

Mr. Aldunate

The Categories of Crime

Indictable Offences:

- More serious crimes
- all crimes involving violence with weapons or injury are called indictable offences
- The max sentence for certain indictable offences is life imprisonment.
- Other offences are punished with maximum sentences of two, five or 14 years in prison.
- accused has a choice of being tried by judge alone or by judge and jury

Summary Offences:

- less serious crimes
- max sentence is six months in jail and/or a \$2,000 fine. Probation, discharges and suspended sentences are less severe sentences.
- tried by a judge alone (no jury)

Hybrid offences:

- Can be prosecuted as a summary or indictable offence.
- Who decides? - Crown attorney
- The circumstances of the offence and the effect of the crime on the victim influence whether a hybrid offence is treated as summary conviction or as an indictable offence
- Some cases of driving while intoxicated and certain assaults can be prosecuted as either a summary conviction or indictable offence, for example.