

CUSTODY COORDINATOR PROTOCOL

(Thompson Court Centre)

Effective: June 12, 2017

PREAMBLE

Given the high volume of in-custody matters in Thompson and the limited amount of court time, it is vital that court time be used as efficiently as possible and that unnecessary remands be avoided.

It is also important that matters move through the system within reasonable time frames. This is especially crucial with respect to accused persons who are in custody.

The following protocol (which is a change from past practice) addresses both concerns.

PROTOCOL

After the first appearance, in-custody matters will be adjourned to a Custody Coordination Docket (CCD) 4 weeks down the road. This is an administrative docket, not an in court appearance.

Expectations of Counsel

It is expected that the following will occur prior to the first appearance in CCD:

- Defence Counsel will be appointed/ retained;
- Crown Counsel will be assigned;
- Particulars will be provided to Defence Counsel;
- Discussions will take place between Crown and Defence (and in most cases a Crown position provided).

Time Lines / Remands at CCD

At the first appearance in CCD, a further remand at CCD for a maximum of 4 weeks may be granted provided both Crown and Defence agree that it is necessary and notify the Custody Coordinator via email prior to noon on the CCD date. If the Custody Coordinator has not heard from Crown and Defence prior to noon, the matter will be placed on the next available Judge's docket (or Drug Docket for CDSA matters).

Matters may remain at CCD for a maximum of 8 weeks.

After 8 weeks at CCD, matters must be placed on a Judge's list and the expectation is that a plea will be entered unless the Judge is satisfied that there is a valid reason for why this should not take place. If a plea is not entered, the Judge will set a strict deadline for any problems to be rectified (for example for particulars to be provided) and the matter will go over to a Judge's docket for plea.

Brought Forward Requests

Matters can be brought forward to an earlier date provided:

- The matter is ready to proceed to plea or a bail hearing or something else meaningful will happen (for example counsel applying to withdraw); and
- The Crown is given 2 working days notice of the court date to which defence wishes the matter brought forward and the purpose for the appearance (plea, bail etc) (unless Crown counsel consents in writing to the matter being brought forward with less notice).