

# Annual Report

## 2015-2016



PROVINCIAL COURT  
of Newfoundland and Labrador

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## **PART 1: YEAR IN REVIEW**

## Report from the Chief Judge

Last year saw many significant changes in the judicial leadership of the Provincial Court. On Sept 28, 2015 I was honoured to have been appointed as Chief Judge of the Court. Shortly afterwards I was pleased that Judge Michael Madden was appointed as Associate Chief Judge. The role of an administrative judge is an important one and I look forward to meeting the challenges which lie ahead. Society is changing and our communities require a justice system which is responsive to their needs. Our overarching responsibility is to serve the public in providing a properly functioning and effective Court. I pledge my steadfast and sincere efforts as Chief Judge so to do.

Last September Judge D. Mark Pike concluded his term as Chief Judge. I wish to take this opportunity to thank him for his years of service and for the significant reforms to many of the Court's processes and functions implemented during his tenure. He will continue to sit as a puisne judge of the Court.

### Strategic Plan 2015

The year 2015 marks the beginning of a new strategic planning cycle for the Court. Of all the decisions which are made by the judicial and corporate leadership of the Court, strategic planning is among the most important. The strategic plan serves a variety of purposes in an organization. The plan helps define the purpose of the organization and establishes realistic goals and objectives consistent with the organization's mission in a defined time frame within the organization's capacity for implementation. It also ensures that the most effective use is made of the organization's resources by focusing on key priorities. In the process of development the strategic plan management takes the opportunity to reflect upon the current environment and determine where the Court should be positioned. The strategic plan enables the Court to clearly articulate and communicate its most important priorities to the Court's judges, senior managers and staff as well as its partners in justice and the general public.

Once the new strategic plan is complete, it will, in the interests of transparency and accountability, be published on the Court's website along with the other plans and progress reports.

### Judicial Appointments

The appointment of new judges is a significant time for the Court. It provides for renewal and new energy in the discharge of the Court's core function – the rendering of decisions to resolve legal disputes.

In September 2015 the Honourable Darin King, Minister of Justice and Public Safety, and the Honourable Felix Collins, Attorney General, announced that Paul G. Noble, Q.C., had been appointed as a Judge with the Provincial Court in Clarendville. Mr. Noble had most recently served as the Deputy Minister and Deputy Attorney General for the Department of Justice and Public Safety.

"Mr. Noble has a long and distinguished legal career and also served Newfoundland and Labrador well as a public servant. He is capable and respected by his colleagues and he will be an asset to Provincial Court in the province. I wish him nothing but the best as he embarks on the next chapter of his life."

- *The Honourable Darin King, Minister of Justice and Public Safety*

Mr. Noble was called to the bar in 1990. He worked in private practice for several years before joining the Provincial Government as a solicitor in 1992. He later served as legal counsel for the Royal Newfoundland Constabulary for 10 years and was ultimately appointed as Deputy Minister and Deputy Attorney General with the Department of Justice and Public Safety in 2012.

“I congratulate Mr. Noble on his appointment. Having worked closely with him for several years, I am confident that his legal expertise and experience will serve him well on the bench. A role such as this carries significant responsibility and Mr. Noble joins the strong list of appointments that have been made to Provincial Court over the past several years.”

*- The Honourable Felix Collins, Attorney General*

I welcome Judge Noble to the Court and look forward to working with him in the years to come.

**The Honourable Pamela J. Goulding**  
**Chief Judge**

## Report from the Director of Court Services

On October 19, 2016 I was temporarily appointed to the position of Director of Court Services with the Provincial Court of Newfoundland and Labrador. Although my arrival came mid-way through the 2015-16 fiscal year, I certainly have seen much evidence of the commitment of our judges and staff in meeting the needs of those who utilize the Court. Thus I am quite pleased to present the 2015-16 Annual Report which highlights the workload and performance by the Provincial Court in that time frame. In spite of a challenging economic climate and budget, the Provincial Court worked diligently to serve the public and advance the access to justice services.

The Provincial Court continues to facilitate the Lunch with a Judge Program that brings students from the classroom to the courtroom and provides them with information on the court as well as the impact criminal activity can have on their present and future lives. This Program commenced in 2001 as a pilot in St. John's and continues to garner much positive feedback from students and school staff. In the 2015-16 fiscal year, 334 elementary aged students participated in the program throughout the province.

In September 2015 a steering committee composed of management of the Provincial Court, Supreme Court and the Office of the High Sherriff commenced work on dealing with threatening situations in the courts. Working collaboratively, the group drafted procedures for such emergencies, jointly purchased an emergency notification system and is now working on training plans and communications for staff, justice partners, and the public should an emergency situation occur in a court centre.

As of October 2015, the Provincial Court now houses the permanent St. John's Family Violence Intervention Court as well as the two-year pilot project in the Stephenville Provincial Court.

To enhance technology and access to services, in 2015, work also commenced on an on-line records check process. This work is ongoing and will allow the public to submit applications online and to process the associated payment. This on-line service will provide a more streamlined business process for the Court and provide enhanced accessibility to the public.

At the core of all of the above accomplishments and performance evidenced in this report is the dedication and commitment of those who work within the court system. None of this would have been possible without our judiciary and court staff who work diligently each day to serve the public in the administration of justice.

**Wilma MacInnis, RSW, MSW**  
**Director of Court Services**



## **PART 2: OVERVIEW OF THE PROVINCIAL COURT**

## Our Values

Governed by the Constitution of Canada and the rule of law, we are an independent, impartial, and accessible judicial system.

We are committed to the provision of quality service through the effective management of available resources and the continuous professional development of the judiciary and staff.

We are committed to integrity, ethical conduct, and the timely performance of duties.

We are committed to providing all litigants with reasoned judicial decisions.

## Mission Statement

The Provincial Court of Newfoundland and Labrador exists to uphold and preserve the fundamental values of society by judging legal disputes, conducting inquiries, and providing quality service to the public.

## Our Vision

- To recognize the value of staff and judiciary in achieving our mission.
- To operate the Court with highly qualified personnel and judiciary.
- To provide access to justice to everyone and be sensitive to social and cultural diversity.
- To encourage the use of dispute resolution alternatives that respond to the changing needs of society.
- To emphasize the effective use of technology and decentralized administrative decision making.

## Judiciary

### Chief Judge- The Hon. Pamela Goulding

Called to the Bar: July 3, 1986  
 Appointed Judge: January 30, 2012  
 Appointed Chief Judge: September 28, 2015

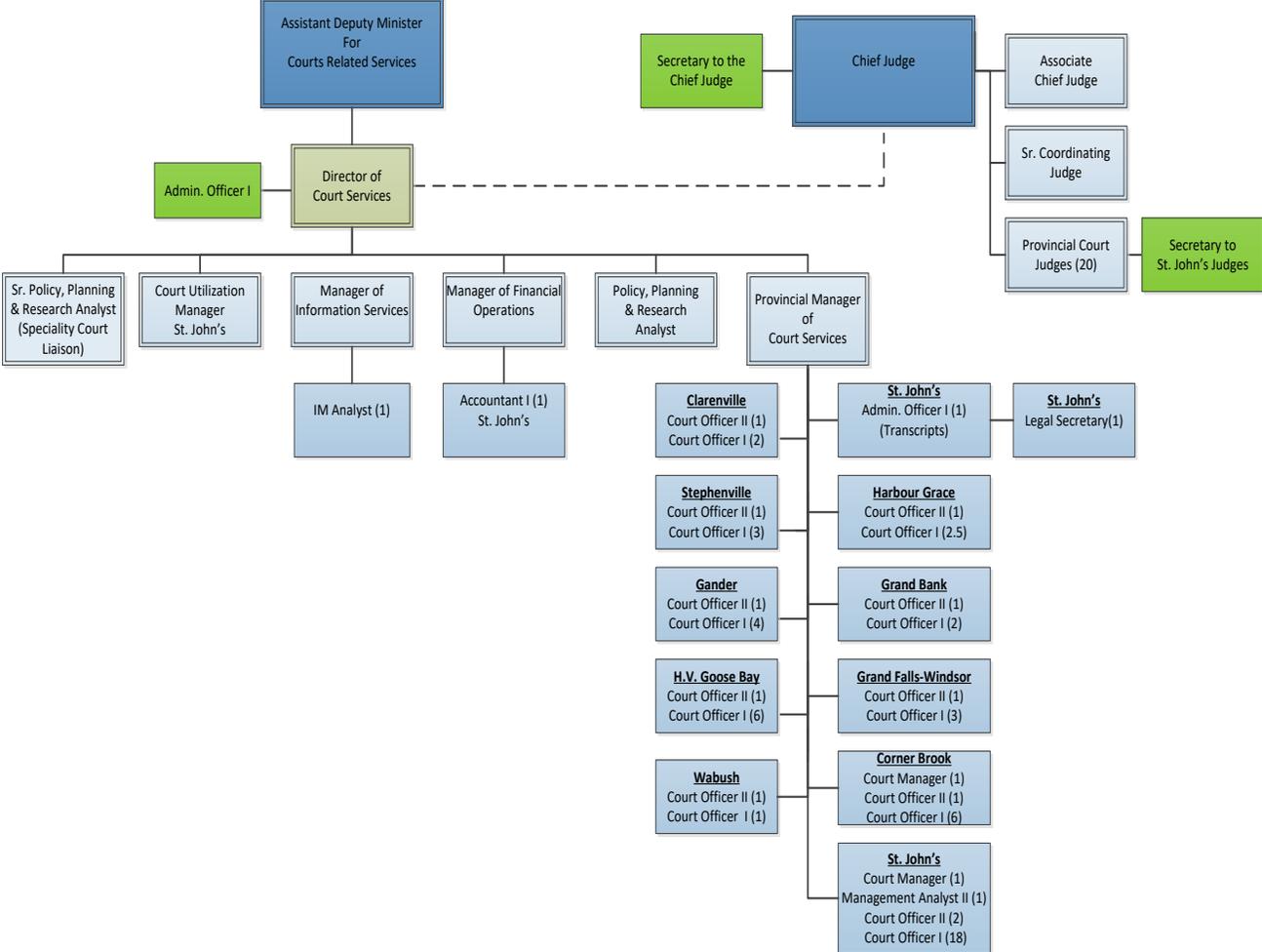
### Associate Chief Judge- The Hon. Michael Madden

Called to the Bar: July 3, 1986  
 Appointed Judge: February 3, 2010  
 Appointed Senior Coordinating Judge: October 2, 2012  
 Appointed Associate Chief Judge: October 8, 2015

JUDGES	DATE APPOINTED	CURRENT COURT CENTRE
The Honourable Randolph J. Whiffen	April 11, 1977	Grand Falls – Windsor
The Honourable Kymil Howe	March 11, 1993	Corner Brook
The Honourable David Orr	August 25, 1994	St. John’s
The Honourable William English*	November 9, 2000	Happy Valley – Goose Bay
The Honourable Wayne Gorman	November 9, 2000	Corner Brook
The Honourable Patrick J.B. Kennedy*	April 11, 2001	Clareville
The Honourable Colin J. Flynn	April 30, 2001	St. John’s
The Honourable Harold Porter	October 12, 2001	Grand Bank
The Honourable Timothy Chalker	April 26, 2002	Grand Falls – Windsor
The Honourable Catherine Allen-Westby	October 28, 2002	Corner Brook
The Honourable Bruce Short	November 1, 2003	Gander
The Honourable John Joy	August 1, 2006	Happy Valley – Goose Bay
The Honourable Wynne Anne Trahey	June 8, 2007	Wabush
The Honourable Jacqueline Jenkins	September 24, 2008	Gander
The Honourable D. Mark Pike	November 17, 2008	St. John’s
The Honourable Jacqueline Brazil	February 3, 2010	Harbour Grace
The Honourable Lois Skanes	February 15, 2010	St. John’s
The Honourable Lori A. Marshall	August 13, 2012	St. John’s
The Honourable James G. Walsh	September 3, 2012	St. John’s
The Honourable Mark T. Linehan	March 4, 2014	St. John’s
The Honourable Lynn E. Cole	March 6, 2014	Stephenville
The Honourable Phyllis Harris	June 10, 2014	Happy Valley – Goose Bay
The Honourable Paul Noble	September 17, 2015	Clareville

\* Retired May 2014

# Provincial Court of NL- Organizational Chart



## Court Locations

There are 10 court centres in locations throughout Newfoundland and Labrador. In addition to sitting in its principal locations, the Provincial Court conducts circuits to various rural and remote communities.

LOCATION	JUDGE(S)	STAFF	CIRCUIT(S)
Clarenville	1 (Vacant until October 2015)	3	Bonavista
Corner Brook	3	8	Port au Choix, Rocky Harbour, St. Anthony
Gander	2	5	None
Grand Bank	1	3	None
Grand Falls – Windsor	2	4	Baie Verte and Head of Bay D’Espoir
Happy Valley – Goose Bay	2	7	Hopedale, Makkovik, Nain, Natuashish, Port Hope Simpson, Postville, Rigolet
Harbour Grace	1	3	Placentia
St. John’s	1 CJ, 1 ACJ, 1 SCJ, & 6 Judges	24	None
Stephenville	1	4	Port aux Basques
Wabush	1	2	None
Corporate Services	0	10	None
<b>TOTAL</b>	<b>23</b>	<b>73</b>	<b>15</b>

## Registries

There are 11 registries in the 10 court centres throughout Newfoundland and Labrador. Registries provide front line services to the public and are staffed permanently. The key functions of the registries are:

- to provide information and direction about court procedures, services, and forms;
- to process cases by providing administrative services in accordance with due process;
- to ensure that automated case management systems are accurately updated and maintained;
- to enhance community confidence and respect by responding to clients needs and assisting with making the court experience a more positive one; and
- to ensure that court records are preserved and managed from initiation of files to archiving.

## Courtrooms

There are 25 courtrooms in the 10 court centres. Courtroom staff are responsible for the following:

- providing assistance to judges;
- formally opening and closing court;
- ensuring accurate and quality recordings of proceedings;
- taking electronic notes of each court hearing;
- providing transcription services to the court centres;
- organizing the courtroom schedule and setting future dates;
- marking and taking possession of exhibits;
- administering oaths and affirmations to witnesses; and
- transcribing court hearings in criminal matters.

## Court Services Division

Headquartered in St. John's, the Court Services Division provides support to the 10 court centres. Key functions of the Court Services Division are:

- operations management;
- human resource management;
- financial management;
- information management;
- transcript management;
- policy development; and
- strategic planning.

## Jurisdiction

The jurisdiction of the Provincial Court extends to adult, youth, small claims, traffic, and family matters.

**Adult:** all summary conviction offences under federal and provincial statutes; indictable offences, except those excluded under the *Criminal Code*, for example, murder or treason.

**Youth:** all criminal matters involving persons twelve years and older but less than eighteen years of age at the time the offence occurred.

**Small Claims:** all civil actions where amounts do not exceed \$25,000. The Provincial Court has no jurisdiction over cases involving: land title disputes; disputes regarding the validity of devises, bequests, or limitations; malicious prosecution, false imprisonment, or defamation; or complaints against a judge, justice, or other public official for anything they have done while executing the duties of office.

**Traffic:** ticketable offences (summary offence tickets) under the *Highway Traffic Act*, the *Motorized Snow Vehicles and All-Terrain Vehicles Act*, and various municipal or institutional parking by-laws or regulations.

**Family:** custody, access, support, paternity, adoption, and child protection in those geographic areas where it maintains jurisdiction. It does not deal with divorce or division of property under the *Family Law Act*. All applicants in either Provincial Court or Supreme Court, Family Division are provided with parent education sessions, mediation, and counselling delivered by the Family Justice Services Division of the Department of Justice which serves both levels of Court.

In addition, the Provincial Court exercises special jurisdiction to issue emergency protection orders and to conduct inquiries into accidental deaths and fires occurring within the province. Upon request, the Court provides criminal history checks, certificates of conduct, and Justice of the Peace services. The Provincial Court is responsible for maintaining and updating a province-wide electronic criminal history database that is relied upon by all partners in justice as well as the general public.

## Specialty Courts

The Provincial Court of Newfoundland and Labrador also operates two specialty courts: the Family Violence Intervention Court (FVIC) and the Mental Health Court (MHC).

### Family Violence Intervention Court

As of October 2015, the Provincial Court houses the permanent St. John's Family Violence Intervention Court as well as the two year FVIC pilot project in Stephenville.

FVIC is a specialized criminal court intended to address the complex issue of family violence. It operates in the same manner as traditional criminal justice courts, but it is administered in an approach that attempts to better serve victims and hold offenders more accountable. This specialized court requires the offender to participate in intervention regarding family violence.

The goal of the court is to prevent and reduce incidents of family violence by addressing the root causes of violence through teamwork with key community partners. Through a collaborative approach, access to support services and intervention programs is accelerated. The FVIC focuses on enhancing victim safety as well as emphasizing offender accountability and programming.

### Mental Health Court

The Mental Health Court has been operating since 2005 and is a project of the Provincial Court of Newfoundland and Labrador (St. John's), the Public Prosecutions Division of the Department of Justice and Public Safety, the Mental Health Project of the Newfoundland and Labrador Legal Aid Commission, Eastern Health, and Corrections and Community Services. The goal of the MHC is to assist individuals who have had contact with the law in re-establishing themselves in the community with an increased and/or appropriate level of support, both medical and community-based. The Court is based on the recognition that certain offenders who suffer from a mental disorder may commit offences as a consequence of their mental disorder or lifestyle issues related to their mental disorder.



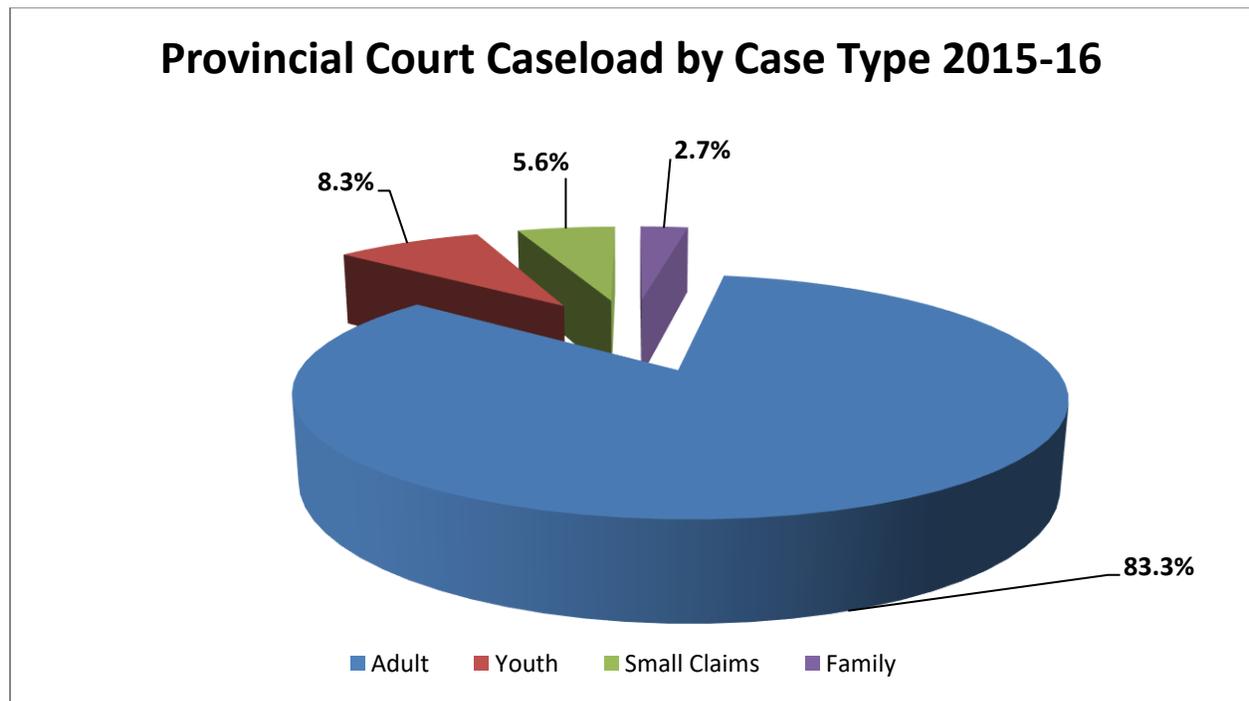
## **PART 3: PROVINCIAL COURT WORKLOAD**

## Definition of Workload

The workload of Provincial Court is determined by the number of cases which are initiated in a given year, as well as cases which may be carried over from the previous year. The workload consists of five business lines, including adult, youth, small claims, traffic, and family. The Court monitors total caseload, as well as weekend arrests, summary offence tickets, and court appearances. The Court also tracks the number of videoconferencing sessions, CourtCall sessions, transcribed pages, CD requests, requests for letters of conduct and records of conviction, and requests for emergency protection orders.

## Total Caseload

In 2015-2016, the following cases were initiated in Provincial Court: 24,787 adult cases, 2,476 youth cases, 1,676 small claims cases, and 817 family cases. In addition to the four business lines included in the chart below, Traffic Court processed 135,776 summary offence tickets and conducted 751 trials.

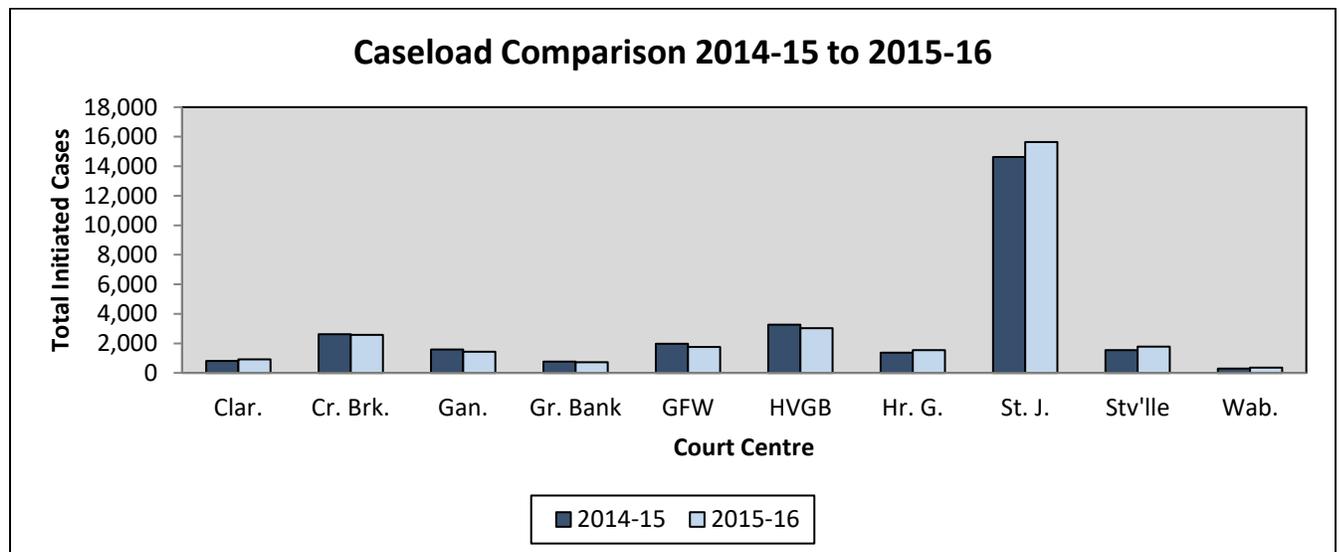


## Combined Caseload Statistics

COURT CENTRE	INITIATED ADULT*		INITIATED YOUTH*		INITIATED SMALL CLAIMS		INITIATED FAMILY**		TOTAL INITIATED CASES	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Clarenville	646	759	44	25	47	70	75	72	812	926
Corner Brook	2,124	2,063	370	343	135	166	0	0	2,629	2,572
Gander	1,336	1,153	70	47	85	66	103	178	1,594	1,444
Grand Bank	624	567	39	56	60	49	41	51	764	723
GF-W	1,526	1,273	175	189	67	101	211	184	1,979	1,747
HV-GB	2,830	2,552	142	210	35	47	260	217	3,267	3,026
Harbour Grace	1,045	1,224	77	87	164	182	76	53	1,362	1,546
St. John's	12,871	13,341	975	1410	781	881	0	0	14,627	15,632
Stephenville	1,378	1,594	96	90	71	93	0	0	1,545	1,777
Wabush	224	261	2	19	25	21	50	62	301	363
<b>TOTAL</b>	<b>24,604</b>	<b>24,787</b>	<b>1,990</b>	<b>2,476</b>	<b>1,470</b>	<b>1,676</b>	<b>816</b>	<b>817</b>	<b>28,880</b>	<b>29,756</b>

\*These figures include Applications and Peace Bonds.

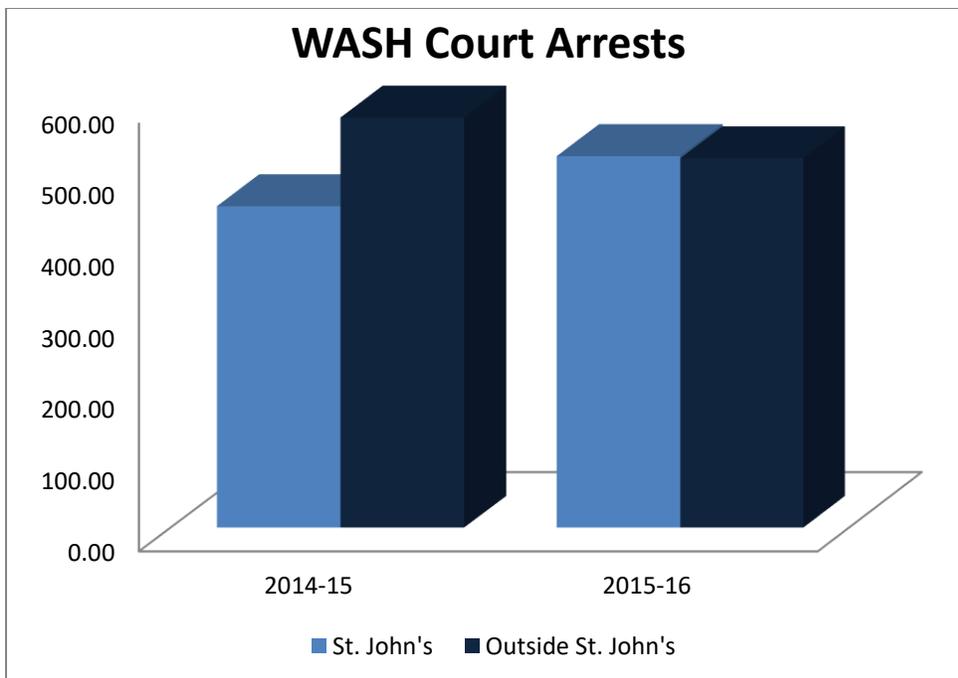
\*\*These figures include Support, Custody, Wardship, Adoption, and Apprehension cases.



## WASH (Weekend and Statutory Holiday) Court Statistics

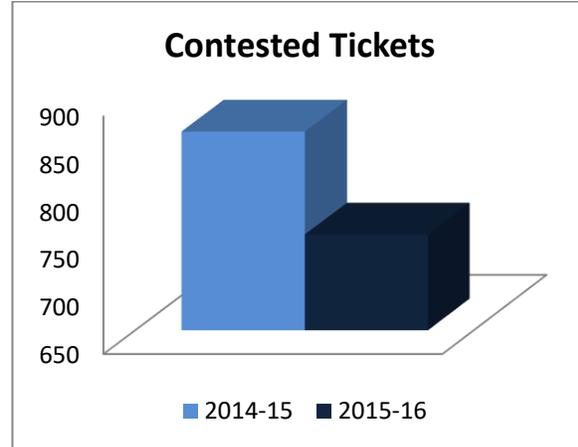
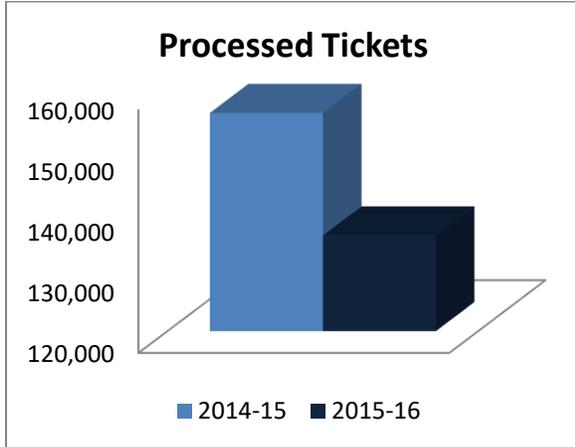
Section 503 of the *Criminal Code* provides that an accused must appear before a judge within 24 hours of arrest. Therefore, the Provincial Court operates 24/7, 365 days per year. The Court has an on-call judge system to fulfill the *Criminal Code* requirement. The judge could be from any jurisdiction in the province, although, all court proceedings are funneled through the St. John's Court Centre with a clerk, Crown, and Duty Counsel present.

In 2015-16, WASH Court sat for a total of 119 days. There were 1,039 weekend arrests, 521 within the St. John's area and 518 outside of St. John's. This represents a slight increase from 1,026 arrests in 2014-15.



## Summary Offence Tickets

COURT CENTRE	PROCESSED TICKETS		CONTESTED TICKETS (TRIALS)	
	2014-15	2015-16	2014-15	2015-16
Clarenville	1,133	1,716	6	6
Corner Brook	7,318	7,129	78	82
Gander	3,566	3,344	84	71
Grand Bank	1,027	803	1	3
Grand Falls – Windsor	2,299	2,680	51	61
Happy Valley – Goose Bay	878	1,163	3	19
Harbour Grace	1,415	1,469	18	22
St. John’s	133,383	112,416	587	458
Stephenville	1,869	2,526	14	17
Wabush	3,028	2,341	17	12
<b>TOTAL</b>	<b>155,916</b>	<b>135,587</b>	<b>859</b>	<b>751</b>



## Videoconferencing

The Provincial Court has availed of videoconferencing since 2004. Since that time, usage has increased steadily and it has become a vital component of daily court operations. Videoconferencing has proven to be quite beneficial in improving court scheduling, reducing travel expenditures, and increasing access to justice for those in remote areas.

The following chart highlights the total number of videoconferencing sessions for each court centre. These figures include concurrent sessions between court centres as well as the sessions that occurred between court centres and organizations outside of the provincial court network such as justice departments in other provinces and other jurisdictional courts.

There were 368 video links between the Provincial Court and Her Majesty's Penitentiary, the Newfoundland and Labrador Youth Centre, the Newfoundland and Labrador Correctional Centre for Women, the Labrador Correctional Centre, and the West Coast Correctional Institution during 2015-2016. This accounted for approximately 10.2% of all sessions for the fiscal year.

COURT CENTRE	SESSIONS		HOURS	
	2014-15	2015-16 <sup>1</sup>	2014-15	2015-16
Clarenville	139	125	281	227
Corner Brook	246	345	337	510
Gander	140	172	134	167
Grand Bank	117	126	259	219
Grand Falls – Windsor	68	127	96	169
Happy Valley – Goose Bay	188	176	270	404
Harbour Grace	38	54	64	90
St. John's	403	1157	380	932
Stephenville	105	175	122	170
Wabush	87	235	192	586
Outside Court Network	110	897	210	930
<b>TOTAL</b>	<b>1,642</b>	<b>3,589</b>	<b>2,345</b>	<b>4,404</b>

<sup>1</sup> The large increase is due to a change in counting methods. In previous years calls coming in from the outside were not counted, however this year we decided to count them in order to ensure that no calls were missed.

## CourtCall

CourtCall is a service offered by an American company that provides lawyers with the option of making routine appearances via teleconferencing. By providing this service, the Provincial Court has reduced the need for lawyers to make unnecessary trips to Court for non-evidentiary appearances. Instead, a lawyer can conduct other business and simply call into the Court at the appointed time. This allows for direct savings which can be passed on to clients, reducing the cost of litigation and improving access to justice. The numbers below reflect the use of CourtCall on circuit and at the home court.

COURT CENTRE	SESSIONS	
	2014-15	2015-16
Clarenville	210	249
Corner Brook	240	202
Gander	334	338
Grand Bank	144	130
Grand Falls – Windsor	392	357
Happy Valley – Goose Bay	605	726
Harbour Grace	474	454
St. John's	153	149
Stephenville	197	172
Wabush	301	273
Circuit Courts	181	204
<b>TOTAL</b>	<b>3,231</b>	<b>3,254</b>

## Transcribed Pages and CD Requests

PROVINCIAL STATISTICS	2014-15	2015-16
Transcript Requests	215	217
Transcribed Pages	17,819	27,002 <sup>2</sup>
CD Requests	739	773

## Requests for Letters of Conduct and Records of Conviction

PROVINCIAL STATISTICS	2014-15	2015-16
Letters of Conduct	16,636	17,475
Records of Conviction	10,387	9,054
<b>TOTAL</b>	<b>27,023</b>	<b>26,529</b>

## Emergency Protection Orders (EPOs)

PROVINCIAL STATISTICS	2014-15	2015-16
Number of Applications <b>Received</b>	302	291
Number of EPOs <b>Granted</b>	223	224
Number of EPOs <b>Denied</b>	66	42
Number of EPOs <b>Pending</b>	0	0
Number of EPOs dealt with by <b>Other</b> means (e.g. withdrawn, dismissed, etc.)	13	25

<sup>2</sup> The large increase is due to more cases being heard, workload being shared between court locations, improved audio, continuous monitoring, improvements to log notes, hiring a dedicated court officer, as well as other efficiencies. More work will be completed in the new year from a Human Resources perspective which will hopefully equate to more efficiencies



## **PART 4: PROVINCIAL COURT PERFORMANCE**

## Definition of Performance

Provincial Court performance is determined by how effectively the Court processes cases. There are a number of key performance indicators that define efficiency for specialty courts, transcripts, and criminal cases. Performance benchmarks for Mental Health Court include programming completion rates and the various types of dispositions. Family Violence Intervention Court performance is determined by completion of intervention programs and enhanced victim safety. The turnaround time for completing transcript requests signifies transcript production efficiency. Criminal case performance is determined by analyzing statistical data such as clearance rates, time to disposition, and age of active pending cases.

## Mental Health Court Statistics

The types of substantive offences included unlawful trespassing, causing a disturbance, mischief, theft and fraud under \$5,000, failure to comply with court orders, threats, assault, assault with a weapon and being unlawfully in a dwelling house.

MENTAL HEALTH COURT											
PENDING CASES		INITIATED CASES		CONCLUDED CASES		CASES REFERRED BACK TO TRADITIONAL SYSTEM		PENDING CASES March 31/15		CLEARANCE RATE	
2014/15	2015/16	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16
89	54	141	59	93	26	83	6	54	30	124%	54.2% <sup>3</sup>

## Family Violence Intervention Court Statistics

The Family Violence Intervention Court (FVIC) has been operating in both St. John's and Stephenville since October 2015. Uptake in St. John's has been favorable with 80.65% of the accused agreeing to participate in the FVIC Program.

FVIC							
Location	# of eligible participants	# of interested participants	# waiting to enter pleas	# waiting for risk assessment	# referred to family violence programming	Successfully completed programming	Continuing with programming at end of fiscal year
St. John's	29	25 (80.65%)	7 (28%)	0	18 (72%)	3 (12%)	15 (60%)
Stephenville	10	7 (70%)	4 (57.14%)	1 (14.29%)	1 (14.29%)	In progress	In progress <sup>4</sup>

<sup>3</sup> While it appears that there has been a large decrease between the 2 years, looking at the 7 year trend indicates that 2014/15 was an anomaly and the average between the 2 years is in line with previous years. There has been a decreasing trend in initiated cases which will involve some investigation.

<sup>4</sup> No participants had finished the programming or been sentenced at that point

The sentences for those who did complete the counseling ranged from an absolute discharge to a conditional discharge, along with varying periods of probation, as well as victim fine surcharges.

In Stephenville, 70% of people agreed to participate in the program. Programming was in progress at the end of the fiscal year for all participants.

### Transcript Turnaround Time

The Provincial Court recognizes the important role of the provision of accurate and timely transcripts in the administration of justice. Court Services continues to monitor, prioritize, and coordinate the sharing of transcription services between the 10 court centres.

Transcript turnaround time has seen significant improvements in 2015-16 when compared with the previous fiscal year. The average number of days to complete a transcript has decreased by approximately 14% with the longest turnaround time being 221 days compared to 264 days in 2014-15.

In addition to managing the requested transcripts, there are a number of outstanding transcripts which are brought forward from the previous year. As of April 1, 2016, a total of 33 transcripts were carried over from the previous fiscal year.

2014-15			2015-16		
Total Transcripts Requested:	215		Total Transcripts Requested:	217	
Total Transcripts Completed:	214		Total Transcripts Completed:	223	
Turnaround			Turnaround		
Days	Transcripts	Percentages	Days	Transcripts	Percentages
0 – 30	77	35.98%	0 – 30	94	42.15%
31 – 60	49	22.90%	31 – 60	43	19.28%
61 – 90	49	22.90%	61 – 90	32	14.35%
91 – 120	23	10.75%	91 – 120	23	10.31%
121 – 150	11	5.14%	121 – 150	14	6.28%
Over 150	5	2.34%	Over 150	17	7.62%
Average: 65.81 Days			Average: 56.74 Days		
Oldest: 264 Days			Oldest: 221 Days		

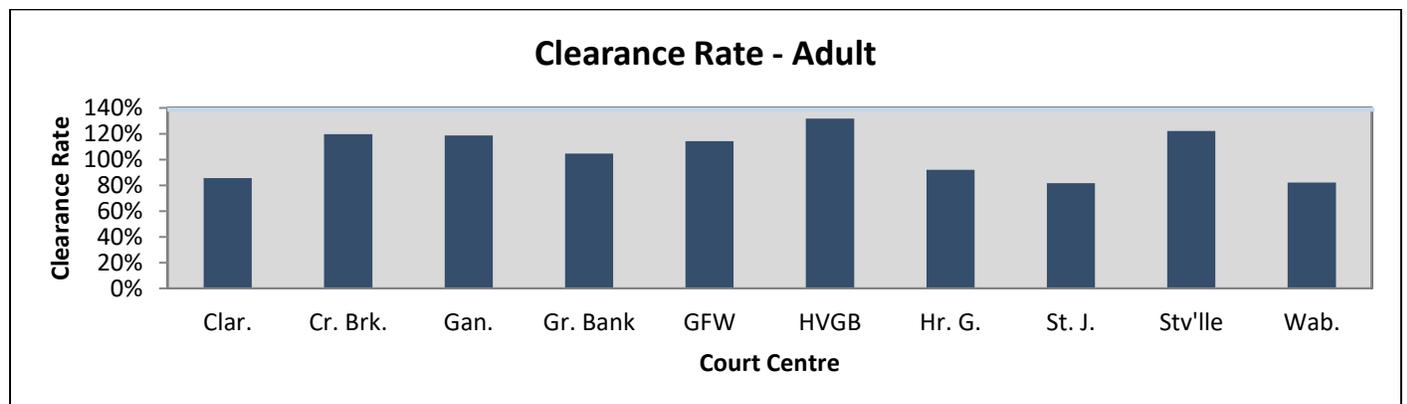
## Clearance Rates

The Provincial Court aims for a minimum clearance rate of 100% – that means finalizing cases at the same rate new cases are initiated. A rate greater than 100% indicates that the Court is concluding cases that were filed in previous years, thereby reducing the backlog of pending cases. A rate less than 100% indicates that the number of pending cases is increasing.

### Adult

ADULT COURT					
COURT CENTRE	PENDING CASES April 1/15	INITIATED CASES 2015/16	CONCLUDED CASES 2015/16	PENDING CASES MARCH 31/16	CLEARANCE RATE
Clarenville	338	595	508	425	85.4%
Corner Brook	2,304	1,682	2,014	1,972	119.7%
Gander	914	918	1,090	742	118.7%
Grand Bank	254	469	491	232	104.7%
Grand Falls-Windsor	1,162	1,031	1,178	1,015	114.3%
Happy Valley—Goose Bay	2,156	2,216	2,918	1,455	131.6%
Harbour Grace	817	962	886	892	92.2%
St. John's	8,757	11,779	9,603	10,938	81.5%
Stephenville	1,659	1,172	1,423	1,411	121.1%
Wabush	311	224	184	359	82.1%
<b>TOTAL</b>	<b>18,672</b>	<b>21,048</b>	<b>20,295</b>	<b>19,441</b>	<b>96.4%</b>

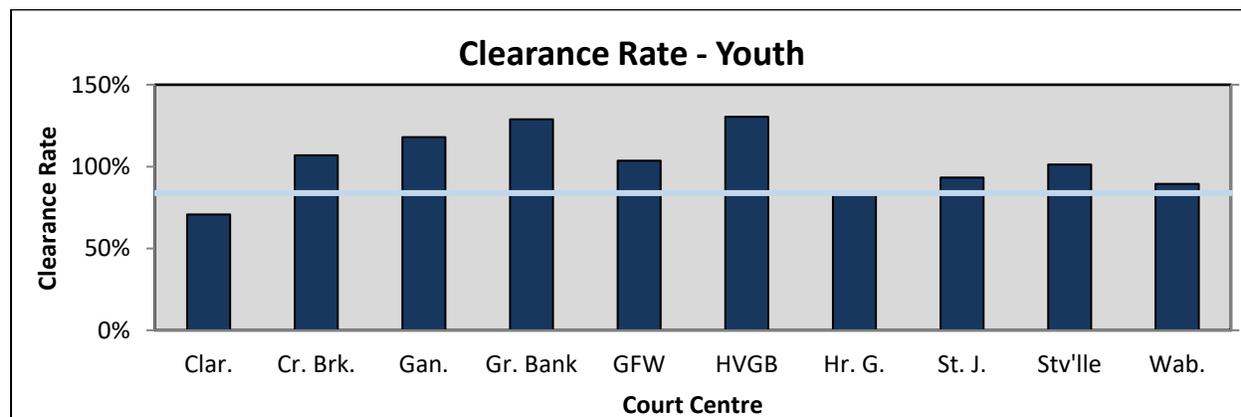
*Note: These figures do not include Applications and Peace Bonds.*



## Youth

YOUTH COURT					
COURT CENTRE	PENDING CASES APRIL 1/15	INITIATED CASES 2015/16	CONCLUDED CASES 2015/16	PENDING CASES MARCH 31/16	CLEARANCE RATE
Clarenville	41	24	17	48	70.8%
Corner Brook	272	330	353	249	107.0%
Gander	29	39	46	22	117.9%
Grand Bank	28	52	67	13	128.8%
Grand Falls – Windsor	201	171	177	195	103.5%
Happy Valley – Goose Bay	248	210	274	184	130.5%
Harbour Grace	61	83	69	75	83.1%
St. John's	474	1,342	1,251	565	93.2%
Stephenville	100	79	80	99	101.3%
Wabush	8	19	17	10	89.5%
<b>TOTAL</b>	<b>1,462</b>	<b>2,349</b>	<b>2,351</b>	<b>1,460</b>	<b>100.1%</b>

*Note: These figures do not include Applications and Peace Bonds.*

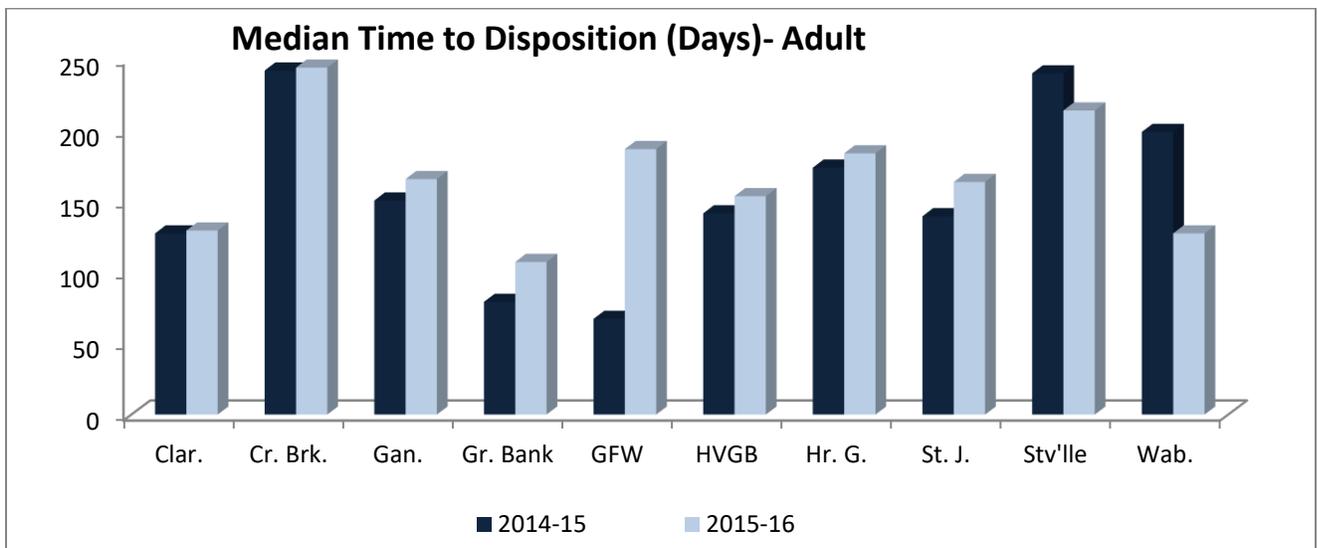


## Time to Disposition

Timeliness is of fundamental importance in the criminal justice process. The time to disposition statistics outline the median length of time for a criminal case to conclude in each of the 10 court centres. The Provincial Court aims to conclude cases as promptly as possible while still ensuring that justice is served.

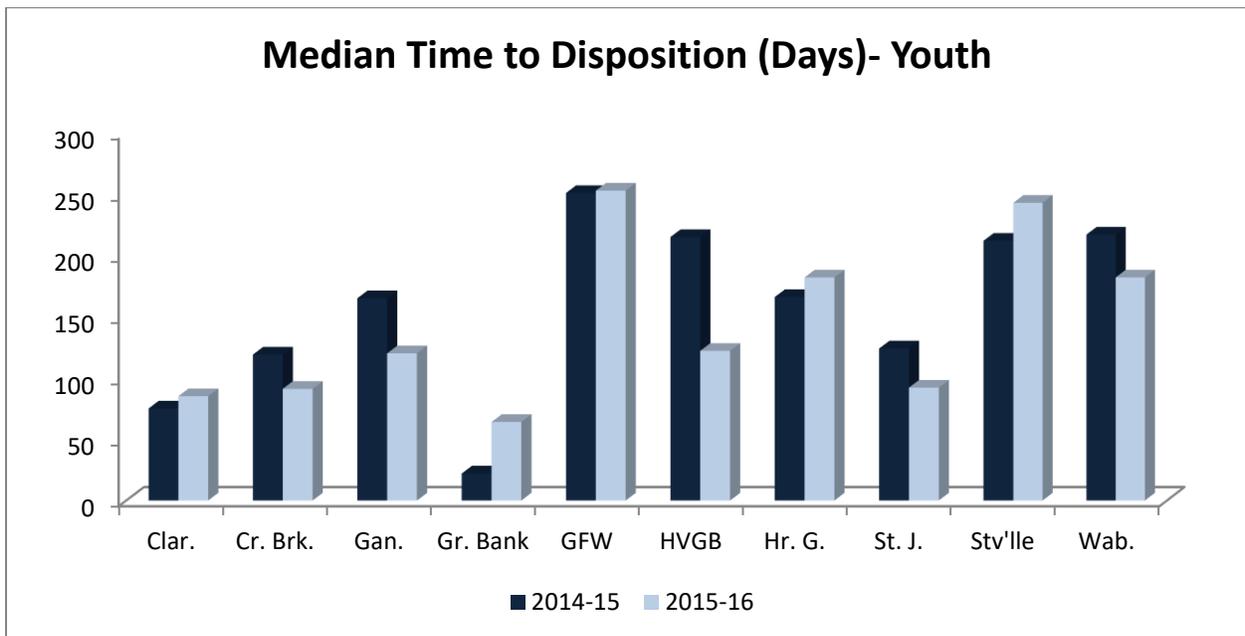
### Adult

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)	
	2014-15	2015-16
Clarenville	128	130
Corner Brook	242	244
Gander	151	166
Grand Bank	80	108
Grand Falls – Windsor	68	187
Happy Valley – Goose Bay	142	154
Harbour Grace	174	184
St. John's	140	164
Stephenville	240	214
Wabush	199	128
<b>MEDIAN</b>	<b>147</b>	<b>165</b>



## Youth

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)	
	2014-15	2015-16
Clarenville	75	85
Corner Brook	119	91
Gander	165	120
Grand Bank	22	64
Grand Falls – Windsor	251	253
Happy Valley – Goose Bay	215	122
Harbour Grace	166	182
St. John's	124	92
Stephenville	212	243
Wabush	217	135
<b>MEDIAN</b>	<b>166</b>	<b>121</b>

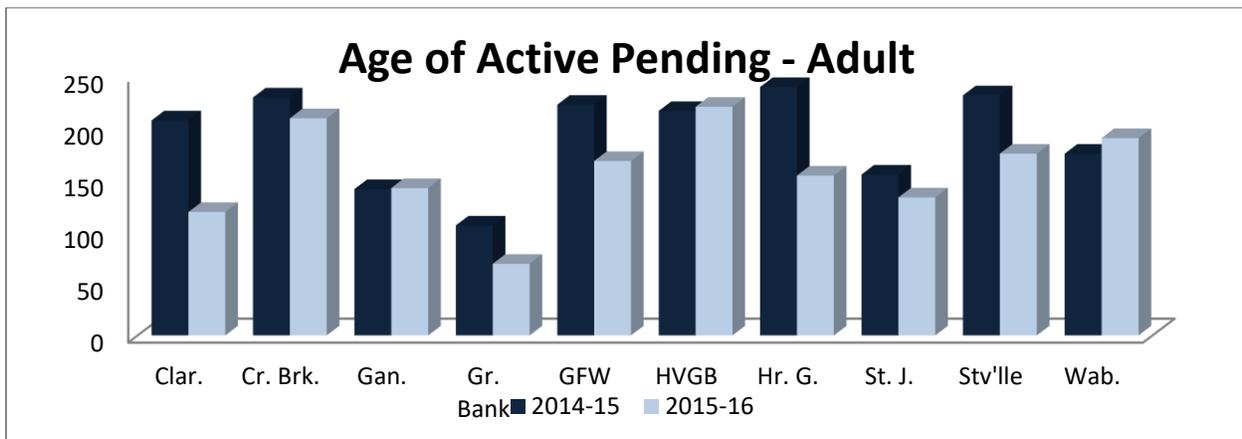


## Age of Active Pending Cases

The age of active pending cases statistics outline the median age of a criminal case as of March 31st in each of the 10 court centres. The Provincial Court aims to minimize the number of older cases and maximize the proportion of younger cases. The nature of high-conflict and complex cases inevitably means that those case types will take longer to progress through to conclusion.

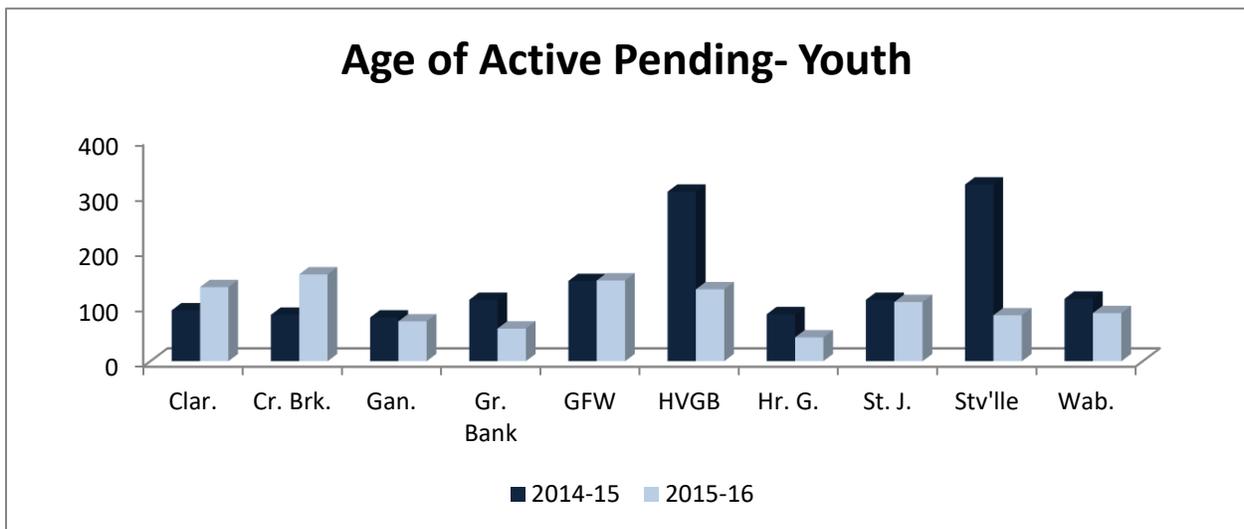
### Adult

COURT CENTRE	MEDIAN AGE (DAYS)	
	2014-15	2015-16
Clarenville	207	119
Corner Brook	229	209
Gander	141	142
Grand Bank	106	69
Grand Falls – Windsor	222	168
Happy Valley – Goose Bay	216	221
Harbour Grace	239	154
St. John's	155	133
Stephenville	231	175
Wabush	175	190
<b>MEDIAN</b>	<b>212</b>	<b>161</b>



## Youth

COURT CENTRE	MEDIAN AGE (DAYS)	
	2014-15	2015-16
Clarenville	92	134
Corner Brook	84	157
Gander	79	72
Grand Bank	111	59
Grand Falls – Windsor	145	146
Happy Valley – Goose Bay	306	130
Harbour Grace	85	43
St. John's	111	107
Stephenville	319	83
Wabush	113	87
<b>MEDIAN</b>	<b>111</b>	<b>97</b>





## PART 5: FINANCIAL STATEMENTS

## FINANCIAL STATEMENTS

### Budget Expenditures 2015-16

CATEGORY	ORIGINAL BUDGET	ACTUAL	VARIANCE
Salaries	9,238,800	8,965,766	273,034
Employee Benefits	54,500	35,302	19,198
Transportation & Communication	281,700	404,942	(123,242)
Supplies	58,800	58,529	271
Professional Services	25,000	16,946	8,054
Purchased Services	1,280,200	1,458,860	(178,660)
Property, Furniture & Equipment	134,700	98,598	36,102
Grants & Subsidies	3,000	3,000	-
<b>TOTAL</b>	<b>11,076,700</b>	<b>11,041,943</b>	<b>34,757</b>

#### Staff Overtime

Time Off in Lieu (TOIL)		
	Hours	Dollar Value
Balance as of March 31, 2015	1,298.88	37,732.46
Balance as of March 31, 2016	1,112.52	32,300.99

Paid Overtime	
Fiscal 2014-15	32,700.00
Fiscal 2015-16	44,300.00

#### Costs of Judicial Exchange\*

Fiscal 2014-15	35,544.46
Fiscal 2015-16	44,428.00

\*Judicial Exchange occurs when a judge has a conflict at his/her court centre or due to leave. Subsequently, a judge is brought in from a different centre to hear the matters. This also includes a judge assisting Happy Valley – Goose Bay, traveling from Wabush.

## Operational Costs of Circuit Courts

COURT CENTRE	CIRCUIT	2014-15	2015-16
Clarenville	Bonavista	245.85	1,100.00
	<b>TOTAL CLARENVILLE</b>	<b>245.85</b>	<b>1,100.00</b>
Corner Brook	Baie Verte	3,093.78	4,393.00
	/ Port au Choix	7,443.81	7,395.00
	Rocky Harbour	3,639.49	4,744.00
	St. Anthony	5,407.72	8,258.00
	<b>TOTAL CORNER BROOK</b>	<b>19,584.80</b>	<b>24,790.00</b>
Grand Falls – Windsor	Conne River / Harbour Breton / Head of Bay D'Espoir	572.54	1,931.00
	<b>TOTAL GRAND FALLS–WINDSOR</b>	<b>572.54</b>	<b>1,931.00</b>
Happy Valley – Goose Bay	Hopedale / Makkovik / Postville / Rigolet	25,428.67	28,029.00
	Nain	46,297.37	42,724.00
	Natuashish	45,318.52	36,045.00
	Port Hope Simpson	11,338.12	15,268.00
	<b>TOTAL HAPPY VALLEY–GOOSE BAY</b>	<b>128,382.68</b>	<b>122,066.00</b>
Harbour Grace	Placentia	598.45	1,268.00
	<b>TOTAL HARBOUR GRACE</b>	<b>598.45</b>	<b>1,268.00</b>
Stephenville	Port aux Basques	6,956.89	6,761.00
	<b>TOTAL STEPHENVILLE</b>	<b>6,956.89</b>	<b>6,761.00</b>
<b>TOTAL</b>	<b>ALL CIRCUITS</b>	<b>156,341.21</b>	<b>157,916.00</b>

## Frequency of Circuit Courts

COURT CENTRE AND CIRCUIT	SCHEDULED DAYS		ACTUAL DAYS *	
	2014-15	2015-16	2014-15	2015-16
<b>CLARENVILLE</b>				
Bonavista	4.0	1.0	2.0	1.0
<b>CORNER BROOK</b>				
Port au Choix	19.0	17.0	14.0	14.0
Rocky Harbour	15.0	11.0	14.0	10.0
St. Anthony	12.0	16.0	7.0	14.0
<b>GRAND FALLS – WINDSOR</b>				
Baie Verte	12.0	13.0	5.0	7.0
Head of Bay D'Espoir	5.0	6.0	3.0	4.0
<b>HAPPY VALLEY – GOOSE BAY</b>				
Hopedale	17.0	22.0	17.0	21.5
Makkovik	3.0	6.0	3.0	1.0
Nain	44.0	49.0	45.5	37.0
Natuashish	35.5	50.0	32.5	36.0
Port Hope Simpson	11.0	14.0	9.0	10.0
Postville	1.0	4.0	1.0	0.5
Rigolet	0.0	2.5	0.0	0.05
<b>HARBOUR GRACE</b>				
Placentia	6.0	7.0	6.0	7.0
<b>STEPHEENVILLE</b>				
Port aux Basques	29.0	30.0	19.0	29.0
<b>TOTAL</b>	<b>213.5</b>	<b>248.5</b>	<b>178.0</b>	<b>192.05</b>

\*The count of actual days is influenced by factors such as inclement weather and travel as well as scheduled matters concluding prior to the date. The count of actual days includes partial/half days that the court traveled to site and may have concluded matters earlier than expected.

## Monetary Amounts Collected and Distributed

TYPE	2014-15		2015-16	
	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	279,244	8.11%	156,926	4.58%
Federal Statutes	655,499	19.05%	622,228	18.16%
Liquor Control Act	1,250	0.04%	85,192	2.49%
Municipal Acts	1,600	0.05%	2,870	0.08%
Animal Protection Act (APA)	150	0.00%	-	0.00%
Summary Offence Tickets & Ticket Management System	1,241,984	36.08%	1,373,280	40.07%
Fees and Costs	339,167	9.85%	336,722	9.83%
Victim Fine Surcharge	171,534	4.98%	206,013	6.01%
Provincial Victim Fine Surcharge	23,456	0.68%	16,840	0.49%
Maintenance/Compensation	223,223	6.49%	93,230	2.72%
Civil/Small Claims Payments	101,801	2.96%	102,497	2.99%
Bail/Bonds Sureties	385,756	11.21%	420,009	12.26%
Judgment Enforcement Act	8,050	0.23%	8,805	0.26%
Other (Third Party)	9,120	0.26%	2,365	0.07%
<b>TOTAL</b>	<b>3,441,834</b>	<b>100.00%</b>	<b>3,426,977</b>	<b>100.00%</b>

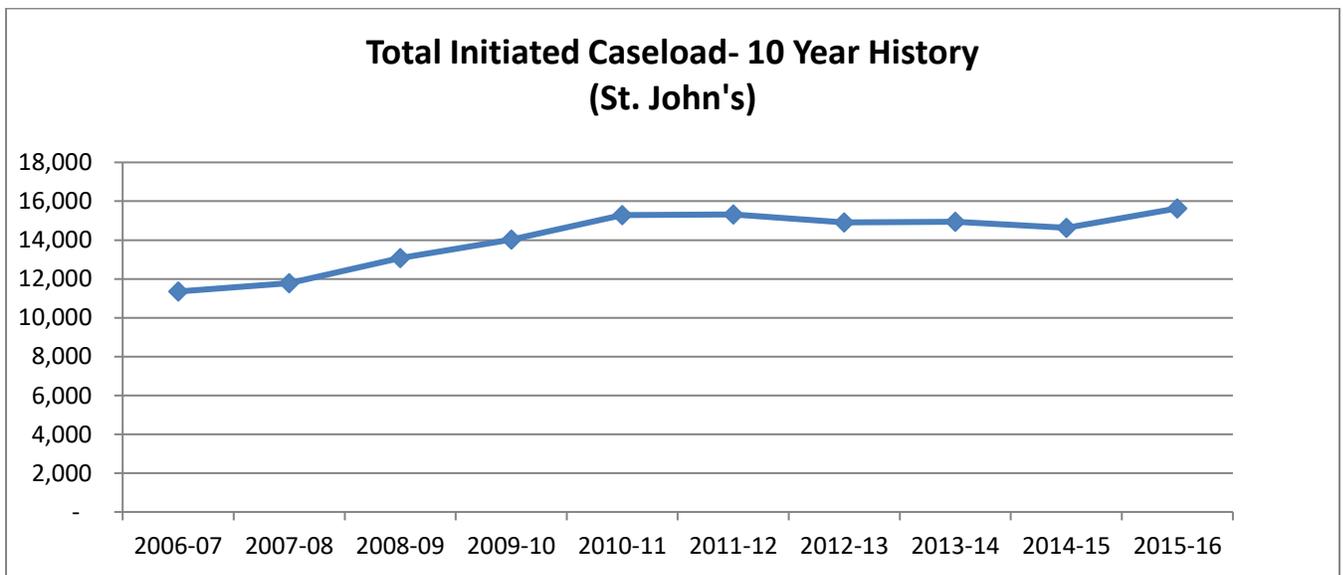
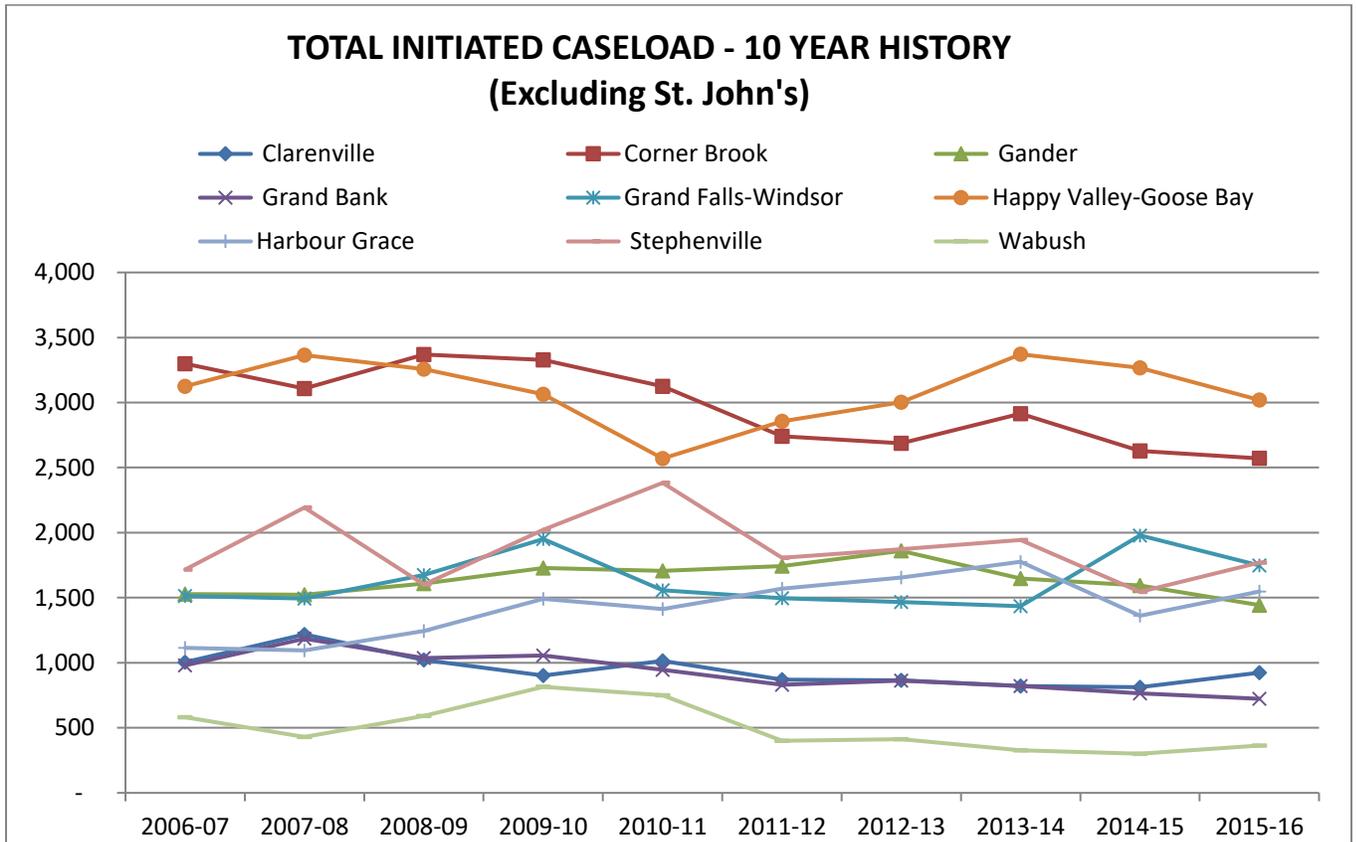
## Fines Imposed Summary

TYPE	2014-15		2015-16	
	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	515,032	18.66%	319,605	11.47%
Federal Statutes	691,050	25.04%	800,186	28.71%
Liquor Control Act	2,750	0.10%	5,200	0.19%
Animal Protection Act (APA)	0	0.00%	0	0.00%
Victim Fine Surcharge	830,029	30.08%	1,006,833	36.12%
Provincial Victim Fine Surcharge	48,285	1.75%	36,644	1.31%
Ticket Management System	647,975	23.48%	616,450	22.11%
Other (Third Party)	24,700	0.89%	2,625	0.09%
<b>TOTAL</b>	<b>2,759,821</b>	<b>100%</b>	<b>2,787,543</b>	<b>100.00%</b>



## PART 6: 10 YEARS STATISTICS

## Ten Year Statistical Data



COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Clareville	2006-07	783	105	84	32	1,004	1,867	26
	2007-08	944	119	113	42	1,218	1,991	23
	2008-09	770	163	44	44	1,021	2,030	12
	2009-10	714	60	78	50	902	2,252	29
	2010-11	815	109	53	38	1,015	1,644	7
	2011-12	706	60	72	31	869	1,500	6
	2012-13	656	80	71	58	865	1,515	27
	2013-14	587	73	84	77	821	853	4
	2014-15	646	44	47	75	812	1,133	6
	2015-16	759	25	70	72	926	1,716	6

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Corner Brook	2006-07	2,239	553	118	388	3,298	6,975	161
	2007-08	2,347	428	169	163	3,107	6,652	156
	2008-09	2,654	353	174	188	3,369	8,917	133
	2009-10	2,405	510	176	236	3,327	8,823	133
	2010-11	2,545	349	198	32	3,124	10,386	123
	2011-12	2,225	337	168	10	2,740	9,987	87
	2012-13	2,202	275	205	5	2,687	11,942	101
	2013-14	2,270	483	172	-	2,925	6,914	107
	2014-15	2,124	370	135	-	2,629	7,318	78
	2015-16	2,063	343	166	-	2,572	7,129	82

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Gander	2006-07	1,102	185	78	162	1,527	3,441	87
	2007-08	1,180	154	53	137	1,524	3,538	131
	2008-09	1,260	126	69	153	1,608	4,569	143
	2009-10	1,314	160	92	163	1,729	4,033	90
	2010-11	1,378	86	101	142	1,707	4,016	182
	2011-12	1,402	156	96	89	1,743	3,149	131
	2012-13	1,489	144	132	95	1,860	4,345	81
	2013-14	1,373	65	95	127	1,660	3,109	78
	2014-15	1,336	70	85	103	1,594	3,566	84
	2015-16	1,153	47	66	178	1,444	3,344	71

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Grand Bank	2006-07	767	93	54	65	979
	2007-08	970	123	44	48	1,185
	2008-09	789	139	57	51	1,036
	2009-10	821	150	44	40	1,055
	2010-11	736	142	42	27	947
	2011-12	617	131	62	22	832
	2012-13	652	124	55	32	863
	2013-14	650	92	70	20	832
	2014-15	624	39	60	41	764
	2015-16	567	56	49	51	723

SOTs PROCS'D	SOT TRIALS
1,176	207
1,195	11
1,426	5
1,819	18
2,459	47
2,390	37
1,895	25
961	16
1,027	1
803	3

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Grand Falls-Windsor	2006-07	992	207	96	218	1,513
	2007-08	1,125	132	69	168	1,494
	2008-09	1,121	245	88	220	1,674
	2009-10	1,413	196	103	239	1,951
	2010-11	1,169	85	114	189	1,557
	2011-12	1,111	145	74	165	1,495
	2012-13	1,061	168	92	146	1,467
	2013-14	1,054	159	81	140	1,434
	2014-15	1,526	175	67	211	1,979
	2015-16	1,273	189	101	184	1,747

SOTs PROCS'D	SOTS TRIALS
2,672	79
3,343	71
3,295	74
3,397	59
2,660	67
2,480	61
2,786	61
1,886	70
2,299	51
2,680	61

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Happy Valley-Goose Bay	2006-07	2,311	473	43	298	3,125
	2007-08	2,634	449	50	232	3,365
	2008-09	2,460	569	32	197	3,258
	2009-10	2,344	379	34	306	3,063
	2010-11	2,165	173	23	209	2,570
	2011-12	2,498	205	29	123	2,855
	2012-13	2,622	203	33	144	3,002
	2013-14	3,012	181	39	179	3,411
	2014-15	2,830	142	35	260	3,267
	2015-16	2,552	210	47	217	3,026

SOTs PROCS'D	SOT TRIALS
892	15
1,142	4
1,540	7
1,318	8
1,199	3
1,093	6
907	8
426	5
878	3
1,163	19

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Harbour Grace	2006-07	787	182	52	94	1,115	953	32
	2007-08	763	194	68	70	1,095	2,367	28
	2008-09	958	102	82	103	1,245	2,622	64
	2009-10	1,161	116	102	111	1,490	2,248	53
	2010-11	1,077	134	99	103	1,413	1,801	31
	2011-12	1,217	142	117	94	1,570	1,505	41
	2012-13	1,343	66	169	78	1,656	1,600	20
	2013-14	1,429	121	137	89	1,776	1,204	27
	2014-15	1,045	77	164	76	1,362	1,415	18
	2015-16	1,224	87	182	53	1,546	1,469	22

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
St. John's	2006-07	9,089	1,603	659	-	11,351	113,331	624
	2007-08	9,402	1,687	687	4	11,780	112,656	417
	2008-09	10,693	1,704	674	-	13,071	120,682	410
	2009-10	12,057	1,356	605	-	14,018	126,687	466
	2010-11	13,189	1,374	725	-	15,288	140,720	686
	2011-12	13,379	1,249	699	-	15,327	133,801	655
	2012-13	13,102	1,079	727	-	14,908	128,633	410
	2013-14	13,008	1,245	732	-	14,985	121,252	510
	2014-15	12,871	975	781	-	14,627	133,383	587
	2015-16	13,341	1410	881	-	15,632	112,416	458

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Stephenville	2006-07	1,265	370	45	35	1,715	1,641	31
	2007-08	1,575	303	47	267	2,192	2,096	35
	2008-09	1,285	149	44	122	1,600	3,430	65
	2009-10	1,697	176	31	118	2,022	4,354	64
	2010-11	2,016	296	53	18	2,383	4,072	113
	2011-12	1,601	161	44	-	1,806	3,734	67
	2012-13	1,638	176	58	-	1,872	3,262	74
	2013-14	1,667	214	73	-	1,954	2,929	41
	2014-15	1,378	96	71	-	1,545	1,869	14
	2015-16	1,594	90	93	-	1,777	2,526	17

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
<b>Wabush</b>	<b>2006-07</b>	316	82	22	162	<b>582</b>	458	17
	<b>2007-08</b>	235	99	18	78	<b>430</b>	617	19
	<b>2008-09</b>	428	71	28	64	<b>591</b>	711	7
	<b>2009-10</b>	615	119	24	57	<b>815</b>	1,266	17
	<b>2010-11</b>	643	43	18	45	<b>749</b>	1,756	34
	<b>2011-12</b>	327	32	16	26	<b>401</b>	1,745	14
	<b>2012-13</b>	341	20	21	30	<b>412</b>	2,734	12
	<b>2013-14</b>	229	33	25	40	<b>327</b>	2,751	8
	<b>2014-15</b>	224	2	25	50	<b>301</b>	3,028	17
	<b>2015-16</b>	261	19	21	62	<b>363</b>	2,341	12

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOTS TRIALS
<b>OVERALL</b>	<b>2006-07</b>	19,651	3,853	1,251	1,454	<b>26,209</b>	133,406	1,279
	<b>2007-08</b>	21,175	3,688	1,318	1,209	<b>27,390</b>	135,597	895
	<b>2008-09</b>	22,418	3,621	1,292	1,142	<b>28,473</b>	149,222	920
	<b>2009-10</b>	24,541	3,222	1,289	1,320	<b>30,372</b>	156,197	937
	<b>2010-11</b>	25,733	2,791	1,426	803	<b>30,753</b>	170,713	1,293
	<b>2011-12</b>	25,083	2,618	1,377	560	<b>29,638</b>	161,384	1,105
	<b>2012-13</b>	25,106	2,335	1,563	588	<b>29,592</b>	159,619	819
	<b>2013-14</b>	25,279	2,666	1,508	672	<b>30,125</b>	142,285	866
	<b>2014-15</b>	24,604	1,990	1,470	816	<b>28,880</b>	155,916	859
	<b>2015-16</b>	24,787	2,476	1,676	817	<b>29,756</b>	135,587	751