

NOTICE
PROVINCIAL COURT OF MANITOBA

RE: COVID-19 - SUSPENSION AND REOPENING OF COURTS

This Notice is further to previous Notices which announced the re-opening of court proceedings in certain circuit locations.

Given the current COVID-19 situations and the rising number of cases in the North, and after discussions with many communities, it has been determined we will not be returning to hold court in person in the following communities until at least January 2021:

- Brochet First Nations
- Cross Lake
- Norway House

We will not be returning to the following communities to hold court in person for the foreseeable future:

- Gillam
- God's Lake Narrows
- God's River
- Lac Brochet
- Oxford House
- Peguis
- Poplar River
- Pukatawagan
- Shamattawa
- South Indian Lake
- Split Lake
- Waywayseecappo

Confirmation of the dates we return to these communities in person will be the subject of a further notice. For several of these communities we will hold virtual dockets to deal with as many matters as possible. These dates are being arranged and will be confirmed by the Trial coordinators in each court centre upon request.

We are returning to the following communities on the following dates:

- | | |
|----------------|--------------------------|
| • Garden Hill | October 29, 2020 |
| • Churchill | November 10, 2020 |
| • St. Martin | November 18 and 19, 2020 |
| • Sioux Valley | November 18, 2020 |

ISSUED BY:

“Original signed by:”

**The Honourable Chief Judge
Margaret Wiebe**

DATE: October 30, 2020

COVID-19 and Resumption of Court Hearings for the Provincial Court of Manitoba

The Provincial Court of Manitoba has confirmed it will reopen court proceedings in a limited number of court centres on a staged and incremental basis beginning June 1, 2020. See Notice of May 14, 2020. The Courts will only be open to those people necessary to the proceedings before the Courts and will remain closed to the general public.

The locations where Court will re-open is based on the premise all stakeholders will contribute to managing the COVID-19 health and safety protocols necessary to continue to reduce the spread of the virus. This is a shared responsibility. All persons attending Courts will be required to participate and cooperate with the recommended COVID -19 safety protocols.

This Notice is to provide court stakeholders with information about the steps Courts are taking to ensure safe proceedings for all stakeholders and participants. Please note that these may be subject to change if there are changes in the COVID-19 situation in Manitoba.

All attendees must follow the instructions of the Judge, Sheriffs, police officers and the First Nations Safety Officers. Failure to do so could result in removal from the facility.

Courtroom Protocol

The aim is to have only those necessary in court attend. To ensure that only those necessary to attend, please note:

- Counsel are expected to have discussions in advance of the day of court in order to identify those cases where something meaningful (i.e. disposition, hearing) will occur.
- The Crown is responsible for providing the Sheriff's Officer / First Nations Safety Officer with those names by no later than the day of the court proceeding so the Sheriff's Officer / First Nations Safety know these individuals are approved to appear in person.
- Sheriff's Officer / First Nations Safety Officer will advise the Court of Individuals who attend the courthouse but were not on the list of attendees provided to them. The Court will determine whether that individual can be allowed entry into the courtroom.

In principle, only the following will be allowed access to the courtroom (May 15, 2020 PJC Notice):

- Those persons who have something meaningful occurring. (such as disposition or trial)
- A maximum of two support persons per accused / witness.
- Self-represented individuals / First appearances.

Note: If an individual scheduled to appear before the court for disposition or a hearing is denied entry, the court is to be notified ASAP. If a witness for a trial is denied entry, the Crown is to be notified ASAP.

Public will be asked to sanitize their hands, if they are wearing a mask they will be encouraged to keep it on while in the building and they will be reminded to maintain physical distancing.

Sheriff's Officer / First Nations Safety Officer will ensure only those required in court enter, all others will remain outside of the courthouse or in the lobby, physically distanced, until required.

General:

- The courtroom will be disinfected prior to and after court at the direction of the Sheriff's Officer / Court Clerk.
- All surfaces occupied by multiple individuals will be cleaned and sanitized before the next person is allowed in the area, including the witness box. Crown/Counsel is expected to disinfect their own station when changing individuals.
- All oath materials will be sanitized between uses by the Court Clerk.
- The Court Clerk will bring disinfectant and paper towels from the Thompson / The Pas Court.

Physical Distancing:

- Individuals will be allowed to sit together if they are from the same household.
- To ensure physical distancing in the gallery, chairs will be placed six feet apart.
- Counsel will be gently reminded of social distancing measures if there are multiple counsel in the designated courtroom at any specific time.
- Defence counsel are to ensure physical distancing at defence table. All other counsel will sit in the gallery or remain outside the courtroom until it is time for their matter.

Travel Protocol

- Counsel flying with Keewatin are asked to arrive at approximately 7:30 a.m. Keewatin will have their own COVID-19 protocol which will likely include asking about potential exposure to COVID-19 or travel outside of the province and a temperature check.
- Keewatin will likely be providing masks for plane travel. However, please bring your own. You will need to wear the mask for the entire flight.
- When in the community, the court party will walk from the airport to the dock, and the dock to the courthouse. IT IS IMPERATIVE THAT WE MINIMIZE OUR CONTACT WITH THE COMMUNITY.
- Our gear will be taken from the plane to the boat and then to the courthouse by local transport.
- The court party will return to Winnipeg at the end of the day, NO overnights will be allowed.
- NO FOOD OR DRINK will be provided. As such, all members of the court party are to ensure they have sufficient food and drink for the day. Attendance at the local stores will NOT be allowed.

Suzanne Gervais
Assistant Deputy Minister
Courts Division