Civil and **criminal cases** are two different types of legal disputes that differ in the type of issues involved, the parties involved, and the outcomes sought.

Wolastoqey Tribal Council Inc.

New Brunswick Law Foundation
Fondation pour le droit au Nouveau-Brunswick

To learn more about the process of criminal cases, visit our website.

WOLASTOQEY TRIBAL COUNCIL INC.

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Understanding

Civil and Criminal Cases



How Do Civil Cases Work?

A civil case, also known as a lawsuit, begins when one person or business takes another to court to resolve a private dispute. This typically involves legal disagreements, such as issues with a contract, property, or injuries. The party initiating the case is called the **plaintiff,** while the person being sued is the **defendant.**

How Do Criminal Cases Work?

In a criminal case, the government (referred to as **"the Crown"**) prosecutes an individual for breaking a public law, such as those outlined in the *Criminal Code*. The offence is considered a crime against society, and the Crown's goal is to prove beyond a reasonable doubt that the accused committed the crime.



There are three classes of criminal offences:

- **Summary Conviction Offences:** Includes minor offences like causing a disturbance, with penalties of up to a $5,000 fine, up to one year and 364 days in prison, or both if no specific penalty is stated.
- **Indictable Offences:** Includes serious crimes such as manslaughter or robbery, with severe penalties, including life imprisonment for certain cases.
- **Hybrid Offences:** Includes offences that can be treated as either summary or indictable, depending on the Crown's decision; until then, they are considered indictable.





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