



TOP 10 WAYS TO REDUCE COURT DELAYS

1

Appoint enough judges.

In many regions, vacancies on the Bench have been unfilled for years. Promptly filling those vacancies, increasing the complement of judges where required, and appointing more experienced criminal lawyers would make a difference.

2

Provide adequate legal aid.

People charged with anything more than very minor offences need a lawyer. They flounder alone in courts, taking more time and putting judges and the Crown in a hopeless position, not to mention the likely injustice to result.

3

Prioritize early resolution.

A robust pre-trial procedure allows more accurate estimates of court time needed, saving time and resources later. Applying a 'substantial likelihood of conviction' test for all regions, as currently used in BC, would go a long way in screening out weak cases.

4

Use technology.

Modernize routine court appearances. When necessary, allow for counsel participation by phone, email or video conferencing.

5

Address Aboriginal over-representation.

Aboriginal people are disproportionately drawn into the criminal justice system, then impacted longer and more harshly by it. Acting on the Truth and Reconciliation Commission's recommendations would help address these problems.



TOP 10 WAYS TO REDUCE COURT DELAYS

6

Divert minor charges.

Expand diversion programs so minor matters are off the docket before consuming unnecessary time. In addition, alternative courts can deal more effectively with low level and administration of justice offences, often linked to substance abuse and mental health problems.

7

Resource the system.

Delays often occur when Crown attorneys, court staff and courtroom facilities are inadequate or unavailable. We need to properly resource our justice system to solve the problem of court delays.

8

Improve disclosure practices.

Complete disclosure to defence at first appearance, in a consistent and readable format, is the goal. Resources for police to hire qualified people to vet disclosure would get it to Crown, and then defence, earlier in the process.

9

Keep preliminary inquiries.

Rather than consuming extra time, preliminary inquiries usually mean an earlier resolution of the case. In the minority of cases that still proceed to trial after a preliminary inquiry, matters are significantly streamlined.

10

Repeal mandatory sentencing.

More cases go to trial when negotiations are impossible because of mandatory sentencing and the near elimination of conditional sentence orders. Trust Crowns to decide which charges, and judges to decide which sentences, are best in each case.