

NOTICE

COURT OF QUEEN'S BENCH OF MANITOBA

RE: ADDITIONAL MEASURES IN RESPECT OF ATTENDANCE AT THE LAW COURTS COMPLEX

Effective today, the Winnipeg Metropolitan Region moved to the Critical level (red) on the #RestartMB Pandemic Response System. That designation comes after the announcements of alarmingly high numbers of cases, which numbers have been increasing steadily and dramatically since early September.

As with the other two levels of court, the Court of Queen's Bench has stated publicly from the outset of this pandemic that it recognizes and intends to act upon its institutional responsibilities as an essential service to not only ensure access to justice to the extent possible, but also to do its part in ensuring measures are taken to help achieve important public health objectives. That latter point has always included the Court's priority of protecting all Court participants and it now includes, once again, doing all that is possible to "level the curve" to relieve the increasingly concerning pressures being placed on Manitoba's medical system.

The Court of Queen's Bench is currently in full operation in terms of all of its services. As should also be clear, the Court of Queen's Bench is already providing most of its services in a remote fashion, either by video conference or by teleconference. All of those services, whether offered in the General Division or the Family Division, will continue as has already been set out in previous Notices. Those matters involving trials or hearings with *viva voce* testimony, in either the General or Family Division, are currently proceeding "in court" with all of the previously-announced accompanying restrictions and safeguards that have been put in place to protect all participants. While those "in-court" hearings will continue to proceed as they have "in court", this Notice will announce the following additional measures in respect of attendance at the Law Courts Complex if and where parties are attending in person for such a hearing or a trial:

1. At the point of entry, sheriff's officers will now be asking additional and more probing questions in order to ensure that those entering the Law Courts Complex pose no public health risk.
2. All members of the public and court stakeholders, including counsel, will now be subjected to an additional safety screening measure that will involve the provision of a temperature reading.

In addition to the above measures, it should be expected that all individuals permitted to enter the Law Courts Complex (a number that is currently and already quite limited) will be adhering to the previously well-publicized restrictions and measures concerning such safeguards as the limiting of the number of people in the courtroom to those who are

necessary, sanitizing, social distancing, and the wearing of masks. It can also be expected that the presiding judge will be ever more vigilant and attentive to how his or her courtroom will be managed, mindful of the current safety protocols in place and any additional or novel issues surrounding COVID-19.

We will be monitoring closely over the next 7 to 10 days the evolution of an obviously current and concerning COVID-19 reality in Manitoba. While it is hoped and expected that we will continue to be able to provide a judicial service that offers “in-court” trials and hearings where witnesses are being called, it may be necessary, depending on events, to revisit the extent and nature of this service. If and when the provision of “in-court” trials and hearings becomes untenable, we will expect the profession’s cooperation and collaboration in exploring alternative modes of trial and hearing, most notably by video conference.

We thank you for your ongoing assistance and complicity in doing all that is possible to facilitate the public’s access to justice in a manner that is safe and mindful of our respective responsibilities to society at large.

ISSUED BY:

“Original signed by Chief Justice Joyal”

**The Honourable Chief Justice Glenn D. Joyal
Court of Queen’s Bench (Manitoba)**

DATE: November 2, 2020