

ANNUAL REPORT



The Provincial Court of Manitoba

2010-2011



***The Provincial Court
of Manitoba***

Our mission:

It is essential that a court, in keeping with the principles of justice, provide accessible, independent, impartial justice to the public without favour to anyone.

The Provincial Court of Manitoba is dedicated to the provision of service to the public through the effective management of available resources and to the provision of justice to our citizens with integrity, ethical conduct, and within the Rule of Law.

Contents

<i>Composition of the Court</i>	3
<i>Contingent Liability</i>	5
<i>The Work of the Court</i>	5
- <i>Case Management</i>	6
- <i>Circuit Court</i>	6
<i>Proceedings Before the Court</i>	7
<i>Time to Disposition of Charges:</i>	
- <i>Winnipeg Centre and Circuit Courts</i>	9
- <i>Regional Court Centres and Circuit Courts</i>	10
<i>Court Utilization</i>	11
<i>Inquests</i>	14
<i>Law Enforcement Review Act</i>	15
<i>Overview– The Honourable Chief Judge Ken Champagne</i>	16
<i>Appendices:</i>	
A: <i>Judges of The Provincial Court</i>	22
B: <i>Judicial Justices of the Peace of The Provincial Court</i>	25
C: <i>Provincial Court – Court Locations</i>	27

Composition of the Court

Judiciary

The 2010/11 year began with the appointment of The Honourable Judge Dale Schille on May 19, 2010. Judge Schille was appointed to fill the vacancy created after The Honourable Judge Ronald Meyers' retirement in January 2010. The retirement and untimely passing of Judge Meyers was acknowledged in the 2009/10 Annual Report, however we once again, express our deep appreciation for his 33 year commitment to the work and life of the court.

After 17 years as a Provincial Court Judge, thirteen of which were served in the community of Dauphin, on June 10, 2010 The Honourable Judge Richard Thompson retired from the Provincial Court. The Honourable Judge Donald Slough was appointed on July 20, 2010 to replace Judge Thompson as a judge serving the community of Dauphin.

The utmost gratitude and appreciation is extended to Judge Thompson for his many years of service on the bench of the Provincial Court and also for his dedication and commitment to the administration of justice in Manitoba.

With the appointment of Judge Slough, the court returned to its full judicial complement, and would remain there until the close of the 2010/2011 year.

Judicial Justices of the Peace

The 2010/11 fiscal year brought few changes to the judicial justice of the peace complement. The only movements were the retirement of Judicial Justice of the Peace Norman Sundstrom on June 18, 2010 followed by the appointment of his replacement, Judicial Justice of the Peace Beverley Scharikow on December 8, 2011. The utmost gratitude and appreciation is extended to Judicial Justice of the Peace Sundstrom for his many years of dedication and commitment to providing judicial services in Manitoba and in particular, at the Summary Conviction Court in Winnipeg.

Contingent Liability

Under *The Provincial Court Act*, the Annual Report of the court is to include the contingent liability of the government for public funds that results from unused vacation leave or retirement allowances of the judges. This requirement provides for representation of the financial liability of the Government of Manitoba for the retirement allowances of those judges entitled to same and who were eligible to retire on March 31st while also calculating the financial liability of those judges who had unused vacation leave as of March 31st based on the premise of them having resigned from judicial office as of March 31st. On this basis, the calculation results in a total contingent liability for the Government of Manitoba of \$1,786,557.77 (\$1,159,992.46 for eligible retirement allowances and \$626,565.31 for unused vacation leave) for the period ending March 31, 2011.

The Work of the Court

The Provincial Court of Manitoba is established by *The Provincial Court Act*. It is a court of record and has primarily a criminal jurisdiction, as well as limited concurrent jurisdiction with the Court of Queen's Bench in family law matters that originate outside the City of Winnipeg. More than ninety-five percent of all criminal cases in Manitoba are completed in the Provincial Court.

Upon an adult or young person being charged with an offence, the Provincial Court hears judicial interim release (bail) applications, presides over administrative courts and disposition courts, determines at preliminary inquiries whether there is sufficient evidence to order an accused to stand trial in the Court of Queen's Bench, and hears various types of trials.

In addition to the *Criminal Code of Canada*, the Provincial Court hears criminal cases under a variety of federal statutes such as the *Youth Criminal Justice Act* and the *Controlled Drugs and Substances Act*, and also hears all provincial statute cases, such as those under *The Highway Traffic Act* and *The Liquor Control Act*. The court also presides over inquests under *The Fatality Inquiries Act* and reviews alleged police misconduct under *The Law Enforcement Review Act*.

In Winnipeg on a weekly basis, one judge is assigned to be a duty judge and another judge is assigned to be the back-up duty judge. These judges deal with matters that do not require an appearance in court but require a judge's decision, such as search warrant applications. Over the

course of the year, judges and judicial justices of the peace reviewed, considered and decided 1,977 ex parte or without notice applications requiring judicial authorizations under the Criminal Code. Also in Winnipeg, on a daily basis, judges are assigned and attend to hear in-custody youth criminal matters at the Manitoba Youth Centre.

In addition to the regularly scheduled trial and disposition courts, judges in Winnipeg and the regions hear bail applications, sentencing hearings, breaches of conditional sentence orders, and give decisions outside of normal court hours, usually at 9:00 a.m. and 1:00 p.m.

Case Management

The case management initiative that was fully implemented in January 2010 continues to help reduce the time it takes for a multi-day case to proceed to preliminary inquiry or trial, as well as assisting counsel in resolving matters without the need to set hearing dates or, in cases where hearings must be arranged, determining the amount of court time required. The Case Management Coordinator, as directed by Judges and with the aid of the weekly Case Management Coordinator's Docket, monitors the scheduling of various court actions in case managed matters.

As of March 31, 2011, for both in custody and out of custody domestic and non-domestic violence cases requiring more than one day of trial time, the wait time was, on average, 9 months, depending on counsel availability.

Circuit Court

The Provincial Court holds regular court sittings in over fifty communities throughout Manitoba. The communities to which the court party travels from a court centre such as Winnipeg, Brandon, Thompson, The Pas, Dauphin, or Portage la Prairie, are called "circuits." This important facet of the Provincial Court's work can mean that community facilities such as legion halls and school gyms become the courtroom for the day. Judges, Crown Attorneys, defence counsel, court clerks, victim services workers and Aboriginal court workers may travel by car, plane, helicopter, and/or boat, over winter roads and by air and water, in order to get to the circuit court location. For a listing of all Provincial Court sitting locations, please see Appendix C.

As a result of the distances and the number of matters involved, sittings in both regional court offices and circuit court communities are measured in days as opposed to half-days as in Winnipeg.

The circuit courts sit less frequently and matters appearing in court – youth, adult, and family matters - may be heard together in one combined sitting as opposed to the separate courts found in court centres and at larger circuit courts.

A continuing goal of the Provincial Court is to expand our circuit sittings to First Nations communities in Manitoba, and we continue to work with First Nations to achieve this important goal.

Proceedings Before the Court

The number of proceedings that come before the Provincial Court in a given year is currently measured in terms of number of charges or proceedings as opposed to number of accused persons before the court. One accused can be charged with more than one criminal offence or have before the court more than one proceeding, therefore, one can conclude that the number of accused persons, either adult or youth, before the court will be less than the number of proceedings before the court. The number of proceedings before the court for fiscal year 2010/11 is set out in the following table. Please note that the number of charges cited under *The Highway Traffic Act* (HTA) does not include those charges that proceeded before the Summary Conviction Court in 2010/11 but only HTA charges that proceeded in conjunction with other criminal charges before the Provincial Court.

2010/2011			
	Outstanding from Previous Year	New	Disposed of During the Year
Total Adult Charges (including businesses)	70,326	81,051	81,207
<i>Criminal Code Offences</i>	62,168	70,416	70,351
<i>Controlled Drugs and Substances Act Offences</i>	3,439	3,115	3,398
Other Federal Statute Offences	720	475	431
<i>Highway Traffic Act offences</i>	1,879	2,718	2,630
Other Provincial Statute Offences	964	1,204	1,206
Other matters e.g. applications, reviews, process hearings	1,156	3,123	3,191
Total Youth Charges	9,909	17,698	18,368

Time to Disposition of Charges

The time to disposition measures the average time from the date of the first court appearance to the date of disposition of the charge which in the Provincial Court includes not only a charge disposed of by way of trial and guilty plea, but also when an accused is ordered to stand trial in the Court of Queen's Bench following a preliminary inquiry into the charge. In April 2010, Courts Division introduced changes in calculation of time to disposition for Winnipeg non-domestic violence charges; adult, business, and youth charges were amalgamated. As well, in all categories, the time spent at warrant status was removed from consideration and the types of charges were reviewed for inclusion in data gathering. The following information is provided in regard to the time to disposition of charges in Winnipeg and the regional court offices, as well as all Provincial Court circuits during the 2010/11 fiscal year.

Winnipeg Centre

Time to Disposition					
	Within 4 months	Between 4 and 8 months	Between 8 and 12 months	Between 12 and 18 months	After 18 months
Non-domestic violence charges	46%	21%	14%	10%	9%
Domestic violence charges	44%	31%	14%	7%	4%

Winnipeg Circuit Courts

Time to Disposition					
	Within 4 months	Between 4 and 8 months	Between 8 and 12 months	Between 12 and 18 months	After 18 months
Non-domestic violence charges	35%	24%	15%	15%	11%
Domestic violence charges	20%	26%	29%	16%	9%

Regional Court Centres

Time to Disposition					
	Within 4 months	Between 4 and 8 months	Between 8 and 12 months	Between 12 and 18 months	After 18 months
Non-domestic violence charges	66%	16%	8%	6%	4%
Domestic violence charges	57%	22%	11%	6%	3%

Regional Circuit Courts

Time to Disposition					
	Within 4 months	Between 4 and 8 months	Between 8 and 12 months	Between 12 and 18 months	After 18 months
Non-domestic violence charges	45%	25%	12%	11%	6%
Domestic violence charges	42%	25%	16%	11%	5%

Overall, it is important to keep in mind the following factors that determine the earliest available court date for a given matter at a given time:

- The resolution of previously scheduled cases close to their scheduled trial or preliminary inquiry start date making hearing dates available that may or may not be used for another case; generally, when cases are resolved less than one month before the scheduled start date, the hearing dates are not able to be used for other trials or preliminary inquiries;
- Crown and defence counsel schedule availability;
- Adjournments on the day of trial, for example, due to issues of outstanding disclosure;
- Occasions where an accused was released from custody but then re-arrested for allegedly breaching bail conditions; one result is a delay in the disposition of his or her substantive charge(s) before the court;
- Numerous multi-day cases that require a block of time, resulting in fewer cases being scheduled for trial during that time.

The court continues to work with stakeholders to explore better ways of managing and scheduling cases for trial and disposition so as to maximize the use of valuable court time and reduce court delay. The court also continues to emphasize to both Crown and defence counsel that

adjournments or remands of cases should only occur when there is good reason to do so – that the goal of the criminal justice system is to move cases toward disposition in a timely way so as to permit both accused and victims to be able to move forward with their lives.

Court Utilization

The court utilization statistics of the Provincial Court for 2010/11 provides information on the effective utilization of the court in both the Winnipeg Centre and its circuits and the regional court centres and their circuits. Court sittings in all court centres are measured in half days so the statistics will represent the average hours per half day of court sitting for each month in the fiscal year. The utilization is broken down further by the average hours per half day that a judge, a judicial justice of the peace or a pre-trial coordinator presided in the Provincial Court, including the Summary Conviction Court located in Winnipeg.

Judicial Sittings

In 2010/11, there were 5,094 judicial sittings in the Winnipeg Centre; 132 judicial sittings in the Winnipeg Circuit Courts; 1,733 judicial court sittings in the Regional Court Centres and 701 judicial sittings in the Regional Circuit Courts. A judge in Provincial Court hears applications for judicial interim release (bail); presides over disposition courts, preliminary inquiries, inquests and various types of trial courts.

Average hours per half day in Provincial Court												
	2010									2011		
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Winnipeg Centre	2	2	2	2	2	2	2	2	2	2	2	2
Winnipeg Circuit Courts	3	2	3	3	3	4	3	3	3	3	2	4
Regional Court Centres	3	3	3	3	3	3	3	3	3	3	3	3
Regional Circuit Courts	3	3	3	3	3	3	3	3	3	3	3	3

Judicial Justice of the Peace Sittings

Judicial justices of the peace are resident in Winnipeg, Thompson, The Pas, Brandon, Dauphin, Portage la Prairie, and Selkirk. There are two judicial justices of the peace located in the Thompson Centre who travel to circuit locations in seven First Nations communities. Each year there are many

weathered out courts that add an additional burden on providing timely justice to the citizens of these communities. Similar to the overall case load of the court in Thompson, the volume of matters that appear before the judicial justices of the peace in Thompson continues to be significant and is increasing at circuit court locations. It should also be noted that the amount of tasks a judicial justice of the peace performs on a daily basis now, in comparison to the program's inception in 2006 is increasing at a fairly rapid pace. There is a need to properly assess the adequacy of the judicial justice of the peace resources, particularly in Thompson and Northern Manitoba when considering strategies toward improving justice system services.

More than half of the judicial justices of the peace in the province preside over contested *Summary Convictions Act* matters, with the bulk of matters being offences under *The Highway Traffic Act*. There has been a plan developed for the education of all judicial justices of the peace in this regard. There is a recognition that having the full complement of judicial justices of the peace being able to hear and determine summary conviction matters will lead to greater efficiencies in this work of the Provincial Court.

In addition to hearing the summary conviction trial matters, judicial justices of the peace also determine the appropriate disposition or sentence for summary convictions as a result of a guilty plea by the accused. The bulk of these matters appear before judicial justices of the peace at the 373 Broadway court facility in Winnipeg, but a fair number also go before the judicial justices of the peace based in regional court locations. There are plans underway to improve the service provided at the 373 Broadway court facility by creating a formal courtroom for these matters. We are hopeful this will assist with decorum and respect.

All levels of justices of the peace in Manitoba- judicial justices, staff justices and community justices are provided with and participate in ongoing education and training throughout the year. This is critical to ensuring that they have both the legal and administrative information they need to carry out their respective duties and responsibilities within Manitoba's criminal justice system.

In 2010/11, judicial justices of the peace conducted 357 court hearings in the regions and regional circuits of the Provincial Court.

Average hours per half day in Provincial Court											
2010									2011		
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1	1	1	1	1	2	1	1	1	1	1	1

In 2010/11, judicial justices of the peace in Manitoba conducted 1,653 protection order hearings.

Average hours per half day for protection order hearings											
2010									2011		
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
0.7	0.6	0.7	0.7	0.5	0.6	0.7	0.5	0.5	0.6	0.5	0.6

In 2010/11, the judicial justices of the peace conducted 354 hearings in Summary Convictions Court on matters governed by *The Summary Convictions Act* that include provincial statutes, (i.e. *The Highway Traffic Act*) and by-laws. Most of these hearings were conducted in the two trial courts in Winnipeg but some were also held in various circuit court locations.

Average hours per half day in Summary Convictions Court											
2010									2011		
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
4	4	3	4	3	4	4	4	4	4	4	3

Pre-Trial Coordinator Sitzings

As part of Provincial Court front-end processes in Winnipeg, pre-trial coordinators preside in court to ensure that specific administrative matters are addressed within appropriate timelines and in custody accused are not transported for court appearances except for meaningful events. In 2010/11, pre-trial coordinators presided over 1179 court sittings in Winnipeg and 12 sittings in Peguis First Nation.

Average hours per half day in Provincial Court												
	2010									2011		
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Winnipeg Centre	2	2	2	2	2	2	2	2	2	2	2	2
Fisher Branch/Peguis Court	2	3	2	2	2	2	2	2	2	2	2	2

A similar program in Portage la Prairie, the Portage Resolution Docket, was implemented in April 2010. The staff justice of the peace presided over 41 occurrences of this docket.

Inquests

Under *The Fatality Inquiries Act*, where the Chief Medical Examiner determines that an inquest ought to be held, it is presided over by a judge of the Provincial Court. At the end of inquest hearings, the inquest judge provides a written report to the Minister of Justice and the Chief Medical Examiner. The report is to include any recommendations by the inquest judge concerning the laws of the province, programs, policies or practices of government or relevant public agencies or institutions which, in the opinion of the inquest judge, would reduce the likelihood of deaths in similar circumstances to those which resulted in the death that is the subject of the inquest.

The inquest judge is not to express an opinion or make a determination about who is or could be blamed in a way that could reasonably identify a person at fault.

Inquest Reports are to be completed within six months following the end of inquest hearings, unless the Chief Judge has approved an extension (up to 3 months or in exceptional circumstances, a length of time beyond 3 months).

As of March 31, 2011, there were two inquest hearings ongoing and seven inquests that had been called by the Chief Medical Examiner, however, inquest hearing dates had yet to be scheduled or had been scheduled to commence after April 1, 2011. Two Inquest Reports were awaiting completion as of March 31, 2011.

In 2010/11 there were two Inquest Reports issued by the Provincial Court:

<i>Name of Deceased</i>	<i>Date of Report Release</i>	<i>Time to Complete Report</i>
Randy George Krasnesky	September 29, 2010	6 months
Shawn Jones, Raynold Gerling and Brian Palmquist	November 5, 2010	7 months (1 month extension granted by the Chief Judge)

Law Enforcement Review Act

The Law Enforcement Review Act sets out the process to be followed when there is a complaint about the conduct of members of policing agencies in Manitoba. There are two processes under the *Act* where the Provincial Court is required to be involved: one is called a "review" and the other is called a "hearing". If the Commissioner of the Law Enforcement Review Agency decides not to take further action with respect to a complaint, the complainant may apply to the Commissioner to have the decision reviewed by a judge of the Provincial Court. In 2010/11 there were thirteen reviews conducted by Provincial Court judges.

Hearings may be held where the Commissioner recommends a penalty for a disciplinary default and the complainant disagrees with the recommended penalty; and where the Commissioner refers the complaint to a judge for a decision on whether the complaint should result in disciplinary action. In 2010/11 there were six hearings held by the Provincial Court.

Overview

- The Honourable Ken Champagne, Chief Judge

Judicial Resources

In the past year, I have had the opportunity to review the changes to the judicial complement over the last couple of decades. In January 1992, the bench was comprised of twenty-nine Winnipeg judges, nine regional judges, four part-time judges, and also five lawyers who were called upon to perform judicial duties to assist the court in meeting the demands of its caseload. By January 1999, the 'lawyer as judge' practice and the part-time judges had been discontinued. The remaining twenty-seven full-time Winnipeg judges and ten full-time regional judges were supported by six retired judges who were available for additional judicial service from time-to-time. However, this resource was no longer available by December 1999. In January 2002, the bench in Winnipeg grew to thirty judges, where it remains today, and the number of regional judges remained at ten. An additional judge was added to the Thompson Centre in 2007 as there was a dramatic increase in the matters to be heard in northern Manitoba. At the close of the 2010/11 fiscal year, the court was comprised of thirty Winnipeg judges and eleven regional judges.

The full time judicial complement of the Provincial Court has remained static for nearly 10 years. In March 2011, the government announced plans to introduce changes to *The Provincial Court Act* to now permit the Chief Judge to designate senior judges. Senior judges are judges who return from retirement to back fill judges who are not available for reasons that might include parental or sick leave or have been assigned to a complex and/or lengthy case or inquest and are therefore, unavailable for other judicial duties. The amendments will formally increase the court's capacity and flexibility in providing judicial service. The court had expressed the need for the establishment of a system of relief judges for a number of years and I am pleased that this critical enhancement to the provision of adequate judicial resources has been implemented. Capacity to draw upon the assistance of senior judges of the court will have the effect of reducing the need to cancel or close court sittings due to a shortage of judicial resources that have arisen from temporary judicial leaves or vacancies in the full time judicial complement. The court will now be in a better position to avoid delay in the disposition of cases before the court.

Court Resources

Additional resources aimed at court initiatives intended to reduce court delay and maximize the use of judicial resources, have still not been able to adequately meet the evolving challenges faced by the Provincial Court. Criminal court procedural changes and the introduction of legislation intended to 'get tough' on crime have made criminal court work much more complex. These procedural and substantive law changes continue to impact the ability of the court to adjudicate and determine the cases that come before it in an efficient and timely manner. The systemic response has historically been to provide the bulk of resources to other key sectors of Manitoba's criminal justice system, such as policing agencies and Crown prosecutors. The increase in administrative charges and the increase in remand populations place demands on judicial resources that create an inevitable bottleneck. Though the positive aspects of increasing resources intended to address the rule of law are manifest, there are more matters of greater complexity making their way into the court system. The operation of the court is mandatory and subject to whatever matters come before it. As it becomes more challenging to manage within its existing resources, consideration will need to be given to increasing the capacity of the court as well.

The court is working closely with the Department of Justice and other stakeholders to identify innovative solutions such as improved and enhanced technologies in order to exhaust all available remedies short of increasing the judicial complement. It continues to be important that when decisions are made or initiatives developed and implemented to address issues in the criminal justice system that a comprehensive approach be taken that includes all of the elements of the criminal justice system. In that regard, I take special notice of the decision to establish a Justice Innovation directorate within the Department of Justice. The goal of the Justice Innovation team is to review and analyze existing processes and recommend changes to improve the effectiveness of the justice system. Some changes will be large in scale, and others may relate to adjustments that could be made to improve existing processes. I am pleased that the Provincial Court has been included and is working in partnership with the Justice Innovation team. I look forward to reporting in future years on initiatives being undertaken that have a direct positive impact on the way we do business in the Provincial Court.

Case Management

The evolution of case management initiatives is described earlier in this report but I would like to emphasize the importance of the impact this initiative has had on the work life of the judges of the Provincial Court. Our previous pre-trial conference system, from which case management evolved in part, required one or two judges per day in Winnipeg to conduct up to two conferences per day. Now, our case management system requires five or more judges per day to be available to conduct case management conferences at 9:00 a.m. and 1:00 p.m. In addition, the majority of conferences must be formally summarized in case management reports written by the judges as soon as possible after the conference. The reports describe the agreements, issues, and trial or preliminary inquiry scheduling decisions arrived at during the conferences, and authorize the case management coordinator and trial coordinators to schedule hearings. Further, judges are required to liaise with the case management coordinator to ensure that the parties are fulfilling their obligations as agreed upon at the case conference and to trouble shoot and provide further direction to the parties as needed until the matter is ready to be set down for a hearing. This is in addition to the traditional or regular work of judges such as rendering verdicts in trials, deciding contested evidentiary issues and *Charter* challenges, taking guilty pleas and sentencing, and attending to circuit court communities.

I cannot express enough my profound thanks and appreciation to the judges of the Provincial Court for their support and commitment to the case management initiative. The criminal defence bar and Crown prosecutors are also to be thanked for their participation and candid feedback and suggestions for improvement as we continue to refine the process. The justice system must certainly be mindful of the importance of its adversarial roots as it tries new ways of tackling the inefficiencies that can lead to unwanted case delay. The court continues to facilitate opportunities for cooperative and collaborative work amongst criminal justice system participants toward achieving improvements in the processing of cases at the front end of the Provincial Court system.

Circuit Court Work

There has been mention of the importance of circuit court work to the life of the Provincial Court in past annual reports and earlier on in this report there is information as to the significant

number of circuit points the court travels to each year. There is no doubt that circuit court sittings are critical to providing Manitobans, especially those who reside in remote regions of our province, with timely access to justice. The importance of seeing that justice is being done has never been greater. This year, the court, through its Court Facilities Committee (that includes members of court administration), spent a great deal of its time considering approaches to best address the safety and security issues that exist in some circuit court locations. This is of particular concern in respect of circuit points in Northern Manitoba, where there has been a growth in self-represented accused which presents challenges for all court participants and stakeholders. Guidance and education are provided to persons appearing before the court without legal counsel. Though the role of the judge cannot be to provide legal advice, it is frequently necessary to support self-represented accused to ensure that the principles of administrative fairness are adhered to. We have discussed the importance of not only circuit court facilities having the necessary physical infrastructure to ensure a problem free court sitting, such as adequate light, heat, working plumbing and basic cleanliness, but also the need to foster greater understanding amongst community leaders of the importance of being able to provide access to justice in their home community as opposed to stakeholders having to make their way to a larger urban centre when required to attend the Provincial Court.

In the coming year, the court, with the assistance of court administration, looks forward to working with its circuit court communities in maintaining, and in some cases, enhancing, their commitment to the holding of regular sittings of the Provincial Court in appropriate community facilities.

Court Administrative Work and Community Outreach

The work involved in both administering the court and working cooperatively with other justice system participants on initiatives aimed at bringing about improvements to justice and court services is vast and cannot be undertaken solely by myself and the three Associate Chief Judges. I am therefore extremely grateful for the additional support provided by the judges of the Provincial Court when it comes to court committee work. Examples of some of these committees are the Probation Liaison Committee, the Court Facilities Committee, the Court Advisory Committee, and the Court Education Committee.

Across the board, Provincial Court judges also give their own time to volunteer commitments in support of both legal and non-legal community endeavours. Time is spent volunteering for charitable organizations, participating in community activities, supporting music and the arts and enhancing children and youth opportunities through coaching and team support. This level of community involvement ensures that the “mystique” surrounding the office of judge is minimized- that there is greater understanding by members of the community regarding the work of judges and an enhanced understanding as to the nature and people of the communities served by the court. It is very much a reciprocal outreach experience that comes from a judge’s community involvement.

Further examples of volunteer and/or community outreach work of the judges of the Provincial Court include: participating in the University of Manitoba Law School Judge Shadowing program in which first year students learn about the role of judges up close from a day spent “shadowing” a judge of the court; assisting law students in Moot court exercises; administering oaths of office and speaking with the new recruits of Band and Community Constable programs; speaking with local schools, including elementary and high school students; attending and liaising with criminal justice system participants at the annual Manitoba Criminal Justice Association’s Crime Prevention Breakfast.; and serving breakfast at Agape Table during the holiday season.

Public Confidence in the Administration of Justice

Previous Annual Reports have raised concern respecting the maintenance of public confidence in the justice system. While I remain concerned that public confidence continues to decline, at the same time, I am hopeful that public confidence will be restored through the work of the Provincial Court, which is dedicated to enhancing and promoting public confidence. Our primary goal, set out in the mission statement at the commencement of this report, is worthy of emphasis:

Our mission:

It is essential that a court, in keeping with the principles of justice, provide accessible, independent, impartial justice to the public without favour to anyone.

The Provincial Court of Manitoba is dedicated to the provision of service to the public through the effective management of available resources and to the provision of justice to our citizens with integrity, ethical conduct, and within the Rule of Law.

It is incumbent upon all members of the justice system, including the judiciary, to remember that we have a responsibility to ensure public confidence in what we do. As judges, we primarily do that through our work in the courtroom and in our chambers, but also as engaged members of our community. There is much work that needs to be done every day. I thank all of our judges for their energy, intelligence and strong commitment to our court and the people we serve. The Provincial Court of Manitoba will continue to explore innovative ways to provide accessible justice to the people of Manitoba with integrity, ethical conduct and within the Rule of Law.

Appendix A

Judges of The Provincial Court at March 31, 2011

Page 1 of 3

Judge	Date of Appointment	Court Centre
The Honourable Chief Judge Kenneth Champagne	<ul style="list-style-type: none"> - Appointed Chief Judge of the Provincial Court from July 10, 2009 to July 9, 2016 - Appointed a Judge of the Provincial Court on April 13, 2005 	Winnipeg
The Honourable Associate Chief Judge Murray Thompson	<ul style="list-style-type: none"> - Appointed Associate Chief Judge of the Provincial Court from August 2, 2006 to August 1, 2013 - Appointed a Judge of the Provincial Court on March 26, 2003 	Thompson
The Honourable Associate Chief Judge Janice leMaistre	<ul style="list-style-type: none"> - Appointed Associate Chief Judge of the Provincial Court from September 9, 2009 to September 9, 2016 - Appointed a Judge of the Provincial Court on November 22, 2006 	Winnipeg
The Honourable Associate Chief Judge Michel L.J. Chartier	<ul style="list-style-type: none"> - Appointed Associate Chief Judge of the Provincial Court from September 18, 2009 to September 17, 2016 - Appointed a Judge of the Provincial Court on September 17, 2007 	Winnipeg
The Honourable Judge Theodore J. Lismer	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on January 17, 1977 	Winnipeg
The Honourable Judge Marvin F. Garfinkel	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on December 5, 1979 	Winnipeg
The Honourable Judge Brian M. Corrin	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on March 4, 1988 	Winnipeg
The Honourable Judge John P. Guy	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on May 15, 1989 	Winnipeg
The Honourable Judge Krystyna D. Tarwid	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on July 6, 1994 	Brandon
The Honourable Judge Brian G. Colli	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on September 21, 1994 	Thompson
The Honourable Judge Heather R. Pullan	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on December 21, 1994 	Winnipeg
The Honourable Judge Brent D. Stewart	<ul style="list-style-type: none"> - Appointed a Judge of the Provincial Court on April 15, 1998 	Winnipeg

Appendix A

Judges of The Provincial Court at March 31, 2011

Page 2 of 3

Judge	Date of Appointment	Court Centre
The Honourable Judge Raymond E. Wyant	- Appointed Chief Judge of the Provincial Court from July 10, 2002 to July 9, 2009 - Appointed a Judge of the Provincial Court on May 20, 1998	Winnipeg
The Honourable Judge Sidney B. Lerner	- Appointed a Judge of the Provincial Court on August 4, 1999	Winnipeg
The Honourable Judge Lynn A. Stannard	- Appointed a Judge of the Provincial Court on August 4, 1999	Winnipeg
The Honourable Judge Marva J. Smith	- Appointed a Judge of the Provincial Court on October 27, 1999	Winnipeg
The Honourable Judge Judith A. Elliott	- Appointed a Judge of the Provincial Court on July 26, 2000	Winnipeg
The Honourable Judge Mary Kate Harvie	- Appointed Associate Chief Judge of the Provincial Court from September 18, 2002 to September 17, 2009 - Appointed a Judge of the Provincial Court on July 26, 2000	Winnipeg
The Honourable Judge Kathlyn Mary A. Curtis	- Appointed a Judge of the Provincial Court on February 28, 2001	Winnipeg
The Honourable Judge John Combs	- Appointed a Judge of the Provincial Court on March 26, 2003	Brandon
The Honourable Judge Fred H. Sandhu	- Appointed a Judge of the Provincial Court on April 30, 2003	Winnipeg
The Honourable Judge Timothy Preston	- Appointed a Judge of the Provincial Court on April 30, 2003	Winnipeg
The Honourable Judge Kelly Moar	- Appointed a Judge of the Provincial Court on April 13, 2005	Winnipeg
The Honourable Judge Christine Harapiak	- Appointed a Judge of the Provincial Court on April 13, 2005	Dauphin
The Honourable Judge Robin A. Finlayson	- Appointed a Judge of the Provincial Court on January 31, 2006	Winnipeg
The Honourable Judge Catherine Carlson	- Appointed a Judge of the Provincial Court on November 22, 2006	Winnipeg
The Honourable Judge Robert (Rocky) Pollack	- Appointed a Judge of the Provincial Court on December 14, 2006	Winnipeg

Appendix A

Judges of The Provincial Court at March 31, 2011

Page 3 of 3

Judge	Date of Appointment	Court Centre
The Honourable Judge Doreen Redhead	- Appointed a Judge of the Provincial Court on April 4, 2007	Thompson
The Honourable Judge Patti-Anne L. Umpherville	- Appointed a Judge of the Provincial Court on September 17, 2007	Winnipeg
The Honourable Judge Carena Roller	- Appointed a Judge of the Provincial Court on September 17, 2007	Winnipeg
The Honourable Judge Lee Ann Marie Martin	- Appointed a Judge of the Provincial Court on September 17, 2007	Winnipeg
The Honourable Judge Jean McBride	- Appointed a Judge of the Provincial Court on June 18, 2008	Portage la Prairie
The Honourable Judge Tracey M. Lord	- Appointed a Judge of the Provincial Court on November 19, 2008	Winnipeg
The Honourable Judge Wanda M. Garreck	- Appointed a Judge of the Provincial Court on November 19, 2008	Winnipeg
The Honourable Judge Herbert Lawrence Allen	- Appointed a Judge of the Provincial Court on January 29, 2009	The Pas
The Honourable Judge Shawna Hewitt-Michta	- Appointed a Judge of the Provincial Court on January 29, 2009	Brandon
The Honourable Judge Sandra L. Chapman	- Appointed a Judge of the Provincial Court on August 4, 2009	Winnipeg
The Honourable Judge Robert M. Heinrichs	- Appointed a Judge of the Provincial Court on September 1, 2009	Winnipeg
The Honourable Judge Malcolm W. McDonald	- Appointed a Judge of the Provincial Court on February 3, 2010	The Pas
The Honourable Judge Dale C. Schille	- Appointed a Judge of the Provincial Court on May 19, 2010	Winnipeg
The Honourable Judge Donald R. Slough	- Appointed a Judge of the Provincial Court on July 28, 2010	Dauphin

Appendix B

Judicial Justices of the Peace of The Provincial Court at March 31, 2011

Page 1 of 2

Judicial Justice of the Peace	Date of Appointment	Court Centre
Judy Beer	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Dennis Chambers	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Selkirk
Judeta Cohn	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Deanna Deniset	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Benji Harvey	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Helen Karr	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Donna Kentziger	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Zelda Kitchkeesik	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Thompson
Weldon Klassen	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Brian Martin	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Brandon

Appendix B

Judicial Justices of the Peace of The Provincial Court at March 31, 2011

Page 2 of 2

Judicial Justice of the Peace	Date of Appointment	Court Centre
Angela Kintop	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Diane Normore	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	The Pas
Myriam Rosset	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Winnipeg
Bev Spence	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Thompson
Leslee Verhelst	- Appointed a Judicial Justice of the Peace of the Provincial Court on May 17, 2006	Brandon
Lori Sinclair	- Appointed a Judicial Justice of the Peace of the Provincial Court on June 11, 2008	Winnipeg
Christopher DeLong	- Appointed a Judicial Justice of the Peace of the Provincial Court on November 19, 2008	Portage la Prairie
Valerie Adams	- Appointed a Judicial Justice of the Peace of the Provincial Court on February 20, 2009	Dauphin
Boyd Lischenski	- Appointed a Judicial Justice of the Peace of the Provincial Court on February 10, 2010	Winnipeg
Lori Nelson	- Appointed a Judicial Justice of the Peace of the Provincial Court on February 10, 2010	Winnipeg
Beverley Scharikow	- Appointed a Judicial Justice of the Peace of the Provincial Court on December 8, 2010	Winnipeg

Appendix C

Provincial Court - Court Locations

Page 1 of 7

ALTONA (Winnipeg Circuit)

Rhineland Pioneer Centre
221 – 10th Avenue Northwest

AMARANTH (Portage La Prairie Circuit)

Amaranth Memorial Hall
205 Kinosota Road North

ARBORG (Winnipeg Circuit)

Community Hall

ASHERN (Winnipeg Circuit)

Centennial Hall

BEAUSEJOUR (Selkirk Circuit)

Court House
20 – 1st Street South

BERENS RIVER (Selkirk Circuit)

Roman Catholic Mission Hall

BLOODVEIN (Selkirk Circuit)

Band Office

BOISSEVAIN (Brandon Circuit)

Civic Complex
420 South Railway Street

BRANDON

Provincial Court
100 - 1104 Princess Avenue

BROCHET (Thompson Circuit)

Community Hall

CAMPERVILLE (Dauphin Circuit)

Community Hall

Appendix C

Provincial Court - Court Locations

Page 2 of 7

CARMAN (*Morden Circuit*)

Ladies Auxiliary Hall

Royal Canadian Legion #18

28 – 1st Street

CHURCHILL (*Thompson Circuit*)

Royal Canadian Legion

23 Hudson Square

CRANBERRY PORTAGE (*Flin Flon Circuit*)

Royal Canadian Legion

CROSS LAKE (*Thompson Circuit*)

Community Hall

DAUPHIN

Provincial Court

114 River Avenue West

EASTERVILLE (*The Pas Circuit*)

Community Hall

EMERSON (*Selkirk Circuit*)

Town Hall

104 Church Street

FISHER BRANCH (*Winnipeg Circuit*)

Community Centre Hall

FLIN FLON

Provincial Court

104 – 143 Main Street

GARDEN HILL (*Selkirk Circuit*)

CFS Boardroom

GILLAM (*Thompson Circuit*)

Recreational Centre

235 Mattonabee Avenue

Appendix C

Provincial Court - Court Locations

Page 3 of 7

GIMLI (*Selkirk Circuit*)

Municipal Building

GOD'S LAKE NARROWS (*Thompson Circuit*)

Community Hall

GOD'S RIVER (*Thompson Circuit*)

Amos Okemow School

GRAND RAPIDS (*The Pas Circuit*)

St. Alexander Roman Catholic Mission

KILLARNEY (*Brandon Circuit*)

Community Centre

300 Broadway

LAC BROCHET (*Thompson Circuit*)

Band Hall

LAC DU BONNET (*Selkirk Circuit*)

Royal Canadian Legion

45 McArthur Avenue

LEAF RAPIDS (*Thompson Circuit*)

Town Council Chamber

LITTLE GRAND RAPIDS (*Selkirk Circuit*)

School Gym

LUNDAR (*Winnipeg Circuit*)

Community Hall

LYNN LAKE (*Thompson Circuit*)

Royal Canadian Legion

467 Sherriff Avenue

MINNEDOSA

Provincial Court

70 – 3rd Avenue South West

Appendix C

Provincial Court - Court Locations

Page 4 of 7

MOOSE LAKE (*The Pas Circuit*)

Community Hall

MORDEN

Provincial Court

301 Wardrop Street

MORRIS (*Winnipeg Circuit*)

Morris Legion Hall

NEEPAWA (*Minnedosa Circuit*)

Neepawa Municipal Offices

282 Hamilton Street

NELSON HOUSE (*Thompson Circuit*)

Wellness Centre

NORWAY HOUSE (*Thompson Circuit*)

Kinosao Sipi Multiplex

OXFORD HOUSE (*Thompson Circuit*)

Band Hall

PAUINGASSI (*Selkirk Circuit*)

Band Hall

PEGUIS (*Winnipeg Circuit*)

Peguis First Nation Community Hall

POPLAR RIVER (*Selkirk Circuit*)

Band Hall

PORTAGE LA PRAIRIE

Provincial Court

25 Tupper Street North

POWerview-PINE FALLS (*Selkirk Circuit*)

Legion Hall

7 Tamarack Street, Pine Falls

Appendix C

Provincial Court - Court Locations

Page 5 of 7

PUKATAWAGAN (*The Pas Circuit*)
Mathias Colomb Cree Nation Youth Centre

ROBLIN (*Dauphin Circuit*)
Provincial Building
117 – 2nd Avenue North

ROSSBURN (*Minnedosa Circuit*)
Community Hall
Main Street

RUSSELL (*Minnedosa Circuit*)
The Russell & District Community Centre
106 Shell River Avenue South

ST. BONIFACE (*Winnipeg Circuit*)
Provincial Court
227 Provencher Boulevard

ST. MARTIN (held in Gypsumville) (*Selkirk Circuit*)
Community Centre

ST. PIERRE-JOLYS (*Steinbach Circuit*)
Red River Region Bilingual Service Centre
427 Sabourin Street

ST. THERESA POINT (*Selkirk Circuit*)
Band Office

SANDY BAY (*Portage la Prairie Circuit*)
Sandy Bay Community Complex
239 Main Road
Sandy Bay First Nation

SELKIRK
Provincial Court
101 – 235 Eaton Avenue

SHAMATTAWA (*Thompson Circuit*)
Band Hall

Appendix C

Provincial Court - Court Locations

Page 6 of 7

SNOW LAKE (*Flin Flon Circuit*)

BPO Elks Lodge Hall

7 Wekusko Drive

SOUTH INDIAN LAKE (*Thompson Circuit*)

2nd Floor – Memorial Arena

SPLIT LAKE (*Thompson Circuit*)

Band Hall

STEINBACH

Provincial Court

Unit A - 284 Reimer Avenue

SIOUX VALLEY (*Brandon Circuit*)

Resource Centre

STONEWALL (*Winnipeg Circuit*)

Odd Fellows Hall

SWAN RIVER

Provincial Court

201 – 4th Avenue South

TEULON (*Selkirk Circuit*)

Rockwood Centennial Centre

THE PAS

Provincial Court

300 – 3rd Street East

THOMPSON

Provincial Court

59 Elizabeth Road

VIRDEN

Provincial Court

232 Wellington Street West

Appendix C

Provincial Court - Court Locations

Page 7 of 7

WAYWAYSEECAPPO (*Minnedosa Circuit*)

Band Hall

WINNIPEG

Provincial Court

Law Courts Building

100C Main Floor, 408 York Avenue

WINNIPEG

Manitoba Youth Centre

170 Doncaster Street

Winnipeg, Manitoba

WINNIPEG

Summary Convictions Court

Main Floor - 373 Broadway

Winnipeg, Manitoba