



Canada's Police Associations Demand National Action on Court Delays a Decade After the Supreme Court of Canada's Jordan "Call to Action" Decision

July 29, 2026

OTTAWA – The Canadian Police Association (CPA) and National Police Federation (NPF) are calling on federal, provincial, and territorial governments to make criminal court delay and justice-system capacity a national priority, warning that unresolved cases compound the burden on victims and police while steadily eroding public confidence in Canada's legal system.

Canada's two largest police associations want the issue and clear solutions and investments to play a central role when federal, provincial, and territorial ministers responsible for justice and public safety meet in Niagara Falls this October.

The call comes just weeks after the tenth anniversary of the Supreme Court of Canada's July 8, 2016, decision in *R. v. Jordan*, which was intended to drive urgent and lasting change after the Court found that a "culture of complacency" toward delay had taken hold in Canada's criminal justice system. In May, the Court reiterated that warning in *R. v. Jacques-Taylor*, describing *Jordan* as an "unequivocal call to action" against that culture.

Despite the top Court's decisions, police officers across Canada continue to deal with the consequences when that urgency is not matched by sufficient capacity in Crown offices and courts. The results reach far beyond the outcome of any one file, affecting victims, communities, and officers who are asked to re-engage with the same offenders repeatedly as serious cases drag on or disappear.

"Our members have a front-row seat to court delay, and they have had enough of watching the problem get acknowledged and then ignored," said CPA President Tom Stamatakis. "They see months of investigative work come apart and victims forced to wait, sometimes only to learn that serious charges will never be tested in court because the system was not ready to carry the case forward. The Supreme Court named this problem clearly, and governments should not need another decade to understand the damage it is doing to confidence in Canadian justice."

"RCMP Members serve in communities of all sizes across the country, including many where justice services are limited and a single vacant position or unavailable courtroom can create months of

additional delay,” said Rob Farrer, President of the National Police Federation. “Crown and court capacity are public safety infrastructure, and when it is allowed to fall behind, the consequences reach far beyond the courthouse. Canadians deserve a credible plan from governments to ensure those failures are not simply repeated.”

The latest available Statistics Canada data show that, in 2023/24, adult criminal courts in reporting jurisdictions recorded 108,234 cases in the combined category of “stayed or withdrawn,” which represents 91% as many cases as the 119,141 cases resulting in a guilty finding. Yet Canada’s court statistics do not identify how many of those files were lost because the system ran out of time or provide any clear national accounting of why so many prosecutions ended without a determination of guilt.

The inability to distinguish among those outcomes is itself evidence of a serious national accountability failure. Governments cannot fix what they do not properly measure, and Canadians cannot hold the justice system accountable while cases lost to delay are buried in a broad statistical category, especially when those cases can involve serious violence, repeat offences, and victims who never see their day in court.

Responsibility is shared, but that can’t become an excuse for inaction or finger-pointing. Provinces and territories must ensure that Crown offices and provincial courts have the capacity needed to move cases forward, including adequate staffing, courtroom space, and legal aid support. At the federal level, prompt superior court appointments must be paired with leadership on criminal procedure, effective implementation of recent bail and sentencing reforms, and meaningful national justice data.

Earlier this year, First Ministers noted “significant progress” in strengthening the Criminal Code, alongside provincial and territorial efforts to support community safety, and endorsed a Federal Provincial Territorial Action Plan for Safer Communities while reaffirming their commitment to work together to protect Canadians and keep communities safe. Police associations are now asking ministers responsible for justice and public safety to show Canadians how that Action Plan will translate into real change in the courts: shorter delays, fewer serious cases lost to stays and withdrawals, and transparent national reporting on when and why prosecutions fail to reach a verdict.

The CPA and the NPF are asking ministers to leave their October meeting with firm, time bound commitments in three areas:

- A coordinated capacity plan addressing Crown workloads, judicial vacancies, courtroom availability, court staffing, legal aid, and the growing demands created by digital evidence and disclosure;
- Consistent national reporting that separately identifies cases stayed for unreasonable delay and allows outcomes to be compared across offences, levels of court, and jurisdictions; and
- Public targets, implementation timelines, and regular progress reports so Canadians can judge whether government commitments are producing measurable, meaningful improvements.

Police officers are expected to build cases that can withstand scrutiny and to support victims throughout the criminal justice process. When that work produces a viable case, governments have a responsibility to ensure that the rest of the system can bring it to a fair and timely conclusion.

The anniversary of Jordan should not pass as another reminder of a problem governments and Canadians have learned to live with. The Ministers meeting in Niagara Falls this October have an opportunity to demonstrate that complacency toward court delay, and the damage it causes to victims, communities, and public confidence, will no longer be tolerated.

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About the Canadian Police Association

The Canadian Police Association is the largest national organization representing front-line civilian and sworn police personnel in Canada. The CPA is non-partisan, independent, and member-driven, and advocates for effective justice policy, appropriate police resources, member wellness, and safer communities.

About the National Police Federation

The National Police Federation represents approximately 20,000 RCMP Members serving across Canada and internationally. The NPF is the largest police union in Canada and advocates for its Members and for investments throughout the public safety continuum.

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