



## PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR

### Specialty Court Application Process

P.N. (PC) No. 2015-03

Specialty Court Process - St. John's, Grand Falls - Windsor and Stephenville

ISSUED: October 1, 2015

REVISED December 7, 2023

EFFECTIVE: Immediately

The following practice note is issued consistent with Rule 6 of the Rules of the *Provincial Court of Newfoundland and Labrador* in Criminal Proceedings and Section 720(2) of the *Criminal Code of Canada*.

#### BACKGROUND

The Intimate Partner Violence Intervention Court (IPVIC) is a specialized criminal justice court which in law operates in the same manner as traditional criminal justice courts, but is administered in a manner that attempts to better serve victims of domestic violence, hold offenders more accountable and reduce rates of recidivism. Such specialized courts were established in recognition that violence involving an intimate partner is different than violence between strangers or acquaintances. IPVIC can support victim safety, enhance offender accountability and change the cycle of relationship violence including the intergenerational nature of violence in the family, thereby contributing to the health and well-being of individuals and families.

**The Intimate Partner Violence Intervention Court sits bi-weekly on Wednesday afternoons in Stephenville, Grand Falls-Windsor and St. John's.**

#### APPLICATION REQUIREMENT

Only those persons who wish to transfer to the IPVIC from courtrooms other than first appearance court must make an application.

All applications must be made within a reasonable time.

ACTION:

To accommodate the application requirement, the following process will be instituted:

1. When a matter is called and the accused indicates a desire to have the case transferred to IPVIC, and an application has been filed, the presiding judge will adjourn the matter until the next available date in IPVIC to have the merits of the application considered by the Court.
2. Applications should be filed and registered with the Provincial Court Registry.
3. The application shall take the form of the application attached to this Practice Note as Schedule "A"



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Chief Judge Robin Fowler  
Provincial Court of Newfoundland and Labrador



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Joanne Turner  
Director of Corporate Services  
Provincial Court of Newfoundland and Labrador

**SCHEDULE "A"**  
**APPLICATION TEMPLATES**



Application No: \_\_\_\_\_

PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR

BETWEEN:

HIS MAJESTY THE KING

and

\_\_\_\_\_  
(Applicant's Name)

NOTICE OF APPLICATION

*(Rules of the Provincial Court of Newfoundland and Labrador in Criminal Proceedings, Form 1)*

TAKE NOTICE that an application will be brought at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, in Courtroom # \_\_\_\_, for an order granting:

That the charges listed below be transferred from Courtroom # \_\_\_\_\_ to Intimate Partner Violence Intervention Court (IPVIC), pursuant to section 720(2) of the *Criminal Code of Canada* and Rule 6 of the *Rules of the Provincial Court of Newfoundland and Labrador in Criminal Proceedings*.

THE GROUNDS FOR THIS APPLICATION ARE:

1. That the applicant is charged pursuant to section(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ of the Criminal Code of Canada, alleged to have occurred on or about the \_\_\_\_\_ day of 20\_\_, at or near \_\_\_\_\_ in the Province of Newfoundland and Labrador, which charge(s) is (are) currently on the docket of Courtroom # \_\_\_\_\_.
2. That the applicant desires to explore the possibility of being admitted into the IPVIC. That the Crown consents to this application.
3. That the applicant is, at present, unaware of any reason why the applicant might be precluded from admission into the IPVIC.
4. Such further and other grounds as counsel may advise and this Honourable Court may permit.

THE RELIEF SOUGHT IS:

5. The transfer of the above noted charge(s) to IPVIC, pursuant to section 720(2) of the *Criminal Code of Canada* and Rule 6 of the *Rules of the Provincial Court of Newfoundland and Labrador in Criminal Proceedings* to determine the merits of the application.
6. Such further and other relief as this Honourable Court may permit.

THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION

1. By service in accordance with Rule 5, at the following address:

Dated at \_\_\_\_\_ Newfoundland and Labrador this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Signature of Applicant or Counsel



PROVINCIAL COURT OF NEWFOUNDLAND AND

LABRADOR BETWEEN:

HIS MAJESTY THE KING

Respondent

and

\_\_\_\_\_  
(Applicant's Name)

**ORDER**

**Upon Hearing** \_\_\_\_\_, counsel for the accused, and  
\_\_\_\_\_, counsel for the Crown,

**And after Considering** the material filed in support of the application for transfer of the within proceedings to Intimate Partner Violence Intervention Court,

**It is this day Ordered** that the charge(s) listed on the application be transferred to Intimate Partner Violence Intervention Court.

Dated at St. John's, Newfoundland and Labrador this \_\_\_\_\_ day of, \_\_\_\_\_ 20\_\_\_\_ .

\_\_\_\_\_  
Provincial Court Judge