

# NOTICE

## PROVINCIAL COURT OF MANITOBA (WINNIPEG CENTRE)

### RE: FITNESS ASSESSMENT ORDERS

This Notice replaces the Notice issued on June 8, 2015.

Effective immediately, whenever assessment orders are made pursuant to s. 627.11(a) of the *Criminal Code of Canada* for the purpose of determining fitness of an adult to stand trial, the accused will be remanded in custody until the next Mental Health Court sitting. Mental Health Court is held every Thursday at 2:00 p.m. in courtroom 303, 408 York Avenue. The assessment will occur on the Mental Health Court sitting day at Sheriffs Lock-up, 408 York Avenue at noon. The assessing psychiatrist will provide their findings to the Mental Health Court at the 2:00 p.m. sitting.

Upon a finding of fitness being made by the Court the accused will be returned to the regular Provincial Court docket. If the accused is determined to be unfit and the psychiatrist recommends a brief period of treatment to return the accused to fitness, the matter will be remanded one week to the following Mental Health Court sitting. At that time the Court will hear submissions as to whether a finding of unfit to stand trial and a treatment order pursuant to s. 672.58 of the *Criminal Code of Canada* is appropriate. Upon a treatment order being made, the matter will remain on the Mental Health Court docket and updates will be provided to the Court at 15, 30 and 45 day intervals. Once the accused is restored to fitness counsel will appear to seek an order of fitness and the matter will proceed on the regular Provincial Court docket.

If the accused is found to be unfit and is unlikely to become fit within 60 days the matter will be transmitted to the jurisdiction of the Review Board pursuant to s. 672.47 of the *Criminal Code of Canada*.

#### ISSUED BY:

*“Original signed by:”*

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**The Honourable Chief Judge Ryan Rolston**  
Provincial Court of Manitoba

**DATE: July 26, 2024**