

**PERSONS CHARGED WITH DRUG-IMPAIRED DRIVING,
BY OFFENCE AND JURISDICTION:
CANADA, 2008-2016
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**R. Solomon, Distinguished University Professor,
C. Ellis, J.D. 2018 & C. Zheng, J.D. 2019
Faculty of Law, Western University**

TABLE OF CONTENTS

INTRODUCTION	2
Chart 1: Persons Charged with Drug-Impaired Driving, by Offence: Canada, 2008-2016	3
Chart 2: Persons Charged with a Drug-Impaired Driving Offence, by Jurisdiction: 2008-2016	3
Chart 3: Persons Charged with Drug-Impaired Driving, by Offence: Alberta, 2008-2016.....	4
Chart 4: Persons Charged with Drug-Impaired Driving, by Offence: British Columbia, 2008-2016	4
Chart 5: Persons Charged with Drug-Impaired Driving, by Offence: Manitoba, 2008-2016	4
Chart 6: Persons Charged with Drug-Impaired Driving, by Offence: New Brunswick, 2008-2016.....	5
Chart 8: Persons Charged with Drug-Impaired Driving, by Offence: Northwest Territories, 2008-2016	6
Chart 9: Persons Charged with Drug-Impaired Driving, by Offence: Nova Scotia, 2008-2016	7
Chart 10: Persons Charged with Drug-Impaired Driving, by Offence: Nunavut, 2008-2016.....	7
Chart 11: Persons Charged with Drug-Impaired Driving, by Offence: Ontario, 2008-2016	8
Chart 12: Persons Charged with Drug-Impaired Driving, by Offence: Prince Edward Island, 2008-2016	8
Chart 13: Persons Charged with Drug-Impaired Driving, by Offence: Québec, 2008-2016	9
Chart 14: Persons Charged with Drug-Impaired Driving, by Offence: Saskatchewan, 2008-2016.....	9
Chart 15: Persons Charged with Drug-Impaired Driving, by Offence: Yukon, 2008-2016	10

INTRODUCTION

The following Charts provide national, provincial and territorial data on the number of persons charged with drug-impaired driving offences. The figures include both adults and youth, and charges relating to motor vehicles, vessels and aircraft. The Charts are based on *CANSIM Table 252-0051: Incident-based crime statistics, by detailed violations annual (number unless otherwise noted)*.¹

The Charts only include drug-impaired driving charges from 2008 onwards. While Canada first prohibited drug-impaired driving in 1925, the police were not given any specific means of collecting the evidence necessary for laying and prosecuting these cases until July 1, 2008. Prior to this date, the very small number of drug-impaired driving charges and convictions were included in the totals for “impaired driving.”

As of July 1, 2008, Statistics Canada separately reported drug-related charges, but not convictions. Consequently, there is still no means of determining the number of drug-impaired driving charges that result in convictions or the sentences that are imposed in these cases. Unfortunately, these data are simply included in the impaired driving totals. Moreover, the impaired driving conviction and sentencing data are not broken down by offence.²

Canadian survey data, roadside screening studies and post-mortem reports indicate that driving after drug use is now more common than driving after alcohol use.³ Nevertheless, drug-impaired driving charges constituted only 3.9% (1,917 out of 48,966) of total impaired driving charges in 2016. Similarly, while an estimated 10.4 million trips were made in 2012 by drivers after using cannabis,⁴ there were only 1,140 charges for all categories of drug-impaired driving in that year.⁵ Assuming that half of these charges involved cannabis, a person could drive after using cannabis once a day for about 50 years before being charged with, let alone convicted of, a drug-impaired driving offence. These extremely low charge rates for drug-impaired driving help to explain the very limited deterrent impact of Canada’s current drug-impaired driving law.

¹ Statistics Canada, *CANSIM Table 252-0051: Incident-based crime statistics, by detailed violations annual (number unless otherwise noted)* (Ottawa: Statistics Canada, 2017).

² In regard to adult cases, see respectively: Statistics Canada, *CANSIM Table 252-0053, Adult criminal courts, number of cases and charges by type of decision annual (number)* (Ottawa: Statistics Canada, 2017); and *CANSIM Table 252-0056, Adult criminal courts, guilty cases by type of sentence annual (number)* (Ottawa: Statistics Canada, 2017).

³ See generally, R. Solomon & E. Chamberlain, “Canada’s New Drug-Impaired Driving Law: The Need to Consider Other Approaches” (2014) 15(7) *Traffic Injury Prevention* 685 at 685-86; and R. Solomon, E. Chamberlain & N. Al-Azem, *Submission to The Task Force on Marijuana Legalization and Regulation* (Oakville, Ont.: Mothers Against Drunk Driving (MADD) Canada, 2016) at 16-18.

⁴ D. Beirness & A. Porath-Waller, *Clearing the Smoke on Cannabis: Cannabis Use and Driving – An Update* (Ottawa: Canadian Centre on Substance Abuse, 2015) at 2.

⁵ See Chart 1, *infra*.

**Chart 1: Persons Charged with Drug-Impaired Driving, by Offence:
Canada, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	65,822	68,338	65,188	60,164	60,261	54,107	51,784	50,931	48,966
Drug-impaired driving charges as a percentage of total impaired driving charges	0.29%	1.16%	1.43%	1.56%	1.89%	2.21%	2.61%	3.22%	3.91%
Total drug-impaired driving charges:	188	796	929	941	1,140	1,194	1,354	1,638	1,917
Impaired operation causing death	0	2	2	2	3	6	5	5	5
Impaired operation causing bodily harm	3	11	11	19	11	8	17	17	16
Impaired operation	180	752	890	892	1,100	1,159	1,308	1,584	1,867
Failure to comply or refusal	4	22	23	23	21	15	19	28	24
Failure to provide blood sample	1	9	3	5	5	6	5	4	5

**Chart 2: Persons Charged with a Drug-Impaired Driving Offence,
by Jurisdiction: 2008-2016**

Jurisdiction	2008	2009	2010	2011	2012	2013	2014	2015	2016
Canada	188	796	929	941	1,140	1,194	1,354	1,638	1,917
Alberta	29	86	136	133	126	103	159	146	153
British Columbia	23	128	111	118	211	164	126	196	289
Manitoba	7	21	29	41	36	36	57	85	41
New Brunswick	13	67	37	43	24	26	26	36	41
Newfoundland and Labrador	19	36	53	34	34	49	49	40	58
Northwest Territories	0	1	3	3	4	0	2	3	5
Nova Scotia	18	39	71	63	63	70	120	103	81
Nunavut	1	0	1	0	2	1	3	4	1
Ontario	66	317	323	284	277	312	328	399	573
Prince Edward Island	1	5	5	5	4	6	18	10	21
Québec	3	51	102	169	305	376	391	562	594
Saskatchewan	8	45	58	47	52	49	72	50	59
Yukon	0	0	0	1	2	2	2	4	1

**Chart 3: Persons Charged with Drug-Impaired Driving, by Offence:
Alberta, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	11,148	10,827	11,038	10,864	10,313	9,273	9,089	8,521	7,522
Total drug-impaired driving charges:	29	86	136	133	126	103	159	146	153
Impaired operation causing death	0	1	0	0	0	3	0	1	1
Impaired operation causing bodily harm	1	1	1	3	0	1	4	3	1
Impaired operation	28	78	131	121	123	99	152	139	150
Failure to comply or refusal	0	4	4	6	3	0	2	3	1
Failure to provide blood sample	0	2	0	3	0	0	1	0	0

**Chart 4: Persons Charged with Drug-Impaired Driving, by Offence:
British Columbia, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	9,795	11,928	9,905	5,134	5,846	3,681	3,500	3,399	3,303
Total drug-impaired driving charges:	23	128	111	118	211	164	126	196	289
Impaired operation causing death	0	1	1	1	2	1	2	0	2
Impaired operation causing bodily harm	0	1	2	3	1	5	1	1	3
Impaired operation	23	125	105	113	204	151	120	187	282
Failure to comply or refusal	0	1	3	1	4	7	3	8	2
Failure to provide blood sample	0	0	0	0	0	0	1	0	0

**Chart 5: Persons Charged with Drug-Impaired Driving, by Offence:
Manitoba, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	2,563	2,611	2,773	2,661	2,454	2,394	2,200	2,140	2,096
Total drug-impaired driving charges:	7	21	29	41	36	36	57	85	41
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	1	1	1	1	0	2	2	1
Impaired operation	6	18	28	35	35	36	55	82	39
Failure to comply or refusal	1	0	0	5	0	0	0	1	1
Failure to provide blood sample	0	2	0	0	0	0	0	0	0

**Chart 6: Persons Charged with Drug-Impaired Driving, by Offence:
New Brunswick, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	2,011	1,840	1,743	1,634	1,436	1,364	1,285	1,252	1,282
Total drug-impaired driving charges:	13	67	37	43	24	26	26	36	41
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	0	0	2	0	0	0	0	0
Impaired operation	12	63	31	40	23	25	26	34	39
Failure to comply or refusal	0	3	6	1	1	1	0	2	2
Failure to provide blood sample	1	1	0	0	0	0	0	0	0

**Chart 7: Persons Charged with Drug-Impaired Driving, by Offence:
Newfoundland and Labrador, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	921	918	936	847	956	869	801	735	773
Total drug-impaired driving charges:	19	36	53	34	34	49	49	40	58
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	2	0	1	0	0	2	1	1
Impaired operation	19	26	52	30	33	47	47	38	56
Failure to comply or refusal	0	8	1	3	1	2	0	1	1
Failure to provide blood sample	0	0	0	0	0	0	0	0	0

**Chart 8: Persons Charged with Drug-Impaired Driving, by Offence:
Northwest Territories, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	312	352	298	254	216	247	280	292	310
Total drug-impaired driving charges:	0	1	3	3	4	0	2	3	5
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	0	0	0	0	0	0	0	0
Impaired operation	0	1	3	3	4	0	2	3	5
Failure to comply or refusal	0	0	0	0	0	0	0	0	0
Failure to provide blood sample	0	0	0	0	0	0	0	0	0

**Chart 9: Persons Charged with Drug-Impaired Driving, by Offence:
Nova Scotia, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	2,200	2,158	2,185	2,061	1,827	1,768	1,836	1,779	1,687
Total drug-impaired driving charges:	18	39	71	63	63	67	120	103	81
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	1	2	0	2	0	0	1	1
Impaired operation	17	38	69	59	60	70	116	100	78
Failure to comply or refusal	1	0	0	4	1	0	4	2	2
Failure to provide blood sample	0	0	0	0	0	0	0	0	0

**Chart 10: Persons Charged with Drug-Impaired Driving, by Offence:
Nunavut, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	141	151	109	84	109	98	109	103	91
Total drug-impaired driving charges:	1	0	1	0	2	1	3	4	1
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	0	0	0	0	0	0	0	0
Impaired operation	1	0	1	0	2	1	3	4	1
Failure to comply or refusal	0	0	0	0	0	0	0	0	0
Failure to provide blood sample	0	0	0	0	0	0	0	0	0

**Chart 11: Persons Charged with Drug-Impaired Driving, by Offence:
Ontario, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	17,543	17,126	16,223	16,096	16,066	14,622	14,171	14,242	13,915
Total drug-impaired driving charges:	66	317	323	284	277	312	328	399	573
Impaired operation causing death	0	0	1	0	1	2	1	1	1
Impaired operation causing bodily harm	1	3	2	1	3	0	3	3	2
Impaired operation	63	306	313	278	260	301	314	383	555
Failure to comply or refusal	2	6	5	3	8	4	7	8	10
Failure to provide blood sample	0	2	2	2	5	5	3	4	5

**Chart 12: Persons Charged with Drug-Impaired Driving, by Offence:
Prince Edward Island, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	417	442	436	420	352	333	279	301	302
Total drug-impaired driving charges:	1	5	5	5	4	6	18	10	21
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	0	0	0	0	0	1	0	0
Impaired operation	1	5	5	5	4	6	17	9	20
Failure to comply or refusal	0	0	0	0	0	0	0	1	1
Failure to provide blood sample	0	0	0	0	0	0	0	0	0

**Chart 13: Persons Charged with Drug-Impaired Driving, by Offence:
Québec, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	13,773	15,150	14,557	15,122	15,531	14,403	13,539	13,604	13,717
Total drug-impaired driving charges:	3	51	102	169	305	376	391	562	594
Impaired operation causing death	0	0	0	1	0	0	1	3	0
Impaired operation causing bodily harm	1	0	3	6	2	2	4	4	7
Impaired operation	2	50	95	162	301	372	385	554	585
Failure to comply or refusal	0	0	3	0	2	1	1	1	2
Failure to provide blood sample	0	1	1	0	0	1	0	0	0

**Chart 14: Persons Charged with Drug-Impaired Driving, by Offence:
Saskatchewan, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	4,758	4,604	4,728	4,751	5,005	4,897	4,514	4,351	3,768
Total drug-impaired driving charges:	8	45	58	47	52	49	72	50	59
Impaired operation causing death	0	0	0	0	0	0	1	0	1
Impaired operation causing bodily harm	0	2	0	2	2	0	0	2	0
Impaired operation	8	42	57	45	49	49	69	47	56
Failure to comply or refusal	0	0	1	0	1	0	2	1	2
Failure to provide blood sample	0	1	0	0	0	0	0	0	0

**Chart 15: Persons Charged with Drug-Impaired Driving, by Offence:
Yukon, 2008-2016**

Offence	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total impaired driving charges (drugs & alcohol)	240	231	257	236	150	158	181	224	201
Total drug-impaired driving charges:	0	0	0	1	2	2	2	4	1
Impaired operation causing death	0	0	0	0	0	0	0	0	0
Impaired operation causing bodily harm	0	0	0	0	0	0	0	0	0
Impaired operation	0	0	0	1	2	2	2	4	1
Failure to comply or refusal	0	0	0	0	0	0	0	0	0
Failure to provide blood sample	0	0	0	0	0	0	0	0	0