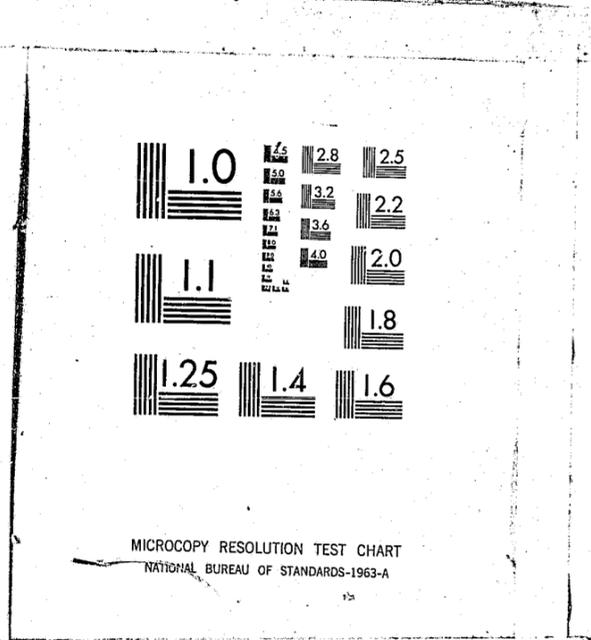


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National Institute of Justice  
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Washington, D. C. 20531

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# Ontario Criminal Justice Terminology for Statistical Data and Information Systems

A proposal developed by

The Ministry of the Attorney General  
The Ministry of Correctional Services  
The Ministry of the Solicitor General  
The Provincial Secretariat for Justice

1980

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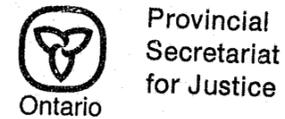
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The Honourable Gord Walker Q.C.  
Provincial Secretary for Justice

## INTRODUCTION

This document is intended as a reference to be employed within the adult criminal justice system of Ontario. The objective is to arrive at a common understanding of terms used in compiling statistical data and in information systems; the descriptions of these terms may differ therefore in many instances from their legal definitions.

It is hoped that this volume will be of use not only to the Ontario Criminal Justice community but will also serve as a model for other Provinces that may wish to engage in similar initiatives.

NCJRS

MAY 11 1981

ACQUISITIONS

## EVOLUTION OF PROJECT

In mid November of 1978, the Provincial Secretariat for Justice in Ontario submitted a proposal to the National Work Group on Justice Information and Statistics for development of common terminology to be used in the criminal justice area. The joint participants in this project were the Provincial Secretariat for Justice and the Ministries of the Attorney General, the Solicitor General and Correctional Services. In addition to the direct benefits to the Ontario criminal justice community, the project was conceived as a model for other provinces and one which would also improve the status of national criminal justice statistics. Development of common terminology was viewed as a major step toward the reduction of existing communications problems within and between Criminal Justice Ministries in Ontario.

At its most fundamental level, the need for this project is based on several key problems, the magnitude of which impedes valid, timely and reliable interpretation of criminal justice terminology.

With the assistance of funds made available through the National Work Group, Ontario was able to achieve its objective of developing an interim and working draft document of criminal justice terms and definitions in Ontario. Terms were identified and arranged in a Key-Word-In-Context format for cross-referencing purposes. This first phase of the project took approximately three months and culminated in the working draft document (March 31, 1979) which was submitted to the National Work Group and tabled at the Federal-Provincial Steering Committee meeting of April 3, 1979.

During the fiscal year of 1979, again with financial assistance of Federal departments, the Ontario Project Group refined and expanded the working draft. The present document represents the results of those efforts. Because of the complexity and fluid nature of criminal justice terminology, this report should be viewed as a pilot document which the project group expects to revise from time to time based on user feedback and as changes are introduced in the criminal justice system.

### USE OF THIS DOCUMENT

All entries have been alphabetized and each term carries a code which can be used as a reference number. Those terms which appear as synonyms to other terms are cross-referenced in the Index of Terms.

Terms included in this document have several distinct features: Term Title; Definition; Synonym; Note. The latter two features are presented only when applicable. The information under Note provides added detail which enriches the understanding of the term. Oftentimes, the reader is directed to such sources as the Criminal Code of Canada for a fuller context.

Symbols and abbreviations used in this document are as follows:

C.C.C.	Criminal Code of Canada
cf.	Compare/contrast with; see
R.S.O.	Revised Statutes of Ontario
U.C.R.	Uniform Crime Reporting
* *	Used to signify slang

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**CJ-0001 ABANDON A CHILD**

A wilful omission of responsibility for the care of a child by a person who is under a legal duty to do so or of dealing with the child in a manner that is likely to leave that child exposed to risk without protection.

Note: cf. Sections 196 and 200 C.C.C.

**CJ-0002 ABANDON AN APPEAL**

To disclaim a right to and forsake the process of an appeal.

**CJ-0003 ABANDONMENT**

An act or omission by a person that results in the death of a human being when that death might have been prevented.

Note: cf. Sections 196, 200 and 207 C.C.C.

**CJ-0004 ABDUCTION**

The taking of a female without her consent, a female under 16 or a child under 14 without the consent of parents or guardian, by fraud and persuasion or open violence for the purpose of marriage, prostitution or illicit sexual intercourse.

Note: If the child is under 14 the offence may include taking, detaining, enticing, or harbouring.  
cf. Sections 248, 249 and 250 C.C.C.

**CJ-0005 ABETTING**

Encouraging, inciting or assisting a person in committing any offence and thus becoming a party to that offence.

**CJ-0006 ABORTION**

The unlawful procuring of the miscarriage of a female by the administration of a drug, noxious thing, instrument or manipulation.

Note: cf. Sections 251 and 252 C.C.C.

**CJ-0007 ABROGATE**

To repeal, annul or cancel a former law by legislative act to overrule by a superior court or by usage.

**CJ-0008 ABSOLUTE DISCHARGE**

A court decision made when, in the best interests of the accused and not contrary to the public interest, a person who has been found guilty or has pleaded guilty may be relieved from sentencing by that court, without conditions.

Note: cf. Section 662.1 C.C.C.

**CJ-0009 ACCESSORY**

A person who helps a criminal either before or after a crime has been committed but is not present at the place of the crime.

Note: cf. Sections 23 and 421 C.C.C.

**CJ-0010 ACCIDENT**

An unforeseen event which occurs from unawareness, carelessness, ignorance or unavoidable causes usually resulting in damage, injury or death.

**CJ-0011 ACCOMPLICE**

One who joins another in committing a criminal offence; one who abets.

Synonym: Party

**CJ-0012 ACCUSED**

One charged with a crime; the defendant in a criminal action.

**CJ-0013 ACQUITTAL**

The legal and formal certification of the finding of "not guilty" in reference to a person who has been charged with a crime. A clearance from a charge of an offence by process of trial at law.

Synonym: Acquitted

Note: For statistical purposes "dismissed" is regarded as a synonym.

cf. Certificate of Acquittal

**CJ-0014 ACT**

A statute of the Parliament of Canada or the legislature of a province.

Synonym: Law

**CJ-0015 ADDICT**

A person who, through the use of a drug or narcotic, has developed a psychological or physical dependence upon the effect of that drug or narcotic.

**CJ-0016 ADJOURNMENT**

The postponement of a hearing or court sitting, usually because the scheduled proceedings were not completed or ready to commence.

Synonym: Adjourned  
Note: cf. Remand

**CJ-0017 ADJOURNMENT SINE DIE**

An indefinite postponement of court proceedings.

Note: For statistical purposes this sort of adjournment is recorded as "withdrawn-dismissed".

**CJ-0018 ADJUDICATION**

The act of sitting in judgment.

**CJ-0019 ADMISSION**

Any written or verbal acknowledgement of fact whether incriminating or not; the initial entry of a person into custody.

Note: cf. Transfer

**CJ-0020 ADMITTING OFFICER**

A correctional officer who is engaged in the initial induction and reception of inmates into a correctional institution; the officer in charge of the lock-up in a police facility.

**CJ-0021 ADULT**

In Ontario, any person 16 years of age and over.

Note: cf. Statutes of Ontario

**CJ-0022 ADULT TRAINING CENTRE**

A minimum security institution for selected males usually between 16 and 24. Academic and vocational training is emphasized.

Note: The Vanier Centre for Women, although not an Adult Training Centre, offers parallel training.

**CJ-0023 AFFIDAVIT**

A written or printed statement of facts, made voluntarily, and confirmed by the oath or affirmation of the party making it before an officer having authority to administer such an oath.

Note: Affidavits are intended to be used as evidence in judicial proceedings.

**CJ-0024 AFFIRMATION**

A solemn declaration as to the truth of a statement of fact allowed to be made instead of an oath.

**CJ-0025 AGGREGATE SENTENCE**

A sentence which covers a single term of imprisonment and combines the separate penalties of the convicted for one or more offences and/or count. Each sentence may be concurrent and/or consecutive.

Synonym: Cumulative sentence

**CJ-0026 ALIAS**

An assumed name.

Synonym: AKA - also known as

**CJ-0027 ALIBI**

A type of defence used in criminal prosecution that is offered to prove that the accused could not have committed the crime with which he is charged since evidence offered shows that he was in another place at the time.

**CJ-0028 AMPHETAMINE**

A synthetic drug named benzedrine sulphate; a central nervous stimulant which constricts mucous membranes.

Synonym: \*Speed\*

Note: cf. Schedule G - Food and Drug Act

**CJ-0029 APPEAL**

The removal of a case, or some proceeding or aspect in a case, from an inferior to a superior court for review.

Note: As of April 1, 1980, under the Provincial Offences Act, appeals may take place entirely within the Provincial Court system.

**CJ-0030 APPEARANCE NOTICE**

A written notice issued by a peace officer to a person alleging the commission of a crime and requiring that person to attend court at a specific time and place for hearing. In addition, it may direct a person to appear at a police station to be fingerprinted and photographed. It can only be issued where the power of arrest without a warrant exists.

Note: cf. Form 8.1 C.C.C.

**CJ-0031 APPEARANCE RESULT**

For statistical purposes, the status of each charge made in a court at the conclusion of that court day, including: re-issued summonses, bench warrants, adjournments, withdrawn, dismissed, convicted and sentenced, and preliminary hearings.

**CJ-0032 APPELLANT**

The party who appeals a case.

**CJ-0033 APPLICATION**

A request for action by judicial authority.

**CJ-0034 APPREHEND**

To seize, take into custody, arrest.

**CJ-0035 APPROVED INSTRUMENT**

An instrument which is designated by statute and is designed to receive and make a chemical analysis of a sample of the breath of a person in order to measure the proportion of alcohol in the blood of that person.

Note: e.g. Breathalyzer

**CJ-0036 ARRAIGN**

To bring an accused to court in order to answer the charge laid. Arraignment consists of naming the defendant, reading the charge, asking for a plea of guilty or not guilty and selection of the form of trial.

**CJ-0037 ARREST**

The act of restraining, seizing, or physically detaining a person by legal authority.

Synonym: Apprehend

**CJ-0038 ARREST WARRANT**

The document signed by a Judge or a Justice of the Peace, authorizing those to whom it is addressed to apprehend a person and bring that person before a Justice of the Peace.

Note: cf. Form 7 C.C.C.

**CJ-0039 ARSON**

The wilful burning of another's building or other property specified by statute or such burning of one's own property with intent to defraud.

Synonym: \*Torch\*

**CJ-0040 ASSAULT**

The application or threat of application of force to the person of another without that person's consent or with consent obtained by fraud.

Note: For the purpose of the U.C.R. program, assault offences are categorized as follows: assault police, assaults not indecent total, assaults other peace or public officers and assaults other.

**CJ-0041 ASSAULT CAUSING BODILY HARM**

An application or threat of application of force to the person of another with intent to maim, wound, disfigure, endanger the life of or prevent the rescue or detention of any person.

Synonym: A.B.H.

Note: For U.C.R. purposes the term includes administering a noxious thing (poison), attempting to choke, suffocate or strangle; administering drugs; traps likely to cause bodily harm; interfering with transportation facilities and causing bodily harm.

**CJ-0042 ASSAULT INDECENT ON A FEMALE**

A voluntary and intentional act against a female person that offends against common propriety.

**CJ-0043 ASSAULT INDECENT ON A MALE**

A voluntary and intentional act by a male person against another male person to commit buggery or an act against common propriety.

**CJ-0044 ASSAULTIVE**

The term applied to an inmate who attacks another inmate or staff member with the intention of injuring that person.

**CJ-0045 ASSESSMENT**

The determination of a client's needs in terms of correctional programs at any point during the period of incarceration.

**CJ-0046 ATTEMPT**

The unsuccessful completion of a crime, due to its interruption and/or the failure of the perpetrator to accomplish the act intended.

**CJ-0047 ATTORNEY GENERAL**

The person who is chief legal representative of the province and whose ministry oversees the administration of the courts, certain tribunals and commissions. The Attorney General is also the chief litigant before the courts since his office conducts criminal prosecutions on behalf of the Crown. The Attorney General advises concerning the drafting of statutes and discusses legal matters with government departments.

Synonym: A.G.

**CJ-0048 AUDIO SURVEILLANCE**

A surveillance by listening. This may be by wire tapping or the use of electronic eavesdropping equipment to pick up conversations.

Synonym: \*Bugging\*

**CJ-0049 AUTOPSY**

The dissection of a dead body for the purposes of enquiring into the cause of death.

Synonyms: Post mortem, P.M.

**CJ-0050 AUTREFOIS ACQUIT**

Formerly acquitted.

**CJ-0051 AUTREFOIS CONVICT**

Formerly convicted.

**CJ-0052 BAIL**

Security given for a prisoner's release as guarantee for his subsequent appearance for trial, including his own recognizance when it is acceptable to the court.

**CJ-0053 BAIL ESTREAT**

The enforcement of a bail recognizance by forwarding an extract or copy to the proper authority.

**CJ-0054 BAIL HEARING**

An appearance before a Justice of the Peace or Provincial Judge to determine if conditions exist for a prisoner's conditional release pending trial and, if so, what those conditions are. In the case of certain serious offences the hearing must be presided over by a Supreme Court Justice.

**CJ-0055 BAIL HOSTEL**

A place or institution where persons accused of a crime reside as a condition of a bail or judicial interim release order.

**CJ-0056 BAIL REVIEW**

An appeal over a bail controversy; taken to the Supreme Court or a County Court regarding bail granted or refused by a lower court.

**CJ-0057 BAIL SUPERVISION**

Overseeing of an accused by community agencies and/or individuals as a condition of bail.

**CJ-0058 BAIL VERIFICATION**

Investigation and confirmation of factual information about an accused's community status, in preparation for a bail hearing.

**CJ-0059 BAIL VIOLATION**

The neglect of an undertaking, recognizance, summons, appearance notice or a promise to appear.

**CJ-0060 BARBITUATE**

Any of various derivatives of barbituric acid used as sedations or hypnotics.

Note: Listed as a controlled drug under the Food and Drug Act - Schedule G.

**CJ-0061 BATON**

A small bludgeon that may be carried in the pocket by a peace officer on normal duty.

Synonym: \*Billy\*

**CJ-0062 BATTERED CHILD**

A child injured by adult brutality or culpable carelessness.

Synonym: Abused child

**CJ-0063 BEAT**

A designated geographic area of patrol within a police force's area of responsibility.

Synonyms: Zone of patrol, Foot patrol, Patrol area

**CJ-0064 BENCH WARRANT**

A warrant ordered by the court for the arrest of an accused person or subpoenaed witness who has failed to attend court at a time previously scheduled.

**CJ-0065 BENCH WARRANT WITH DISCRETION**

A warrant ordered by the court in connection with the non-appearance of an accused person or witness in court, which does not require immediate arrest, as indicated to the service agency by the issuing judge.

Synonym: Bench warrant to hold

**CJ-0066 BESTIALITY**

Sexual relations between a human being and an animal.

**CJ-0067 BIGAMY**

The act of marrying someone while still legally married to another.

**CJ-0068 BLACKMAIL**

The extortion of money or other valuables from a person by threats of accusation, violence or exposure.

**CJ-0069 BOMBING INCIDENT**

The detonation or attempted detonation of an explosive or an incendiary device with wilful disregard of risk to the person or property of another or for a criminal purpose.

**CJ-0070 BOOKING**

A police administrative action officially recording an arrest and identifying the person, place and time, the arresting authority and the reason for the arrest.

**CJ-0071 BOOKMAKING**

A practice of receiving or recording bets made on the results of horse-racing and other sporting events.

Note: A person engaged in bookmaking is commonly referred to as a \*bookie\*.

**CJ-0072 BREAK AND ENTER**

To make a way through any internal or external opening. A person enters as soon as any part of his body or any part of an instrument that he uses is within any place that is being entered. A person will be deemed to have broken and entered if he obtained entrance by threat, artifice or collusion.

Synonym: B & E

Note: For purposes of the U.C.R. program it includes break and enter with intent; breaking and entering and committing; breaking out; being unlawfully in a dwelling house.  
cf. Sec. 306 C.C.C.

**CJ-0073 BRIBERY**

The act of giving a favour or remuneration with a view to corrupting the conduct of a person in a position of trust.

Note: For U.C.R. purposes, reported under "other Criminal Code offences".

**CJ-0074 BY-LAW**

An ordinance, supplementary to federal and provincial statutes, passed by the governing body of a duly constituted group of local residents or an Indian Band and pertaining to the locality for which it was passed.

**CJ-0075 CACP**

The Canadian Association of Chiefs of Police.

**CJ-0076 CALENDAR OF PRISONERS**

A complete list of the names, charges, status and date of admission of all inmates in a particular correctional institution.

**CJ-0077 CAMP**

A minimum security correctional institution that carries out forestry and community operations.

**CJ-0078 CANNABIS SATIVA**

An herbaceous annual plant.

Synonyms: Hashish, Pot, Marijuana

Note: For the purpose of the U.C.R. program the major offence categories include: cultivation, importation, possession and trafficking.  
cf. the Narcotic Control Act

**CJ-0079 CASE (COURT)**

The name for a cause of action which is to be heard, tried and decided in a judicial proceeding.

**CJ-0080 CASE (POLICE)**

A specific investigation of an event from commencement to conclusion.

**CJ-0081 CASE (SOCIAL)**

An inmate, probationer, parolee or the subject of a pre-sentence report who is on the workload of a social worker or probation and parole officer.

**CJ-0082 CASE LAW**

An aggregate of the reported court decisions which forms the basis for an interpretation of statutes through precedents.

Synonyms: Law of precedent, *stare decisis*

Note: A case which is precedent-setting is known as a "leading case".  
cf. Common law

**CJ-0083 CASE, STATED**

A statement of facts prepared by a summary conviction court for the opinion of another court on a point of law.

**CJ-0084 CASELOAD MANAGEMENT**

The ability of an individual staff member or a particular office to organize staff time in a manner which insures that all active cases receive service, based on their defined needs.

**CJ-0085 CASES ADDED**

New cases scheduled for the consideration of a specific court.

**CJ-0086 CATTLE**

Neat cattle or an animal of the bovine species by whatever technical or familiar name it is known; also refers to a horse, mule or ass.

Note: cf. Section 2 C.C.C.

**CJ-0087 CAUTION**

A warning to a suspect given by a questioning authority before any statements are obtained relative to the suspect's culpability.

**CJ-0088 CERTIFICATE OF ACQUITTAL**

The dated, written assurance of a court that a specified individual was found not guilty of a specified charge which had been brought against him.

Note: cf. Form 33 C.C.C.

**CJ-0089 CERTIFICATE OF CONVICTION**

The written assurance of a court that a certain named individual was, on a specific date, found guilty of a particular charge brought against him. The certificate may be used as proof in court.

**CJ-0090 CERTIORARI**

A writ from a superior court directed to an inferior court requiring the records of the inferior court proceedings in order to enquire into the validity of a conviction.

**CJ-0091 CHANGE OF VENUE**

A court order to move an action or a case from one jurisdiction to another in an attempt to assure a jury free of local prejudice.

**CJ-0092 CHARGE**

The formal accusation against a person that he has committed one or more specific offences or crimes.

Note: For statistical purposes, each time an offence is alleged to have been committed is a count of the charge.

**CJ-0093 CHARGED**

Formally accused before a court which has jurisdiction to determine guilt.

**CJ-0094 CITIZEN'S ARREST**

Arrest of a person by a citizen, not a law enforcement officer or other peace officer, and without a warrant, of a person whom he finds committing a criminal offence or a person who on reasonable grounds he believes has committed a criminal offence and is escaping from and freshly pursued by persons who have lawful authority to arrest that person.

**CJ-0095 CLASSIFICATION OF INMATES**

The process of placing an inmate in the correctional institution and program appropriate to that inmate's needs. Each inmate is interviewed and tested by the professional staff to determine the particular rehabilitative strategy for the inmate.

**CJ-0096 CLERK OF THE COURT**

A person appointed by the Attorney General or his designate by whatever name or title, who from time to time performs the duties of the Clerk of the Court, as allowed under the Criminal Code or any other legislation, cf. exception below.

Note: Clerks of County Courts are appointed by the Lieutenant-Governor-in-Council.

**CJ-0097 CLERK OF THE PEACE**

The person appointed to a judicial district to perform the duties of a Clerk of the Court in a County Court Judges' Criminal Court, a County or District Court.

Note: Appointed by the Lieutenant-Governor-in-Council. (Refer to County Court Judges' Criminal Court Act - Section 1(3), Chapter 93.)

**CJ-0098 CLIENT**

The term used by professional staff members in the Ministry of Correctional Services to describe an inmate, probationer or parolee who receives services from one of these members.

**CJ-0099 COCAINE**

A narcotic drug obtained from leaves of the coca bush (Erythroxyton).

Synonyms: \*Snow\*, \*Coke\*

Note: For the purposes of the U.C.R. program the major offence categories include: importation, possession and trafficking.  
cf. the Narcotic Control Act

**CJ-0100 CODEINE**

A chrystalline alkaloid occurring naturally in opium; it is produced from morphine but is not as potent.

Note: cf. the Narcotic Control Act

**CJ-0101 COERCION**

The act of forcing someone to commit a crime.

**CJ-0102 COLLUSION**

A conspiracy between two or more persons for unlawful purpose.

**CJ-0103 COMMISSIONER**

In Ontario, the Commissioner of the Ontario Provincial Police; federally, the Commissioner of the Royal Canadian Mounted Police.

**CJ-0104 COMMIT**

To officially consign an accused person for trial as a result of a preliminary hearing of the charges.

**CJ-0105 COMMITMENT**

The warrant by which a court or judicial officer directs an officer to take and keep a person in custody.

Synonym: Mittimus  
Note: cf. Warrant of Committal

**CJ-0106 COMMON LAW**

A system of jurisprudence founded on those principles, usages and rules of justice which derive from the reasoning and administration consistent with the general customs and institutions of people in Anglo-Saxon Britain and their English descendents, rather than relying on express statutes, for its force and authority.

**CJ-0107 COMMUNITY PROGRAMS**

Programs which have been developed by the Ministry of Correctional Services to provide opportunities for and supervision of offenders in the community.

**CJ-0108 COMMUNITY RESOURCE CENTRE**

Any facility designated as such by the Ministry of Correctional Services for the rehabilitation and supervision of selected inmates, parolees or probationers in a residential facility away from a correctional institution in order to work, attend academic or trades training programs, or take part in treatment programs.

**CJ-0109 COMMUNITY RESOURCES**

Available means or capabilities within the community which are utilized in programs for the care and custody of those on bail, inmates, probationers or parolees.

**CJ-0110 COMMUNITY SUPERVISION**

The overseeing of inmates, probationers or parolees placed with agencies, individual persons or probation and parole officers in the community while participating in community programs.

**CJ-0111 COMMUNITY SERVICE ORDER**

An alternative to imprisonment whereby an offender is required to perform a prescribed number of hours of community work within a prescribed time, as a condition of a probation order.

**CJ-0112 COMMUTATION**

A lessening of the severity of the punishment meted out to a criminal.

Note: cf. Pardon

**CJ-0113 COMPASSIONATE ALLOWANCE**

A compensation authorized by the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet) to an inmate for permanent disability arising from an injury suffered while engaged in an authorized activity at a correctional institution. It may also apply to any other person for injury or damage inflicted upon that person by an inmate while under the custody and supervision of the Ministry of Correctional Services.

**CJ-0114 COMPENSATION**

Payment for debt or for damage caused; recompense.

**CJ-0115 COMPETENCY**

The characteristics which make a witness legally able to give testimony in court.

**CJ-0116 COMPLAINANT**

One who instigates an investigation or a prosecution; one who makes an accusation against a person.

Note: cf. Informant

**CJ-0117 COMPLAINT**

A sworn written allegation that a specified person committed an offence.

Further examples: Ticket, Offence notice  
Note: cf. Form 2 C.C.C. and Information

**CJ-0118 CONCURRENT SENTENCE**

A sentence which allows the convicted prisoner the privilege of simultaneously serving two or more sentences; the length of sentence being determined by the latest expiry date of the sentences imposed.

**CJ-0119 CONDITIONAL DISCHARGE**

A court decision that, in the best interest of the accused and not contrary to the public interest, a person who is found guilty or pleads guilty may be discharged by the court on certain terms and conditions as set forth in a probation order, rather than having a conviction registered against them.

**CJ-0120 CONDITIONS OF PROBATION**

The qualifications imposed on an individual by a probation order, requiring the performance of or abstention from specified actions.

Synonym: Terms of probation

**CJ-0121 CONFESSION**

An admission of guilt.

Synonym: Voluntary inculpatory statement

**CJ-0122 CONFISCATION**

The seizure of private property by an authorized agency of the government without compensation to the owner.

**CJ-0123 CONFLICT OF INTEREST**

A situation that arises when any person in the discharge of public duties has to administer, decide or vote on some matter in which the person or a member of the person's family has a private pecuniary interest.

**CJ-0124 CONSECUTIVE SENTENCE**

One or more terms of imprisonment to be served immediately following the expiry of an earlier sentence.

**CJ-0125 CONSPIRACY**

A criminal partnership wherein two or more persons agree to commit a crime. An agreement to commit an unlawful act provides sufficient grounds for prosecution.

**CJ-0126 CONTEMPT OF COURT**

An act that reduces the dignity of a court, hinders or disobeys its orders.

**CJ-0127 CONTROLLED DEVICE**

Any electromagnetic, acoustic, mechanical or other device or apparatus that is used or capable of being used to intercept a private communication.

Synonyms: Restricted device, \*Bugging\* equipment

Note: cf. Section 178.1 C.C.C.

**CJ-0128 CONVICT (NOUN)**

A person who is serving a term in a penitentiary.

Note: The equivalent term in Ontario provincial institutions is "inmate".

**CJ-0129 CONVICT (VERB)**

To formally register as guilty and subject to sentencing in a court of law.

**CJ-0130 CONVICTION**

The formal recording of guilt and liability to sentencing after trial by a properly constituted court.

**CJ-0131 CORONER**

A legally qualified medical practitioner appointed by the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet) to conduct investigations into the circumstances surrounding certain deaths in Ontario as enumerated in the Coroner's Act.

Note: cf. R.S.O., 1980

**CJ-0132 CORONER'S INQUEST**

A judicial inquiry by a coroner into the cause of sudden or unusual death.

Note: cf. the Coroner's Act

**CJ-0133 CORONER'S JURY**

A body composed of five persons selected from the jury roll to hear evidence presented at a Coroner's Inquest to determine who, how, when and where a deceased person came to his death and to make recommendations to prevent similar occurrences.

Note: cf. the Coroner's Act

**CJ-0134 CORRECTIONAL CENTRE**

A medium or maximum security correctional institution generally housing inmates according to age, offence pattern, location of home and length of sentence.

**CJ-0135 CORRECTIONAL INSTITUTE, ONTARIO**

A unique facility providing assessment, treatment and concomitant educational and vocational services primarily for emotionally disturbed inmates within provincial correctional institutions who do not require a cellular accommodation. The Institute also conducts research with a goal of finding more effective and efficient ways of helping and managing inmates with problems in living.

Note: Located in Brampton, Ontario

**CJ-0136 CORRECTIONAL INSTITUTION, CORRECTIONAL FACILITY**

Any place designated by order of the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet) as a correctional institution for the custody of inmates serving sentences of up to two years less a day.

Note: e.g. Reformatory, Jail  
cf. the Ministry of Correctional Services Act (1978)

**CJ-0137 CORRECTIONAL OFFICER**

An officer responsible, under the direction of the superintendent of a correctional institution, for the day-to-day operation of correctional facilities.

Synonym: \*Guard\*

**CJ-0138 CORRUPT**

To pervert the morals and character of someone; to make the honest dishonest.

**CJ-0139 COUNSEL FOR THE DEFENCE**

The attorney who represents an accused person.

Synonyms: Defence attorney, Defence counsel, \*defence\*

**CJ-0140 COUNT**

A charge in an information or an indictment, the unit indicating the number of times the accused is charged with a particular offence in an indictment; in the Ministry of Correctional Services the term denotes the number of persons in custody at a given time.

**CJ-0141 COUNTERFEIT CURRENCY**

For Uniform Crime Reporting purposes this phrase includes making, possessing and/or uttering of counterfeit money, coin, gold and silver products, slugs and tokens.

**CJ-0142 COUNTY COURT JUDGE**

A public officer appointed by the federal government for each county and district court to hear and try civil cases or criminal cases.

**CJ-0143 COUNTY COURT JUDGES' CRIMINAL COURT**

A court of record constituted solely of a judge of a county or district court to hear cases or charges which may be tried at the General Sessions of the Peace and for which the person so committed elects to be tried out of the sessions and without a jury.

Synonym: C.C.J.C.C.

Note: cf. R.S.O., 1980  
cf. General Sessions of the Peace

**CJ-0144 COURT**

An institution of the judicial branch of the government which operates in a formal, established way through the application of laws to decide civil or criminal controversies brought before it for the public administration of justice.

**CJ-0145 COURT ADMINISTRATOR**

A civil servant appointed to supervise the operations of a court office.

**CJ-0146 COURT DOCKET**

An official document used by Justices of the Peace and Provincial Court judges listing defendant and charge(s), the section of statute breached, the person preferring the charge(s) and disposition of the case. Each docket is for a specific date.

Note: cf. Court list

**CJ-0147 COURT, COUNTY OR DISTRICT**

A court of criminal and civil jurisdiction presided over by a county or district judge appointed by the Governor in Council (i.e. the federal Cabinet). It has the authority to try any indictable offence other than those enumerated in the Criminal Code of Canada as being solely within the jurisdiction of another court. Trials can be with or without a jury in accordance with the Criminal Code.

CJ-0148 **COURT LIST**

An agenda of cases for trial or of names of people with cases pending.

Note: cf. Court docket

CJ-0149 **(THE) COURT OF APPEAL**

The highest appellate court in Ontario; one of the two major divisions of the Supreme Court. It has both civil and criminal appellate jurisdiction and very limited original jurisdiction. It hears appeals by persons convicted of indictable offences, appeals launched by their lawyers or by the Attorney General for the Province against a decision, and appeals of cases which have originated in the Provincial or County Courts or the High Court of Justice.

CJ-0150 **(THE HIGH) COURT OF JUSTICE**

One of the two major divisions of the Ontario Supreme Court; a superior court with both civil and criminal jurisdiction, presided over by the Chief Justice. Trials of most serious offences are heard by a justice of the High Court sitting with a jury. A division of the High Court with appellate and original jurisdiction is known as the Divisional Court. The High Court is not subject to any supervisory control except by due process to the Court of Appeal. It sits regularly in Toronto and in assizes in every county and district court town throughout the Province of Ontario.

CJ-0151 **COURT OFFICE**

A site where the written business of a court is processed.

CJ-0152 **COURT ORDER**

A lawful mandate with authority made by a court of justice or by a person or body of persons authorized by any act to make or give such an order.

CJ-0153 **COURT ORDER TO FREEDOM**

A court order referring to cases where the court upholds an appeal by way of habeas corpus that the interpretation of sentencing is wrong. A court order to freedom is a type of release from federal penitentiaries.

CJ-0154 **COURT, PROVINCIAL (CRIMINAL DIVISION)**

That division of the Provincial Court which hears criminal proceedings under the Criminal Code of Canada and other federal statutes, provincial statutes and municipal by-laws. The preliminary hearings for all criminal cases except those processed through preferred indictment begin in the Provincial Courts (Criminal Division).

Synonym: Formerly Magistrate's Court

CJ-0155 **COURT, PROVINCIAL (FAMILY DIVISION)**

That division of the Provincial Court which hears criminal proceedings involving members of a family, proceedings under the Juvenile Delinquents Act and certain matters under the Family Law Reform Act and other provincial statutes.

Synonym: Family Court, Juvenile Court

CJ-0156 **COURT, ONTARIO SUPREME**

A court of last resort, having both civil and criminal jurisdiction, instituted by the Judicature Act.

Note: cf. (The) Court of Appeal and (The High) Court of Justice

CJ-0157 **COURT REPORTER**

A person hired to record and transcribe all that is said in court.

CJ-0158 **COURT ROOM**

A room in which a court is regularly held.

CJ-0159 **COURTS, PROVINCIAL**

A system of courts constituted by the Province of Ontario through the Provincial Courts Act and divided into two divisions, Criminal and Family.

CJ-0160 **CPIC**

The Canadian Police Information Centre is a computerized police information and records system designed and operated for the police community.

CJ-0161 **CREDIBILITY**

That quality in a witness which suggests his testimony should be believed.

CJ-0162 **CRIME**

The commission of an act forbidden by law or the omission of an act commanded by law for which a person can be punished upon conviction.

**CJ-0163 CRIME, ORGANIZED**

Two or more persons acting together on a continuing basis to participate in an illegal activity either directly or indirectly for gain.

Note: e.g. Mafia, Cosa nostra

**CJ-0164 CRIME RATE**

The comparison established nation-wide for the purpose of Uniform Crime Reporting; the number of actual offences reported to the police per 100,000 estimated total population is contrasted to population figures as derived by census.

**CJ-0165 CRIME STATISTICS**

The title of a publication of nation-wide crime statistics based on all sources of information furnished by local agencies and prepared and published annually by Statistics Canada.

**CJ-0166 CRIMES AGAINST PROPERTY**

Criminal Code offences appearing in the Uniform Crime Reporting offence list as follows: breaking and entering; fraud; theft; theft of motor vehicle; wilful damage (public and private).

**CJ-0167 CRIMES OF VIOLENCE**

Criminal Code offences appearing in the Uniform Crime Reporting offence listing as follows: assaults (not indecent); murder; manslaughter; infanticide; rape; robbery; attempted murder; other sexual offences.

**CJ-0168 CRIMES (WHITE COLLAR)**

Non-violent offences which principally involve elements of deceit, deception, concealment, corruption, misrepresentation and breach of trust.

Note: Not a specific crime offence category for U.C.R. purposes.

**CJ-0169 CRIMINAL CODE**

Federal legislation, passed by the Parliament of Canada, with respect to the criminal law of Canada. This legislation sets out the duties and responsibilities of the courts and their officers, stipulates offences and penalties, and sets forth avenues for appeal, procedures and legal jurisdiction.

**CJ-0170 CRIMINAL CODE OFFENCES**

All offences stipulated by the Criminal Code of Canada. The main categories established for Uniform Crime Reporting are: homicide, attempted murder, sexual offences, assaults, robbery, break and enter, theft of motor vehicle, theft over \$200, theft under \$200, have stolen goods, frauds, prostitution, gaming and betting, offensive weapons and other criminal code offences.

**CJ-0171 CRIMINAL NEGLIGENCE**

Ignoring an obligation imposed by law; showing a wanton or reckless disregard for the lives and/or safety of others.

**CJ-0172 CRIMINAL RECORD**

A judicial record of a conviction. A register of crimes maintained by the R.C.M.P. in Ottawa on persons convicted of or given discharges for offences.

Note: cf. Pardon

**CJ-0173 CROSS-EXAMINATION**

A questioning of a Crown witness by the lawyer for the defendant or by the defendant; also, of the defendant's witness by the prosecutor.

**CJ-0174 CROWN**

In Canadian law, means the sovereign and the sovereign's government.

**CJ-0175 CROWN ATTORNEY**

A member of the Ontario bar appointed by the Lieutenant-Governor-in-Council to aid in the administration of justice in the county or judicial district for which the Attorney is named, specifically examining allegations of wrong-doing, conducting preliminary hearings and prosecutions for indictable and summary conviction offences and attending to all duties assigned to Crown Attorneys under the laws in force in Ontario.

**CJ-0176 CROWN PROSECUTOR**

One who appears on behalf of the Crown in Canada in the prosecution of offences listed under certain federal statutes.

Synonyms: Crown, Crown Attorney

**CJ-0177 CUSTODY**

The care and keeping of a person; physical and/or declared restraint, including imprisonment and detention.

Synonym: Confinement

**CJ-0178 CUSTOMS ACT**

A federal statute dealing with tax on the importation and exportation of commodities.

**CJ-0179 DANGEROUS OFFENDER**

The accused may be found to be a dangerous offender if (a) he has been convicted at least once of committing or attempting to commit a serious personal injury offence and (b) it is established to the satisfaction of the court that the offender has demonstrated a pattern of repetitious behaviour which the offence for which he has been convicted forms a part; then the Court may find the offender "dangerous" and impose an indeterminate sentence of detention.

Synonym: Formerly Dangerous sexual offender  
Note: cf. Part XXI, C.C.C.

**CJ-0180 DATE OF CONVICTION**

The date on which a person is convicted by a court of an offence against a federal statute, a provincial statute or a municipal by-law.

**CJ-0181 DATE OF SENTENCE**

The date on which a term of imprisonment or other penalty is imposed on a convicted person.

**CJ-0182 DATE OF WARRANT EXECUTION**

The date on which a committal warrant is executed and begins to take effect or the date on which a committal warrant is executed, but because of previously imposed sentences, will not take effect until some future date.

**CJ-0183 DATE SENTENCE COMMENCED**

The date on which an imprisonment commenced or the date on which a specific sentence commenced when the term of imprisonment was comprised of two or more sentences.

**CJ-0184 DAY**

The period between six o'clock in the forenoon and nine o'clock in the afternoon of the same day as defined by the C.C.C. In the Ministry of Correctional Services the term is defined by usage as "all or any part of a calendar day".

**CJ-0185 DAY PAROLE**

Leave granted from federal penitentiaries during a period of imprisonment for special rehabilitation; for example, to provide training or education not available in an institution. Under day parole, the inmate returns periodically to the institution, community correctional centre or community residential centre, normally at night. It lasts for a maximum of four months and normally leads to full parole.

Note: Comparable to the Temporary Absence Program in Ontario.

**CJ-0186 DAYS SATISFIED**

The number of days which, when related to a single term of imprisonment, have been spent in custody plus the appropriate remission.

**CJ-0187 DAYS SERVED**

The number of days spent in custody.

**CJ-0188 DAYS STAY**

The statistical term used by the Ministry of Correctional Services to refer to the number of persons in institutional custody at 00:01 hours each day.

**CJ-0189 DECLARATION**

A solemn affirmation in lieu of oath, used in matters of evidence.

Note: cf. Dying declaration

**CJ-0190 DEFAULT FINE**

The amount required as a penalty for the failure of a person to pay money when due or lawfully demanded.

**CJ-0191 DEFENCE**

That which is offered or pleaded in the denial of the charge against an accused.

**CJ-0192 DEFENDANT**

The person against whom a charging document is filed, remaining a defendant until adjudication.

Synonyms: Accused, Accused person

**CJ-0193 DEPOSITION**

Evidence taken down in writing and upon oath before a justice. The act of giving sworn public testimony by word of mouth in answer to questions before or during a trial, which questions and answers are committed to writing and therefore become depositions.

**CJ-0194 DETENTION**

The legally authorized holding and confinement of a person subject to criminal or juvenile court proceedings until release or commitment to a correctional facility or training school.

Synonym: Custody

**CJ-0195 DETENTION CENTRE**

A correctional facility consisting of maximum and medium security, which is gradually replacing many jails. Persons awaiting trial (on remand) and those serving short sentences make up the largest portion of the population.

**CJ-0196 DETENTION FOR INSANITY**

The continued confinement of a person in those instances where he has been found insane pursuant to the C.C.C. or provincial mental health legislation.

**CJ-0197 DETENTION ORDER**

A court order detaining an accused in custody without bail on specified grounds.

Note: cf. Section 457.7 C.C.C.

**CJ-0198 DETENTION REVIEW**

The process whereby the detention of an accused is reviewed by a court.

Note: The review is carried out after 30 days for summary conviction offences and after 90 days for indictable offences.

**CJ-0199 DETENTION REVIEW DIARY**

A daily record maintained by a jail or detention centre whereby the courts are advised that an accused is still in custody, not on a detention order, with no trial date set and unable to meet bail conditions.

Note: cf. Sections 457.6 and 459 C.C.C.

**CJ-0200 DIRECTED VERDICT**

An order or verdict pronounced by a judge when the evidence presented by the prosecution clearly fails to show the guilt of the accused.

**CJ-0201 DISCHARGE**

The court order by which a person held to answer a criminal charge is set free; in the Ministry of Correctional Services the act of releasing an inmate from custody upon satisfying the term of imprisonment.

**CJ-0202 DISCHARGE PLANNING**

The conscious effort to re-integrate an inmate of a correctional institution into the community.

**CJ-0203 DISMISS**

To refuse to commit a charge for trial; to refuse further court hearing, including charges which were stayed, quashed, adjourned sine die and nolle prosequi on statistical returns.

**CJ-0204 DISORDERLY HOUSE**

A common bawdy house, a common betting house or a common gaming house.

Note: cf. Section 179 C.C.C.

**CJ-0205 DISPOSITION**

Court outcome of a charge.

Note: cf. Judgment

**CJ-0206 DISTRESS**

A remedy for recovering costs on summary convictions.

Note: cf. Warrant of Distress

**CJ-0207 DISTURB THE PEACE**

The interruption of peace, quiet, and good order.

Note: cf. Section 171 C.C.C.

**CJ-0208 DIVISION**

A boundary referring to a particular area served by its police station.

Note: RCMP and OPP station boundaries are called "detachment areas".

**CJ-0209 D.O.A.**

Dead on arrival at a hospital.

**CJ-0210 DRUG**

Any substance or mixture of substances manufactured, sold or represented for use in the diagnosis, treatment, mitigation or prevention of a disease, disorder, abnormal physical state, or the symptoms thereof in man or animal, or restoring, correcting or modifying organic functions in man or animal. Also, such a substance used for disinfection in premises in which food is manufactured, prepared or kept, or for the control of vermin in such premises. Cocaine, heroin and cannabis are not included.

Note: For the purpose of the U.C.R. program, drug offences include: importation, possession, trafficking. Drugs are defined as controlled or restricted by name under the Food and Drug Act, as per schedule G and H respectively.

**CJ-0211 DURESS**

Constraint by injury, imprisonment or threats.

**CJ-0212 DUTY OFFICER**

A designated senior officer of a police force who is required to initiate the appropriate action with respect to any occurrence brought to his attention after normal working hours.

Synonyms: Executive duty officer, Station duty officer

**CJ-0213 DUTY ROSTER**

A schedule posted to indicate the work location, time and rest days for each officer of a detachment, station or correctional facility for a specific period of time.

Synonym: Shift schedule

**CJ-0214 DYING DECLARATION**

A statement, written or oral, obtained from a person who is a victim of a fatal injury caused by the person on trial for the offence which results in the death of the victim. The victim giving the statement must be at the point of death, realize his dying condition and have given up all hope of recovery.

**CJ-0215 EARLIEST POSSIBLE RELEASE DATE**

The earliest date on which a sentenced person may be released from custody after making allowance for maximum remission.

**CJ-0216 EARLY RELEASE**

The early release of an inmate upon discharge when his release date would normally fall on a weekend or holiday and the superintendent of the institution is of the opinion that release during the weekend or holiday would inconvenience the inmate in obtaining transportation, lodging or any other service necessary for the inmate's adjustment to community life.

**CJ-0217 ELECTION**

The choice made by an accused concerning the court process which will try the charge preferred.

**CJ-0218 ELOPEE**

A patient who has left a psychiatric facility or a person who has left a juvenile detention centre without permission.

**CJ-0219 EMPANEL**

The act of a clerk of the court in making up a list of jurors selected for a particular trial; the steps of ascertaining who shall be the proper jurors for a particular trial.

**CJ-0220 EMPLOYMENT STATUS**

The legal standing of a person in regard to his availability for remunerative work or his relationship to the firm or person providing that work.

**CJ-0221 ESCAPE AND BEING AT LARGE WITHOUT EXCUSE**

Leaving lawful custody without lawful excuse; being at large before the expiration of a term of imprisonment; failing to attend court when at large on an undertaking or recognizance; failing to comply with conditions of an undertaking or recognizance, a summons, an appearance notice or promise to appear; failing to comply with the conditions of a temporary absence permit.

Synonyms: Unlawfully at large, U.A.L.

Note: For U.C.R. purposes "Escape Custody" and "Prisoner Unlawfully At Large" are the offence categories.  
cf. Section 133 C.C.C.

**CJ-0222 EVIDENCE**

An assertion of fact, opinion, belief or knowledge, material or not, admissible or not, given in court or a hearing.

**CJ-0223 EVIDENCE, ADMISSIBLE**

That which under the established rules of law can be admitted or received.

**CJ-0224 EVIDENCE, CHARACTER**

Evidence introduced to show the moral character of the accused.

**CJ-0225 EVIDENCE, CIRCUMSTANTIAL**

Evidence which seeks to prove the responsibility of the accused for an established occurrence by inference from accumulated conditions, events or facts.

**CJ-0226 EVIDENCE, CONCLUSIVE**

Evidence which is incontrovertible either because the law does not permit it to be contradicted or because it is so strong and convincing as to overbear all truth to the contrary.

**CJ-0227 EVIDENCE, CORROBORATING**

Evidence supplementary to that already given, intended to strengthen or confirm it.

**CJ-0228 EVIDENCE, DIRECT**

Evidence which proves the fact in dispute directly without an inference or presumption being drawn from any other set of circumstances.

**CJ-0229 EVIDENCE, DOCUMENTARY**

Evidence supplied by writings or documents.

**CJ-0230 EVIDENCE, EXPERT**

Testimony given in relation to some scientific, technical or professional matter by a specialist who has been adjudged "expert" by the court.

**CJ-0231 EVIDENCE, IRRELEVANT**

Evidence judged by the court to have no bearing on the issue.

**CJ-0232 EVIDENCE, MATERIAL**

Evidence which refers to something important or necessary, or which has an undeniable bearing on the decision of the court.

**CJ-0233 EVIDENCE, PRIMA FACIE**

Evidence which is sufficiently strong to establish a fact unless disproven by further evidence.

**CJ-0234 EXCISE ACT**

The federal statute dealing with duties and taxes laid on certain articles produced and consumed in Canada.

**CJ-0235 EXCULPATORY STATEMENT**

A statement denying involvement in a criminal activity, tending to establish innocence.

Synonym: Self-serving statement

**CJ-0236 EXECUTIVE CLEMENCY**

A special privilege vested in the Crown by common law overriding the normal course of law in the pursuit of justice and humanity.

**CJ-0237 EXPLOSIVE**

Any substance by whose decomposition or combustion gas is generated with such rapidity that it can be used for blasting or in firearms.

**CJ-0238 EXTORTION**

The obtaining of property from another, with his consent under cover of official right or induced by a wrongful use of force or fear.

Note: cf. Blackmail

**CJ-0239 EXTRADITION**

The surrender of a criminal by a foreign country to which he has fled for refuge from prosecution to the country within whose jurisdiction the crime was committed; made upon the demand of the latter country, in order that he may be dealt with according to its law.

**CJ-0240 FAILURE TO COMPLY (WILFUL)**

The act of knowingly refusing to follow a condition or conditions in a probation order.

**CJ-0241 FAILURE TO EARN REMISSION**

This term is expressed in number of days and is equivalent to the maximum possible remission less remission actually granted for a particular term of imprisonment. Failure to earn remission results from less than full application to institutional programs by the inmate.

Note: cf. Forfeiture of remission

**CJ-0242 FALSE PRETENCE**

A deceitful and fraudulent act used to gain another's money or property.

**CJ-0243 FINAL WARRANT EXPIRY DATE**

The date on which a single term of imprisonment ends as directed by two or more committal warrants. This date may be extended by periods spent at large on bail or appeal, by escaping or revocation of parole.

**CJ-0244 FINE**

A sum of money assessed by a court as part or all of the punishment it has imposed on a person guilty of an offence.

**CJ-0245 FINE PAID IN COURT**

A term denoting the full payment of a fine on the same day as it is assessed.

**CJ-0246 FINED IN ABSENTIA**

The instance in which a convicted person is sentenced to pay an amount as his punishment without that person being present or represented in court.

**CJ-0247 FINES DOCKET**

A summarized list of payments made to the court as punishment upon conviction.

**CJ-0248 FINGERPRINT CLASSIFICATION**

A system of classifying fingerprints according to the patterns of the friction ridges on the fingertips.

Note: Any person charged with or convicted of an indictable offence may be fingerprinted and photographed in accordance with the Identification of Criminals Act.

**CJ-0249 FINGERPRINT, LATENT**

A chance fingerprint left accidentally or otherwise on a surface usually at the scene of a crime.

**CJ-0250 FINGERPRINT SECTION NUMBER**

A unique reference number assigned by the R.C.M.P. Fingerprint Section to a person charged with or convicted of an indictable offence.

Synonym: FPS Number

**CJ-0251 FIREARM**

Any barrelled weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death. It includes anything that can be so adapted.

Note: The overseeing of firearms regulations is conducted by the Chief Provincial Firearms office, local registrar of firearms and firearms officers as designated by the Commissioner of the R.C.M.P. or the Solicitor General of Ontario.

**CJ-0252 FIREARMS ACQUISITION CERTIFICATE**

A certificate required before one can legally acquire any firearm.

Note: cf. Sections 104 and 105 C.C.C.

**CJ-0253 FIREARMS OFFICER**

Any person who has been designated in writing as a firearms officer by the Commissioner of the R.C.M.P. or the Solicitor General of a province or who is a member of a class of persons who have been so designated.

**CJ-0254 FORENSIC CRIME LABORATORY**

A laboratory staffed with specialists and equipped with technical devices so as to enable them to conduct scientific examinations and/or analyses of evidence obtained in criminal investigation.

Note: The Ontario Centre of Forensic Sciences is operated in Toronto.

**CJ-0255 FORFEITURE OF REMISSION**

The loss of remission as a disciplinary measure for a breach of regulations.

Note: cf. Failure to earn remission

**CJ-0256 FRAUD**

An element of certain offences consisting of deceit or intentional misrepresentation with the aim of illegally depriving a person of property or legal rights.

Note: For the purpose of the U.C.R. program fraud is categorized as follows: fraud by cheque, fraud by credit cards, other and total.

**CJ-0257 GAMING AND BETTING**

A wager that is placed on any contingency or event that is to take place in or out of Canada; includes a wager that is placed on any contingency relating to a horse race, fight, match or sporting event that is to take place in or out of Canada. Game means a game of chance or mixed chance and skills.

Note: For the purpose of the U.C.R. program, gaming and betting offences include: owning and/or operating a betting house, gaming house or gaming equipment and other offences such as bookmaking or cheating.

**CJ-0258 GATU**

Guelph Assessment and Treatment Unit; a unique facility providing assessment and treatment programs primarily for emotionally disturbed inmates within provincial correctional institutions who may require cellular accommodation. The unit also accepts inmates with special problems of a physical nature.

**CJ-0259 GENERAL SESSIONS OF THE PEACE**

The sittings of the county and district courts of Ontario, held at such times as are ordered by the Chief Judge, to have jurisdiction to try all criminal offences except those mentioned as exempt from that jurisdiction in Section 483 of the Criminal Code.

Note: cf. County Court Judges' Criminal Court

**CJ-0260 GUARDIAN**

One who has the lawful care and management of the person and/or estate of an infant or an incompetent person.

**CJ-0261 HABEAS CORPUS**

An order to produce the body of a prisoner before the court.

**CJ-0262 HEROIN**

Diacetylmorphine derived from a morphine base.

Synonyms: \*Horse\* \*H\*

Note: For the purpose of the U.C.R. program, heroin offences are categorized as follows: importation, possession, trafficking and total.  
cf. the Narcotic Control Act

**CJ-0263 HIGHWAY**

A road to which the public has the right of access and includes bridges over which or tunnels through which a road passes.

**CJ-0264 HOLD ORDER**

A document issued by an official of the federal Department of Manpower and Immigration requesting the Ministry of Correctional Services to hold a stated person in custody awaiting results of a hearing and/or deportation proceedings and/or deportation.

**CJ-0265 HOMICIDE**

The killing of one human being by the act, procurement or omission of another. It can be culpable or nonculpable.

Note: For the purposes of the U.C.R. program, culpable homicide includes murder, manslaughter and infanticide.  
cf. Section 205 C.C.C.

- CJ-0266 HOSTAGE**  
A person being held for advantage as a protective shield or as a bargaining tool by another person.
- CJ-0267 HOSTILE WITNESS**  
A witness who manifests so much hostility or prejudice under examination that the party that has called that witness is allowed to cross-examine him.  
Synonym: Adverse witness
- CJ-0268 I A C P**  
International Association of Chiefs of Police Incorporated.
- CJ-0269 IDENTIFICATION PARADE**  
A police procedure of placing crime suspects in a line or other position with others not believed implicated in the crime so that witnesses can view them for the purpose of making possible identifications.  
Synonym: \*Line-up\*
- CJ-0270 IMMIGRATION ACT**  
A federal statute dealing with persons who are not Canadian citizens who seek admission to Canada.
- CJ-0271 IMMIGRATION BOND**  
A sum of money or security posted with the immigration authorities by a visitor or group of visitors to guarantee or ensure compliance with any terms and conditions imposed on them under the Immigration Act.  
Synonym: Visitors' security deposit
- CJ-0272 IMMUNITY, CONSULAR**  
A foreign government representative's protection from prosecution for violation of Canadian law while engaged in the course of duty.
- CJ-0273 IMMUNITY, DIPLOMATIC**  
An official foreign diplomat's total protection from prosecution for violation of Canadian law.

- CJ-0274 IMPORTATION**  
The charge of bringing anything into Canada from another country.
- CJ-0275 INCARCERATION**  
Confinement in a provincial or federal correctional institution.  
Synonym: Imprisonment
- CJ-0276 INCENTIVE ALLOWANCE**  
An amount of money calculated on a per diem basis which may be earned by sentenced inmates in the Ontario correctional system. The money is earned in four increments to which inmates are promoted according to their conduct within the institution.
- CJ-0277 INCEST**  
The crime of sexual intercourse between a male and a female who are related to each other within the degrees prohibited by law.  
Note: cf. Section 150 C.C.C.
- CJ-0278 INDECENT ACTS**  
Wilful acts that are offensive to public morals.
- CJ-0279 INDIAN, STATUS**  
Those Indians who are defined under the Indian Act and subsequently are registered as band members of a reserve.  
Note: cf. Treaty Indian
- CJ-0280 INDIAN, TREATY**  
A Status Indian who is a member of a band whose ancestors signed a treaty with the federal government.  
Note: cf. Status Indian
- CJ-0281 INDICTABLE OFFENCE**  
A serious criminal offence which may be prosecuted by indictment.  
Note: cf. Part XVI C.C.C.

**CJ-0282 INDICTMENT**

A written accusation that a person has committed an offence, initiated by the Crown after a person has been committed for trial by a Provincial Court judge or trial has been preferred by the Attorney General.

Note: cf. Information, Part XVII C.C.C.

**CJ-0283 INFANTICIDE**

A wilful act or omission by a female person that causes the death of her newly born child before she fully recovers from the effects of childbirth.

Note: cf. Section 215 C.C.C.

**CJ-0284 INFORMANT**

A person who lays a formal information. The term is also used to refer to one who discreetly furnishes information to the police.

Note: cf. Complainant, Complaint

**CJ-0285 INFORMATION**

A formal complaint lodged with or presented to a court to institute criminal proceedings without formal indictment. It must be in writing and under oath before a judicial officer and signed by him, listing the charges and counts of each charge to be brought to court on a specific date. An information is the format by which charges are placed on a court docket.

Note: cf. Indictment

**CJ-0286 INMATE**

A person confined in a correctional institution or otherwise detained in lawful custody pursuant to a court order.

Synonym: Prisoner

Note: According to the facility, an inmate may be referred to as: client, student, resident, patient.

**CJ-0287 INTELLIGENCE**

Information about people, things and events which has been procured, evaluated and stored for use at a later date in relation to criminal investigations.

**CJ-0288 INTERCEPT**

To listen to, record or acquire a communication or its substance, meaning or purpose.

Synonym: \*Bug\*, Electronic eavesdropping

**CJ-0289 INTERCEPTION, CONSENSUAL**

The expressed or implied approval of the originator or the intended recipient of a private communication to intercept such private communications.

**CJ-0290 INTERMITTENT SENTENCE**

An arrangement of periodic incarceration to total a specific number of days in jail, so that the convicted person is able, for instance, to retain a job. It is available only on sentences of 90 days or less and in conjunction with probationary supervision.

**CJ-0291 INTERPOL**

The International Criminal Police Organization which is a cooperative, non-investigative agency and a clearing house for international exchange of information on criminals and criminal organizations.

**CJ-0292 INTERROGATION**

An interview in great detail; to probe with questions persons believed involved in crime; to question others in detail for the purpose of obtaining information.

**CJ-0293 INTIMIDATE**

To put one in fear; to use threats or coercion to influence one to act or not to act.

**CJ-0294 INVESTIGATION**

An examination; a careful search for facts relevant to a case.

Synonym: Inquiry

**CJ-0295 JAIL**

A building designated by law or regularly used for the confinement of persons held in lawful custody under arrest, on remand or serving short sentences.

Synonyms: Detention centre, Gaol

**CJ-0296 JAIL SENTENCE**

The type of punishment after conviction which involves the incarceration of the convicted person in a provincial jail for a relatively short period of time.

**CJ-0297 JUDGMENT**

The sentence or final order of a court in a criminal proceeding. Usually used or applied to dispositions of higher courts.

Note: cf. Disposition

**CJ-0298 JUDGE'S ORDER**

A document to secure the presence of a person in court who is confined in prison.

Synonym: Court order

**CJ-0299 JUDGES RULES**

Administrative rules for the guidance of police in the taking of statements from accused persons.

**CJ-0300 JUDICIAL INQUIRY**

An investigation that examines, declares and enforces liabilities as they stand on present or past facts.

**CJ-0301 JUDICIAL NOTICE**

The recognition a judge makes of facts of common knowledge which are not necessary to prove.

**CJ-0302 JURISDICTION**

The limits of the authority of any court, whether defined territorially (limited to cases arising or persons residing within a defined county or judicial district), according to the class or subject of cases to be decided or according to the type of persons involved. The unconditional right of a Provincial Judge to adjudicate without the consent of the accused in specific Criminal Code cases is referred to as absolute jurisdiction.

Note: cf. Section 483 C.C.C.

**CJ-0303 JURY**

A group of persons, peers of the accused, chosen and called to hear and decide facts in matters before a criminal or civil court. A trial jury numbers twelve.

Note: cf. Coroner's Jury

The term petit jury formerly referred to a trial jury to distinguish it from a grand jury. With the abolition of grand juries both terms are no longer in use.

**CJ-0304 JUSTICE OF THE PEACE**

A qualified person or persons commissioned by the Lieutenant-Governor-in-Council to perform the following functions in his district: 1) administer oaths, affirmations and declarations; 2) take informations or issue warrants or summonses returnable before a Provincial Judge; 3) hear and determine prosecutions under municipal by-laws or under the direction of a Provincial Judge; 4) make returns of the convictions over which he presides, as the Inspector of Legal Offices directs. A Judge of Canada, of the Supreme Court of Ontario and of county or district courts is ex-officio a Justice of the Peace.

Synonym: J.P.

**CJ-0305 JUSTICE POLICY FIELD**

In the Ontario Government it consists of four ministries: Attorney General, Consumer and Commercial Relations, Correctional Services and Solicitor General. The Ministers of each of these ministries and the Provincial Secretary for Justice as chairman constitute the Cabinet Committee on Justice, which meets regularly to consider policy proposals. Policy analysis and coordinating services are provided by the Provincial Secretariat for Justice.

**CJ-0306 JUVENILE**

Under the Juvenile Delinquents Act, in Ontario, a person under the age of 16.

Note: cf. Sections 12 and 13 C.C.C.

In accordance with the Criminal Code of Canada and other federal statutes a child under the age of 7 cannot be convicted of any offence. Between 7 and 14 no convictions are permitted unless a child is "competent to know the nature and consequences of his conduct and to appreciate that it was wrong".

**CJ-0307 JUVENILE DELINQUENT**

Any child who violates provisions of the Criminal Code, provincial or federal statutes, municipal by-laws or ordinances.

Synonym: Juvenile offender

Note: cf. Section 2(1) Juvenile Delinquents Act

**CJ-0308 JUVENILE DELINQUENTS ACT**

A federal statute respecting juvenile delinquents.

**CJ-0309 KEEP THE PEACE**

To maintain quiet and harmless behaviour towards the sovereign, her government and her people, and to prevent or dissuade others from breaking the peace.

**CJ-0310 KIDNAP**

To cause a person to be confined, transported, held for ransom or service against that person's will.

**CJ-0311 LAW**

The aggregate of those rules and principles of conduct implicit in common law and explicit in acts, statutes and by-laws.

**CJ-0312 LAWFUL**

Legal, warranted or authorized by law, having the qualifications prescribed by law, not contrary to or forbidden by law.

**CJ-0313 LEADING QUESTION**

A question which, by the way it is phrased, implies or suggests an anticipated answer.

**CJ-0314 LEGAL AID**

A provincially funded service for those who need legal assistance from an attorney and available to those with low income and negligible assets. The service is free or contributory in nature, with financial eligibility determined by the Ministry of Community and Social Services. Duty Counsels are available at the Provincial Courts level in both criminal and family divisions.

**CJ-0315 LIBEL**

To defame or injure a person's reputation by a published writing.

Note: For U.C.R. purposes reported under "other Criminal Code offences".

**CJ-0316 LIEU OF FINE**

In the place of or in substitution for the payment of money. Typically, imprisonment in lieu of fine.

Note: cf. Default fine, Time given to pay, Warrant of Distress

**CJ-0317 LIQUOR ACTS**

Provincial statutes dealing with the lawful sale and use of liquor. In Ontario, they are the Liquor Control Act and the Liquor Licence Act.

**CJ-0318 LOCK UP**

A place of detention for persons held in custody less than twenty-four hours for or by the police.

**CJ-0319 MAGISTRATE**

In Ontario, a Provincial Judge.

Note: cf. Section 2 C.C.C.

**CJ-0320 MANDAMUS**

A writ from a superior court ordering an inferior court to act as specified.

**CJ-0321 MANDATORY SUPERVISION**

Supervision of a federal inmate who must, by law, be released more than sixty days before the sentence expiration because of remission. The supervision continues until the expiration of the full term of the sentence imposed by the court or until it is violated. Persons released on mandatory supervision must observe the same conditions as if on parole. Persons serving life sentences are not subject to mandatory supervision.

**CJ-0322 MANDATORY SUPERVISION REVOCATION**

A decision of the National Parole Board to terminate mandatory supervision before the normal expiry date because of misbehaviour, a breach of the conditions of the release agreement or an additional term of imprisonment.

**CJ-0323 MANSLAUGHTER**

Culpable homicide committed in the heat of passion caused by sudden provocation.

Note: For U.C.R. purposes it is culpable homicide that is not murder, infanticide or causing death by criminal negligence.

**CJ-0324 MAXIMUM SECURITY**

In Ontario it refers to a correctional facility which usually houses inmates in cells and provides strict supervision; federally, it refers to institutions that have a strong static security and a perimeter with armed towers.

**CJ-0325 MEDIUM SECURITY**

In Ontario it refers to a correctional facility with cells and dormitory accommodation; federally, it refers to institutions having a static security which is less than maximum and a perimeter with armed towers.

**CJ-0326 MINIMUM SECURITY**

In Ontario it refers to a correctional facility which usually houses younger inmates and provides concentrated educational upgrading in an open setting in which the individual is expected to accept a certain amount of responsibility for his own conduct; federally, it refers to an institution having no physical perimeter for security.

**CJ-0327 MINISTRY OF CORRECTIONAL SERVICES**

It is the function of the Ministry to supervise the detention and release of inmates, parolees and probationers and to create for such persons a social environment in which they may achieve changes in attitude by providing training, treatment and services designed to afford an inmate, parolee or probationer the opportunity for successful personal and social adjustment in the community.

Note: cf. the Ministry of Correctional Services Act (1978)

**CJ-0328 MISCONDUCT CHARGES**

Applied to inmates in the Ministry of Correctional Services, an allegation or accusation of transgression of some established and definite rule of action, a dereliction from duty, unlawful behaviour or wrong behaviour.

**CJ-0329 MISTRIAL**

A trial declared erroneous due to a technicality.

**CJ-0330 MITTIMUS**

A warrant from a court or judge directed to a sheriff or other officer, commanding him to convey to prison the person named therein, and to the jailer, commanding him to receive and safely keep such person.

Note: cf. Warrant of Committal

**CJ-0331 MORPHINE**

A narcotic drug that is an active element of and is derived from opium by a chemical process.

Note: cf. the Narcotic Control Act

**CJ-0332 MOULAGE**

A plastic cast used to preserve physical evidence such as a tire track or footprint.

**CJ-0333 MURDER, FIRST DEGREE**

Culpable homicide when it is planned and deliberate or the victim is a person employed for the preservation and maintenance of the public peace, a permanent employee of a prison who is acting in the course of his duties, a person working in a prison or if the death results from committing or attempting to commit designated Criminal Code offences. Also, if the person charged has been previously convicted of either first or second degree murder.

Note: cf. Section 214 C.C.C.

**CJ-0334 MURDER, SECOND DEGREE**

Culpable homicide that is not planned, deliberate or described as either manslaughter or first degree murder in the Criminal Code of Canada.

**CJ-0335 MUTATIS MUTANDIS**

Apply with due alteration of details (in comparing generally similar points of law).

**CJ-0336 NARCOTIC**

Any substance or anything that contains any substance included in the schedule of the Narcotic Control Act.

Note: cf. Drug

**CJ-0337 NATIONAL PAROLE BOARD**

A group of no more than nine persons with a Chairman and Vice-Chairman who are appointed by the Governor in Council (i.e. the federal Cabinet). They are empowered to grant, examine and determine all matters in question arising under parole of those who have been sentenced to penitentiary as enumerated in the Parole Act.

**CJ-0338 NATIVE**

A North American Indian, Metis or Inuit. An inmate is classified as native if he identifies himself as such.

**CJ-0339 NEGLIGENCE**

Lack of attention to probable results of an act or omission which would be expected of a prudent person.

**CJ-0340 NIGHT**

That period between nine o'clock in the afternoon and six o'clock in the forenoon of the following day.

**CJ-0341 NOLLE PROSEQUI**

An entry made upon the record of court to indicate that the plaintiff (in a civil suit) or prosecutor (in a criminal action) abandons part, or all, of his suit or prosecution against a defendant or defendants.

Note: On statistical forms this sort of entry is recorded under "withdrawn-dismissed".

**CJ-0342 O A C P**

The Ontario Association of Chiefs of Police.

**CJ-0343 OATH**

A statement made by a party calling on God to witness to the truth of all subsequent statements.

Note: cf. Affirmation

**CJ-0344 OBJECTION**

A submission made during a trial questioning evidence or procedure.

**CJ-0345 OBSTRUCT PUBLIC OR PEACE OFFICER**

To prevent the execution of a lawful process by a public or peace officer in the execution of his duty or to fail to assist such officer when called upon to do so or to prevent the execution of a warrant.

**CJ-0346 OCCURRENCE**

An incident or event reported to the police and recorded by them; in the Ministry of Correctional Services, any significant but otherwise unclassified happening which requires its reporting to senior officials.

**CJ-0347 OCCURRENCE, MAJOR**

An event that by its circumstances requires the mobilization of police forces' employees, equipment and resources beyond those required for normal police servicing.

**CJ-0348 OFFENCE**

A breach of law.

Note: For the purpose of the U.C.R. program, particular crimes and breaches of federal and provincial statutes or by-laws are recorded.

**CJ-0349 OFFENCE, ACTUAL**

A reported offence or an offence known to the police which investigation has proved to have taken place or occurred.

**CJ-0350 OFFENCES - CLEARED BY CHARGE**

For the purposes of the Uniform Crime Reporting program this term refers to those offences upon which an information has been laid against at least one person, whose identity is established.

**CJ-0351 OFFENCES - CLEARED OTHERWISE**

For the purposes of the Uniform Crime Reporting program this term refers to those offences closed on police records when, for various reasons, charges cannot or will not be laid.

**CJ-0352 OFFENCES - REPORTED OR KNOWN TO THE POLICE**

For the purposes of the Uniform Crime Reporting program this term refers to all offences and alleged offences occurring within the jurisdiction of the contributing police department. It also includes offences committed in previous months but not reported and unfounded reports.

**CJ-0353 OFFENCES - UNFOUNDED**

For the purposes of the Uniform Crime Reporting program this term refers to those offences which investigation established did not happen or were not attempted.

**CJ-0354 OFFENSIVE WEAPON**

Anything that is designed to be used as a weapon or anything that a person uses or intends to use as a weapon whether it is designed to be used as a weapon or not, including a firearm.

Note: Offensive weapons are classified as prohibited or restricted as described in the Criminal Code of Canada, cf. Section 2.

**CJ-0355 OFFICER-IN-CHARGE**

The senior ranking member in charge of a police location or a member designated by him to which an accused is taken after arrest.

Note: cf. the Bail Reform Act

**CJ-0356 OLD FINES DOCKET**

Summarized list of the completed payment of fines assessed on a previous day of court.

**CJ-0357 OLD FINES PAID**

The term denoting the completion of a sentence of monetary payment which was passed on a previous day of court. For statistical purposes it refers both to payments made in their entirety and to partial payments completing the full payment due.

**CJ-0358 OMBUDSMAN**

A provincially appointed individual who investigates decisions, recommendations, omissions and acts in the administration of provincial ministries. Courts are exempt from such investigation.

**CJ-0359 ONTARIO BOARD OF PAROLE**

A group of full and part-time persons with a Chairman who have been appointed by the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet). They are empowered to grant, examine and determine all matters in questions arising under a parole as enumerated in the Ministry of Correctional Services Act.

Note: cf. Section 31 of the Ministry of Correctional Services Act, R.S.O., 1980

**CJ-0360 ONTARIO POLICE COMMISSION**

A three-man commission appointed by the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet) designed to promote efficiency of police forces in Ontario through advisory services, crime intelligence, police training (Ontario Police College), disciplinary procedures and technical services.

**CJ-0361 OPIUM**

A narcotic drug that is the coagulated juice of the poppy plant, (Papaver somniferum).

Note: cf. the Narcotic Control Act

**CJ-0362 O P P (THE ONTARIO PROVINCIAL POLICE)**

A Crown Police Force headed by a Commissioner and responsible for: policing all parts of Ontario not required or permitted by the Police Act to maintain their own police force, maintaining traffic control on the King's Highways and maintaining a Criminal Investigation Branch to assist municipal police forces. The Ontario Provincial Police also enforce the Liquor Licence Act under agreement.

**CJ-0363 OTHER OFFENCES**

The Uniform Crime Reporting term under which related offences are combined on statistical records.

**CJ-0364 OUTSTANDING CHARGES**

Accusations before a court which have not received a formal disposition and are thus pending.

**CJ-0365 OUTSTANDING WARRANTS**

Unexecuted or undischarged warrants.

**CJ-0366 PAID DUTY**

The performance of a police duty in uniform or civilian dress for which remuneration is received from a source outside the force and after regular working hours.

Synonym: Off duty pay

**CJ-0367 PARDON**

The Crown's full or partial exemption of an offender from the punishment prescribed for an offence and from disabilities consequent to conviction. Upon the recommendation of the National Parole Board, the Governor in Council (i.e. the federal Cabinet) may grant a pardon to any individual which removes a particular offence from any criminal records in the custody of federal agencies.

Note: cf. Criminal record

**CJ-0368 PAROLE**

The authority granted by a parole board to an inmate to be at large during his term of imprisonment. Such a decision concerning an adult inmate of federal or provincial correctional institutions is prescribed by statute and regulations.

Note: cf. C.C.C., the Parole Act (Canada) and Regulations, the Ministry of Correctional Services Act (Ontario) and Regulations

**CJ-0369 PAROLE BALANCE**

The period of time still remaining in a sentence following revocation of parole. This term is calculated by reducing the aggregate sentence by the time spent in custody before parole plus time spent on parole.

**CJ-0370 PAROLE CANCELLATION**

Used in conjunction with parole granted by the Ontario Board of Parole wherein the decision to grant parole is rescinded prior to the previously determined effective date of parole.

**CJ-0371 PAROLE ELIGIBILITY DATE**

The earliest date on which a convicted person sentenced to six months or more may be routinely granted parole by the Ontario Board of Parole. This date is one third through the aggregate sentence. Such a date may be determined for those sentenced to less than 6 months upon request only.

**CJ-0372 PAROLE PERIOD**

The time period which a parole board authorizes a convicted person to spend in the community on parole. It is equal to the aggregate sentence less the time spent in custody prior to commencement of parole.

**CJ-0373 PAROLE REVOCATION**

A decision of a Parole Board to terminate a parole for misbehaviour or a breach of conditions of the parole agreement before the normal expiry date.

**CJ-0374 PAROLE SUSPENSION**

A decision by a Parole Board to keep a person's parole inoperative until it is reviewed. This review can produce one of two results: 1) cancellation of the suspension, in which case the parolee is allowed to remain in the community on parole, or 2) revocation of parole, in which case the parolee must serve his parole balance in custody.

**CJ-0375 PAROLE VIOLATION**

A breach of conditions of the parole agreement.

**CJ-0376 PAROLEE**

An offender who is on parole.

**CJ-0377 PEACE OFFICER**

Any police officer, mayor, sheriff, bailiff and others by virtue of their office.

Note: For a full list, cf. Section 2 C.C.C.

**CJ-0378 PENALTY**

A recompense imposed by statute as a consequence of the commission of an offence. It may consist of a deprivation of property or some right such as enjoyment of liberty.

Synonym: Punishment

**CJ-0379 PENDING CASELOAD**

A list of cases scheduled to appear for adjudication in a particular court but as yet untried.

Synonym: Backlog

**CJ-0380 PENITENTIARY**

A federal prison operated by the Canadian Corrections Service for the incarceration of persons sentenced to a term of imprisonment of two years or more. Penitentiaries are classified by security level: maximum, medium and minimum.

Synonym: \*Pen\*

**CJ-0381 PERJURY**

A wilful act of false testimony while under oath.

- CJ-0382 PERSONS CHARGED**  
The number of persons, not charges, being recorded on Uniform Crime Reporting forms.
- CJ-0383 PERSONS DATA**  
A Uniform Crime Reporting statistical classification scheme of five categories broken down into adults charged (male and female), juveniles charged (male and female) and juveniles dealt with informally.
- CJ-0384 PERSONS IN AUTHORITY**  
Anyone engaged in the examination, arrest, detention or prosecution of an accused.  
Note: cf. Caution
- CJ-0385 PICKETING**  
The practice of walking or parading before a place of business to make public a labour grievance.  
Note: For instances of illegality, cf. Section 381 C.C.C.
- CJ-0386 PILFER**  
To steal small articles.  
Synonym: Shoplifting
- CJ-0387 PLEA**  
A formal response of guilt or non-guilt given by or on behalf of a defendant as answer to a charge in court and made at the outset of a trial, including, under the Canadian Criminal Code, an accused's acquiescence to a not-guilty plea entered by the court.
- CJ-0388 PLEA BARGAINING**  
An informal procedure in which a defence counsel and crown attorney negotiate which charges an accused person will plead to and what sentence the Crown might recommend. It is done with the understanding that neither the public nor the ends of justice will suffer and that the judge will not be bound to accept any suggestion as to sentence.
- CJ-0389 POLICE**  
A force of persons sworn to maintain law and order.  
Note: cf. the Police Act, R.S.O., 1980

- CJ-0390 POLICE ACT**  
The provincial legislation setting out policing responsibilities in Ontario and dealing specifically with the function and organization of municipal and provincial policing structures including municipal and provincial police forces, Boards of Commissioners of Police, the Ontario Provincial Police, the Ontario Police commission and the Ontario Police Arbitration Commission.
- CJ-0391 POLICE COMMISSIONERS, BOARD OF**  
A body of three or more persons consisting of the head of a municipal council and such person(s) as the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet) may designate. A Board of Police Commissioners is mandatory when a municipality maintains a police force and has a population over 15,000.  
Synonym: Police Commission  
Note: In other municipalities Police Committees of Council oversee similar functions.  
cf. the Police Act, R.S.O., 1980
- CJ-0392 POLICE, CHIEF OF**  
A member of a police force appointed by a municipal council or a Board of Police Commissioners to be the head of their police force. That person has general control of administration of the police force subject to legally authorized direction from the council or the board.
- CJ-0393 POLICE COMMITTEE OF COUNCIL**  
A committee composed of a head or acting head of a municipal council and two other members thereof appointed by council to administer the local police force.  
Synonym: Police Commission  
Note: cf. the Police Act, R.S.O., 1980
- CJ-0394 POLICE ORDERS**  
The rules and regulations of a police force that cover every aspect of its operation including conduct and dress, administration, personnel, finances, properties, transport, records, stores, telecommunications, and operations.  
Synonyms: Police regulations, Police directives
- CJ-0395 POLYGRAPH**  
A device to record changes in heart beat, blood pressure and respiration patterns which can be used as an aid in police investigation to indicate whether a person believes he is telling the truth. Results are not admissible as evidence in court.  
Synonym: Lie detector

**CJ-0396 POSSESSION**

Holding as one's own, whether in actual custody or the custody of another person or place.

Note: cf. Section 3(4) C.C.C.

**CJ-0397 POST-SENTENCE REPORT**

A report similar in format to a pre-sentence report, prepared by a probation officer after sentence; may be ordered by a Court of Appeal when there has been no pre-sentence report in a lower court.

**CJ-0398 PREFERRED INDICTMENT**

A form of indictment made by the Attorney General in those instances found to necessitate a priority over other cases for trial.

Note: cf. Preliminary hearings

**CJ-0399 PRELIMINARY HEARINGS**

A court proceeding before a judge at which the Crown must present its evidence against an accused in order to show that it has a case which warrants proceeding to trial.

Synonym: Preliminary inquiry

**CJ-0400 PREPAID FINE**

Monetary payment of the requisite penalty for an offence made to and received by a court prior to the court date set to hear the charge.

Note: A prepaid fine is applicable only in cases in which a stipulated prepayment is allowed when accompanied by a signed admission of guilt.

**CJ-0401 PREPAID FINES DOCKET**

A summarized list of payments of fines made to and received by a court before the court date set to hear the charges for the offences necessitating the fines.

Note: cf. Prepaid fine

**CJ-0402 PRE-PAROLE REPORT**

An account of an inmate's release plans, such as where residence will be established, details of living accommodation, family and community relationships and prospective employment. It is submitted by a probation and parole officer to assist a parole board.

**CJ-0403 PRE-SENTENCE REPORT**

A report prepared by a probation and parole officer on the instruction of a court after a conviction is made and before sentence is passed. The report provides factual information regarding family and employment histories, previous convictions and other social information that will enlighten the process of sentencing. After disposition it may be used to help those authorized in rehabilitating the offender.

**CJ-0404 PRESENTMENT**

The act of formally giving to a court a statement of some matter to be dealt with (as a statement of fact by a jury, Provincial Judge, constable or Justice of the Peace).

**CJ-0405 PRESUMPTION**

A conclusion or inference as to truth; in the law of evidence presumptions are of three types, irrebuttable (conclusive), rebuttable (inconclusive), and presumptions of fact.

**CJ-0406 PREVENTIVE DETENTION**

Confinement in a federal penitentiary for an indeterminate period; imposed where it is expedient for the protection of the public to have the convicted person so detained; associated with dangerous offenders.

Note: cf. Dangerous offenders

**CJ-0407 PRISON**

A public building or other place for the confinement or safe custody of persons whether as a punishment imposed by law or otherwise in the course of the administration of justice.

**CJ-0408 PRISON BREACH**

A prisoner's escape from a prison or any of its parts by force or violence.

Note: cf. Section 132 C.C.C.

**CJ-0409 PRISONER**

A person who is kept in prison or custody as a result of a legal process, such as punishment or to await trial.

**CJ-0410 PRIVATE COMMUNICATION**

Any oral communication or any telecommunication made under circumstances in which it is reasonable for the originator to expect that it will be received only by the person intended by the originator and that it will not be intercepted by any other person.

**CJ-0411 PRIVILEGED COMMUNICATIONS**

Communications which cannot be disclosed in evidence, such as confidences between solicitor and client.

**CJ-0412 PRO FORMA HEARING**

The experimental procedure used in Ottawa Provincial Court, Criminal Division, which permits pre-trial disclosures as a matter of record between counsels in an effort to reach agreement on matters of evidence and thus reduce the duration of the trial.

**CJ-0413 PRO RATA FINES**

Divided or assessed in proportion to the number of days in a sentence. It applies to sentences in which the defendant has been given a choice of paying a fine or being incarcerated. Each day has a dollar value calculated by dividing the fine and costs by the number of days in the sentence.

**CJ-0414 PRO RATA REMISSION**

Time removed from a sentence when time served is less than one month. It is calculated by multiplying the number of days in custody by the maximum allowable remission and dividing that product by the number of days in that month in which the time is served.

Note: cf. Remission

**CJ-0415 PROBATION**

A disposition of a court authorizing an offender to be at large subject to conditions or supervision prescribed in a probation order or a community service order. Either a probation and parole officer or a person specified by the court may maintain the prescribed supervision.

**CJ-0416 PROBATION AND PAROLE OFFICER**

A person charged with the guidance and supervision of a probationer or parolee and with the preparation of reports for use by courts and parole boards.

Note: The conjunction of duties is unique to provincial jurisdictions.

**CJ-0417 PROBATION ORDER**

A formal court document requiring an offender to observe certain specified conditions and obligations, while remaining at large in the community, for a stipulated period of time not to exceed three years.

Note: cf. Form 44 C.C.C.

**CJ-0418 PROBATION REVOCATION**

A cancellation of a probation order by the issuing court if a probationer is convicted of another offence during a probationary period. The court may then change or add to the conditions of the original order or may impose any sentence which could have been imposed at the time of conviction for the original offence.

**CJ-0419 PROBATION TERMINATION**

The completion of a probation period either by expiration of the term or amendment by the issuing court.

**CJ-0420 PROBATIONER**

An offender who is bound by a probation order or a community service order.

**CJ-0421 PROCESS**

A judicial writ or order issued by a court, such as a summons or subpoena.

**CJ-0422 PROGRAM**

Any activity which is provided by the Ministry of Correctional Services staff for the rehabilitation of clients during their incarceration, probation or parole.

**CJ-0423 PROHIBITION, ORDER OF**

A superior court order to stop an inferior court from proceeding or to prevent a judge from presiding, usually due to lack of jurisdiction.

**CJ-0424 PROMISE TO APPEAR**

A written and binding assurance by which a person arrested can be released by an officer-in-charge on his promise to appear in court on a date and time specified and, in some cases, to attend a police station at a date and time specified for the purposes of identification required by the Identification of Criminals Act.

Note: cf. Form 8.2 C.C.C.

- CJ-0425 PROSECUTE**  
To institute and carry out legal proceedings against a person for an offence.
- CJ-0426 PROSECUTION**  
A proceeding by way of information or indictment in the criminal courts in order to institute and to complete legal consideration of a charge. The term may also refer to the party who is responsible for that proceeding.
- CJ-0427 PROSTITUTION**  
The act or practice of a woman who permits any man to pay her to have sexual relations with her.  
  
Note: For the purposes of U.C.R. program, it includes bawdy houses, procuring, soliciting and related offences.
- CJ-0428 PROVINCIAL BAILIFF**  
A person responsible for conveying, under the authority of a warrant, an inmate in custody at a correctional institution to another correctional institution or penitentiary in which the inmate is lawfully directed to be confined. A provincial bailiff has the power of a constable when conveying an inmate.
- CJ-0429 PROVINCIAL OFFENCES ACT**  
A code of procedures for the prosecution of offences under provincial laws in Ontario including municipal by-laws.  
  
Note: This act replaces the Summary Convictions Act and those sections of the C.C.C. which are incorporated into it by reference.
- CJ-0430 PSYCHIATRIC ASSESSMENT**  
The written explanation to a court of the observations and/or tests of a psychiatrist regarding the mental health and stability of a defendant.
- CJ-0431 PUBLIC INSTITUTIONS INSPECTION PANEL**  
A group of citizens selected twice yearly by the Supreme Court Justice to inspect institutions operated by public funds.  
  
Note: Replaces the inspection function of grand juries

- CJ-0432 PUBLIC MORALS**  
General standards of behaviour.  
  
Note: For the purposes of the U.C.R. program, offences against public morals include corrupting morals with obscene matter, crime comics, indecent performances, procurement by a parent or guardian, by a householder permitting defilement and corrupting children.
- CJ-0433 PUBLIC OFFICER**  
Includes an officer of customs or excise, R.C.M.P., Canadian Forces or as designated.  
  
Note: cf. Section 2 C.C.C.
- CJ-0434 PUBLIC PLACE**  
Any place to which the public has access as a right or by invitation expressed or implied.
- CJ-0435 PUBLIC TRUSTEE**  
The person appointed by the Lieutenant-Governor-in-Council (i.e. the provincial Cabinet) for the purpose of dealing with the estates of persons who die with no known relatives and without a will. In addition, the office is responsible for all property forfeited to the Crown.
- CJ-0436 QUASH**  
To annul a law or decision or a part of proceedings which have been improperly carried out; to reject a writ or indictment as invalid; to stop legal proceedings completely.  
  
Note: For statistical purposes "quashed" is regarded as "withdrawn-dismissed" when referring to legal proceedings.
- CJ-0437 RANSOM**  
A sum demanded for the release of a person taken hostage.
- CJ-0438 RAPE**  
A male person having sexual intercourse with a female person who is not his wife without her consent or with her consent if the consent is extorted by threats or fear of bodily harm or is obtained by personating her husband or obtained by false and fraudulent representation as to the nature and the quality of the act.  
  
Note: cf. Section 143 C.C.C.

**CJ-0439 R C C (RESCUE COORDINATION CENTRE)**

Canadian Forces' Rescue Coordination Centres located at Trenton and Edmonton.

**CJ-0440 R C M P (ROYAL CANADIAN MOUNTED POLICE)**

A Crown police force headed by a Commissioner that is responsible for policing all those parts of Canada which contract for its services or that do not maintain their own municipal or provincial police forces. In addition, its members have all the rights, privileges and immunity of customs and excise officers. The R.C.M.P. also provides identification, intelligence, security, informational (CPIC) and narcotic control services throughout Canada.

**CJ-0441 REASONABLE AND PROBABLE GROUNDS**

A set of facts and/or circumstances which would lead a person of ordinary care and judgment to come to a conclusion; more than mere suspicion but not necessarily prima facie proof.

**CJ-0442 REASONABLE FORCE**

The amount or degree of force which can be reasonably used by a person in protecting himself, others or property; the force which can be used by law enforcement officers in the conduct of their duties as authorized by law. The general rule is that an officer can use force no greater than that which is necessary for the purpose.

**CJ-0443 RECEIVER**

A person who knowingly buys or receives stolen merchandise.

Synonym: \*Fence\*

**CJ-0444 RECIDIVISM**

The repetition of criminal behaviour.

Note: Efforts to arrive at a single standard statistical description of recidivism have been hampered by the fact that the correct referent of the term is the actual repeated criminal or delinquent behaviour of a given person or group, yet the only available statistical indicators of that behaviour are records of such system events as rearrests, reconvictions, and probation or parole violations or revocations.

**CJ-0445 RECIDIVIST**

An offender who repeatedly commits crimes.

**CJ-0446 RECOGNIZANCE**

An obligation of record entered into before a court (or duly authorized person) to appear in said court at the time specified.

Note: cf. Form 28 C.C.C., Bail

**CJ-0447 REGULATIONS**

Laws made by executive authority and government such as the federal or provincial cabinets when authorized by statute.

**CJ-0448 REISSUED SUMMONS**

A personally delivered writ calling a defendant to court at the time appointed for trial, after the defendant's failure to appear when previously summoned by mail.

**CJ-0449 RELEASE DATE**

The date on which a person is released from custody.

**CJ-0450 REMAND**

To commit or recommit an accused person to custody until further legal proceedings are possible; to remit a prisoner, indictment, record, etc., back to the original court or judge for trial or other action, as to a lower court from a higher one.

Note: An accused is said to be "on remand"; a case is said to be "remanded" until the proposed trial date.

**CJ-0451 REMAND WARRANT**

A legal document issued by a court official (usually a Justice of the Peace) ordering a person charged with a stated offence to be held in custody until the trial date.

Synonym: Holding document  
Note: cf. Form 14 C.C.C.

**CJ-0452 REMISSION**

Time removed from a sentence; in accordance with Bill C-51 an inmate may have fifteen days for each calendar month served in satisfying a sentence in which the inmate has applied himself industriously to the institution's program and behaved in an acceptable manner.

Synonym: \*Good Time\*

**CJ-0453 RESERVE**

A tract of land the title of which is vested in the Crown and has been set apart for the use and benefit of an Indian Band.

**CJ-0454 RESTITUTION**

Compensation made by the offender for injury, loss or damage to an aggrieved party; sometimes prescribed as a condition of a probation order by another order of the court.

**CJ-0455 RIOT**

A tumultuous disturbance of public peace by an unlawful assembly of three or more persons.

Note: A riot proclamation is read to formally disperse twelve (12) or more rioting persons.  
cf. Sections 65 and 68 C.C.C.

**CJ-0456 ROADSIDE TESTING**

A procedure whereby a peace officer who reasonably suspects that a person who is driving a motor vehicle has consumed alcohol may demand that a sample of the driver's breath be tested in an approved roadside screening device.

Note: The approved device is the Alcoholic Level Evaluator Roadside Tester (ALERT).  
cf. Approved instrument

**CJ-0457 ROBBERY**

Stealing by violence, the threat of violence or while armed.

Synonym: Holdup

Note: For purposes of the U.C.R. program, robbery offences are categorized as: robbery with firearms, with other offensive weapons and other.  
cf. Section 302 C.C.C.

**CJ-0458 ROUTINE ORDERS**

A police publication dealing with appointments and terminations, promotions, transfers and commendations and items of particular interest or import and issued by the head of a particular police force.

**CJ-0459 SATELLITE COURT**

A subordinate Provincial Court without full-time staff, located apart from the main court in a judicial district. When in operation, it has all of the functions and powers of a central court, but the satellite court may meet only sporadically, at the decision of the central court and, ultimately, under its authority. A satellite court is a convenience for residents in remoter parts of judicial districts.

**CJ-0460 SATISFIED PORTION**

The period of a single term of imprisonment which has been spent in custody plus the appropriate remission.

**CJ-0461 SEARCH COORDINATOR**

A police officer appointed to coordinate search efforts in a particular incident, such as involving aircraft or boats.

**CJ-0462 SECURITIES ACT**

A provincial statute dealing with the rules and regulations for persons and companies dealing with stocks, bonds, debentures and other investments as enumerated in the Act.

**CJ-0463 SECURITY STATUS**

The classification of an inmate to programs or a correctional institution which ensures the safety of the inmate, other inmates and the public.

**CJ-0464 SEDITION**

The offence of publishing words or documents or making speeches to cause contempt for governmental form and to unlawfully force governmental change.

Note: cf. Section 60 C.C.C.

**CJ-0465 SEGREGATION**

To separate an inmate from the inmate population of an institution as a disciplinary measure or for protective custody either at the discretion of the superintendent or at the inmate's request.

**CJ-0466 SELECTIVE ENFORCEMENT**

The deployment of police personnel in ways to cope most effectively with existing or anticipated problems.

**CJ-0467 SELF DEFENCE**

The protection of one's person against some injury attempted by another; the right of such protection; the right to use force to repel force.

Note: cf. Section 34 C.C.C.

**CJ-0468 SENTENCE**

The order of a court made upon conviction; a term of imprisonment, probation, fine, penalty, forfeiture or other punishment imposed by a court on an individual.

**CJ-0469 SHERIFF**

The appointed Crown representative primarily responsible for the administration of justice in a county or district court or in the Supreme Court of Ontario.

Note: cf. the Sheriff's Act, R.S.O., 1980

**CJ-0470 SINGLE TERM OF IMPRISONMENT**

The length of time that a convicted person is ordered to spend in custody as determined by one or several committal warrants.

**CJ-0471 SITTING TIME**

The time a justice is engaged in presiding over judicial functions. Gross sitting time is the entire elapsed time from commencement of proceedings to the day's final close. Net sitting time is the actual time spent presiding over the court.

**CJ-0472 SODOMY**

Carnal knowledge per anus by a man upon the person of another man or woman.

Synonym: Buggery

**CJ-0473 SOLICITOR GENERAL**

The Minister in the Ontario Government responsible for law enforcement and public safety.

**CJ-0474 STATEMENT**

Anything said orally or in writing by an accused whether it is in the nature of confession or not.

**CJ-0475 STATUTE**

A written law. An enactment made by the legislature of a country or province and expressed in a formal document containing one or more provisions for application.

Synonym: Act

**CJ-0476 STAY**

A stoppage or suspension of a judicial proceeding before judgment has been handed down. The proceeding must be reinstated within a year if the charge is to be pursued.

Note: For statistical purposes a stay is recorded as "withdrawn- dismissed".

**CJ-0477 SUBPOENA**

A writ issued from a court commanding the appearance of a witness to give evidence and/or produce documents at a stated time under penalty for failure to do so.

**CJ-0478 SUMMARY CONVICTION OFFENCE**

A federal or provincial offence which due to its less serious nature is not prosecuted by indictment but more expeditiously as allowed by statute. Examples of summary offences include traffic, liquor and certain criminal offences.

Note: cf. Part XXIV C.C.C., Summary trial

**CJ-0479 SUMMARY TRIAL**

A form of trial allowed by statute, in specific instances with the election of the accused, in which the proceedings are carried out expeditiously due to the omission of the presence and function of a jury. Summary trials may be applied to summary conviction offences and certain indictable offences.

**CJ-0480 SUMMONS**

A citation or writ informing a defendant that an action has been begun in court against him and requiring him to appear at the time appointed and defend himself (in default of which a court may proceed to give judgment).

Note: cf. Form 6 C.C.C.

**CJ-0481 SUPERINTENDENT**

The person responsible for the administration of a correctional institution; a rank of police officer.

**CJ-0482 SUSPECT**

A person who is believed to have committed or to be about to commit a crime.

**CJ-0483 SUSPENDED SENTENCE**

A disposition in which the court, having regard to the age and character of the offender, the nature of the offence, and the circumstances surrounding its commission, may suspend the passing of sentence in cases resulting in conviction. An individual receiving a suspended sentence is released upon the conditions prescribed in a probation order.

Note: cf. Section 663 (1) (a) C.C.C.

**CJ-0484 SUSPENSION**

The order of a court by which a party is deprived of the exercise of a privilege for a limited period of time.

Note: cf. Parole Suspension

**CJ-0485 TACTICAL UNIT**

A group of police officers skilled in the use of weapons and methods to resolve volatile situations without the loss of life.

Synonyms: Emergency task force, True team, SWAT

**CJ-0486 TEMPORARY ABSENCE PROGRAM (TAP)**

A program designed to facilitate a gradual and planned progression rather than a sharp, sudden and untested transition from institutional to community living and the responsibilities involved.

Note: Temporary Absence Permits may be granted for 1 to 15 day intervals for humanitarian or other purposes related to the rehabilitation of the participant. The majority are for 1 to 5 day periods.

**CJ-0487 THEFT**

The unlawful taking of another's property for any purpose.

Synonym: Steal

Note: For the purposes of the U.C.R. program, theft offences are categorized as follows: theft of motor vehicles, theft over \$200, and theft \$200 or under.

**CJ-0488 THREAT**

A declaration of intention to punish or injure; such menace as may restrain a person's freedom of action.

**CJ-0489 TIME GIVEN TO PAY**

The specific period allotted in which to complete payment of a fine assessed by a judge after a person is convicted in court.

Note: For statistical purposes, if time were given to pay but the fine was paid in full that same day, the fine would be entered under "fine paid in court".

**CJ-0490 TRAFFIC**

The movement of a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, on roads to which the public has right of access.

Note: The U.C.R. program divides its reporting into two major statistical categories: (a) accidents, persons injured or killed, (b) traffic enforcement offences. This latter category is further divided into Criminal Code offences and offences under other federal statutes, provincial statutes and municipal by-laws.

**CJ-0491 TRAFFICKING**

The offence charge of unlawfully manufacturing, selling, giving, administering, transporting, sending, delivering, distributing or offering any narcotic or controlled or restricted drug.

**CJ-0492 TRANSFER**

The removal of a case from the jurisdiction of one court or judge to another by lawful authority; the change of custodial location.

Note: cf. Admission

**CJ-0493 TRESPASS AT NIGHT**

To loiter or prowl at night without lawful excuse upon the property of another near a dwelling house situated on that property.

Synonym: \*Peeping Tom\*

**CJ-0494 TRIAL**

The process of determining the guilt or non-guilt of an accused person by a court that has proper jurisdiction over the case; the presentation and decision of issues of law or fact in an action in court.

**CJ-0495 TRIAL IN ABSENTIA**

A trial in which the accused person, after due notice, has failed to appear and his trial proceeds in his absence.

Note: This procedure is followed in summary conviction matters only.

**CJ-0496 UNDERTAKING**

A promise which is enforceable in the same manner as a court order.

Note: cf. Forms 9, 9.1 and 9.2 C.C.C.

**CJ-0497 UNIFORM CRIME REPORTING**

A crime reporting program which was evolved by Statistics Canada in co-operation with the Canadian Association of Chiefs of Police and instituted in 1962. Under this program police departments at federal, provincial and municipal levels contribute police administration, crime and traffic enforcement data to Statistics Canada in a standard format.

Synonym: U.C.R.

**CJ-0498 UNLAWFUL ASSEMBLY**

A meeting of three or more persons with intent to carry out any common purpose which causes persons in the neighbourhood to fear for the maintenance of the public peace.

Note: cf. Section 64 C.C.C.

**CJ-0499 UNSATISFIED PORTION**

That period of a single term of imprisonment that has not been spent in custody less the number of days of remission granted for the period spent in custody.

**CJ-0500 UTTER**

To put into circulation currency or documents which are known to be counterfeit or forged.

Note: cf. Counterfeit currency

**CJ-0501 VERDICT**

The decision rendered by a jury or judge.

**CJ-0502 VICTIM-OFFENDER RECONCILIATION**

A process whereby the victim and the offender meet and negotiate compensation with the supervision of probation and parole officers. Both the victim and the offender are encouraged to resolve hostilities related to the offence.

**CJ-0503 VIOLENCE**

Any use of physical force, usually with the accompaniment of vehemence, outrage or fury.

**CJ-0504 WAIVER**

The relinquishment of a known legal right such as appeal, jurisdiction or plea.

**CJ-0505 WARRANT**

The legal document authorizing those to whom it is addressed to do an act in the administration of justice (arrest, seize, search or execute a judicial sentence).

**CJ-0506 WARRANT EXPIRY DATE**

The date on which a term of imprisonment ends as directed by a committal warrant when no remission is earned. This date may be extended by periods spent at large on bail, appeal, escape or after revocation of parole.

Note: cf. Earliest possible release date

**CJ-0507 WARRANT OF COMMITTAL**

A legal document issued by a court ordering a convicted person to a term of imprisonment for a specified period of time. The warrant may also order a term of imprisonment if the fine is not paid.

Note: cf. Form 8 C.C.C.

**CJ-0508 WARRANT OF DISTRESS**

A writ authorizing the legal seizure and detention of personal property from a person or corporation convicted of an offence as surety for payment due.

**CJ-0509 WILFUL**

Intending the result which actually comes to pass; designed, not accidental or involuntary.

Note: For the purpose of the U.C.R. program, "wilful" offences include wilful damage both public and private.

**CJ-0510 WILFUL OMISSION**

A determination not to perform a known duty.

**CJ-0511 WITHDRAW**

To refrain from prosecuting by "taking back" a charge.

**CJ-0512 WITNESS**

One who gives relevant evidence in a judicial proceeding.

Note: An eye witness is one who personally sees or perceives a person, object or event and attests to that perception.

**CJ-0513 WITNESS, MATERIAL**

An individual who provides material evidence.

Note: cf. Evidence, material

**CJ-0514 WOUNDING**

Assault that causes an injury to the body of a person.

Note: For U.C.R. purposes it includes: wounding, maiming, disfiguring, endangering the life, preventing arrest or detention.  
cf. Section 228 C.C.C.

**CJ-0515 WRIT**

A mandatory precept in the form of a letter issued from a court, addressed to an officer of the law or directly to the person whose action the court desires to command, requiring the performance of a specified act or giving authority and commission to have it done.

**CJ-0516 WRIT OF ASSISTANCE**

A writ providing wide powers of entry and search granted to a peace officer and valid for as long as that person remains an officer; issued by a judge of the Exchequer Court of Canada to aid in the search for narcotics and controlled drugs.

Note: cf. the Food and Drug Act and the Narcotic Control Act

# END