

NOTICE

PROVINCIAL COURT OF MANITOBA (Winnipeg Centre)

RE: CHANGES TO ADULT BAIL TRIAGE PROCEDURE (courtroom 301) and BAIL COURT (courtrooms 304 and 306)

The opportunity to apply for judicial interim release in a timely manner is a fundamental right of individuals. The Provincial Court of Manitoba is committed to ensuring this right is protected. The following changes are being made to the bail process in Winnipeg in support of this commitment. All participants in the justice system are reminded they have an obligation to do their part to ensure applications for bail are heard in a timely manner.

Effective January 10, 2022, bail triage court in courtroom 301, will become a court of record and will be presided over by a Judicial Justice of the Peace (JJP). Triage court will sit from 9:30 a.m. until the completion of the dockets. The 11:00 a.m. JJP consent docket will be discontinued.

All consent remands, consent releases, consent in custody no contact orders, consent bail cancellations and time line extensions will be heard by the JJP in courtroom 301. Accused persons will appear from the Winnipeg Remand Centre and the Winnipeg Police Service Central Processing Unit by Teams video. While the Court continues to encourage Crown paralegal staff and all counsel to appear in person, Teams video appearances will be facilitated and the use of the current consent forms, properly prepared, will continue to be accepted at 301BailTriageConsentDoc@gov.mb.ca. The relevant forms are attached for reference. Please note: Wi-Fi is now available in courtroom 301 and the password is posted in the courtroom.

Contested bail applications only will be transferred to appear before a Judge in courtrooms 304 and 306, if addressed in courtroom 301 prior to the 11:30 a.m. cut off. Any matters not spoken to in bail triage court by 11:30 a.m. will remain in courtroom 301 to be dealt with by the presiding JJP, including any remaining contested bail applications.

Courtrooms 304 and 306 will open promptly at 10:00 a.m. It is the expectation that counsel will make all reasonable efforts to be ready to proceed at that time.

ISSUED BY:

“Original signed by”

**The Honourable Chief Judge Margaret Wiebe
Provincial Court of Manitoba**

DATE: December 20, 2021

RELEASE CONDITIONS:

The accused must obey the conditions indicated by a check mark below:

APPEARANCES

- 1. You must come to Court on each of your court dates;
- 2. You must come to Court on each of your court dates until a lawyer has told the court that he or she is representing you;
- 3. _____

RESIDE:

- 4. You must live at _____

- 5. You must not live at a different address unless a judge has first given you permission to move to that address;
 or a Crown prosecutor notifies a court official at _____
in writing that the Crown is not opposed to your moving to a different address.
- 6. You must tell a court official at _____
or a judge, before you move to a different address;
- 7. You must not leave _____ unless a judge has first
(the Province of Manitoba or other designated city/town)
given you permission to leave;
- 8. _____
_____ ;

PROGRAM RELEASE:

- 9. You may only be released from custody to a person from _____ ;
- 10. You must live at _____ ;
- 11. You must follow all the rules of _____ ;
- 12. _____ ;

ATTENDANCE/COMMUNICATION/ASSOCIATION:

- 13. *Complainant(s) is/are not to be named.*
- 14. You must not contact the complainant(s) _____
in person or communicate with him/her/them by telephone, mail, E-mail or in any other way or have another person
communicate with the complainant(s) for you.
- 15. Except: that you may communicate with the complainant(s) to arrange a time to visit; or pick-up/drop off

(names of children)
 as allowed by a court order granting access (dated) _____
- 16. Except: that another person may communicate with the complainant(s) for you to arrange a time for you to
 visit; or pick-up/drop-off

(names of children)
 as allowed by a court order granting access (dated) _____
- 17. Except: _____
- 18. You must stay at least _____ away from the
 home workplace school place of worship of the complainant(s)

19. Except: that you may go to the complainant(s)'s home to _____ visit; or pick-up/drop off
(names of children)
 as allowed by a court order granting access (dated) _____
20. Unless you have first received permission from the complainant(s) to go there to _____ visit; or pick-up/drop off
(names of children)
 as allowed by a court order granting access (dated) _____
21. You must not contact _____ (associates)
in person or communicate with him/her/them by telephone, mail, E-mail or in any other way or have another person
communicate with him/her/them for you.
22. You must not communicate or try to communicate with the complainant(s) by telephone, mail, E-mail or in any other way or
have another person communicate with the complainant(s) for you, while you are in custody.
23. _____ ;

ABSTENTION

24. You must not possess drink any alcohol, and you must not possess use any illegal drug.
25. You must not use any prescription drug unless you have a prescription for that drug.
26. You must not use hairspray, gasoline, glue or any substance in a way that will make you intoxicated.
27. You must not go into any place where liquor is sold other than a restaurant with a liquor licence.
28. _____ ;

CURFEW:

29. You must be at your home address between _____
30. You may only be away from your home address during curfew hours:
 when you are with _____
 when you are working at _____ or travelling directly to or from there
 in a medical emergency involving you or a member of your immediate family.

31. You must come to the door of your home address or answer the telephone if _____
conducts a curfew check.
32. _____ ;

FIREARMS/WEAPONS PROHIBITION:

33. You must not own, possess or carry any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device,
ammunition, prohibited ammunition or explosive substance.
34. Except: _____
35. You must surrender the things specified in the preceding condition and every authorization, licence and registration
certificate relating to these prohibited things, to _____
36. You must not own, possess or carry any weapon. _____

37. You must not possess knives except for the immediate preparation and consumption of food or in the course of lawful employment.

38.

_____ ;

OTHER:

39.

_____ ;

40.

_____ ;

41. **FOR THE PURPOSE OF THE IDENTIFICATION OF CRIMINALS ACT, you must:**

42. attend Forensic Services, Winnipeg Police Service, Main floor - 245 Smith Street, Winnipeg on _____ between 12:30 p.m. and 3:30 p.m., to have fingerprints and photographs taken. (day) (month) (year)

43. attend at the Identification Section, Brandon Police Service, 1020 Victoria Avenue, Brandon at _____ on _____ (time) _____, to have fingerprints and photographs taken. (day) (month) (year)

44. attend at: _____ at _____, on the _____, to have fingerprints and photographs taken. (day) (month) (year) (time)

DRUG TREATMENT COURT EXPECTATIONS

45. You must attend and participate actively in treatment.

46. You must attend for urinalysis as directed.

47. You must honestly report all drug and/or alcohol use.

48. You must advise the Court of any new charges that arise while in Drug Treatment Court.

49. You must not possess/drink any alcohol and not possess/consume any illegal drug.

50. You must not use any prescription drugs unless you have a prescription for that drug.

51. You must not use hairspray/gas/glue or other intoxicants.

MENTAL HEALTH COURT EXPECTATIONS

52. You are to report your WRHA FACT Team Treatment Services Coordinator, _____ no later than _____ and thereafter as directed.

53. You are to report to Dr. _____ no later than _____ and thereafter as directed.

54. You are to attend, participate and complete any assessments, counselling, programming or treatment, which may include but will not necessarily be limited to residential addictions treatment and anger management as directed by _____ and/or the WRHA FACT Team.

55. You are to attend, participate and complete any peer support programs, vocational or academic programs or leisure

programs as directed by _____ and/or the WRHA FACT Team.

- 56. You are to accept all medical advice and treatment provided to you by Dr. _____ or his/her designate.
- 57. You are to comply with all directions of and take medication prescribed to you by Dr. _____ or his/her designate.
- 58. You are to submit to random blood and urine screening and testing to monitor the use of prescribed medication and alcohol, illegal drugs and other intoxicants.
- 59. You are not to travel outside of the City of Winnipeg unless accompanied by an adult approved by the WRHA FACT Team.
- 60. You are not to travel outside the Province of Manitoba unless you are accompanied by an adult approved by the WRHA FACT Team, you have given prior notice to the Mental Health Court and you will not be outside of the Province for longer than 14 days.
- 61. You are to seek and maintain employment at the direction of the WRHA FACT Team and, in the alternative, you are to seek and maintain a regular source of income at the direction of the WRHA FACT Team.

Dated this _____ at _____, Manitoba.
(day) (month) (year)

Consent of the Crown

Consent of Defence

Print Name Date

Print Name Date

Judge, Provincial Court Judge, Justice

Court Clerk initial

CROWN AND DEFENCE AGREED IN CUSTODY NON-COMMUNICATION ORDER BAIL CANCELLATION

ACCUSED

APPELLANT _____ D.O.B. _____

Provincial Court Adult In Person Telephone

Court of Queen's Bench Youth Video Consent on record

BAIL CANCELLATION:

Charge(s) / Info No(s): _____

Existing Bail Yes No

Application made with consent of Crown and Defence, order dated or Information Number(s): _____

to be cancelled.

IN CUSTODY NON-COMMUNICATION ORDER ISSUED RE: s. 516(2) s. 515(12)

Charge(s) / Info No(s): _____

Same as above

Applies to following Informations: _____

(Name/Date of Birth if applicable)

You must not communicate or try to communicate with the complainant(s) by telephone, mail, E-mail or in any other way or have another person communicate with the complainant(s) for you, while you are in custody.

Additional names and date of births listed on attached.

REVIEW OF CONDITIONS:

The Crown has requested this application and defence counsel has reviewed the agreed upon conditions with the accused.

REMAND DATE:

Provincial Court - Courtroom _____

Court of Queen's Bench _____

at _____ Manitoba on the _____ at _____ m.

(city/town) (day) (month) (year) (time)

Dated this _____ at _____, Manitoba.

(day) (month) (year)

Judge or Justice Clerk of Court

Crown Attorney's Name Defense Counsel

(For conditions of release see attachment)

Domestic Violence: Yes No