

## NOTICE

### PROVINCIAL COURT OF MANITOBA

**RE: COVID-19 SUSPENSION AND RE-OPENING OF  
ADDITIONAL COURTS – ST. THERESA POINT**

Further to our Notice of July 30, 2020, which announced the re-opening of court proceedings on a staged and incremental basis at certain court locations as of August 1, 2020, we now announce court sittings will resume in St. Theresa Point as of August 12, 2020. The ability to open this court has been due to the leadership of the community and the efforts and cooperation of all of the justice participants.

The Courts will only be open to those people necessary to the proceedings before the courts. The Courts will remain closed to the general public. This Notice is subject to amendment if there are changes in the COVID-19 situation in Manitoba.

The re-opening is based on the premise all stakeholders will contribute to managing the COVID-19 health and safety protocols necessary to continue to reduce the spreading of the virus. All persons attending court will be required to participate and cooperate to attain the recommended COVID-19 safety protocols. This includes practicing social distancing and adhering to all recommended health protocols. The protocols may include you waiting outside the courtroom or the courthouse until your matter is ready to proceed. All persons will be subject to a screening process which requires answering specific health and travel related questions. **Do not come to court if you are exhibiting any symptoms of COVID-19, have travelled internationally or interprovincially east of Terrace Bay, Ontario and/or have been in contact with someone with COVID-19.** Please refer to the appropriate health sources for more information. One link to resources is below. The directions of Sheriff Officers, First Nations Safety Officers, police officers, Community Justice Workers and Judges must be followed during each court sitting.

<https://sharedhealthmb.ca/covid19/screening-tool/>

Please also refer to the attached and related information outlining the safety and cleaning protocols that will be in place in all locations.

#### Courts Open for all matters

Beginning August 12, 2020 the Provincial Court of Manitoba will hear in-custody and out-of-custody trials and dispositions in the community of St. Theresa Point.

Community Justice Workers will be assuming duties related to maintaining and enforcing COVID-19 safety protocols. All people in attendance must adhere to the direction of the Judge and/or the First Nations Safety Officers, police officers, Community Justice

Workers and Sheriff Officers. Sheriff Officers have assumed significant extra duties as a result of COVID-19. They are also required to transport the prisoners to the circuit locations. As a result, it is necessary that the only people transported, in custody, are those people who will have trials proceeding in this community. If a matter resolves in advance, it should proceed to disposition in the nearest open court center (in the case of St. Theresa Point that center would be Winnipeg) and the transport should be cancelled. It is imperative that counsel communicate in advance regarding the trial proceeding. Counsel must confirm with the Sheriff Services at least 48 hours in advance that the transport of the person for court is required. If such confirmation is not received by Sheriff Services, the person will NOT be transported to the community, to prevent the prisoner from being isolated for 14 days.

Please note, any in-custody accused who is transported to attend a docket, trial or disposition outside Winnipeg or Brandon, if they are returning to custody after the appearance, will have to self isolate for 14 days.

All matters previously scheduled for August 12, 2020 and thereafter remain scheduled and are now expected to proceed on the date booked at St. Theresa Point.

In order to reopen the courts responsibly and remain vigilant about preventing the spread of COVID-19, the Courts remain closed to the general public. As well, the Court is seeking to reduce the number of persons attending court. Counsel are directed to contact their clients to ensure only those persons who have something meaningful occurring (such as a disposition or a trial) attend court. Those people attending as an accused or a witness may have a maximum of two support people in attendance with them when a meaningful event occurs.

Counsel are now encouraged to attend court in person, however, counsel will be allowed to appear by teleconference for bail applications and straightforward dispositions (those expected to take 30 minutes or less in total time) as well as any other matter which has received advance permission from a judge. Those persons who are self-represented will be allowed to attend court.

If you are representing yourself and need to speak to the Crown Attorney, please phone them in advance to discuss whether you need to attend court and to discuss your case. Please contact the Crown Attorney at the court center nearest to you.

<b>Crown Attorney:</b>	
Brandon	General Phone: (204) 726-6013
Dauphin	General Phone: (204) 622-2082

Portage la Prairie	General Phone: (204) 239-3343
The Pas	General Phone: (204) 627-8444
Thompson	General Phone: (204) 677-6766
Winnipeg	General Phone: (204) 945-2852

Those persons having an appearance before the Court are directed to contact their lawyer. If you do not have a lawyer, you are directed to contact Legal Aid duty counsel to inquire whether your personal appearance in court is required. If your appearance is not required you can request Legal Aid duty counsel speak to the matter:

Legal Aid duty counsel:	Email	Telephone
Winnipeg and Portage la Prairie:	<a href="mailto:crimdco@legalaid.mb.ca">crimdco@legalaid.mb.ca</a>	(204) 985-8572 or 1 (800) 261-2960
Brandon:	<a href="mailto:brandonagent@legalaid.mb.ca">brandonagent@legalaid.mb.ca</a>	(204) 729-3484 or 1 (800) 876-7326
Dauphin:	<a href="mailto:amisk@legalaid.mb.ca">amisk@legalaid.mb.ca</a>	(204) 622-7000 or 1 (800) 810-6977
The Pas:	<a href="mailto:thepas@legalaid.mb.ca">thepas@legalaid.mb.ca</a>	(204) 627-4820 or 1 (800) 268-9790
Thompson:	<a href="mailto:thompson@legalaid.mb.ca">thompson@legalaid.mb.ca</a>	(204) 677-1211 or 1 (800) 665-0656

To apply for Legal Aid online visit [www.legalaid.mb.ca](http://www.legalaid.mb.ca), or call (204) 985-8511 or 1-866-800-8056 Monday-Friday between 9:00 a.m. and 4:00 p.m.

**The above steps are critical to reducing the number of people who attend court.**

**ISSUED BY:**

*“Original signed by:”*

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**The Honourable Chief Judge  
Margaret Wiebe  
DATE: August 7, 2020**

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

## **Safety and Cleaning Protocols**

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.

### **ST. THERESA POINT PROTOCOL:**

All attendees must follow the instructions of the Judge, Sheriff Officers, First Nations Safety Officers, police officers and the Community Justice Workers. 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 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 Community Justice Workers with those names by no later than the day of the court proceeding so the Community Justice Workers know these individuals are approved to appear in person.
- Community Justice Workers 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.

Community Justice Workers 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 Community Justice Workers.
- 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 Selkirk 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 to be addressed.