% (20,619 cases) in 2016-2017 to 9% (21,218 cases) in 2023-2024.



Percentage of cases potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn

The percentage of all cases in Canada that were potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn for any reason⁴³ increased from 28% (5,724 cases) in 2016-2017 to 45% (9,532 cases) in 2023-2024.

In 2023-2024, the **Northwest Territories** (56%; 14 cases), **Ontario** (48%; 6,402 cases) and **Alberta** (45%; 851 cases) had the highest percentages of cases that were stayed or withdrawn after potentially exceeding the *Jordan* timelines.



In 2023-2024, some offence types had a higher number of cases that were potentially at risk of exceeding the *Jordan* timelines that were also stayed or withdrawn. These included:

- **Major assault cases** (1,334 cases; 50%)
- **Common assault** (1,024 cases; 46%)
- **Impaired driving offences** (830 cases; 38%)
- **Sexual assault** (526 cases; 43%)
- **Administration of justice offence of failure to comply with order** (508 cases; 52%)



³³ Elapsed case times (based on the most serious offence (MSO) in the case) used to determine if a case was potentially at risk of exceeding the Jordan timelines is calculated based on the number of calendar days it takes to complete the MSO charge, from first appearance to final decision or sentencing. This differs from the parameters set out in *R v. Jordan*, where the clock starts at the time of charge.

³⁴ No national data exists on the number of cases being stayed because they exceeded the *Jordan* timelines. Statistics Canada reports on several case time indicators related to the *Jordan* timelines, which are referred to as “proxy indicators.” However, it is not possible to determine the reason why cases potentially at risk of exceeding the *Jordan* timelines were stayed or withdrawn as this information is not currently reported to Statistics Canada by the courts. Therefore, the Integrated Criminal Court Survey data cannot be used to confirm the number of cases that were stayed or withdrawn due to *Jordan* timelines being exceeded.

³⁵ Trend analyses over several calendar years showed case time increases can be partially attributed to the COVID-19 pandemic.

³⁶ This excludes cases that were resolved within 7 days of being initiated in court and cases in which the case length was unknown. Importantly, the elapsed case times are calculated based on the number of calendar days it takes to complete a case, from first court appearance to final decision.

³⁷ In cases involving multiple charges, the case is represented by the MSO. The MSO is identified using an offence seriousness scale based on actual sentences imposed by Canadian courts.

³⁸ Offences classified under sex trade-related offences—previously commonly referred to as 'prostitution' offences (that is, communicating to provide sexual services for consideration, stopping or impeding traffic for the purpose of offering, providing or obtaining sexual services for consideration)—were excluded from case time analyses.

³⁹ Includes, for example, sexual interference, invitation to sexual touching, child pornography, luring a child via a computer and sexual exploitation.

⁴⁰ Data for Quebec were not available for 2021-2022, 2022-2023 and 2023-2024.

⁴¹ *Ibid.*

⁴² Federal-provincial-territorial discussions identified the term “**potentially** at-risk” to highlight that these data do not explain why cases have remained active beyond what is considered reasonable. As such, it is not possible to determine if they are, in fact, at risk of being deemed unreasonable.

⁴³ See footnote 2.